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Recording requested by and
when recorded mail to:

✓ Paul "Dean" Higginbotham, Sec.
Pinon Hills Ranch
P. O. BOX 425
Gardnerville, NV 89410

DEED RESTRICTION

Pursuant to Condition No. 7 of the conditions of approval of Tentative Parcel Map 2036, a copy of which conditions is included in the letter dated September 9, 1996, a copy of which is attached hereto as Exhibit A and made a part hereof by this reference; the undersigned, as Secretary of Pinon Hills Ranch, 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. 2036, does hereby agree to maintain the drainage easements as shown on the herein referenced parcel map and shall permit Douglas County and/or owner(s) of the affected properties as hereinafter described in Exhibit B the right of entry for maintenance and repairs including the right to lien the property owner(s) for the cost of said maintenance and repairs. The respective property owner(s) shall be responsible for timing of maintenance, maintenance criteria, maintenance contractor, funding, right of access, and erosion control. Furthermore, there shall be no grading or building within the private drainage easements without the prior approval by the Douglas County Engineer.

The above agreement shall be binding upon the owner(s), their heirs and assigns, of any portion of that real property

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described in Exhibit B and the costs for the maintenance of the entire drainage system shall be born by and distributed to the owner(s) of said property on a pro-rata basis of that portion of the total acreage described in Exhibit B owned by each.

Pursuant to Condition No. 11 of the conditions of approval of Tentative Parcel Map 2036, a copy of which conditions is included in the letter dated September 9, 1996, a copy of which is attached hereto as Exhibit A and made a part hereof by this reference, the undersigned, as Secretary of Pinon Hills Ranch, 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. 2036, does hereby waive any and all protests to the creation of an assessment district which, at some future time, may be established to generate funds to construct a community water/sewer system to serve a geographical area which may include, but is not necessarily limited to, the following described parcel of real property, or any small 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 29-110-27

This waiver of protest 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.

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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, who has hereunto set its hand.

Dated this 18th day of February, 1997.

Pinon Hills Ranch,
A Nevada Corporation

by: Paul "Dean" Higginbotham
Paul "Dean" Higginbotham, Secretary

State of Nevada)
) S.S.
County of Douglas)

On February 18, 1997, before me, a notary public, personally appeared Paul "Dean" Higginbotham as Secretary of Pinon Hills Ranch, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

Elizabeth Mitchell
Notary Public
My commission expires 6/26/2000



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**DOUGLAS COUNTY
Community Development**

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



BOB NUNES
Director of Community Development

September 9, 1996

MAIL DELIVERED

Dean Higginbotham
P.O. Box 425
Gardnerville, NV 89410

RE: Tentative Parcel Map 2036 - Pinion Hills Ranch

Dear Dean:

On September 4, 1996, the Douglas County Administrative Hearing Panel reviewed and approved your request for the above referenced tentative parcel map to divided a 37.22 acre parcel into four lots, the smallest being 5.01 acres. The approval is granted subject to the following conditions:

THE FOLLOWING CONDITIONS MUST BE MET PRIOR TO THE SUBMITTAL OF A FINAL MAP APPLICATION:

1. A notice of completion shall have been issued for the constructed improvements to Palomino Lane and the cul-de-sac (as approved with the Patrick Elliot Parcel Map).
2. The applicant shall complete a water dedication application form and comply with Section 16.32.085 of the Douglas County Code with the dedication of acceptable water rights for each of the newly created parcels, to the approval of the County Water Engineer.
3. The applicant must conform to all applicable requirements of the Uniform Fire Code and East Fork Fire Protection District.
4. The 50 foot non-exclusive access easement along the westerly project boundary shall be abandoned.
5. All street names must be approved by Douglas County Community Development Department. The name "Bridle Path" must be changed due to the name being already used.

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6. The final parcel map shall illustrate a minimum 20 foot wide drainage easement along the entire westerly property line of Parcels A and D. Also, the final parcel map shall illustrate the appropriate drainage easement for the detention pond located on Parcel A.

7. The applicant shall record an agreement requiring the drainage easements to be maintained by the respective property owner(s). The agreement shall permit Douglas County and/or owner(s) of the affected properties the right of entry for maintenance and repairs including the right to lien the property owner(s) for the cost of said maintenance and repairs. The respective property owner(s) shall be responsible for timing of maintenance, maintenance criteria, maintenance contractor, funding, right of access, and erosion control. Furthermore, there shall be no grading or building within the private drainage easements without prior approval by the Douglas County Engineer. The agreement shall be approved by the Community Development Department.

**THE FOLLOWING CONDITIONS ARE TO BE MET
CONCURRENTLY WITH THE SUBMITTAL OF A FINAL PARCEL
MAP APPLICATION:**

8. Applicant shall comply with the standard technical map corrections as prescribed by NRS 278.466 and Sections 16.24.060 and 16.24.070 of Douglas County Code. The final map shall show:

A. A seven and one-half (7.5) foot public utility easement along all road frontages and five (5) foot public utility easement along the side and rear lot lines.

B. The Community Development Certificate shall reject the offer of dedication for the public roads with the reservation to accept the offer at a later date.

