

WHEN RECORDED MAIL TO: HOWARD HERZ  
P.O. BOX 1000  
MINDEN, NV 89423

Order 82690KTK

**AMENDMENT TO  
DECLARATIONS OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
BLACK DIAMOND ESTATES  
AT MOTT CREEK  
FOR DOMESTIC WELLS AND SEPTIC SYSTEMS**

**COOPER**

Order 82690KTK

**AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
BLACK DIAMOND ESTATES AT MOTT CREEK**

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS IS MADE THIS 3<sup>rd</sup> DAY OF October, 2000 by Howard W. Herz and Gregg L. Herz and their successors and assigns (hereinafter referred to as "Declarant").

**RECITALS:**

Declarant is the owner of that certain real property located in Douglas County, Nevada, more particularly described in a Parcel Map #PD 99-11 of Black Diamond Estates filed for record in the Office of the County Recorder of Douglas County, State of Nevada on June 19, 2000, Book 0600, Page 3731, as Document No. 494286, and which is hereinafter referred to as the ESTATES.

The ESTATES consists of a maximum of four (4) newly developed Lots and is located along the Kingsbury Grade (Highway 207) in the Carson Valley along the foothills of the Sierra Nevada mountains. The ESTATE is part of a development which is surrounded by rural ranches as well as significant residential estates.

The Declarant intends by this Amendment of Declaration to impose upon the ESTATE mutually beneficial conditions and restrictions for the benefit of all Owners of Lots within the ESTATE and to create a community and environment in which the aesthetic features and beauty of the property and surrounding area will be substantially preserved for the enjoyment and benefit of all persons living within the ESTATE by the clarification of the locations and limits of domestic wells and septics.

The Covenants, conditions and restrictions recorded June 20, 2000, in Book 0600, Page 4021, Document No. 494377, Official Records of Douglas County, Nevada are hereby amended to include the following addition to section 1.03 Improvements and Use:

F. The location of a septic system for use of Parcel W will be contained within the area designated as "Septic Zone - Parcel W" as noted on the attached map of the planned development and included with this document as Exhibit AA. The location of a domestic well and a septic system for Parcel X will be contained within the area designated as "Domestic Well - Parcel X" and "Septic System - Parcel X" as noted on the attached map of the planned development and included with this document as Exhibit BB. At commencement of construction the owners of parcel W and parcel X will submit to the Architectural and Landscape Committee ("ALC") a map showing the location of proposed domestic well and septic systems for review. The ALC will approve locations provided that they fully comply with Douglas County Building Department standards for both location and construction and that they do not

restrict or inhibit the development of a domestic well or septic system for any other lot of the planned development.

IN WITNESS WHEREOF, Declarant has executed this Amendment of Declaration the day and year first above written.

By Howard W. Herz  
Howard W. Herz

By Kregg L. Herz  
Kregg L. Herz

STATE OF NEVADA,

ss.

County of Douglas

Howard W. Herz and

Kregg L. Herz

On October 3, 2000 personally appeared before me, a notary public, \_\_\_\_\_

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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official stamp at my office in the County of Douglas the day and year in this certificate first above written.

