J.

RECORDING REQUESTED BY AND MAIL TO:

James R. Hales, Esq.

✓ Rowe & Hales, LLP
1638 Esmeralda Avenue
Minden, NV 89423
(775) 782-8141

DOC # 0800585 04/10/2012 03:57 PM Deputy: SD OFFICIAL RECORD Requested By: SUZANNE TOWSE

Douglas County - NV Karen Ellison - Recorder

Page: 1 Of 5 Fee: 18.00 BK-0412 PG-2866 RPTT: 0.00



SECOND AMENDMENT TO
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
RAIN SHADOW RANCH

## SECOND AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS RAIN SHADOW RANCH

This SECOND AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS OF RAIN SHADOW RANCH is entered into on this / day of April, 2012, by CARSON VALLEY HOMESITES, LLC, a Nevada limited liability company. ("CVH").

WHEREAS, CVH's predecessor in interest, Gregory C. Lynn and Suzanne Towse, Trustees of the 1995 Gregory C. Lynn and Suzanne Towse Trust Agreement dated 16 May 1995 ("Trust"), recorded certain Declarations of Covenants, Conditions and Restrictions for Rain Shadow Ranch, which were recorded as Document No. 0704032, in Book 0607, at Page 9315, in the Douglas County Recorder's Office ("CC&R's"); and

WHEREAS, Gregory C. Lynn and Suzanne Towse, Trustees of the Trust, recorded an Amendment to the Covenants, Conditions and Restrictions of Rain Shadow Ranch on April 7, 2010, in Book 0410, at Page 1499, in the Douglas County Recorder's Office ("Amended CC&R's"); and

WHEREAS, on March 1, 2011, Greg C. Lynn and Suzanne Towse, as Trustees of the Trust, re-recorded a Grant, Bargain and Sale Deed adjusting the boundary line for lot thirtythree, the deeds conveying the land for the boundary line adjustment having been recorded as Document No. 0779257 in Book No. 0311, at Page No. 0129; and

Page 1 of 4

WHEREAS, Gregory C. Lynn and Suzanne Towse transferred their ownership interest and more than 75% of the Rain Shadow Ranch lots to CVH by Deed recorded as Documents No. 0779280 through 0779292, in Book 0311, at Pages 0186 through 0210 and Document No. 0779259 at Book 311, Page 143; and

WHEREAS, on the 10th day of April, 2012, CVH annexed all of lot 33 into Rain Shadow Ranch in that certain Declaration of Annexation recorded immediately preceding this documents; and

WHEREAS, pursuant to paragraph 10.1(a) of the Amended CC&R's, the CC&R's may be amended by an instrument signed and acknowledged by not less than 75% of the owners of all developed lots; and

WHEREAS, at the time of the execution of this Agreement CVH owns more than 75% of the developed lots;

NOW THEREFORE, CVH amends the previously amended CC&R's of Rain Shadow Ranch as follows:

A. Subparagraph D of Paragraph 6.7 of Article VI of the CC&R's as previously amended is amended to read as follows:

D. Within the first 18 months after escrow closes for each respective owner of their own individual property, the owners are responsible for landscaping their respective yard and/or establishing perennial drought tolerant grasses in any areas visible from the street or neighboring property, in such a manner that has been approved by the Design Review Committee.

B. Except as amended herein, the CC&R's, as previously amended as referenced above, remain in full force and effect.

IN WITNESS HEREOF, the undersigned, being Declarant herein, has hereunto set its hand and seal this /O day of April, 2012.

Carson Valley Homesites, LLC

Its: Managing Member

By: Suzanne Towse Its: Managing Member

STATE OF NEVADA

) ss.

COUNTY OF DOUGLAS

This instrument was acknowledged before me on the 10th day of April, 2012 by Gregory C. Lynn as Managing Member of Carson Valley Home Sites, LLC.



**NOTARY PUBLIC** STATE OF NEVADA County of Douglas GAYLE SARRATEA

My Appointment Expires on March 20, 2015

NOTARY PUBLIC

STATE OF NEVADA

) ss.

**COUNTY OF DOUGLAS** 

This instrument was acknowledged before me on the 10th day of April, 2012 by Suzanne Towse, as Managing Member of Carson Valley Home Sites, LLC.

**NOTARY PUBLIC** STATE OF NEVADA County of Douglas **GAYLÉ SARRATEA** My Appointment Expires on March 20, 2015

Page 3 of 4

BK- 0412 PG- 2870 800585 Page: 5 Of 5 04/10/2012

## **EXHIBIT "A"**

Lots 1 through 10; Lots 23 through 28; as set forth on the Final Subdivision Map for Rain Shadow Ranch, Phase 1, PD 04-002, filed for record in the office fo the County Recorder of Douglas County, State of Nevada on June 28, 2007 in Book 0607, Page 9070, as Document No. 703979, and Lot 33 as set forth on the Final Subdivision Map for Rain Shadow Ranch, Phase 1, but also as amended by that certain Boundary Line Adjustment Grant, Bargain and Sale Deed re-recorded on March 1, 2011, as Document No. 779257, at Book No. 0311, Page No. 0129.



Page 4 of 4