

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

✓ Return to:
Brooke & Shaw
Post Office Box 2860
Minden NV 89423

FIFTH AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF PLEASANTVIEW

BROOKE & SHAW
Post Office Box 2860
Minden, Nevada 89423
(702) 782-7171

369469
BK0895PG5193

FIFTH AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF PLEASANTVIEW

THIS FIFTH AMENDMENT TO DECLARATION is made this ____ day of August, 1995, by GREGORY C. LYNN AND SUZANNE TOWSE, AS TRUSTEES OF THE 1995 GREGORY C. LYNN AND SUZANNE TOWSE TRUST AGREEMENT DATED MAY 16, 1995, herein called "Declarant."

ARTICLE I

RECITALS AND DECLARATION

1.1 Ownership of Property: Declarant is the owner and developer of that real property located in Douglas County, Nevada, described in Exhibit A attached hereto and incorporated herein by this reference, hereinafter referred to as "the Project."

1.2 Statement of Prior Declaration: On March 12, 1990, John Drayton, Trustee of the Drayton Trust, as Declarant, executed Covenants, Conditions and Restrictions and imposed them upon Pleasantview, the common name of the property described in Exhibit A. The Declaration was recorded on April 12, 1990, in the office of the Recorder of Douglas County, Nevada, in Book 490 at Pages 1438 through 1461 as Document No. 223722.

On July 2, 1990, John Drayton, as Trustee of the Drayton Trust, transferred all of its interest in said Exhibit A property to James M. Hickey.

James M. Hickey, as Declarant, amended the Declaration on the 19th day of July, 1990, recorded at Book 790, Page 2881, as Document No. 230633 in the office of the Recorder of Douglas County, Nevada.

///

BROOKE & SHAW
Post Office Box 2860
Minden, Nevada 89423
(702) 782-7171

1 James M. Hickey, as Declarant, further amended the
2 Declaration on the 15th day of March, 1991, recorded at Book 391,
3 Page 2074, as Document No. 246733 in the office of the Recorder of
4 Douglas County, Nevada.

5 James M. Hickey, as Declarant, further amended the
6 Declaration on the 6th day of September, 1991, recorded at Book
7 991, Page 837 as Document No. 259728 in the office of the Recorder
8 of Douglas County, Nevada.

9 James M. Hickey, as Declarant, further amended the
10 Declaration on the 11th day of December, 1992, recorded at Book
11 1292, commencing at Page 2527 as Document No. 295397 in the office
12 of the Recorder of Douglas County, Nevada.

13 1.3 Statement of Ownership: Declarant is the owner of
14 more than fifty percent (50%) of the lots contained in
15 Pleasantview, and furthermore fewer than ninety (90) of the
16 original lots have been developed. Therefore, pursuant to Section
17 10.1 of the Declaration, Declarant is entitled to make this
18 Amendment.

19 1.4 Authorization to Amend: Pursuant to Paragraph
20 10.1(A) of the Declaration, Declarant is authorized and permitted
21 to amend the Declaration.

22 1.5 Desire to Amend: It is the desire of Declarant to
23 amend the Declaration of Covenants, Conditions and Restrictions of
24 Pleasantview in the following respects:

25 II

26 AMENDMENTS

27 The Declaration at Paragraph 5.1, the first Amendment dated
28 July 1990 at Paragraph 2.1(C), and the Third Amendment dated

1 December 1992 at Paragraph 2.1(A) are hereby amended to provide
2 for a minimum square footage of one thousand eight hundred fifty
3 (1,850) square feet of living space, exclusive of railed areas,
4 breezeways or screened or unscreened porches.

5 III

6 CONFIRMATION

7 In all other respects, the Declaration and Amendments are
8 confirmed and ratified.

9 DATED this 30th day of August, 1995.

10 THE 1995 GREGORY C. LYNN AND SUZANNE
11 TOWSE TRUST AGREEMENT DATED MAY 16, 1995

12 By [Signature]
13 Gregory C. Lynn, Trustee

14 By [Signature]
15 Suzanne Towse, Trustee

16 STATE OF NEVADA)
17) ss.
18 COUNTY OF DOUGLAS)

19 On August 30, 1995, before me, a notary public,
20 personally appeared GREGORY C. LYNN, personally known (or proved)
21 to me to be the person whose name is subscribed to the above
22 instrument who acknowledged that he executed the instrument.
23
24

25 Danielle E. Curtis
26 Notary Public

27 ///

28 ///



BROOKE & SHAW
Post Office Box 2860
Minden, Nevada 89423
(702) 782-7171

1 STATE OF NEVADA)
2 COUNTY OF DOUGLAS) ss.

3 On August 30, 1995, 1995, before me, a notary public,
4 personally appeared SUZANNE TOWSE, personally known (or proved) to
5 me to be the person whose name is subscribed to the above
6 instrument who acknowledged that she executed the instrument.

