

DOUGLAS COUNTY, NV

2015-871841

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10/27/2015 01:00 PM

FIRST AMERICAN - NVOD LAS VEGAS

KAREN ELLISON, RECORDER

When Recorded Mail Tax Statements to:  
Starpoint Resort Group, Inc.  
P.O. Box 231300  
Las Vegas, NV 89105

When Recorded Return to:  
Starpoint Resort Group, Inc.  
c/o Raymond J. Gaskill, Esq.  
7 Westport  
Irvine, CA 92620

*First American 3436341*

**DECLARATION OF DEDICATION**  
**SAPPHIRE RESORTS PHASE 82 - KINGSBURY CROSSING**

This Declaration of Dedication is made this 26th day of October, 2015, by GeoHoliday Development, LLC, a Nevada limited liability company ("Declarant") and Starpoint Resort Group, Inc., a Nevada corporation ("Developer"), with reference to the following facts:

WHEREAS, Developer has concurrently caused to be conveyed to First American Trust, FSB, as Successor Trustee pursuant to that certain Trust Agreement dated January 10, 2005 (GeoHoliday Club) that certain real property, together with certain improvements which have been constructed thereon and all appurtenances thereto, described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Subject Resort Accommodations") located in Douglas County, State of Nevada, which consists of sixty-eight (68) separate one-week timeshare intervals, which Subject Resort Accommodations are part of a subdivision known as Kingsbury Crossing in Stateline, Nevada (the "Underlying Plan"); and

WHEREAS, the Underlying Plan was created by and is subject to a Declaration of Timeshare Use recorded February 16, 1983, in Book 283, page 1314, Document No. 76233, Official Records of Douglas County, Nevada, as such Declaration may have been amended from time to time (collectively, the "Underlying Declaration"); and

WHEREAS, Declarant is the sponsor of a multi-location vacation ownership program known as "Sapphire Resorts", formerly known as "GeoHoliday Club", which was created pursuant to a Master Declaration of Restrictions and Bylaws for GeoHoliday Club dated January 10, 2005 (the "Sapphire Resorts Declaration"), a copy of which was attached as Exhibit "B" to that certain Declaration of Dedication - GeoHoliday Club Phase XXVIII - Kingsbury Crossing dated January 13, 2010 and recorded January 15, 2010 as Document No. 757248, Official Records of Douglas County, Nevada; and

WHEREAS, the Sapphire Resorts Declaration establishes a uniform plan for the development and ownership of Resort Accommodations (as defined in the Sapphire Resorts Declaration) by imposing upon said Resort Accommodations mutual and beneficial restrictions, covenants, conditions, obligations, and easements to apply uniformly to the use, enjoyment, repair, maintenance, restoration, improvement, transfer, and encumbrance of all Resort Accommodations which become dedicated under the Sapphire Resorts Declaration from time to time, for the mutual enjoyment, convenience, protection, and benefit of all Resort Accommodations dedicated thereto, and for the creation of vacation ownership interests known as "Memberships", which include membership in Sapphire Resorts (f/k/a GeoHoliday Club), a Nevada nonprofit corporation ("Association"), which Memberships are sold by Declarant or by Developer to members of the general public; and

WHEREAS, Declarant and Developer now wish to incorporate the Sapphire Resorts Declaration into this Declaration and to apply all of the terms thereof to the Subject Resort Accommodations by the dedication of the Subject Resort Accommodations to the plan and scheme of the Sapphire Resorts Declaration in accordance with Section 4.2(a) of the Sapphire Resorts Declaration.

NOW THEREFORE, in furtherance of such intent, Declarant and Developer hereby declare as follows:

1. The Subject Resort Accommodations, together with all improvements thereon and all appurtenances thereto, are hereby dedicated to the Sapphire Resorts program pursuant to the Sapphire Resorts Declaration, and shall hereafter be held, sold, conveyed, encumbered, leased, occupied, improved, and used subject to the covenants, conditions, reservations, restrictions, easements, and limitations of record contained in the Sapphire Resorts Declaration, which is hereby incorporated herein by this reference, as the same may be lawfully amended and/or supplemented from time to time, all of which are established, declared, and agreed to be for the purpose of enhancing and protecting the value, desirability, and enjoyment of the Subject Resort Accommodations and any Memberships therein. All of such covenants, conditions, reservations, restrictions, easements, and limitations shall constitute equitable servitudes upon the Subject Resort Accommodations, shall perpetually run with the land, shall be binding upon and inure to the benefit of the Declarant, Developer, the Club and all Members thereof, and any other persons having or acquiring any right, title, or interest therein and thereto, and each of their respective heirs, legal representatives, successors, and assigns, and all other persons who are present within or use the Subject Resort Accommodations for any purpose whatsoever.

2. Each of the Subject Resort Accommodations is capable of year-round occupancy in accordance with the Underlying Declaration.

