

✓ Dan Jenkins  
PO Box 869  
Minden NV  
89423

### DEED RESTRICTION

Pursuant to Condition No. 13 of the conditions of approval of Parcel Map No. 1019 for the Clark Family Trust, a copy of which condition is included in the letter dated May 9, 1994, a copy of which is attached hereto as Exhibit "A" and made a part hereof by this reference, the undersigned, as Co-Trustees of the Clark Family Trust Agreement dated March 9, 1982, and Restated by Amendment dated November 29, 1990, which Trust is the owner of the parcel of real property, hereinafter described on Exhibit "B," and in consideration of the willingness of the County of Douglas, State of Nevada, to approve and accept for filing in the Official Records of Douglas County, Nevada, the above-referenced Parcel Map No. 1019, do hereby waive any and all protests to the creation of an assessment district which, at some future time, will be established to generate funds to construct a community water system to serve a geographical area which includes, but is not necessarily limited to, the following described parcel of real property, or any smaller parcels created therefrom, upon the recordation of the above-referenced parcel map:

See Exhibit "B" attached hereto and made a part hereof by this reference.

Douglas County APN 27-070-05.

This waiver of protests extends only to the creation of the referenced assessment district and not to any assessment which may, at any time, be found by a court of competent jurisdiction to

be either an unreasonable, inequitable, unlawful or otherwise inappropriate assessment.

This Deed Restriction shall run with the land and shall bind the heirs, successors and assigns of the owner of the above-described parcel of real property, whose Co-Trustees hereunto set their hands.

DATED this 28<sup>th</sup> day of May, 1996.

*Robert E. Clark*

ROBERT E. CLARK, as Co-Trustee of the Clark Family Trust Agreement dated March 9, 1982, and Restated by Amendment dated November 29, 1990

*Muriel J. Clark*

MURIEL J. CLARK, as Co-Trustee of the Clark Family Trust Agreement dated March 9, 1982, and Restated by Amendment dated November 29, 1990

STATE OF OREGON )  
                          :    ss.  
COUNTY OF DESCHUTES )

This instrument was acknowledged before me on the 28<sup>th</sup> day of May, 1996, by ROBERT E. CLARK as Co-Trustee of the Clark Family Trust Agreement dated March 9, 1982, and Restated by Amendment dated November 29, 1990.

*Dana A. Kintz*

NOTARY PUBLIC

My commission expires: 11-24-96



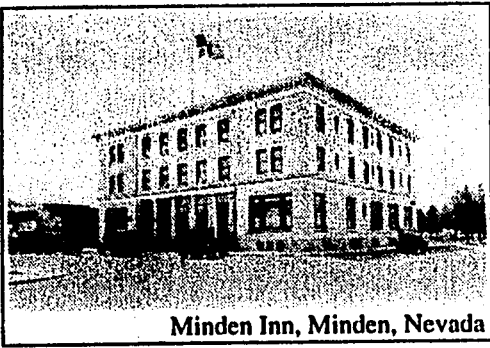
STATE OF OREGON )  
 : SS.  
COUNTY OF DESCHUTES )

This instrument was acknowledged before me on the 28<sup>th</sup> day of May, 1996, by MURIEL J. CLARK as Co-Trustee of the Clark Family Trust Agreement dated March 9, 1982, and Restated by Amendment dated November 29, 1990.



Dana A. Kintz  
NOTARY PUBLIC

My commission expires: 11-24-96



# DOUGLAS COUNTY Public Works Department

Planning Division  
Engineering Division  
Building Division  
Regional Transportation  
Facilities Operations  
Water Utility  
Road Maintenance  
Vehicle Maintenance  
Code Enforcement

**BOB NUNES**  
*Director of Public Works*

**May 9, 1994**

EXHIBIT A

**Dan Jenkins**  
Post Office Box 869  
Minden, Nevada 89423

**Re: Appeal of Planning Commission Decision regarding the Clark Family Trust Parcel Map.**

**Dear Dan:**

On May 5, 1994 the Douglas County Board of Adjustments approved your appeal request of condition #13 of the Clark Family Trust parcel map conditions of approval letter dated February 14, 1994. This appeal was approved with the following substituted language:

13. These parcels shall connect to a community water and sewer system when one is within 660 feet of the proposed parcels. Prior to recording the map, the applicant shall record a waiver of protest for the formation of an assessment district specifically formed for the purpose of providing a community water and sewer system. This waiver of protest shall be indicated in the deeds for the parcels.

All other conditions still apply. Should you have any further questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Ruben".

**Keith Ruben**  
Associate Planner

**392837**

EXHIBIT B

All that real property situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land being a portion of the NW 1/4 NE 1/4 of Section 17, T 12 N, R 20 E, M.D.B & M. described as follows:

Beginning at a point which is on the North section line of Section 17, T 12 N, R 20 E, which is also the South right of way line of Centerville Lane S 89° 32' E, 373.00 feet from the Northwest corner of said NW 1/4 NE 1/4 Section 17; thence S 0° 37' 30" W, 584.00 feet; thence N 89° 32' 00" W, 373.82 feet; thence S 0° 42' 20" W, 737.00 feet; thence S 89° 24' 10" E, 1320.10 feet; thence N 0° 37' 40" E, 1324.00 feet; thence N 89° 32' 00" W, 945.31 feet to the point of beginning.

Excepting therefrom all those portions of said lands conveyed in four instruments recorded as follows:

1. Deed to Robert E. Whear and Twyila S. Whear, husband and wife as joint tenants, recorded August 27, 1992 in Book 892 of Official Records at Page 4593 Douglas County, Nevada as Document No. 286944.

2. Deed to William Donges and Wanda Donges husband and wife, and Gary Donges and Colleen Donges, husband and wife, all as joint tenants with rights of survivorship recorded October 6, 1989 in Book 1089 of Official Records at Page 900 Douglas County, Nevada as Document No. 212622.

3. Deed to Terrence L. Mc Cue and Colleen F. Mc Cue, husband and wife recorded June 10, 1993 in Book 693 Of Official Records at Page 2058 Douglas County, Nevada, as Document No. 309405.

4. Affidavit of death of Joint Tenant made May 4, 1993 by Pauline Charlebois, and recorded May 5, 1993 in Book 593 of Official Records at Page 616, Douglas County, Nevada as Document 306351.

REQUESTED BY  
Dan Jenkins  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'96 JUL 25 P1:53

LINDA SLATER  
RECORDER

\$ 11.00 PAID Al DEPUTY

392837

BK0796PG4156