

18  
Recording Request by  
and When Recorded Return to:

✓ Don Ellis, President  
Topaz Lake Homeowners Association  
2026 Masonic  
Gardnerville NV 89410

**TOPAZ SUBDIVISION**

**DECLARATION OF RESTRICTIONS**

THIS DECLARATION is made on the 1<sup>ST</sup> day of APRIL, 2000, by the undersigned property owners as listed on Exhibit 1 attached hereto and incorporated herein by reference (hereinafter referred to as "Declarants").

WITNESSETH:

WHEREAS, Declarants and each of them are the owners of the property in the vicinity of Topaz Lake, as identified on Exhibit 1 attached hereto and incorporated herein by reference.

NOW THEREFORE, Declarants declare that the property identified on Exhibit 1 shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved subject to the provisions of this Declaration, all of which are declared to be in furtherance of the development, improvement and sale of each parcel and for the purpose of enhancing and protecting the value and desirability thereof.

A. RESTRICTIONS, COVENANT AND CONDITIONS

1. Each parcel shall be used only for residential purposes and may be improved only by one single family residence and such accessory or out buildings as are allowed by Douglas County Ordinance.

2. No residence or building shall have a height in excess of 32' measured from the peak of the highest point of the roof to the lowest point of the finished grade contiguous to the foundation measured from the center of the building.

3. No manufactured or modular home or trailer, or any other prefabricated structure shall be allowed on any parcel. Improvements shall be limited to those constructed by conventional "stick built" building methods.

4. The ground floor of the residence, exclusive of a deck or garage, shall be a minimum of 1,200 square feet.

5. Trees, landscaping, or fences shall not be installed or maintained on any parcel which will unreasonably obstruct or otherwise interfere with the view or the reasonable use and enjoyment of other parcels subject to this Declaration.

6. No animal shall be kept, maintained, raised or bred on any parcel except for a reasonable number of normal household pets, as regulated and allowed under Douglas County Ordinance.

**B. GENERAL CONDITIONS**

1. The provisions of this Declaration are intended to create mutual equitable servitudes upon each of said parcels in favor of the other parcels; to create reciprocal rights between the respective owners of all such parcels; to create a privity of contract between the owners and grantees of such parcels, their heirs, successors and assigns; and shall, as to the owner of each such parcel, his heirs, successors or assigns, operate as covenants running with the land for the benefit for each of the parcels and their respective owners, present and future.

2. These restrictions shall continue until the year 2020, at which time they shall terminate unless extended by a declaration signed by 75% of the owners of the property.

These restrictions may be amended, supplemented or abolished by the owners of not less than 75% of the property by a Declaration duly signed and acknowledged by said owners.

3. The conditions, restrictions and covenants herein contained shall inure to the benefit of, and be enforceable by Declarant, its heirs, executors and administrators and all future assigns, or by the owner of any of the parcels. In the event of a breach of any of the provisions of this Declaration, it is declared that damages at law for such breach are inadequate. Any parcel owner has the right to enforce any breach of these declarations and shall be entitled to all of his expenses, costs, damages and attorneys fees incurred.

4. Except as otherwise provided herein, the provisions hereof may be amended by an instrument in writing signed and acknowledged by not less than seventy-five percent (75%) of the owners, which amendment shall be effective upon recordation in the Office of the Recorder of Douglas County, Nevada.

5. The failure to enforce any of the provisions of this Declaration shall not be deemed a waiver of right to enforce them thereafter.

6. Any improvement existing as of the date of recordation on any parcel affected by this Declaration shall be accepted and shall be allowed, but not expanded or replaced.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first set forth above.

OWNER/DECLARANT:

Judith G. CHAZIN  
Printed Name

# 26 + # 46  
Subdivision Lot No.

Judith G. Chazin  
Signature

39-164-020  
39-165-030  
Assessor's Parcel No.

MARVIN CHAZIN  
Printed Name

# 26 + # 46  
Subdivision Lot No.

Wanda S. Semas  
Percy JOSEPH SEMAS  
Printed Name

# 33  
Subdivision Lot No.

RASMUSSEN FAMILY  
TRUST ELAINE C. RASMUSSEN  
Printed Name

8 & 9  
Subdivision Lot No.

Robert S. Miller  
Printed Name

Ro # 62  
Subdivision Lot No.

James R. Marshall  
Printed Name

13 + 14  
Subdivision Lot No.

Adeline D. Joseph  
Edward F JOSEPH  
Printed Name

4 + 5  
Subdivision Lot No.

