

Doc Number: **0835603**

12/17/2013 11:24 AM

OFFICIAL RECORDS

Requested By:
RO ANDERSON

DOUGLAS COUNTY RECORDERS
Karen Ellison - Recorder

Page: 1 Of 15 Fee: \$ 28.00

Bk: 1213 Pg: 2811



Deputy pk

✓ RECORDED REQUESTED BY AND
WHEN RECORDED RETURN TO:
THE RANCH AT GARDNERVILLE 1, LLC
1830 College Parkway, Suite 200
Carson City, NV 89706

A Portion of APN: 1320-29-000-008, -014

The party executing this document hereby affirms that this document submitted for recording does not contain the social security number of a person or persons as required by NRS 239B.030.

SECOND AMENDED AND RESTATED DECLARATION OF DEED RESTRICTION

THIS INDENTURE, made this 13th day of December, 2013 by The Ranch at Gardnerville 1, LLC, a Nevada limited liability company, hereinafter referred to as "Declarant."

This SECOND AMENDED AND RESTATED DECLARATION OF DEED RESTRICTION, is to modify, rescind and fully replace the DECLARATION OF DEED RESTRICTION previously executed by GRANTOR and recorded on November 22, 2013, as Document No. 0834320, Book 1113, Page 4760 and the AMENDED AND RESTATED DECLARATION OF DEED RESTRICTION previously executed by GRANTOR and recorded on or about December 10, 2013, and recorded as Document No. 0835258, Book 1213, Page 1696. The correction is necessary to include the required reservation by Grantor for a transportation easement located on the Property as set forth in the letters of approval by Douglas County.

RECITALS

Declarant is the legal and equitable owner of all that certain real property located in Douglas County, Nevada and more particularly described in Exhibit "A," attached hereto and incorporated herein by this reference ("Property").

Pursuant to that certain Planned Development Modification with conditions (PD 04-008-04), as set forth in the letters of approval by Douglas County Community Development dated November 5, 2012, revised on June 4, 2013, and modified on November 26, 2013, the Property is designated as open space conservation and drainage easement area with the condition that a deed restriction be prepared and recorded with regard to the Property.

In order to ensure compliance with the conditions of the Planned Development Approval described above, Declarant desires to impose upon the Property equitable servitudes and covenants that will restrict the use of the Property in accordance with this Declaration of Deed Restriction.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant hereby agrees, acknowledges, certifies and declares the following covenants, restrictions and servitudes as an interest in land for the benefit of Douglas County and shall apply and inure to the benefit of and bind the respective successors in interest as follows:

The Exhibit "A" Property is to be utilized as perpetual open space with no development rights and shall remain open and free from structure or other above-ground improvements with the following reservations:

RESERVING a multi-modal pedestrian path as more specifically described in Exhibit "B" attached hereto and incorporated herein by this reference.

RESERVING a 25-foot easement for transportation purposes, including but not limited to transit lines and pedestrian access within the area more specifically described on Exhibit "C" attached hereto and incorporated herein by this reference.

RESERVING UNTO GRANTOR any and all water rights, if any, appurtenant to the Exhibit "A" real property.

RESERVING UNTO GRANTOR the right to make utility improvements on and under the Exhibit "A" real property, including, but not limited to, drainage, flood control, water and sewer improvements necessary for or related to the Project.

RESERVING UNTO GRANTOR the right to make improvements on the Exhibit "A" real property for the purpose of developing wetlands for the benefit of GRANTOR and GRANTOR's development of the Project.

The Declarant represents and warrants that it shall be responsible for any actions necessary to maintain the Exhibit "A" Property in its natural state until such time as an appropriate agency or governmental entity has accepted dedication of or maintenance responsibility for the Property.

The Declarant represents and warrants that it has the authority to agree, acknowledge, certify and declare this Deed Restriction.

The Declaration shall remain in effect in perpetuity and shall apply to and bind the owners and their respective successors in interest.

IN WITNESS WHEREOF, the Declarant has executed this indenture the day and year first above written.

THE RANCH AT GARDNERVILLE 1, LLC
a Nevada Limited liability company

By: Wealth Strategies Development, Inc.,
Manager

By: Carrie L. McAninch
Carrie L. McAninch, President

STATE OF NEVADA)
 : ss.
COUNTY OF Carson City

On December 13, 2013, personally appeared before me, a notary public, Carrie L. McAninch, personally known (or proved) to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that she is the President of Wealth Strategies, Inc., a Nevada corporation and who further acknowledged to me that she executed the foregoing Declaration of Deed restriction on behalf of said entity.