3. The Subject Resort Accommodations shall support the creation by the Association of Memberships of any type described in the Sapphire Resorts Declaration, together with the initial issuance by the Association of "Credits" (as defined in the Sapphire Resorts Declaration) in the following amounts:

<u>Quantity</u>	<u>Unit Type</u>	<u>Season</u>	<u>Use</u>	<u>Points Ea.</u>	<u>Total</u>
2	One Bedroom	Low	Annual	10,000	20,000
2	One Bedroom	Low	Annual	14,250	28,490
47	One Bedroom	High	Annual	14,250	669,750
<u>17</u>	One Bedroom	High	Annual	17,500	<u>297,500</u>
<u>68</u>					1,015,740

4. Declarant and Developer hereby assign to Association any and all assessment obligations and voting rights in the Underlying Association, use rights to the Resort Accommodations, any rights to notices and mailings from the Underlying Association, any insurance proceeds or condemnation awards, and any vacation ownership points (if applicable) which are appurtenant to the Resort Accommodations pursuant to the Underlying Declaration.


5. The dedication of the above-referenced Resort Accommodations shall be effective upon the recordation of this Declaration of Dedication, and shall continue until such time as the Resort Accommodations are deannexed or substituted in accordance with the provisions of the Sapphire Resorts Declaration, or the Sapphire Resorts Declaration shall be terminated in accordance with the terms and provisions contained therein.

**IN WITNESS WHEREOF**, Declarant and Developer have hereunto caused this Declaration of Dedication to be executed as of the day and year first written above.

"DECLARANT"

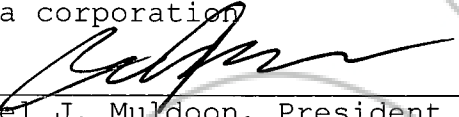
GeoHoliday Development, LLC,  
a Nevada limited liability company

By: BQ Resorts, LLC,  
a Delaware limited liability company,  
its Managing Member

By:   
Michael J. Muldoon, President

"DEVELOPER"

Starpoint Resort Group, Inc.,  
a Nevada corporation

By   
Michael J. Muldoon, President

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Nevada )

County of Clark )

On October 26, 2015, before me, Doris Azevedo, Notary Public, personally appeared Michael J. Muldoon, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]



(seal)

## EXHIBIT "A" TO DECLARATION OF DEDICATION

### KINGSBURY CROSSING

THE LAND SITUATED IN THE STATE OF NEVADA, COUNTY OF DOUGLAS, AND DESCRIBED AS FOLLOWS:

AN UNDIVIDED **SIXTY-EIGHT (68/3213)** INTEREST AS A TENANT-IN-COMMON IN THE FOLLOWING DESCRIBED REAL PROPERTY (THE "PROPERTY"):

A PORTION OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 26, TOWNSHIP 13 NORTH, RANGE 18 EAST, MDB&M, DESCRIBED AS FOLLOWS:

PARCEL 3, AS SHOWN ON THAT AMENDED PARCEL MAP FOR JOHN E. MICHELSEN AND WALTER COX RECORDED FEBRUARY 3, 1981, IN BOOK 281 OF OFFICIAL RECORDS, AT PAGE 172, DOUGLAS COUNTY, NEVADA, AS DOCUMENT NO. 53178, SAID MAP BEING AN AMENDED MAP OF PARCELS 3 AND 4 AS SHOWN ON THAT CERTAIN MAP FOR JOHN E. MICHELSEN AND WALTER COX, RECORDED FEBRUARY 10, 1978, IN BOOK 278, OF OFFICIAL RECORDS, AT PAGE 591, DOUGLAS COUNTY, NEVADA, AS DOCUMENT NO. 17578.

EXCEPTING FROM THE REAL PROPERTY THE EXCLUSIVE RIGHT TO USE AND OCCUPY ALL OF THE DWELLING UNITS AND UNITS AS DEFINED IN THE "DECLARATION OF TIMESHARE USE" AND SUBSEQUENT AMENDMENTS THERETO, AS HEREINAFTER REFERRED TO.

ALSO EXCEPTING FROM THE PROPERTY AND RESERVING TO GRANTOR, ITS SUCCESSORS AND ASSIGNS, ALL THOSE CERTAIN EASEMENTS REFERRED TO IN PARAGRAPHS 2.5, 2.6 AND 2.7 OF THE DECLARATION OF TIMESHARE USE (KINGSBURY CROSSING) RECORDED FEBRUARY 16, 1983 IN BOOK 283, PAGE 1341 AS DOCUMENT NO. 076233, OFFICIAL RECORDS OF DOUGLAS COUNTY, NEVADA, AS AMENDED (THE "DECLARATION"), TOGETHER WITH THE RIGHT TO GRANT SAID EASEMENTS TO OTHERS.