7 Danielle E. Curtis
8 Notary Public



9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BROOKE & SHAW
Post Office Box 2860
Minden, Nevada 89423
(702) 782-7171

083095;med;pleasantview.amn

369469

EXHIBIT A
LEGAL DESCRIPTION

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

BROOKE & SHAW
Post Office Box 2860
Minden, Nevada 89423
(702) 782-7171

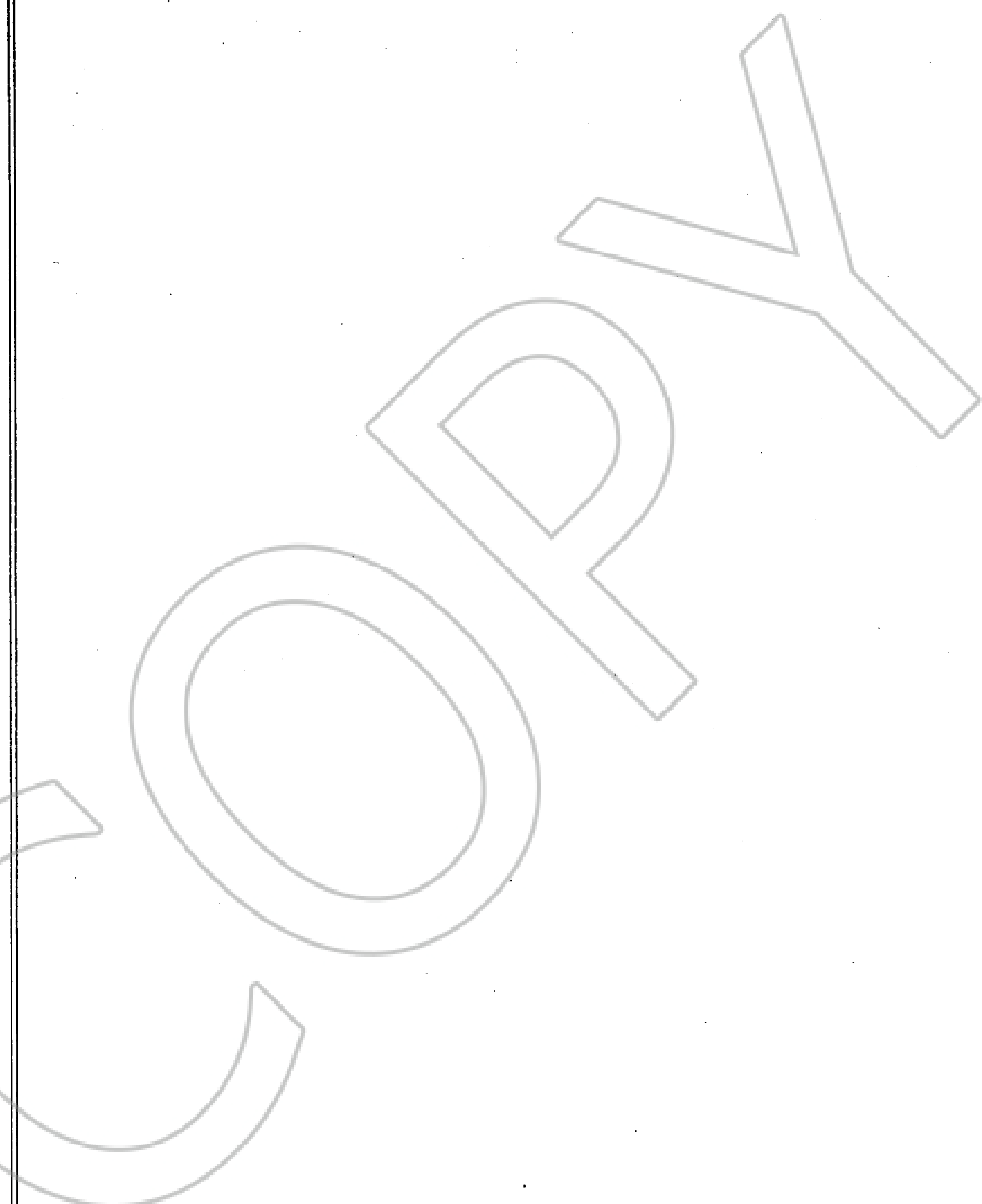


EXHIBIT "A"

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, Described as follows:

PARCEL 1:

A portion of the Northwest 1/4 of the Northwest 1/4 of Section 16, and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 17, Township 12 North, Range 20 East, M.D.B.&M., described as follows:

BEGINNING at the corner common to Sections 8, 9, 16, and 17, Township 12 North, Range 20 East, M.D.B. & M., and the POINT OF BEGINNING of the parcel herein described, thence South 89°40'47" West, 1270.40 feet to a 1/2 inch iron pipe; thence South 00°18'53" East 457.53 feet to a 5/8 inch rebar tagged RLS 1635; thence South 88°51'13" East, 326.28 feet; thence South 01°02'35" East, 264.00 feet; thence South 89°28'50" East, 109.86 feet South 00°01'14" West, 593.38 feet; thence North 89°35'38" East, 834.30 feet to a point on the Section line between Sections 16 and 17, Township 12 North, Range 20 East, M.D.B. & M., and a rebar; thence continuing North 89°44'13" East, 506.00 feet to a rebar; thence North 45°45'35" East, 1129.54 feet to a rebar; thence North 00°14'43" West, 539.75 feet to a point on the section line between Sections 9 and 16, Township 12 North, Range 20 East, M.D.B. & M.; thence South 89°42'58" West, 1320.00 feet to a 1 inch iron pipe and the POINT OF BEGINNING.