Charlene L. Hanover  
Signature of Notary

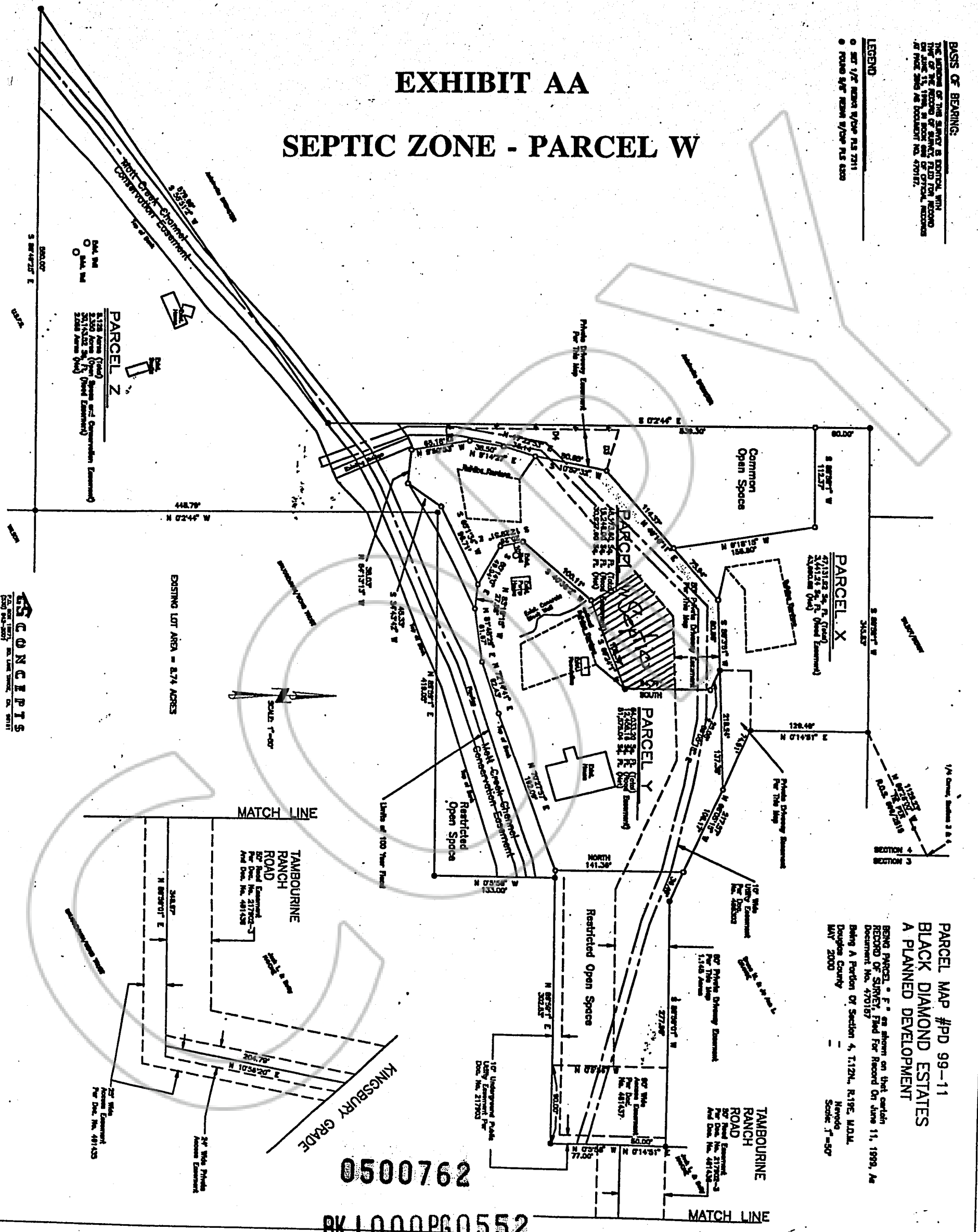


**BASIS OF BEARING:**  
 THE BEARING OF THIS SURVEY IS IDENTICAL WITH  
 THAT OF THE RECORD OF SURVEY FILED FOR RECORD  
 ON JUNE 15, 1999, IN BOOK 99 OF OFFICIAL RECORDS  
 AT PAGE 2065 AS DOCUMENT NO. 470157.

**LEGEND:**  
 ○ SET 1/2" IRON N/CP# PL 2711  
 ● ROAD 1/2" IRON N/CP# PL 2300

# EXHIBIT AA

## SEPTIC ZONE - PARCEL W



**PARCEL MAP #PD 99-11**  
**BLACK DIAMOND ESTATES**  
**A PLANNED DEVELOPMENT**

BEING PARCEL "F" as shown on that certain  
 RECORD OF SURVEY, Filed for Record On June 15, 1999, As  
 Document No. 470157  
 Being A Portion Of Section 4, T.12N., R.19E., M.4M.,  
 Douglas County  
 Nevada  
 Scale: 1"=50'

