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APN: 1419-26-002-006

After Recording, Mail to:

Canyon Creek Meadows
Homeowners Association
Attention: Ronald L. Simek
P.O. Box 586
Genoa, Nevada 89411

040701091

REQUESTED BY
Stewart Title of Douglas County
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 AUG 12 PM 1:46

WERNER CHRISTEN
RECORDER

\$21.00 PAID *[Signature]* DEPUTY

**FIRST AMENDMENT
TO
DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
CANYON CREEK MEADOWS**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CANYON CREEK MEADOWS ("First Amendment") is made this 10th day of August, 2004, by Little Mondeaux Limousin Corporation, a Nevada corporation ("Declarant"), with reference to the following facts and is as follows:

RECITALS:

A. Declarant is the owner and developer of certain real property located in Douglas County, Nevada which is more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference (the "Initial Property"), which has been subdivided into forty-four (44) single family residential lots.

B. Declarant caused to be recorded on February 13, 2004 a Declaration of Covenants, Conditions and Restrictions for Canyon Creek Meadows covering the Initial Property in the office of the County Recorder of Douglas County, Nevada as document no. 0604581, official records ("Declaration").

C. James Canyon LLC, a Nevada limited liability company ("James Canyon") is the developer of a common interest community known as Canyon Creek Estates ("Canyon

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Creek Estates") which is located west of the Initial property. Canyon Creek Estates was formed by the recordation of a Declaration of Covenants, Conditions and Restrictions on March 6, 2002, in the office of the County Recorder of Douglas County, Nevada, as document no. 0536361, official records (herein, as amended, the "Estates Declaration"). Canyon Creek Estates consists of 38 lots created by a final subdivision map ("Estates Initial Property"). Up to 42 additional lots ("Estates Annexable Property") may be annexed to Canyon Creek Estates for a total of 80 lots. Canyon Creek Estates is governed by the Canyon Creek Estates Homeowners Association, a Nevada nonprofit corporation (the "Estates Association") formed under Chapter 82 of the Nevada Revised Statutes.

D. Declarant as the owner of all of the Initial Property covered by the Declaration desires to amend the Declaration and pursuant to that certain Real Property Purchase and Sale Agreement dated June 2, 2004 between MDG Nevada Inc., a Nevada corporation, Declarant, and Little Mondeaux Gun Club, Inc., desires to grant certain enforcement rights to James Canyon and the Estates Association with respect to certain provisions of the Declaration.

E. All capitalized terms not otherwise defined herein shall have the meaning set forth in the Declaration.

NOW, THEREFORE, the Declaration is hereby amended as follows:

ARTICLE III USE RESTRICTIONS

1. Recital D of the Declaration is hereby amended to read as follows:

D. The Property is a planned community under the Act (defined below) known as "Canyon Creek Meadows", and the maximum number of units (as defined in NRS 116.093) which may be created within the Property is 315.

2. Section 3.1 of the Declaration is hereby amended to read as follows:

3.1 Single Family Residences. Except as otherwise provided in this Section 3.1, each Lot shall be used as a residence for a single family and for no other purpose. No residence shall be constructed or maintained upon any Lot within the Initial Property which shall have a living area, exclusive of garage or permitted outbuildings, of less than two thousand three hundred fifty (2350) square feet and each residence shall have an attached garage which can accommodate no less than two (2) nor more than three (3) automobiles. The maximum height of each residence shall be thirty-five feet (35') from finished grade. Unless otherwise designated in the Declaration of Annexation, the minimum residence size set forth in this Section 3.1 shall apply to the Annexed Property described in such Declaration of Annexation.

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Declarant reserves the right to increase or decrease the minimum residence size applicable to any Annexed Property. An Owner may rent the dwelling unit on his Lot to a single family provided that the dwelling is rented pursuant to a lease or rental agreement which is (a) in writing, (b) for a term of at least six (6) months, and (c) subject to all of the provisions of this Declaration, the Articles, the Bylaws, and any Rules and Regulations adopted by the Board. Declarant reserves the right to designate in a Declaration of Annexation or Supplemental Declaration certain portions of the Property on which dwellings may be constructed and sold under a fractional ownership program, and for such portions, Declarant reserves the right to record a supplement or supplements to this Declaration (each a "Supplemental Declaration") which pertain to the use and operation of residences within the fractional ownership program. will be deemed to have agreed that any arbitration of a dispute concerning the Governing Documents shall be binding pursuant to the provisions of NRS 38.300, *et seq.*, or any successor statute, and is not subject to appeal.