Bobbi Yasmer
NOTARY PUBLIC

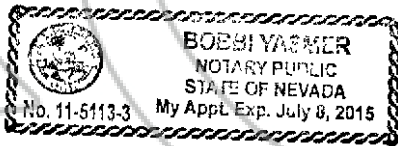


EXHIBIT "A"

1829-006
Revised 11/12/13
05/15/13
Page 1 of 3

**DESCRIPTION
OPEN SPACE
(Over Portion A.P.N. 1320-29-000-008 and -014)**

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

A strip of land for open space purposes located within portions of the Southwest one-quarter (SW) and Southeast one-quarter (SE) of Section 29 and the Northeast one-quarter (NE) of Section 32, Township 13 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

Commencing at the southeasterly corner of Parcel 43 shown as Adjusted A.P.N. 1320-29-000-007 on the Record of Survey to Support a Boundary Line Adjustment for Alton A. & Susan L. Anker and Park Cattle Co. filed for record June 28, 2006 in the office of Recorder, Douglas County, Nevada as Document No. 678199;

thence along the easterly boundary of said Parcel 43, North 00°20'20" East, 5.00 feet to the POINT OF BEGINNING;

thence along a line parallel with and offset 5-feet northerly of the southerly boundary of said Parcel 43, North 89°42'32" West, 467.21 feet to a point on the westerly boundary of said Parcel 43;

thence along said westerly boundary of Parcel 43, the following courses:

- North 35°33'10" West, 583.44 feet;
- North 38°50'33" West, 80.14 feet;
- North 28°17'55" West, 131.62 feet;
- North 51°49'55" West, 126.45 feet;
- North 28°17'02" West, 208.95 feet;
- North 22°39'41" West, 218.42 feet;
- North 02°14'26" East, 79.34 feet;
- North 81°13'07" West, 432.72 feet;
- North 52°09'48" West, 213.23 feet;

Along the arc of a non-tangent curve to the left having a radius of 613.00 feet, central angle of 30°20'56", arc length of 324.70 feet, and chord bearing and distance of North 14°09'29" East, 320.92 feet;
North 01°00'59" West, 101.09 feet;

thence along the westerly boundary of Parcel 37 as set forth on the Land Division Map for John B. Anderson No. 2 filed for record September 27, 1978 in said office of Recorder as Document No. 25700 and further shown on said Record of Survey, Document No. 678199, the following courses:

1829-006
Revised 11/12/13
05/15/13
Page 2 of 3

North 00°56'42" East, 1457.48 feet to the southerly line of Buckeye Road;

Along said southerly line of Buckeye Road along the arc of a non-tangent curve to the right having a radius of 690.00 feet, central angle of 07°40'24", arc length of 92.41 feet, and chord bearing and distance of North 54°15'53" East, 92.34 feet;

thence along the arc of a curve to the right having a radius of 29.00 feet, central angle of 118°53'22", arc length of 60.18 feet, and chord bearing and distance of South 62°27'14" East, 49.95 feet;

thence along a compound curve having a radius of 112.50 feet, central angle of 17°46'29", arc length of 34.90 feet, and chord bearing and distance of South 05°52'42" West, 34.76 feet;

thence South 14°45'56" West, 314.64 feet;

thence along the arc of a curve to the left having a radius of 537.50 feet, central angle of 13°49'14", arc length of 129.65 feet, and chord bearing and distance of South 07°51'19" West, 129.34 feet;

thence South 00°56'42" West, 114.42 feet;

thence along the arc of a curve to the left having a radius of 537.50 feet, central angle of 33°32'40", arc length of 314.68 feet, and chord bearing and distance of South 15°49'38" East, 310.21 feet;

thence South 58°25'04" West, 106.17 feet;

thence South 39°24'02" East, 150.96 feet;

thence along the arc of a non-tangent curve to the left having a radius of 55.50 feet, central angle of 91°29'38", arc length of 88.63 feet, and chord bearing and distance of South 32°53'58" East, 79.51 feet;

thence along the arc of a reverse curve having a radius of 12.50 feet, central angle of 54°16'49", arc length of 11.84 feet, and chord bearing and distance of South 51°30'23" East, 11.40 feet;

thence along the arc of a reverse curve having a radius of 173.50 feet, central angle of 19°03'06", arc length of 57.69 feet, and chord bearing and distance of South 33°53'31" East, 57.43 feet;

thence South 07°34'03" West, 241.19 feet;

thence South 21°30'05" East, 124.49 feet;

thence South 34°51'54" East, 142.43 feet;

thence South 66°07'42" East, 26.01 feet;

thence South 73°53'45" East, 40.24 feet;

thence South 73°11'55" East, 35.09 feet;

thence South 56°54'17" East, 40.00 feet;

thence South 46°48'11" East, 55.36 feet;