EXCEPTING THEREFROM, a parcel of land located in the Northeast 1/4 of Section 17, Township 12 North, Range 20 East, M.D.B.&M., Douglas County, Nevada Described as follows:

BEGINNING at the Northeast corner of Section 17, proceed South 89°40'47" West, 920.25 feet to the TRUE POINT OF BEGINNING, which is the Northeast corner of the parcel; thence South 00°35'04" West, 154.92 feet to the Southeast corner; thence South 89°31'23" West, 347.72 feet to the Southwest corner; thence North 00°18'53" West, 155.85 feet, along the Easterly boundary of a 50 foot right-of-way to the Northwest corner; thence North 89°40'47" East, 350.15 feet to the TRUE POINT OF BEGINNING.

FURTHER EXCEPTING THEREFROM all that portion of said land lying Southeasterly of the following described approximate centerline which was Quitclaimed to Harry T. Sallmon, etux, in instrument Recorded May 17, 1978. Book 578, Page 1284 as Document No. 20761 of Official Records, described as follows:

A property line, being the Northwesterly boundary of land owned by Harry Sallmon and the approximate centerline of Edna Ditch, more particularly described as follows:

COMMENCING at the found sixteenth Section corner at the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of Section 16 Township 12 North, Range 20 East, M.D.B. & M., Douglas County, Nevada, proceed South 00°14'30" East, 553.39 feet to the POINT OF BEGINNING, proceed thence along said approximate centerline of Edna Ditch the following eight courses; South 83°26'59" West, 111.21 feet; South 53°33'14" West, 48.72 feet; South 33°40'58" West, 145.26 feet; South 57°50'19" West, 260.81 feet; South 42°49'02" West, 97.01 feet; South 18°50'59" West, 109.19 feet; South 39°57'19" West, 88.19 feet; South 38°48'38" West, 296.07 feet to the POINT OF TERMINATION, at the Southwest corner of the HARRY SALLMON Property; and at the Northerly boundary of the Rancho Estates Subdivision.

EXCEPTING THEREFROM that portion of said land lying within the exterior boundaries of the Final Maps of Pleasantview Subdivisions, Phase I, Phase II, Phase III and Phase IV filed in the Office of the County Recorder of Douglas County, State of Nevada, on April 6, 1990, in Book 490, Page 916, Document No. 223488; on March 19, 1992, Book 392, Page 3138, Document No. 273622; on December 4, 1992, Book 1292, Page 815, Document No. 294729; and on December 7, 1993, Book 1293, Page 1194, Document No. 324312, respectively.

A.P.N. 27-130-09 and 27-130-10

PARCEL 2:

369469
BK 0895PG5199

367275
BK 0795PG5065

EXHIBIT "A" CONTINUED

A portion of the Southeast 1/4 of the Northeast 1/4 of Section 17, Township 12 North, Range 20 East, M.D.B.&M., described as follows:

BEGINNING at the corner common to Sections 8, 9, 16, and 17, Township 12 North, Range 20 East, M.D.B. & M. described as follows:

BEGINNING at the corner common to Sections 8, 9, 16, and 17, Township 12 North, Range 20 East, M.D.B.&M., and running South 00°18'23" East, 1323.59 feet along the line common to Sections 16 AND 17, Township 12 North, Range 20 East M.D.B.&M., to a rebar and the POINT OF BEGINNING; thence running South 00°18'2" East, 447.73 feet to a point; thence South 58°14'27" West, 21.01 feet thence South 44°13'21" West, 102.09 feet; thence South 46°38'56" West, 76.75 feet; thence South 57°49'08" West, 84.46 feet; thence South 65°25'34" West, 85.98 feet; thence South 56°20'51" West, 93.23 feet; thence South 29°38'10" West, 113.80 feet; thence South 25°15'42" West, 109.64 feet; thence South 16°37'33" West, 91.49 feet; thence South 16°38'44" West, 108.10 feet; thence South 12°53'19" West, 225.37 feet to a point on the South line of the Southeast 1/4 of the Northeast 1/4 of said Section 17; thence South 89°45'31" West, 682.69 feet to 5/8 inch rebar; thence North 00°18'53" West, 1319.93 feet to a 1/2 inch iron pipe; thence North 89°35'38" East, 1270.21 feet to the POINT OF BEGINNING.

A.P.N. 27-070-36



BK0895PG5200

369469

REQUESTED BY
Greg Lynn Const
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

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

'95 AUG 30 P3:51

'95 JUL 31 P4:53

LINDA SLATER
RECORDER
\$14.00 PAID *[Signature]* DEPUTY

LINDA SLATER
RECORDER
\$9.00 PAID *[Signature]* DEPUTY

367275

BK0795PG5066