**CONCEPTS**  
 2007 04-15-07

0500762

BK 1000PG0552

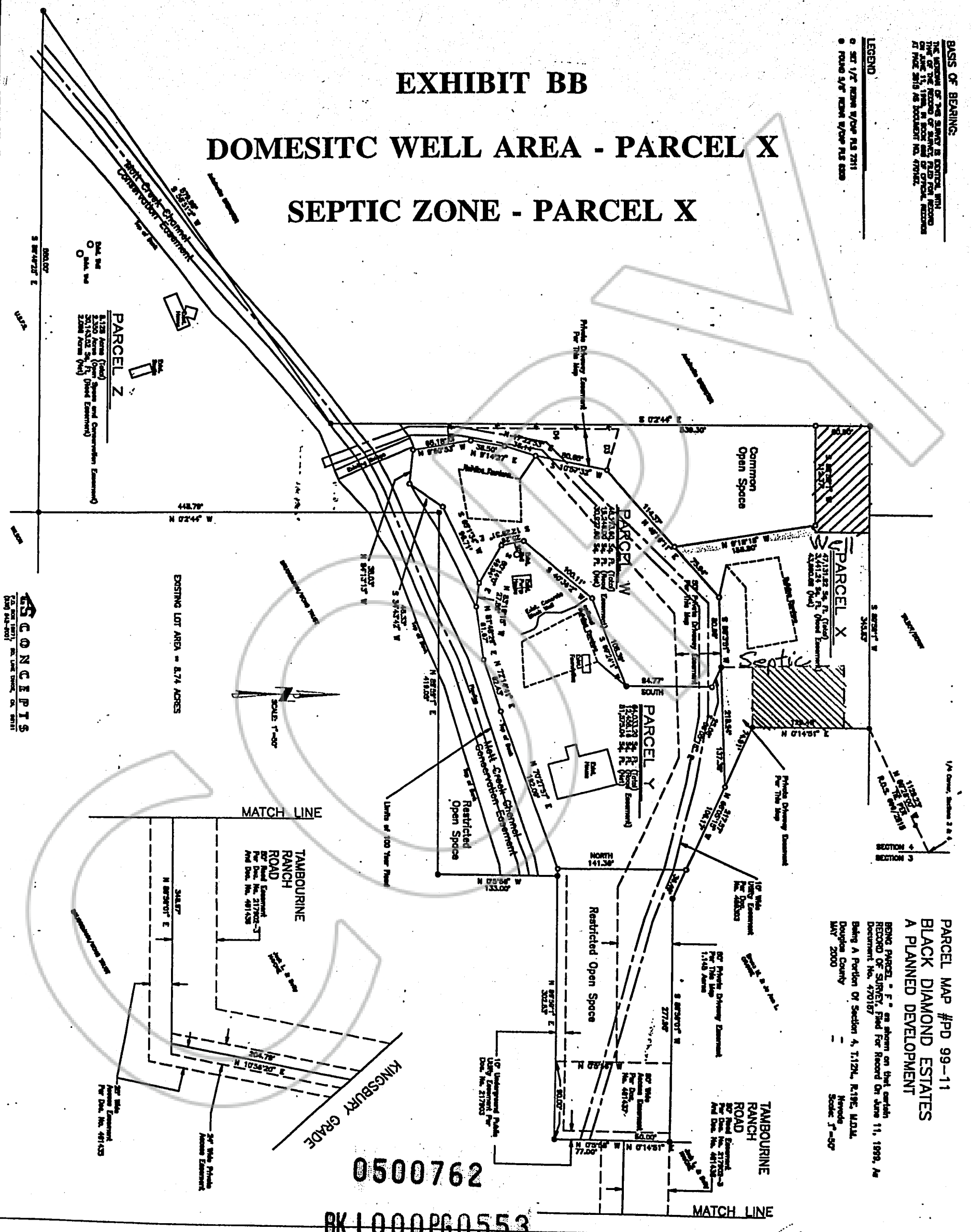
**BASIS OF BEARING:**  
 THE BEARING OF THE SURVEY IS CONTROLLED BY THE RECORD OF SURVEY FOR RECORD OF JUNE 11, 1999, IN BOOK 200 OF OFFICIAL RECORDS AT PAGE 2016 AS LOCATED BY 470187.

**LEGEND**  
 ○ SET 1/2" IRON W/OP #3 2811  
 ● FOUND 3/4" IRON W/OP #3 2820

# EXHIBIT BB

## DOMESTIC WELL AREA - PARCEL X

### SEPTIC ZONE - PARCEL X



**PARCEL MAP #PD 99-11**  
**BLACK DIAMOND ESTATES**  
**A PLANNED DEVELOPMENT**

BEING PARCEL "F" as shown on that certain RECORD OF SURVEY, Filed For Record On June 11, 1999, As Being A Portion Of Section 4, T.12N., R.19E., M.24L., Douglas County, Nevada Scale 1"=50'

**CONCEPTS**  
 (20) 1/2" IRON W/OP #3 2811  
 (20) 3/4" IRON W/OP #3 2820

0500762

BK 1000PG0553

COPY

REQUESTED BY  
WESTERN TITLE COMPANY, INC.

IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2000 OCT -4 PM 1:14

LINDA SLATER  
RECORDER

\$12<sup>00</sup> PAID  DEPUTY

0500762

BK 1000PG0554