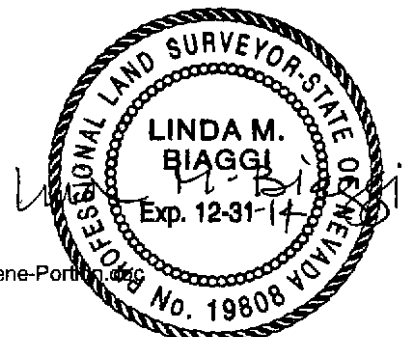
thence South 41°08'42" East, 62.31 feet;

1829-006
Revised 11/12/13
05/15/13
Page 3 of 3

thence South 20°03'34" East, 60.11 feet;
 thence South 07°35'56" West, 61.56 feet;
 thence South 26°48'58" West, 39.91 feet;
 thence North 74°40'47" East, 159.44 feet;
 thence South 15°19'13" East, 60.00 feet;
 thence South 74°40'47" West, 131.08 feet;
 thence South 15°19'13" East, 85.00 feet;
 thence South 00°36'53" East, 105.69 feet;
 thence South 22°36'10" East, 154.01 feet;
 thence South 29°45'13" East, 87.77 feet;
 thence South 22°08'37" East, 70.11 feet;
 thence South 26°10'17" East, 112.09 feet;
 thence South 51°49'55" East, 122.69 feet;
 thence North 41°42'30" East, 106.01 feet;
 thence North 35°30'10" East, 8.46 feet;
 thence South 23°41'30" East, 212.97 feet;
 thence North 88°43'26" East, 184.41 feet;
 thence South 77°51'46" East, 100.04 feet;
 thence South 62°22'16" East, 48.37 feet;
 thence South 53°25'58" East, 95.70 feet;
 thence South 16°00'14" East, 110.31 feet;
 thence South 03°18'04" East, 48.37 feet;
 thence South 09°07'39" West, 60.22 feet;
 thence South 25°56'54" West, 43.53 feet;
 thence South 45°29'29" West, 67.01 feet;
 thence South 00°17'28" West, 133.82 feet;
 thence along a line parallel with and offset 25-feet northerly of said southerly boundary of Parcel 43, South 89°42'32" East, 342.40 feet to a point on the easterly boundary of said Parcel 43;
 thence along said easterly boundary of Parcel 43, South 00°20'20" West, 20.00 feet to the POINT OF BEGINNING, containing 15.37 acres, more or less.

The Basis of Bearing of this description is South 89°42'55" East, the north line of the Remainder parcel as shown on the Amended Final Map for The Ranch at Gardnerville, Phase 1, filed for record March 30, 2012 in the office of Recorder, Douglas County, Nevada as Document No. 799923.

