

N.F.

Doc Number: **0815799**

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OFFICIAL RECORDS

Requested By:  
DC/COMMUNITY DEVELOPMENT

1220-10-701-011  
1220-11-002-001  
APN: 1220-11-002-017, -018,  
-019

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:**

✓ T. Scott Brooke  
Post Office Box 2860  
Minden, NV 89423

DOUGLAS COUNTY RECORDERS  
Karen Ellison - Recorder

Page: 1 of 7 Fee: \$ 0.00  
Bk: 0113 Pg: 1384



**DEED RESTRICTION**

JAMES J. "BUTCH" PERI, as Owner of the real property located in Douglas County, Nevada, as further described on Exhibit "A" attached hereto ("Property"), does hereby impose the following restrictive covenants on said Property:

1. Reference is made to the First Amendment to Development Agreement affecting the Property which will be recorded concurrently herewith.
2. The provisions of Section 3(e)2 of said First Amendment to Development Agreement shall be further recognized in this Deed Restriction, and are incorporated herein by this reference, as follows:

The interim break in the median curb at this location will be removed and reconstructed as a full median curb as originally planned at this location, per Exhibit "K" at the sole expense of the OWNER at such time as the earlier of the following thresholds occurs:

- (a) Upon completion of construction of Muller Parkway, with at least two travel lanes (one in each direction) from the OWNER's northerly most property line to its intersection with U.S. Highway 395 north of Minden;

(b) Construction resulting in greater than 40% of the PROPERTY, and prior to issuance of the certificate of Occupancy thereof;

(c) Combined east and west traffic volumes on Muller Parkway reach 1,400 during the AM or PM peak hour;

(d) Vehicles on Muller Parkway in the westbound, left turn lane at the interim median break repeatedly exceed the length of the turn pocket causing "stacking" or other potential safety hazard(s) for the through vehicles at this location as determined by the County Engineer;

(e) The County Engineer, Community Development Department, in his/her discretion determines the interim break is creating a public health and safety hazard; or

(f) December 31, 2030.

3. The provisions of this Deed Restriction shall survive the term of the Development Agreement, as amended, and shall burden the property until satisfaction of the preceding condition.

4. The provision of this Deed Restriction shall be a covenant running with the land and shall burden the heirs, successors and grantees of the Owner imposing this Deed Restriction until the condition is satisfied.

IN WITNESS WHEREOF, the undersigned has executed this Deed Restriction this 10 day of November, 2012.

OWNER

*James J. "Butch" Peri*  
JAMES J. "BUTCH" PERI

STATE OF NEVADA )  
                  Washoe ) ss:  
COUNTY OF DOUGLAS )

On Nov. 20 2012, before me, Meg Sevrens a Notary Public, personally appeared JAMES J. "BUTCH" PERI, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Meg Sevrens  
NOTARY PUBLIC

MEG SEVRENS  
Notary Public, State of Nevada  
No. 12-8657-2  
Commission Expires Sept. 1, 2016

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November 27, 2012  
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**EXHIBIT 'A'**  
**DESCRIPTION**  
**(Being a portion of A.P.N.'S 1220-11-002-017, 1220-11-002-018 & 019)**

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

A parcel of land located within a portion of Sections 10 & 11, Township 12 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at a 5/8" rebar with aluminum cap PLS 3519 at an angle point in the northerly boundary of Adjusted Parcel 3 per the Record of Survey to Support a Boundary Line Adjustment for Peri Enterprises, LLC filed for record October 19, 2005 in the office of Recorder, Douglas County, Nevada as Document No. 658211;

thence South 09°38'55" West, 1268.58 feet to a point on the easterly line of the Muller Parkway easement as described in a deed to Douglas County filed October 19, 2005 in said office of Recorder in Book 1005, at Page 8588, the POINT OF BEGINNING;

