DOUGLAS COUNTY, NV

Rec:\$35.00

ASSOC

2018-924010 12/27/2018 03:15 PM

Total:\$35.00 **12/27**/2 CHICHESTER ESTATES OWNER

Pgs=6

APN: 1320-33-310-005

1320-33-310-006 1320-33-310-002 1320-33-412-001

KAREN ELLISON, RECORDER

WHEN RECORDED MAIL TO:

CHICHESTER ESTATES PROPERTY OWNERS ASSOCIATION c/o FIRSTSERVICE RESIDENTIAL 639 ISBELL RD., STE 280 RENO, NV 89509

The party submitting this document for recording hereby Affirms this document does not contain the social security number of any person or persons. (Pursuant to NRS 239B.030)

AGREEMENT FOR DEANNEXATION

THIS AGREEMENT FOR DEANNEXATION is made effective this <u>fig.</u> day of <u>DECEMBER</u>, 2018, by CHICHESTER ESTATES PROPERTY OWNERS ASSOCIATION (the "Association"), a Nevada non-profit cooperative corporation, on the one hand; and the TOWN OF GARDNERVILLE, an unincorporated town in Douglas County, Nevada, on the other (collectively, the "Deannexing Property Owner" and with the Association, collectively the "Parties"), and is made with reference to the following facts:

- A. The Association was created under and in order to enforce a Declaration of Covenants, Conditions and Restrictions for Chichester Estates Property Owners Association dated September 7, 1995, hereinafter referred to as the "Declaration", which was recorded as Document No. 370296 in the Official Records of Douglas County, Nevada, on September 13, 1995.
- B. The Association was formed to, among other things, own or otherwise have rights with respect to the common area of the Project, as that term is defined in the Declaration.
- C. The Association desires to deannex and remove from the Project certain parcels of real property owned, respectively, by the Deannexing Property Owner, and which are more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference, which are commonly referred to as Lots 125, 127, 131, and 132 (the "Subject Parcels") on that certain Final Subdivision Map of Chichester Estates Phase 1, recorded as Document No. 370215 in the Official Records of Douglas County, Nevada.

- D. Section 3.03 of the Declaration appears to allow property within the Project and subject to the Declaration to be deannexed therefrom with the consent of the owner of said property.
- E. To the extent this Agreement is deemed to amend the Declaration, except as otherwise provided in NRS 116.21175, and except in cases of amendments that may be executed by a declarant under subsection 5 of NRS 116.2109 or NRS 116.211, or by the association under NRS 116.1107, 116.2106, subsection 3 of NRS 116.2108, subsection 1 of NRS 116.2112 or NRS 116.2113, or by certain unit owners under subsection 2 of NRS 116.2108, subsection 1 of NRS 116.2112, subsection 2 of NRS 116.2113 or subsection 2 of NRS 116.2118, and except as otherwise limited by subsections 4, 7 and 8 of the Declaration, the Declaration, including any plats, may be amended by vote or agreement of unit owners representing at least a majority of the votes allocated under the Declaration, except for certain specified potential amendments of the Declaration not applicable here, which may require a higher percentage of approval.
- F. On November 10, 2018, the Board of Directors of the Association held their quarterly meeting and confirmed, in front of unit owners and the Association's management company, FirstService Residential, the approval of a total of 390 votes out of a possible 778 votes to deannex the Subject Parcels.
- G. The Board of Directors, at the same November 10, 2018 quarterly meeting, voted unanimously to deannex the Subject Parcels, as reflected in the approved Minutes from said meeting, attached hereto as Exhibit "B".

NOW, THEREFORE, the Parties hereby certify and declare that this Agreement for Deannexation shall become a part of the Declaration and shall run with the property subject to and encumbered by the Declaration and shall be binding on all parties having or acquiring any right, title or interest in the Association.

Accordingly, that certain real property more particularly described in Exhibit "A" to this Agreement, which is incorporated by this reference as if fully set forth herein, is hereby deannexed and removed from the Project and shall hereafter be free from the obligations, requirements, declaration, limitations, covenants, conditions and restrictions set forth in the Declaration.

[The rest of this page is intentionally left blank]

IN WITNESS WHEREOF, the Parties have executed this Agreement for Deannexation effective on the day and year first written above.

CHICHESTER ESTATES PROPERTY OWNERS ASSOCIATION

By: Robert Stiles, President

STATE OF NEVADA)

Ss.

COUNTY OF DOUGLAS)

This instrument was acknowledged before me on DECEMBER 19

COUNTY OF Stiles, in his capacity as President of CHICHESTER ESTATES PROPERTY OWNERS ASSOCIATION.