3. Section 4.3.3(a)(i) of the Declaration is hereby amended as follows:

(i) Sixty (60) days after conveyance of seventy-five percent (75%) of the maximum number of units that may be created (as set forth in Recital D) to Owners other than a declarant; or

4. Declarant and each and every other Owner hereby grants to James Canyon, until such time as James Canyon no longer owns any single family residential lots within the Estates Initial Property or the Estates Annexable Property, and thereafter the Estates Association, the right to enforce the minimum residence size and maximum residence height set forth in Section 3.1 of the Declaration. No amendment of such provisions of Section 3.1 shall be effective or valid unless approved in writing by James Canyon or the Estates Association, as applicable. The provisions of this paragraph 2 shall run with the Initial Property and the Annexable Property, whether or not annexed under the Declaration as restrictive covenants and equitable servitudes. In the event the Initial Property is deannexed from the Declaration or any of the Annexable Property is not annexed under the Declaration, then the minimum house size of 2,350 square feet, exclusive of garage space, and the maximum allowable height of 35 feet from finished grade shall be incorporated into any and all covenants, conditions and restrictions which affect such property.

5. Except as hereby amended, the Declaration shall remain in full force and effect.

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

Declarant:

Little Mondeaux Limousin Corporation,
a Nevada corporation

By:


Ronald L. Simek, President

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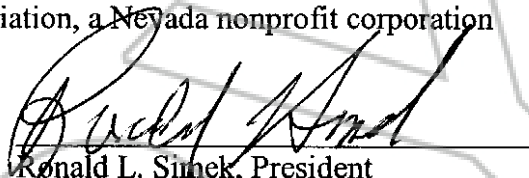
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CERTIFICATION OF PRESIDENT

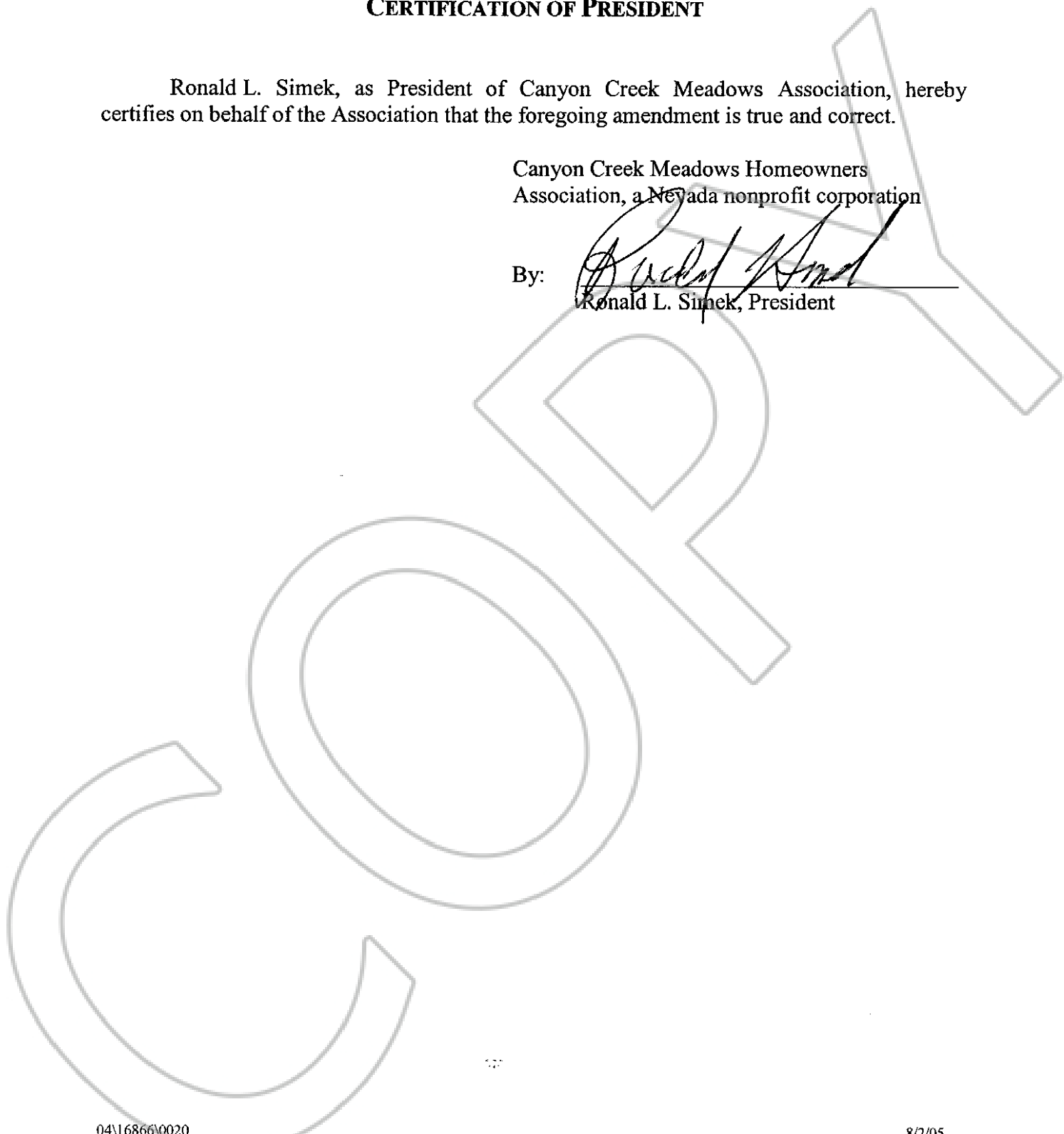
Ronald L. Simek, as President of Canyon Creek Meadows Association, hereby certifies on behalf of the Association that the foregoing amendment is true and correct.