thence North 11°04'11" East, 231.44 feet;  
thence along the arc of a curve to the right, having a radius of 166.00 feet, central angle of 66°04'34" and arc length of 191.44 feet;  
thence North 77°08'45" East, 114.78 feet;  
thence along the arc of a curve to the right, having a radius of 860.00 feet, central angle of 67°17'41" and arc length of 1010.08 feet;  
thence South 29°56'32" East, 1219.80 feet;  
thence along the arc of a curve to the left, having a radius of 690.00 feet, central angle of 18°40'04" and arc length of 224.81 feet;  
thence along the arc of a reverse curve to the right, having a radius of 50.00 feet, central angle of 139°10'45" and arc length of 121.46 feet to a point on the northerly line of Pinenut Road;

thence along said northerly line of Pinenut Road the following courses:

North 89°25'51" West, 1009.94 feet;  
North 89°13'51" West, 474.76 feet;  
Along the arc of a curve to the right, having a radius of 320.00 feet, central angle of 44°28'30" and arc length of 248.40 feet;  
North 44°45'21" West, 806.75 feet to a point on said easterly line of the Muller Parkway easement;

thence along said easterly line of the Muller Parkway easement the following two COURSES:

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North 45°14'39" East, 184.29 feet;  
Along the arc of a curve to the left, having a radius of 1052.50 feet, central angle of 34°10'28" and arc length of 627.77 feet to the POINT OF BEGINNING, containing 57.90 acres, more or less.

\*\*\*The above-described parcel of land represents a portion of A.P.N.'S 1220-11-002-017, 1220-11-002-018 & 019, and is not intended for inclusion in a document conveying fee ownership. To do so is a violation of state law and/or local ordinance.\*\*\*

The Basis of Bearing of this description is South 44°45'21" East, the easterly right-of-way line of U.S. Highway 395 as shown on the Record of Survey to Support a Boundary Line Adjustment for Barton Healthcare System, Park Cattle Company & Sierra Nevada SW Enterprises filed for record August 31, 2006 in said office of Recorder as Document No. 683421.

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

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**EXHIBIT 'A'**  
**DESCRIPTION**  
**(A.P.N.'S 1220-10-701-011 & 1220-11-002-001)**

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

A parcel of land located within a portion of Sections 10 & 11, Township 12 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at a 5/8" rebar with aluminum cap PLS 3519 at an angle point in the northerly boundary of Adjusted Parcel 3 per the Record of Survey to Support a Boundary Line Adjustment for Peri Enterprises, LLC filed for record October 19, 2005 in the office of Recorder, Douglas County, Nevada as Document No. 658211;

thence South 06°02'19" West, 2665.14 feet to the southwest corner of A.P.N. 25-160-31 as shown on the Record of Survey for BDB Enterprises, LLC filed for record January 22, 1998 in said office of Recorder as Document No. 430943, said point also falling on the easterly line of U.S. Highway 395;

thence along said easterly right-of-way line of U.S. Highway 395 the following four courses:

- North 41°33'35" West, 85.16 feet;
- North 45°06'36" West, 52.91 feet;
- North 44°41'34" West, 609.28 feet;

Along the arc of a curve to the right, having a radius of 34.80 feet, central angle of 90°00'00" and arc length of 54.66 feet to a point on the right-of-way line of Pinenut Road;

thence along said right-of-way line of Pinenut road the following three courses:

- Along the arc of a curve to the right, having a radius of 148.25 feet, central angle of 90°00'00" and arc length of 232.87 feet;
- South 44°45'21" East, 669.96 feet;
- Along the arc of a curve to the right, having a radius of 390.00 feet, central angle of 44°05'56" and arc length of 300.17 feet;

thence North 88°51'17" West, 428.32 feet to the POINT OF BEGINNING, containing 3.67 acres, more or less.

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The Basis of Bearing of this description is South 44°45'21" East, the easterly right-of-way line of U.S. Highway 395 as shown on the Record of Survey to Support a Boundary Line Adjustment for Barton Healthcare System, Park Cattle Company & Sierra Nevada SW Enterprises filed for record August 31, 2006 in said office of Recorder as Document No. 683421.

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