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



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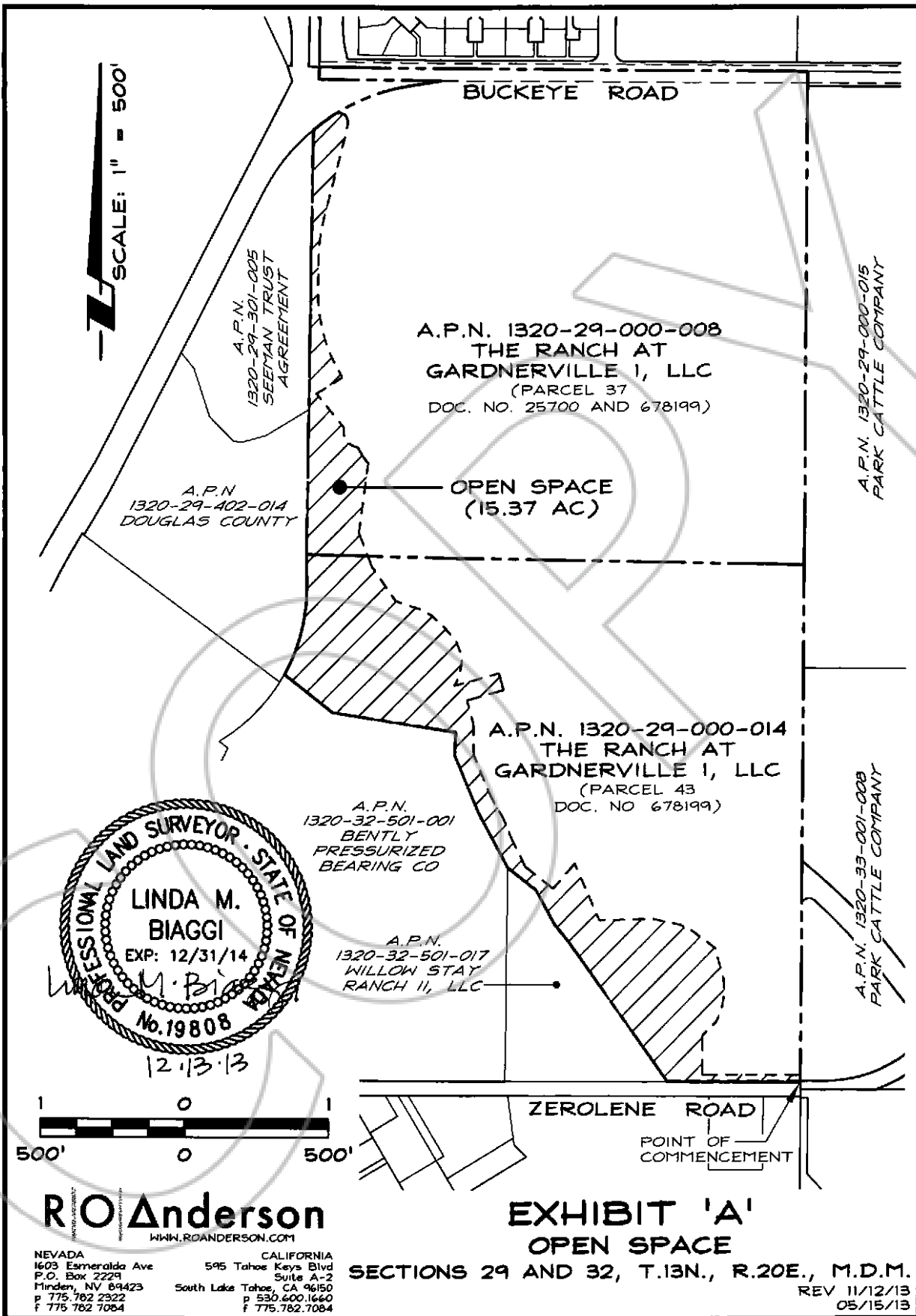


EXHIBIT "B"

0028-079
11/12/13
Page 1 of 3

**DESCRIPTION
PEDESTRIAN EASEMENT
Martin Slough Multi-Modal Trail
(Over Portion A.P.N. 1320-29-000-014)**

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

A strip of land, varying in width, for pedestrian easement purposes located within portions of the Southwest one-quarter (SW) and Southeast one-quarter (SE) of Section 29 and the Northeast one-quarter (NE) of Section 32, Township 13 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

Commencing at the southeasterly corner of Parcel 43 shown as Adjusted A.P.N. 1320-29-000-007 on the Record of Survey to Support a Boundary Line Adjustment for Alton A. & Susan L. Anker and Park Cattle Co. filed for record June 28, 2006 in the office of Recorder, Douglas County, Nevada as Document No. 678199;

thence along the easterly boundary of said Parcel 43, North 00°20'20" East, 5.00 feet to the POINT OF BEGINNING;

thence along a line parallel with and offset 5-feet northerly of the southerly boundary of said Parcel 43, North 89°42'32" West, 467.21 feet to a point on the westerly boundary of said Parcel 43;

thence along said westerly boundary of Parcel 43, North 35°33'10" West, 34.22 feet;

- thence North 16°28'43" West, 22.84 feet;
- thence North 23°44'14" West, 46.22 feet;
- thence North 04°21'44" West, 35.81 feet;
- thence North 14°14'06" East, 58.05 feet;
- thence North 61°07'54" East, 31.59 feet;
- thence South 75°34'41" East, 43.19 feet;
- thence South 88°05'12" East, 57.23 feet;
- thence North 77°35'42" East, 40.50 feet;
- thence North 45°29'29" East, 28.03 feet;
- thence North 25°56'54" East, 35.53 feet;
- thence North 09°07'39" East, 53.80 feet;
- thence North 03°18'04" West, 42.87 feet;
- thence North 16°00'14" West, 99.06 feet;
- thence North 53°25'58" West, 85.28 feet;
- thence North 62°22'16" West, 43.02 feet;
- thence North 77°51'46" West, 93.70 feet;
- thence South 88°43'26" West, 198.21 feet;
- thence North 23°41'30" West, 189.76 feet;

0028-079
11/12/13
Page 2 of 3

thence South 41°42'30" West, 141.05 feet to a point on the westerly boundary of said Parcel 43;

thence along said westerly boundary, the following courses:

- North 28°17'55" West, 68.63 feet;
- North 51°49'55" West, 126.45 feet;
- North 28°17'02" West, 208.95 feet;
- North 22°39'41" West, 218.42 feet;
- North 02°14'26" East, 79.34 feet;
- North 81°13'07" West, 202.36 feet;

thence along the arc of a curve to the right having a radius of 312.00 feet, central angle of 81°26'42", arc length of 443.50 feet, and chord bearing and distance of North 40°29'46" West, 407.09 feet;

thence North 00°13'34" East, 63.91 feet;

thence North 87°04'15" West, 60.04 feet to a point on said westerly boundary of Parcel 43;

thence along said westerly boundary, along the arc of a non-tangent curve to the left having a radius of 613.00 feet, central angle of 02°20'37", arc length of 25.07 feet, and chord bearing and distance of North 07°14'35" East, 25.07 feet;

thence South 87°04'15" East, 82.00 feet;

thence South 00°13'34" West, 87.76 feet;

thence along the arc of a curve to the left having a radius of 287.00 feet, central angle of 81°26'42", arc length of 407.97 feet, and chord bearing and distance of South 40°29'46" East, 374.47 feet;

thence South 81°13'07" East, 260.39 feet;

thence South 00°36'53" East, 93.63 feet;

thence South 22°36'10" East, 154.01 feet;

thence South 29°45'13" East, 87.77 feet;

thence South 22°08'37" East, 70.11 feet;

thence South 26°10'17" East, 112.09 feet;

thence South 51°49'55" East, 122.69 feet;

thence North 41°42'30" East, 106.01 feet;

thence North 35°30'10" East, 8.46 feet;

thence South 23°41'30" East, 212.97 feet;

thence North 88°43'26" East, 184.41 feet;

thence South 77°51'46" East, 100.04 feet;

thence South 62°22'16" East, 48.37 feet;

thence South 53°25'58" East, 95.70 feet;

thence South 16°00'14" East, 110.31 feet;

thence South 03°18'04" East, 48.37 feet;

thence South 09°07'39" West, 60.22 feet;

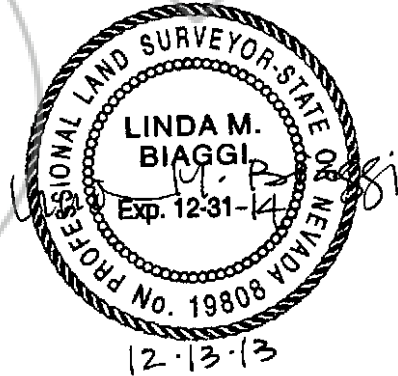
thence South 25°56'54" West, 43.53 feet;