C. An easement for cluster mailboxes to the satisfaction of the U.S. Postal Service and the Community Development Department.

9. The following note shall be placed on the final parcel map, "Any further division of these parcels shall be subject to subdivision improvements as provided under NRS 278.462(3) and may require dedication of street right-of-way per Douglas County Code and the Minimum Required Facilities Policy."

10. The applicant shall pay a fire fee of \$400 per newly created parcel with the filing of the final parcel map. $\$400 \times 3$ new parcels = \$1200 in fire fees.

11. A note shall be placed on the final parcel map and a deed restriction recorded stating "the owners and future owners will not protest the formation of and agree to participate in any assessment district formed within the area to provide water and/or sewer service to the area."

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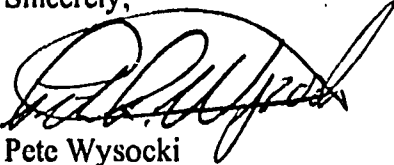
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~~12. The project shall comply with the conditions as prescribed by the Pending Revision of the Development Code Ordinance for Parcel Maps which includes:~~

This is the final decision regarding your Tentative Parcel Map application. Should you be aggrieved by any portion of this decision, you have 30 days from the date of this letter to file a written notice of intent to appeal with the Community Development Department. The written notice of intent to appeal must describe the final decision and the reasons for the appeal in sufficient detail to meet the requirements of the Planning Commission.

Thank you for your cooperation in this matter. Should you have any questions or need additional information, please contact me at your convenience.

Sincerely,



Pete Wysocki
Junior Planner

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COPY

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LEGAL DESCRIPTION

The land referred to herein is situated in the State of Nevada, County of Douglas,, described as follows:

All that certain lot, piece, parcel or portion of land situate, lying and being within the Southwest 1/4 of Section 19, Township 12 North, Range 21 East, M.D.M., Douglas County, Nevada and more particularly described as follows:

Site 6, as shown on the Land Division Map for Ruhenstroth Company filed for record in Book 579 at page 133 as document number 32080, Official Records of Douglas County, Nevada.

Excepting therefrom the following described parcel:

All that certain lot, piece, parcel or portion of land situate, lying and being within the Southwest 1/4 of Section 19, Township 12 North, Range 21 East, M.D.M., Douglas County, Nevada and more particularly described as follows:

Commencing at the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 19 as shown on the Record of Survey for L.W. Thompson filed for record in Book 479 at page 563 as document number 31452, Official Records of Douglas County, Nevada which point is the TRUE POINT OF BEGINNING; thence along the West line of said Southeast 1/4 of the Southwest 1/4;
 North 00 degrees 07'22" West a distance of 636.50 feet;
 thence leaving said line
 South 23 degrees 13'34" East a distance of 300.73 feet; thence
 South 00 degrees 07'20" East a distance of 357.68 feet to a point on the South line of aforesaid Section 19; thence along said line
 South 88 degrees 48'13" West a distance of 118.02 feet to the TRUE POINT OF BEGINNING.

Together with roadway easements as set forth on Land Division Map for Ruhenstroth Co., filed for record in the Office of the County Recorder of Douglas County, Nevada, on May 2, 1979 as Document No. 32080.

Also together with a non-exclusive 50' easement for Public Access and Public Utilities more particularly described as follows:

Continued on next page

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All that certain lot, piece, parcel or portion of land situate, lying and being within the Southwest 1/4 of Section 19, Township 12 North, Range 21 East, M.D.M., Douglas County, Nevada and more particularly described as follows:

Commencing at the Southwest corner of said Section 19 as shown on the Record of Survey for L.W. Thompson filed for record in Book 479 at page 563 as document number 31452, Official Records of Douglas County, Nevada; thence along the West line of said Section 19 North 00 degrees 00'45" West a distance of 1,325.12 feet to the TRUE POINT OF BEGINNING of the centerline of this 50.00 wide easement; thence leaving said line North 88 degrees 29'34" East a distance of 1,173.02 feet to the West corner of Sites 5 and 6, as shown on the Land Division Map for Ruhenstroth Company filed for record in Book 579 at page 133 as document number 32080, Official Records of Douglas County, Nevada and the terminus point of this 50.00 wide easement which contains 58,643 square feet more or less.

Assessors Parcel No. 29-110-27

Reference is hereby made to that certain Record of Survey supporting a Boundary Line Adjustment for Pine Nut Trust, filed for record in the Office of the County Recorder of Douglas County, Nevada, on June 16, 1995 in Book 695 at Page 2550, as Document No. 364227, Official Records.

CONFIRMED COPY
Has not been compared to the original.

REQUESTED BY

1096-5281

IN OFFICIAL RECORDS OF DOUGLAS CO., NEVADA

391140

'96 JUN 28 P3:47

LINDA SLATER
RECORDER

\$ PAID DEPUTY

REQUESTED BY

Dean Higginbotham

IN OFFICIAL RECORDS OF DOUGLAS CO., NEVADA

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LINDA SLATER
RECORDER

\$ *14* PAID *k2* DEPUTY