RECORDED AT THE REQUEST OF AND RETURN TO:
Jerry and Sharon Smith 779 Coarl Tree Way
Upland, CA
91784

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS BEING A DEED RESTRICTION FOR LOT CONSOLIDATION

This declaration is made this 28th day of May, 1998, by Jerry and Sharon Smith, Trustees of the Gerald E. and Sharon A. Smith Revocable Family Trust, hereinafter referred to as "declarants".

1. Declarants are the owners of that certain real property located in Douglas County, State of Nevada, described as follows;

Lots 117 and 127 of Block 242 of the Elks Subdivision, as recorded 1952, in Book 1 at page 33, as Document Number 08537.

Assessors Parcel Numbers 05-242-42 and 43.

- 2. The declarants desire to construct a single family residence which will encroach upon the common interior lot line of the parcels.
- 3. As a condition of approval for the physical improvements listed in recital number two (pursuant to Douglas County Ordinances, Tahoe Regional Planning Agency Codes, and The Uniform Building Code) the parcels are to be treated as if legally merged.

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DECLARATION:

Declarant hereby declares that the certain real property above is, and shall be deemed by Douglas County to be merged and shall constitute but one contiguous, inseparable parcel.

This declaration shall be deemed a covenant running with the land or as an equitable servitude, as the case may be, and shall constitute benefits and burdens to the parcels described above and shall be binding on the declarant and declarant's assigns and all persons hereafter acquiring or owning any interest in the above described parcel(s).

This declaration may not be revoked or modified without the prior express written and recorded consent of Douglas County, Nevada. Douglas County is deemed and agreed to be a third party beneficiary of this declaration and as such can enforce the provisions of the declaration.

In witness whereof declarant has executed this declaration on the day and year written above

Serve E Smith	
X Sharon a. Smith	
STATE OF NEVADA))SS: COUNTY OF DOUGLAS)	
On this 2 day of June, in the year 1998 before appeared Gerald E. Smith and Sharon A. Smith, persona known to me to be the persons whose names are subscribed to thinstrument, and acknowledge that they exceed it:	113

WITNESS my hand and official seal

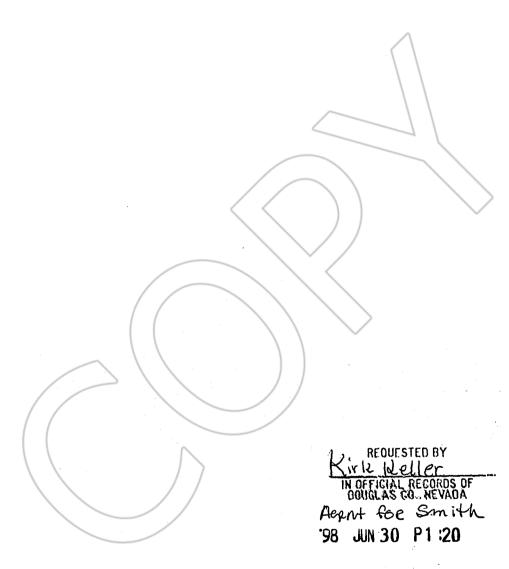
KAREN PAWLOSKI
Notary Public - State of Nevada
Appointment Recorded in Douglas County
No: 96-2898-5 - EXPIRES MAY 24, 2000

Notary's Signature

My commission Expires: May 24, 2000

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900 RECORDER

PAID BEPUTY