0028-079
11/12/13
Page 3 of 3

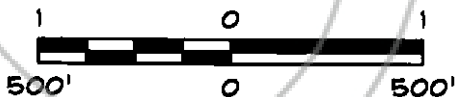
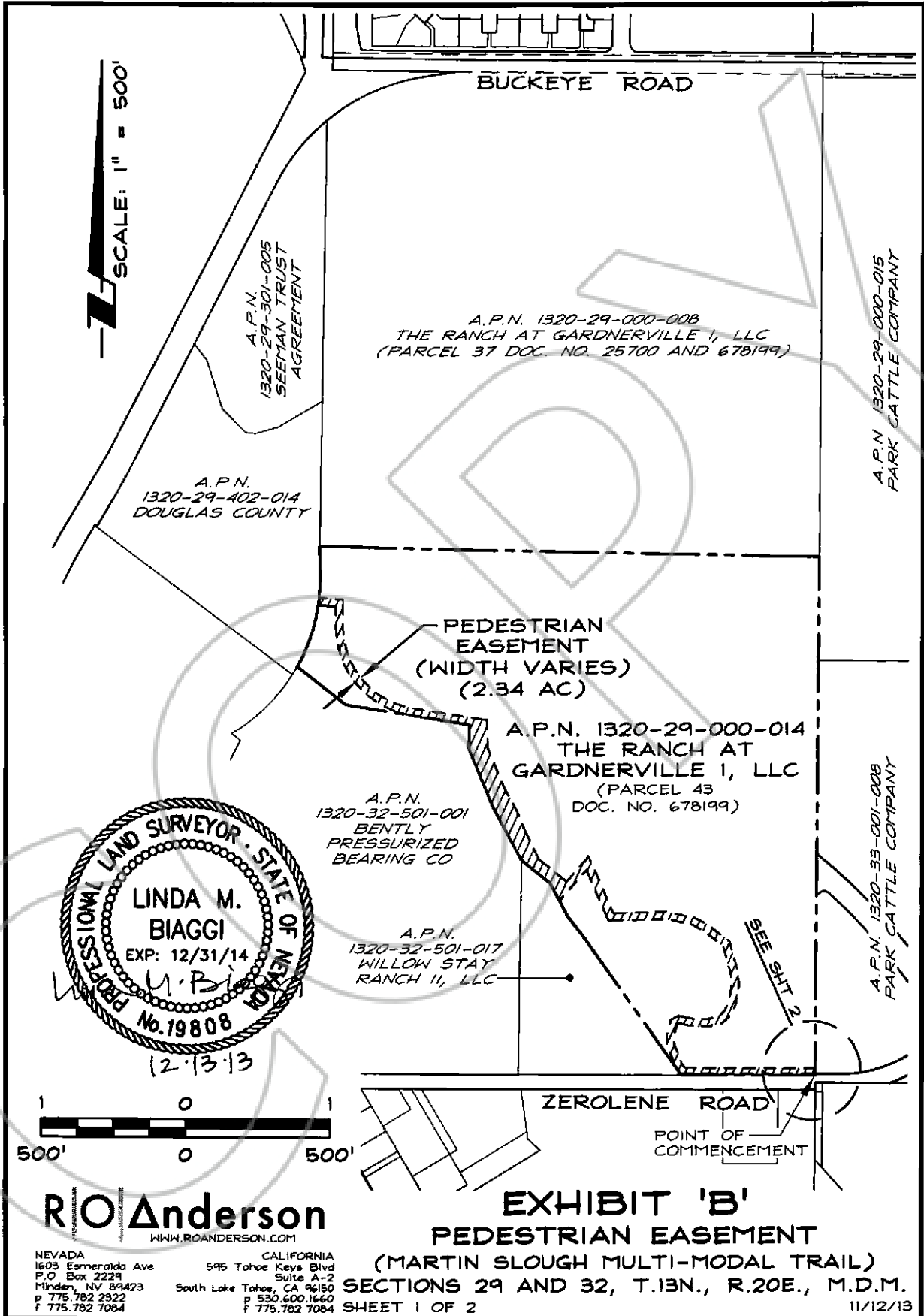
thence South 45°29'29" West, 39.53 feet;
 thence South 77°35'42" West, 50.83 feet;
 thence North 88°05'12" West, 63.11 feet;
 thence North 75°34'41" West, 36.01 feet;
 thence South 61°07'54" West, 10.83 feet;
 thence South 14°14'06" West, 43.11 feet;
 thence South 04°21'44" East, 27.45 feet;
 thence South 23°44'14" East, 43.54 feet;
 thence South 16°28'43" East, 20.23 feet;
 thence South 35°33'10" East, 23.41 feet;
 thence along a line parallel with and offset 25-feet northerly of said southerly
 boundary of Parcel 43, South 89°42'32" East, 450.84 feet to a point on the easterly
 boundary of said Parcel 43;
 thence along said easterly boundary of Parcel 43, South 00°20'20" West, 20.00
 feet to the POINT OF BEGINNING, containing 101,990 square feet (2.34 acres), more
 or less.

The Basis of Bearing of this description is South 89°42'55" East, the north line of the
 Remainder parcel as shown on the Amended Final Map for The Ranch at Gardnerville,
 Phase 1, filed for record March 30, 2012 in the office of Recorder, Douglas County,
 Nevada as Document No. 799923.

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



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ROAnderson
WWW.ROANDERSON.COM

NEVADA 1605 Esmeralda Ave P.O. Box 2229 Minden, NV 89423 p 775.782.2922 f 775.782.7064
CALIFORNIA 595 Tahoe Keys Blvd Suite A-2 South Lake Tahoe, CA 96150 p 530.500.1660 f 775.782.7064

EXHIBIT 'B'
PEDESTRIAN EASEMENT
(MARTIN SLOUGH MULTI-MODAL TRAIL)
SECTIONS 29 AND 32, T.13N., R.20E., M.D.M.
SHEET 1 OF 2 11/12/13

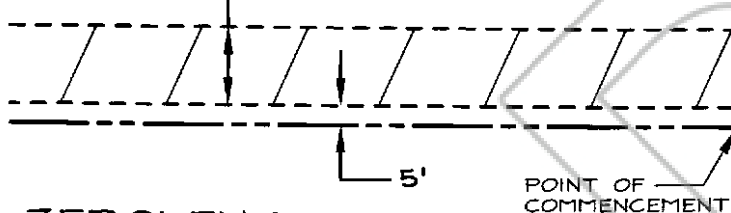
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A.P.N. 1320-29-000-014
THE RANCH AT
GARDNERVILLE 1, LLC
(PARCEL 43
DOC. NO. 67B199)

