

WHEN RECORDED MAIL TO:

WESTERN TITLE COMPANY, INC.

RETURN TO FILE LAS VEGAS PAVING MASTER FILE B58537JC

SECOND AMENDMENT TO DECLARATION OF COVENANTS,

CONDITIONS AND RESTRICTIONS FOR

SUNRIDGE HEIGHTS COMMUNITY ASSOCIATION

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this 1st day of December, 1994, by the undersigned, LAS VEGAS PAVING, INC., a Nevada corporation, hereinafter referred to as "Declarant," and is made with reference to the following facts:

A. The Declaration of Covenants, Conditions and Restrictions for Sunridge Heights Community Association, hereinafter referred to as "Declaration," was recorded in Book 0693 at Page 2678 as Document No. 309655 of the Official Records of Douglas County, Nevada, on June 11, 1993.

B. A Notice of Addition of Land to Sunridge Heights was recorded in Book 0793 at Page 1284 as Document No. 311937 of the Official Records of Douglas County, Nevada, on July 8, 1993.

C. A Notice of Addition of Land/Declaration of Annexation of Sunridge Heights Community Association was recorded in Book 1093 at Page 0702 as Document No. 319479 of the Official Records of Douglas County, Nevada, on October 6, 1993.

D. A Notice of Addition of Land/Declaration of Annexation for Sunridge Heights Community Association was recorded in Book 394 at Page 2329 as Document No. 332209 of the Official Records of Douglas County, Nevada, on March 14, 1994.

E. A Notice of Addition of Land/Declaration of Annexation for Sunridge Heights Community Association was recorded in Book 694 at Page 1368 as Document No. 339248 of the Official Records of Douglas County, Nevada on June 8, 1994.

F. A Notice of Addition of Land/Declaration of Annexation for Sunridge Heights Community Association was recorded in Book 794 at Page 4160 as Document No. 342701 of the Official Records of Douglas County, Nevada on July 27, 1994.

G. The First Amendment to Declaration of Covenants, Conditions and Restrictions for Sunridge Heights Community Association was recorded in Book 594 at Page 1447 as Document No. 337109 of the Official Records of Douglas County, Nevada, on May 10, 1994.

H. The undersigned Declarant desires to amend the Declaration to provide for the modification and clarification of certain provisions relating to: (1) the type of roofing material used on residences on particular lots, and (2) the treatment of retaining walls located on particular lots.

I. Pursuant to the terms of the Declaration, the undersigned Declarant may amend the Declaration until eighty percent (80%) of the total number of lots in the Project are sold, which amendment shall be effective upon recordation in the Office of the County Recorder, Douglas County, Nevada.

NOW, THEREFORE, Declarant hereby certifies and declares that this Second Amendment to the Declaration of Covenants, Conditions and Restrictions shall become a part of said Declaration

and shall run with the property and shall be binding on all parties having or acquiring any right, title or interest in the property or any part thereof, and shall inure to the benefit of each owner thereof and to the benefit of the Association above referred to.

1. That Section 4.10 of the Declaration shall be amended to read as follows:

4.10 Roofing. The roofing material placed upon any improvement within the Project must be fire retardant architectural grade composition material, meeting the standards set by the Nevada State Forester Fire Warden pursuant to NRS 472.040 except as specifically provided otherwise herein.

The roofing material placed upon any residence or improvement on a Lot east of Capricorn Drive, also known as Sunridge Drive, and north of Mica Drive shall be high-quality tile or concrete material, or upon review and approval of the Architectural and Landscape Control Committee shall be high-quality architectural grade composition material, such as Presidential shake, by Celotex Manufacturing. If composition material is used on improvements east of Capricorn Drive, also known as Sunridge Drive, and north of Mica Drive, all eaves and peaks shall be wrapped with the composition roofing material giving the appearance of a tile or concrete roofing material.

2. That Section 5.09 of the Declaration shall be amended to read as follows:

5.09 Slope and Retaining Walls. Each owner shall maintain all slopes on his Lot and shall re-establish any slope that suffers the effects of erosion or other activity that may cause breakdown of the slope. No owner shall alter a uniform slope on the Project without approval of the Association. The Association, the Architectural and Landscape Control Committee, and their respective authorized agents shall have the right (without the duty) to enter upon any Lot at any reasonable time for the purposes of maintaining or re-establishing any slope.

In addition, each owner shall be responsible for maintaining any retaining wall located on his Lot. Each owner of a Lot located east of Capricorn Drive, also known as Sunridge Drive, and north of Mica Drive, upon which a

retaining wall is located, shall cover and "finish" the retaining wall located on his Lot with stucco, rock, brick, or other masonry material reviewed and approved by the Architectural and Landscape Control Committee within thirty (30) days of completion of a residence on said Lot.

IN WITNESS WHEREOF, the Declarant has executed this amendment on the day and year first above written.

LAS VEGAS PAVING, INC.,
a Nevada corporation

By: [Signature]
~~WILLIAM WELLMAN, Director~~

STATE OF NEVADA)
COUNTY OF Douglas) ss.

On December 1st, 1994, personally appeared before me, a notary public, WILLIAM WELLMAN, personally known (or proved) to me to be the person whose name is subscribed to the foregoing instrument and who acknowledged to me that he is a Director of LAS VEGAS PAVING, INC., a Nevada corporation, and who further acknowledged to me that he executed the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions on behalf of said corporation.

[Signature]
NOTARY PUBLIC

JUDY A. COCLICH
Notary Public - State of Nevada
Appointment Recorded in Carson City
MY APPOINTMENT EXPIRES OCT. 3, 1995

REQUESTED BY
WESTERN TITLE COMPANY, INC.
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

'94 DEC -2 AM 59

N9LVFVNG.AME

4

SUZANNE BEAUDREAU
RECORDER
s/10⁰⁹ PAID kg DEPUTY

351912
DL1294P60524