

DECLARATION

APN 05:250:06

RECORDED AT THE REQUEST OF
AND RETURN TO:

M.R. OYSTER & ANTHONETTE
ELAINE OYSTER
3500 TRIPP ROAD
WOODSIDE ROAD, CA 94062

RECITALS:

1. Declarant is the owner of that certain real property located in Douglas County, State of Nevada, described as follows:
Lots 9, 10 and 11, as shown on the official map of THE ELKS SUBDIVISION, filed for record on May 5, 1927 and as shown on Amended plat of THE ELKS SUBDIVISION, filed for record on January 5, 1928, and as shown on Second Amended plat of THE ELKS SUBDIVISION, filed for record on June 5, 1952, in Book 1 of maps, Document no. 8537, all filed for record in the office of the County Recorder of Douglas County, State of Nevada.

Assessor's Parcel Number 05:250:06

2. The declarant has constructed a single family residence which encroaches upon the common interior lot lines of the parcels.
3. As a condition of approval for the physical improvements listed in recital number two (pursuant to Douglas County Ordinances and the Uniform Building Code) the parcels are to be treated as if legally merged.

DECLARATION:

Declarant hereby declares that the certain real property described 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 the declarant's assigns and all persons hereafter acquiring or owning any interest in the above described parcels.

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.

STATE OF California
COUNTY OF San Mateo

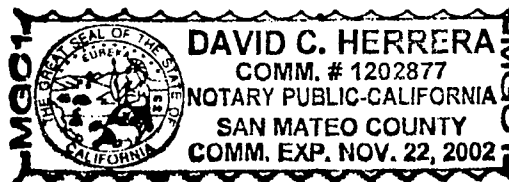
On this 27 day of June in the year of 2001 before me personally appeared Mahleon Oyster & Anthonette Oyster personally known to me to be the persons whose names are subscribed to this instrument and acknowledge that they executed it.

M.R. Mahleon Robert Oyster
Mahleon Robert Oyster

Anthonette Elaine Oyster
Anthonette Elaine Oyster

WITNESS my hand and official seal.

David C. Herrera
Notary's Signature
My Commission expires: 11/22/02



Turner + Associates
PO Box 5067
Stateline, NV 89449

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COPY

REQUESTED BY
Turner & Associates
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2001 JUN 29 AM 9: 54

LINDA SLATER
RECORDER

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