A.P.N.
1320-33-001-008
PARK CATTLE
COMPANY

PEDESTRIAN EASEMENT
(WIDTH VARIES)
(2.34 AC)

SCALE: 1" = 50'



ZEROLENE ROAD

ZEROLENE ROAD

25' PEDESTRIAN
TRAIL EASEMENT PER
BK. 413, PG. 8856

A.P.N.
1320-32-501-015
SEEMAN FAMILY
TRUST

A.P.N.
1320-32-601-007
SEEMAN TRUST
AGREEMENT

A.P.N.
1320-33-210-072
THE RANCH AT
GARDNERVILLE 1,
LLC

A.P.N. 1320-32-614-002
TOWN OF GARDNERVILLE

25' PEDESTRIAN
TRAIL EASEMENT PER
BK. 413, PG. 8856



RO Anderson
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NEVADA
1605 Emerald Ave
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p 775 782.2322
f 775 782.7084

CALIFORNIA
595 Tahoe Keys Blvd
Suite A-2
South Lake Tahoe, CA 96150
p 530.600.1660
f 775 782 7084

EXHIBIT 'B'
PEDESTRIAN EASEMENT

(MARTIN SLOUGH MULTI-MODAL TRAIL)
SECTIONS 29 AND 32, T.13N., R.20E., M.D.M.
SHEET 2 OF 2

11/12/13

EXHIBIT "C"

1829-006
12/11/13
Page 1 of 2

DESCRIPTION
25-FOOT WIDE TRANSIT EASEMENT
(Over Portion A.P.N. 1320-29-000-008 and -014)

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

A twenty-five foot wide (25') strip of land for transit easement purposes located within portions of the Southwest one-quarter (SW1/4) of Section 29, Township 13 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

Commencing at the most westerly angle point in the westerly boundary of Parcel 43 shown as Adjusted A.P.N. 1320-29-000-007 on the Record of Survey to Support a Boundary Line Adjustment for Alton A. & Susan L. Anker and Park Cattle Co. filed for record June 28, 2006 in the office of Recorder, Douglas County, Nevada as Document No. 678199, the POINT OF BEGINNING;

thence along said westerly boundary of Parcel 43, the following courses:

Along the arc of a non-tangent curve to the left having a radius of 613.00 feet, central angle of 30°20'56", arc length of 324.70 feet, and chord bearing and distance of North 14°09'29" East, 320.92 feet;
North 01°00'59" West, 101.09 feet to the southwesterly corner of Parcel 37 as set forth on the Land Division Map for John B. Anderson No. 2 filed for record September 27, 1978 in said office of Recorder as Document No. 25700 and further shown on said Record of Survey, Document No. 678199;

thence along the westerly boundary of said Parcel 37, North 00°56'42" East, 1457.48 feet to the southerly line of Buckeye Road;

thence along said southerly line of Buckeye Road along the arc of a non-tangent curve to the right having a radius of 690.00 feet, central angle of 02°40'42", arc length of 32.25 feet, and chord bearing and distance of North 51°46'02" East, 32.25 feet;

thence along a line parallel with and offset 25-feet easterly of said westerly boundary of Parcel 37 and Parcel 43, the following courses:

South 00°56'42" West, 1477.42 feet;
South 01°00'59" East, 100.66 feet;
Along the arc of a curve to the right having a radius of 638.00 feet, central angle of 30°41'04", arc length of 341.68 feet, and chord bearing and distance of South 14°19'33" West, 337.61 feet;

1829-006

12/11/13

Page 2 of 2

thence along the westerly boundary of said Parcel 43, North 52°09'48" West, 25.27 feet to the POINT OF BEGINNING, containing 47,542 square feet (1.09 acres), more or less.

