

19

APN: 1220-10-510-002 1220-10-510-004
 1220-10-510-005 1220-10-510-006
 1220-10-610-001 1220-10-610-002
 1220 -10-610-003 1220-10-610-005
 1220-10-610-006 1220-10-610-007
 1220-10-610-008 1220-10-610-009
 1220-10-610-011

RECORDATION REQUESTED BY &
 AFTER RECORDATION RETURN TO:

✓ Scarpello, Huss & Oshinski, Ltd.
 Attn: Ryan J. Earl, Esq.
 600 E. William Street, Suite 300
 Carson City, NV 89701

REQUESTED BY
Scarpello Huss et al
 IN OFFICIAL RECORDS OF
 DOUGLAS CO., NEVADA

2004 MAY -6 AM 11:17

WERNER CHRISTEN
 RECORDER

\$19.00 PAID *KJ* DEPUTY

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**FIRST AMENDMENT TO DECLARATION
 OF COVENANTS, CONDITIONS AND RESTRICTIONS
 OF JEWEL COMMERCIAL PARK (PHASE I)**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF JEWEL COMMERCIAL PARK (PHASE I) is made and entered into this 2nd day of March, 2004, by the undersigned owners and members of JEWEL COMMERCIAL PARK.

WHEREAS, on September 2, 1992, a Declaration of Covenants, Conditions and Restrictions of JEWEL COMMERCIAL PARK (PHASE I) ("Declaration") was created which established certain covenants, conditions and restrictions on lands therein referred to as JEWEL COMMERCIAL PARK or "Project."

WHEREAS, the Declaration contemplated an Association to govern the development of lands located within Project through the

0612377

BK0504PG01887

enforcement of the covenants, conditions and restrictions and all the rules, regulations and bylaws contemplated in the Declaration.

WHEREAS, the undersigned, as the owners of title to a majority of the lots and at least three-quarters (3/4) of the land burdened by the Declaration, now desire to amend the Declaration in accordance with the terms of the Declaration.

WHEREAS, the undersigned desire to specify that the voting rights afforded the owners and members of the Association be specifically linked to the amount of land that the respective owner or member owns in proportion to the total amount of land governed by all the owners or members subject to the Declaration.

W I T N E S S E T H:

NOW, THEREFORE, in furtherance of such intent, the undersigned hereby declare as follows:

1. In accordance with Declaration Section 3.12, the undersigned, constituting a majority of all the Owners as defined in the Declaration, hereby amend Section 3.03(E) to read as follows:

(E) Voting Rights and Proxy: Only Members of the Association shall be entitled to vote. The votes allocated to each Member shall be allocated in proportion to the area that such Member owns in relation to the total area of all the area owned by Members governed by the

Declaration. Any Member, including Declarant, may give a revocable written proxy to any person authorizing the latter to cast the Member's votes on any matter. Any section within this Declaration that is inconsistent with this Section 3.03(E) shall be deemed void to the extent that it is inconsistent with this section.

IN WITNESS WHEREOF, the undersigned have executed this **FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF JEWEL COMMERCIAL PARK (PHASE I)** on the day and year first written above.

LOT 1 (AS TO 2.48 ACRES)

SIERRA NEVADA SW
ENTERPRISES, LTD.

JAMES S. BRADSHAW
By: _____
Its: _____
OWNER

LOT 1A (AS TO 1.00 ACRES)

SIERRA NEVADA SW
ENTERPRISES, LTD.

JAMES S. BRADSHAW
By: _____
Its: _____
OWNER

LOT 2 (AS TO 5.16 ACRES)

SIERRA NEVADA SW
ENTERPRISES, LTD.

JAMES S. BRADSHAW
By: _____
Its: _____
OWNER

LOT 2A (AS TO 1.00 ACRE)

By: _____
Its: _____
OWNER

LOT 3 (AS TO 2.31 ACRES)

SIERRA NEVADA SW
ENTERPRISES, LTD.

JAMES S. BRADSHAW
By: _____
Its: _____
OWNER

LOT 3A (AS TO 2.04 ACRES)

SIERRA NEVADA SW
ENTERPRISES, LTD.

JAMES S. BRADSHAW
By: _____
Its: _____
OWNER

LOT 4 (AS TO 3.85 ACRES)

SIERRA NEVADA SW
ENTERPRISES, LTD.

JAMES S. BRADSHAW
By: _____
Its: _____
OWNER

LOT 4A (AS TO 9.85 ACRES)

TERRY JACOBSEN, OWNER

Linda Jacobsen
LINDA JACOBSEN, OWNER

LOT 5 (AS TO 9.41 ACRES)

HCRI Nevada Properties, Inc.,
a Nevada corporation

ERIN C. IBELE
By: _____
Its: _____
VICE PRESIDENT
CORPORATE SECRETARY

LOT 5A (AS TO .046 ACRE)

HCRI Nevada Properties, Inc.,
a Nevada corporation

ERIN C. IBELE
By: _____
Its: _____
VICE PRESIDENT
CORPORATE SECRETARY

LOT 6 (AS TO 4.47 ACRES)

SIERRA NEVADA SW
ENTERPRISES, LTD.

JAMES S. BRADSHAW
By: _____
Its: _____
OWNER

LOT 7A (AS TO .32 ACRE)

_____, OWNER

LOT 7B (AS TO .32 ACRE)

_____, OWNER

LOT 7C (AS TO .31 ACRE)

_____, OWNER

LOT 7D (AS TO 1.61 ACRES)

_____, OWNER

STATE OF NEVADA)
Carson City : SS)

On this 2nd day of March, 2004, before me, the undersigned, a Notary Public in and for said state, personally appeared James S. Bradshaw, personally known to me or proved to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the entity upon behalf of which the person acted, as to Lots 1, 1A, 2, 3, 3A, 4, and 6, executed the instrument.

WITNESS my hand and official seal.



Karen A Easton
NOTARY PUBLIC

STATE OF NEVADA)
_____: SS)

On this _____ day of _____, 2004, before me, the undersigned, a Notary Public in and for said state, personally appeared _____, personally known to me or proved to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature

0612377
BK0504PG01891

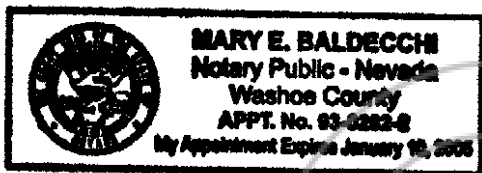
on the instrument the entity upon behalf of which the person acted,
as to Lot 2A, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

STATE OF NEVADA)
 : SS
COUNTY OF DOUGLAS)

The above instrument was acknowledged before me on the 27th
day of February, 2004, by TERRY JACOBSEN
and LINDA JACOBSEN.



Mary E. Baldecchi

NOTARY PUBLIC

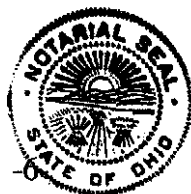
STATE OF OHIO)
 : SS
COUNTY OF LUCAS)

On this 5 day of February, 2004, before me, the
undersigned, a Notary Public in and for said state, personally
appeared ERIN C. IBELE, personally known to me or
proved to me to be the person whose name is subscribed to the
within instrument and acknowledged to me that he/she executed the
same in his/her authorized capacity, and that by his/her signature
on the instrument the entity upon behalf of which the person acted,
as to Lots 5 and 5A, executed the instrument.

WITNESS my hand and official seal.

Rita J. Rogge

NOTARY PUBLIC



RITA J. ROGGE
Notary Public, State of Ohio
Commission Expires 8/26/05

0612377

BK0504PG01892