Marvin Chazin  
Signature

39-164-020  
39-165-030  
Assessor's Parcel No.

Wanda S Semas  
Percy Joseph Semas  
Signature

39 172 090  
Assessor's Parcel No.

Elaine C. Rasmussen  
Signature

39-182-020  
Assessor's Parcel No.

Robert S. Miller  
Signature

39-162-030  
Assessor's Parcel No.

James R. Marshall  
Signature

39-173-110  
Assessor's Parcel No.

Adeline D. Joseph  
Edward F Joseph  
Signature

39-182-100  
Assessor's Parcel No.



STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On 4-1, 2000, before me, a notary public, personally appeared MARVIN CHAZIN, 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.

*DeAnna Newman*  
Notary Public



STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On 4-1, 2000, before me, a notary public, personally appeared JUDITH G. CHAZIN, 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.

*DeAnna Newman*  
Notary Public



0491691  
BK0500PG2187

STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On 4-1, 2000, before me, a notary public, personally appeared

Percy Joseph Semas, 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.

DeAnna Newman  
Notary Public



STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On 4-1, 2000, before me, a notary public, personally appeared

WANDA S. SEMAS, 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.

DeAnna Newman  
Notary Public



0491691

BK0500PG2188

STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On 4-1, 2000, before me, a notary public, personally appeared ELAINE C. RASMUSSEN, 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.

DeAnna Newman  
Notary Public



STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On 4-1, 2000, before me, a notary public, personally appeared JAMES R. MARSHALL, 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.

DeAnna Newman  
Notary Public



0491691

BK0500PG2189



STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On 5-5, 2000, before me, a notary public, personally appeared

Robert S. Miller 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.

Deanna Newman  
Notary Public



COPY

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STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On 4-1, 2000, before me, a notary public, personally appeared Adeline D. Joseph, 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.

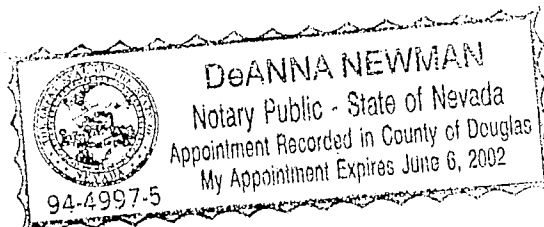
DeAnna Newman  
Notary Public



STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On 4-1, 2000, before me, a notary public, personally appeared EDWARD F. Joseph, 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.

DeAnna Newman  
Notary Public

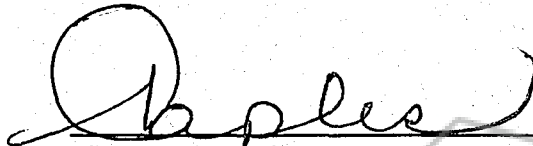


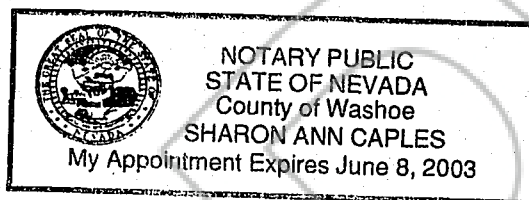
0491691

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STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

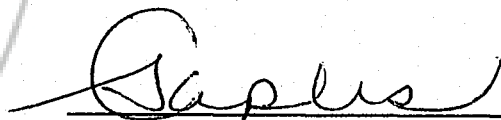
On April 10, 2000, before me, a notary public, personally appeared  
Melba J. Ellis, personally known (or proved) to me to be the person whose  
name is subscribed to the above instrument who acknowledged that he executed the instrument.

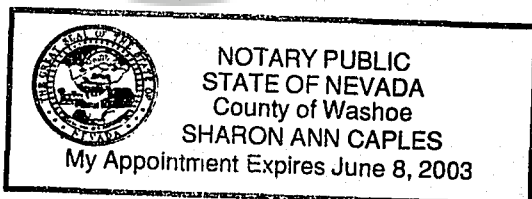
  
Notary Public



STATE OF NEVADA )  
 ) ss.  
COUNTY OF DOUGLAS )

On April 10, 2000, before me, a notary public, personally appeared  
Donald B. ELLIS, 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.

  
Notary Public



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COPY

REQUESTED BY  
Don Ellis Topaz Lake Homeowners  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA ASSN

2000 MAY -9 PM 3:49

LINDA SLATER  
RECORDER

\$18.00 PAID [Signature] DEPUTY

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