Canyon Creek Meadows Homeowners
Association, a Nevada nonprofit corporation

By:

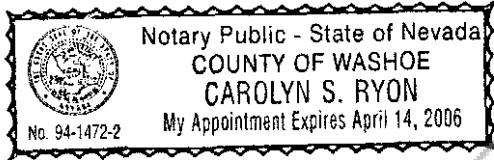


Ronald L. Simek, President



STATE OF NEVADA)
)ss.
County of Douglas)

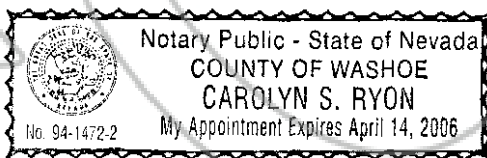
This instrument was acknowledged before me on August 10, 2004, by Ronald L. Simek as President of Little Mondeaux Limousin Corporation, a Nevada corporation.



Carolyn S. Ryon
Notary Public
My Commission Expires: 4/14/06

STATE OF NEVADA)
)ss.
County of Douglas)

This instrument was acknowledged before me on August 10, 2004, by Ronald L. Simek as President of Canyon Creek Meadows Homeowners Association, a Nevada nonprofit corporation.



Carolyn S. Ryon
Notary Public
My Commission Expires: 4/14/06

Exhibit "A"
Legal Description of Initial Property

COPY

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8/2/05

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**DESCRIPTION
CANYON CREEK MEADOWS, PHASE 1**

All that real property situate in the County of Douglas, State of Nevada, described as follows:

Canyon Creek Meadows, Phase 1, located within a portion of Section 26, Township 14 North, Range 19 East, Mount Diablo Meridian, more particularly described as follows:

Lots 1 through 44, Open Space A and B, and Common Areas 1 through 3 of the Final Subdivision Map, A Planned Development, PD-0016/LDA 02-008 for Canyon Creek Meadows, Phase 1, recorded February 11, 2004 in the office of Recorder, Douglas County, Nevada in Book 0204, at Page 4470, as Document No. 604356.

Note: Refer this description to your title company before incorporating into any legal document.

Prepared By: R.O. ANDERSON ENGINEERING, INC.
P.O. Box 2229
Minden, Nevada 89423