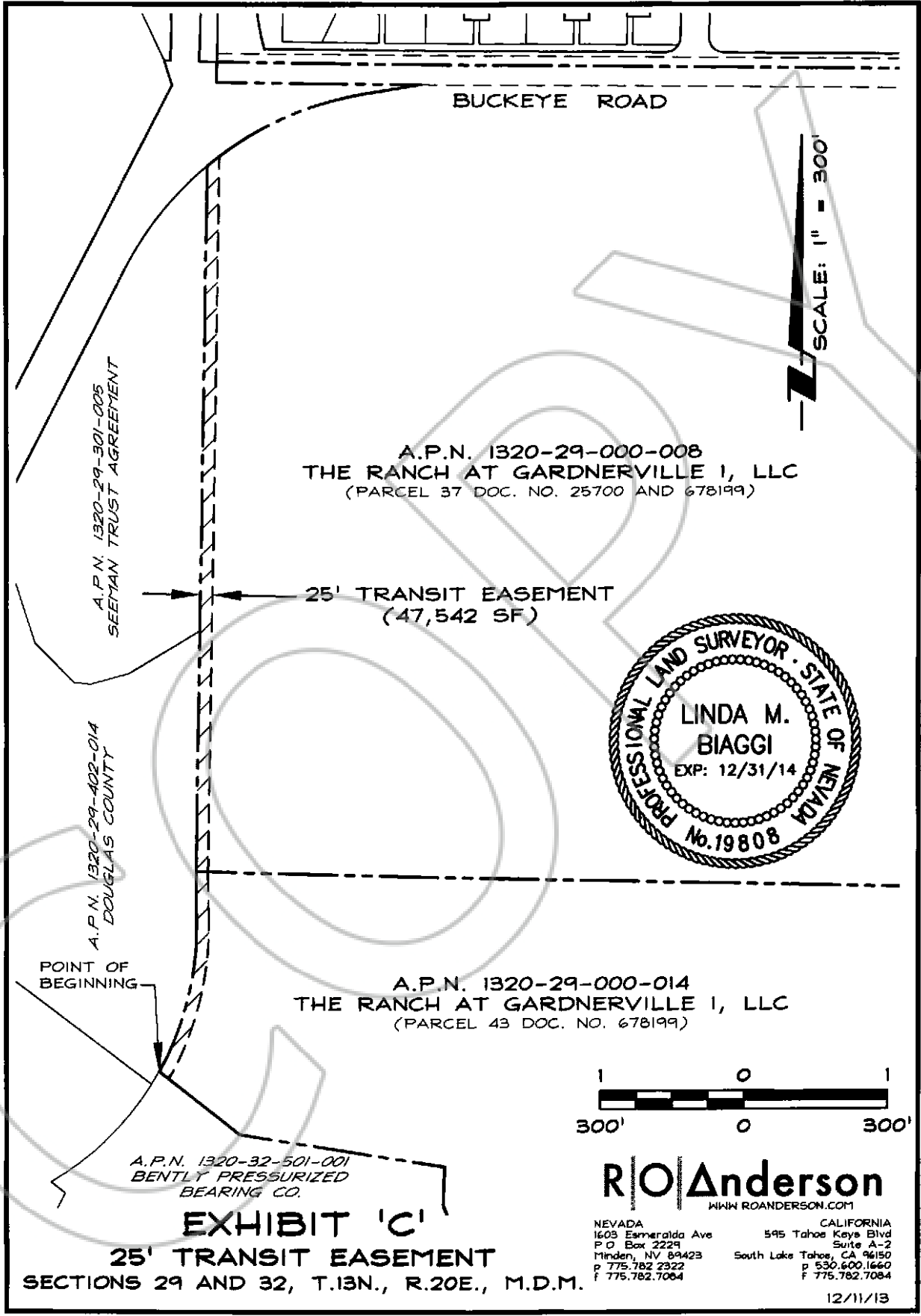
The Basis of Bearing of this description is South 89°42'55" East, the north line of the Remainder parcel as shown on the Amended Final Map for The Ranch at Gardnerville, Phase 1, filed for record March 30, 2012 in the office of Recorder, Douglas County, Nevada as Document No. 799923.

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



12.13.13

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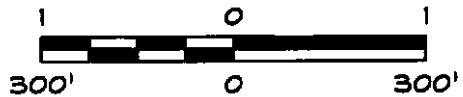


A.P.N. 1320-29-000-008
THE RANCH AT GARDNERVILLE I, LLC
(PARCEL 37 DOC. NO. 25700 AND 678199)

25' TRANSIT EASEMENT
(47,542 SF)



A.P.N. 1320-29-000-014
THE RANCH AT GARDNERVILLE I, LLC
(PARCEL 43 DOC. NO. 678199)



A.P.N. 1320-32-501-001
BENTLY PRESSURIZED
BEARING CO.

EXHIBIT 'C'

25' TRANSIT EASEMENT
SECTIONS 29 AND 32, T.13N., R.20E., M.D.M.

R/O Anderson
WWW.ROANDERSON.COM

NEVADA
1608 Emerald Ave
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South Lake Tahoe, CA 96150
p 530.600.1660
f 775.782.7084

12/11/13