TOGETHER WITH THE EXCLUSIVE RIGHT AND EASEMENT TO USE AND OCCUPY AN "ASSIGNED UNIT" AND THE "COMMON FURNISHINGS" THEREIN, TOGETHER WITH THE NON-EXCLUSIVE RIGHT TO OCCUPY THE "COMMON AREA", AS SUCH QUOTED TERMS ARE DEFINED IN THE DECLARATION, DURING A PROPERLY RESERVED "USE PERIOD", DURING THE "SEASON" IDENTIFIED ON **SCHEDULE 1**, ON AN ANNUAL BASIS, PROVIDED THAT SUCH USE PERIODS ARE FIRST RESERVED IN ACCORDANCE WITH THE DECLARATION AND THE "RULES AND REGULATIONS", AS EACH OF SAID TERMS ARE DEFINED IN THE DECLARATION REFERRED TO ABOVE.

Schedule 1

<b>HOA Acct #</b>	<b>Interval</b>	<b>Unit Type</b>	<b>Season</b>	<b>Credits</b>
470125283	4305-42	One Bedroom	High	14,250
470132283	3202-28	One Bedroom	High	14,250
470153123	4309-28	One Bedroom	High	14,250
470153133	4309-29	One Bedroom	High	14,250
470224645	3209-43	One Bedroom	High	14,250
470225252	3304-15	One Bedroom	High	14,250
470231454	4204-43	One Bedroom	High	14,250
470253113	4303-41	One Bedroom	High	14,250
470351367	3307-07	One Bedroom	High	14,250
470414192	4314-26	One Bedroom	High	14,250
470439144	3309-52	One Bedroom	High	14,250
470439795	3302-32	One Bedroom	High	14,250
470453302	4311-37	One Bedroom	High	14,250
470453312	4311-38	One Bedroom	High	14,250
470514382	4212-38	One Bedroom	High	14,250
470535164	4213-49	One Bedroom	High	14,250
470654423	4305-09	One Bedroom	High	14,250
470828522	4311-39	One Bedroom	High	14,250
470842192	4301-09	One Bedroom	High	14,250
470929512	4305-40	One Bedroom	High	14,250
470929702	3304-04	One Bedroom	High	14,250
470930192	4314-24	One Bedroom	High	14,250
470950042	3301-05	One Bedroom	High	14,250
470950052	3301-06	One Bedroom	High	14,250
471122272	3207-41	One Bedroom	High	14,250
471122555	4203-07	One Bedroom	High	14,250
471140492	4301-49	One Bedroom	High	14,250
471210174	3206-03	One Bedroom	High	14,250
471211232	3304-17	One Bedroom	High	14,250
471212334	4203-25	One Bedroom	High	14,250
471223592	3210-08	One Bedroom	High	14,250
471223952	3210-24	One Bedroom	High	14,250
471237694	3308-23	One Bedroom	High	14,250
471238242	4204-16	One Bedroom	High	14,250
471251262	4304-24	One Bedroom	High	14,250
471251622	3202-15	One Bedroom	High	14,250
471255152	4314-23	One Bedroom	High	14,250
471257172	4214-30	One Bedroom	High	14,250
478800363	4107-52	One Bedroom	High	14,250

Schedule 1

<b>HOA Acct #</b>	<b>Interval</b>	<b>Unit Type</b>	<b>Season</b>	<b>Credits</b>
478801594	3310-24	One Bedroom	High	14,250
478801893	4107-14	One Bedroom	High	14,250
478802053	4107-29	One Bedroom	High	14,250
478802873	4103-08	One Bedroom	High	14,250
478803313	4103-51	One Bedroom	High	14,250
478803454	4104-14	One Bedroom	High	14,250
478803463	4104-15	One Bedroom	High	14,250
478803493	3107-36	One Bedroom	High	14,250
478803603	4104-29	One Bedroom	High	17,500
478804013	4105-26	One Bedroom	High	17,500
478804836	3102-13	One Bedroom	High	17,500
478805043	4105-16	One Bedroom	High	17,500
478805333	3103-02	One Bedroom	High	17,500
478806803	3104-39	One Bedroom	High	17,500
478806813	3104-40	One Bedroom	High	17,500
479915224	4205-06	One Bedroom	High	17,500
479919655	4206-01	One Bedroom	High	17,500
479923475	4206-38	One Bedroom	High	17,500
479925645	4207-10	One Bedroom	High	17,500
479925928	4207-13	One Bedroom	High	17,500
479929095	4208-08	One Bedroom	High	17,500
479930745	4208-34	One Bedroom	High	17,500
479940996	4210-02	One Bedroom	High	17,500
470131245	3101-45	One Bedroom	Low	17,500
470241204	3203-47	One Bedroom	Low	17,500
470513982	3303-46	One Bedroom	Low	14,250
479913575	3101-18	One Bedroom	Low	14,250
479933745	4314-44	One Bedroom	Low	10,000
479936536	4306-44	One Bedroom	Low	10,000