

RECORDED AT THE REQUEST OF AND RETURN TO:

Francene G. Mertins, Trustee
C/O Prudential Carson Properties
187 Sonoma Street
Carson City, NV 89701

84958CAC

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

This declaration is made this 11th day of July, 2001 by Francene Gail Mertins, Trustee of the Mertins Trust, hereinafter referred to as "declarant".

RECITALS:

1. Declarant is the owner of the certain real property located in Douglas County, State of Nevada, described as follows:

1587 & 1589 Highway 395 (Railroad Avenue) Being Assessor's Parcel Numbers 1320-32-101-006 and 1320-32-101-007.

Description Sheet

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED IN THE COUNTY OF DOUGLAS, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

PARCEL A

A parcel of land located on the Easterly side of U.S. Highway 395 (Railroad Avenue), in Minden, and being a portion of the Northeast one quarter of the Northwest one quarter and the Northwest one quarter of the Northeast one quarter of Section 32, Township 13 North, Range 20 East, M. D. B. & M., in Douglas County, Nevada, and described as follows:

COMMENCING at the Easterly one quarter corner of Section 32, Township 13 North, Range 20 East; thence North 55 01'20" West 3310.76 feet to a point on the Easterly line of the right of way of Highway 395; said point being the TRUE POINT OF BEGINNING; thence North 31 22' West 100 feet; thence North 58 38' East 142.00 feet; thence South 31 22' East 100 feet; thence South 58 38' West 142.00 feet to the TRUE POINT OF BEGINNING.

Assessor's Parcel No. 1320-32-101-006 (Old Parcel No. 25-211-040)

PARCEL B

A parcel of land located on the Easterly side of U. S. Highway 395 (Railroad Avenue), in Minden, and being a portion of the Northeast one quarter of the Northwest one quarter and the Northwest one quarter of the Northeast one quarter of Section 32, Township 13 North, Range 20 East, M. D. B. & M., in Douglas County, Nevada, and described as follows:

COMMENCING at the East quarter corner of Section 32, Township 13 North, Range 20 East; thence North 55 44'11" West 3219.38 feet to a point on the Easterly line of the right of way of U. S. Highway 395, said point being the POINT OF BEGINNING; thence North 31 22' West 100 feet; thence North 58 38' East 142.00 feet; thence South 31 22' East 100 feet; thence South 48 38' West 142.00 feet to the TRUE POINT OF BEGINNING.

Assessor's Parcel No. 1320-32-101-007 (Old Parcel No. 25-211-050)

2. The declarant desires to consolidate parcel one and parcel two, legally merging them into one parcel.
3. The declarant desires to remove existing property line, which bisects the existing building.

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 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.

Francene Gail Mertins, Trustee
Francene Gail Mertins, Trustee
Mertins Trust

STATE OF NEVADA)
CARSON CITY)SS:
~~COUNTY OF DOUGLAS~~)

On this 11th day of July, in the year 2001 before me personally appeared Francene G. Mertins Trustee, personally known to me to be the person whose name is subscribed to this instrument, and acknowledge that she executed it.

WITNESS my hand and official seal

Wendy A. McMARTIN

Notary's Signature

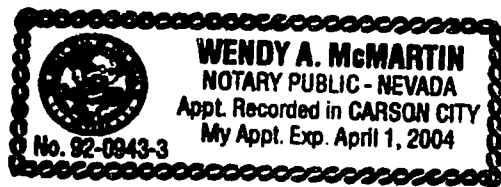
My Commission Expires: April 1, 2004

REQUESTED BY
WESTERN TITLE COMPANY, INC.
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2001 JUL 18 PM 12:17

LINDA SLATER
RECORDER

\$ 8⁰⁰ PAID *KD* DEPUTY



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