ANTHONY L. VICKERS
NOTARY PUBLIC
STATE OF NEVADA
My Appl Exp. Nov. 14, 2022

NOTARY PUBLIC

THE TOWN OF GARDNERVILLE
By: Cassandra Jones, Chairman of the Town Board
STATE OF NEVADA)
COUNTY OF DOUGLAS)
This instrument was acknowledged before me on <u>Vecanter 19</u> , 2018, by Cassandra Jones, in her capacity as Chairman of the Board of THE TOWN OF GARDNERVILLE.
May E. Baldwechi NOTARY PUBLIC
MARY E. BALDECCHI NOTARY PUBLIC STATE OF NEVADA No. 93-0282-5 My Appt. Exp. Jan. 10, 2021

EXHIBIT "A"

APN # 1320-33-310-005 (LOT 125) APN # 1320-33-310-002 (LOT 127) APN # 1320-33-310-006 (LOT 132)

Parcels of land shown as Lot 125, Lot 127 and Lot 132 on that particular FINAL MAP, CHICHESTER ESTATES PHASE 1, recorded in book 995 of official records, Page 1407 as Document #370215, being located within a portion of the southwest one-quarter of Section 33, Township 13 North, Range 20 East, Mount Diablo Baseline and Meridian, Douglas County, Nevada.

(Pursuant to NRS 111.312, this legal description was previously recorded on February 12, 1998, as Document No. 432549 in the records of the County Recorder of Douglas County.)

APN # 1320-33-412-001 (LOT 131)

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

Lot 131, as set forth on Final Subdivision Map FSM-1006 for CHICHESTER ESTATES PHASE 1, filed for record in the office of the County Recorder of Douglas County, State of Nevada, on September 12, 1995, in Book 995 at Page 1407, as Document No. 370215, and by Certificate of Amendments recorded March 5, 1997 Book 0397, at Page 654, as Document No. 407852 and recorded July 17, 2001, Book 0701, Page 3931, as Document No. 518480.

(Pursuant to NRS 111.312, this legal description was previously recorded on August 30, 2016, as Document No. 886869 in the records of the County Recorder of Douglas County.)

DRAWING NUMBER DRAWING NUMBER DRAWING NUMBER Chichester Estates
Phase 1 VICINITY MAP 506 AG 335 AC. 101 128 424 AC CANCIAL SCHOOL FOUND 5/8: REBAR WITH PLASTIC CAP RLS 3209 UNLESS OTHERWISE NOCATED 101 129 O 5/8" KEDAR WITH PLASTIC CAP PLS GAPS CENTERURE HOWEVER IN WELL TO DECOM PLAN FOR FLR.H. HAP 32005C0105D ON RECEIVED HER SECTION 33, TIBN. R.20E. HON.
ON RECEIVE OF SERVEY NO. 23 FOR DOUGLAS COUNTY.
MINLARY 4, 1991 AS DOCUMENT NO. 242235. 5/0" REDAR WITH PLASTIC CAP PLS 138G 1/2" RICH PPC RE 44G 5/0" REDAR WITH PLASTIC CAP PLS 6899 5/5" CHISTER BOX EASONENT LOCATION/DIVENSIONS WETLAND PER U.S. ARMY CORPS OF ENCHEEKS 7.91 AG. LOT 130 TR DOC NO. VALLEY • TOTAL MEAN 123-22 ACRES TOTAL LOTS: 138

• A 1.5° PARES UNITA' EXCRETOR SHALL EAST ACROSK ALL ROAD PROMINES:

AND A 5° PARES UNITA' EXCRETOR SHALL EAST ACROSK ALL ROAD EAST ACRES

• THE MAY DECOMPLESS AGUITED TAY 125-070-03 AND 125-000-04.

• PETCHACK THE STOCKET LOTSETER K. AND 1655 A CORRESTOR ROAD EAST ACRES ALL ROAD OF SHAPET FOR ROAD ACRESTOR ROAD EAST ACRES ALL ROAD EAST ACRE THE MAY IS SUBJECT TO EASOMINE AS SET FORTH IN THE PROJECULARY TITLE REPORT PROFESSION BY WESTERN TITLE CONTAIN AS ORDER NO. FESCULAR DATED LIKE IS, 1994. SLASH BAR II LTD. PART 160 AC ADJUNIO ID-OSO-ON RHOCA J. CHENTETTE RYVOCASIT TRUST ROSERT L. CHENTESTER, JC. ROSE JETTETT CHENTESTER TRUST ACREDION 6.54 AC. PERSONG PURILS ACCESS AND PURILS UNION EAST-BOX TO DOLLARS COUNTY FOR DIC AND POST DIC AND SOFTER 157 154 157 154 1 Age CHICHESTER ESTATES LOCATED WITH PORTIONS OF THE SWILLA AND SELLA OF SECTION 35, TOWNSHE 13 HOWTH RANGE 20 EAST, HIDH NORTH 1 - 200 DOUGLAS COUNTY, NEVADA PHASE PERSON OF TANDSCAPED OF SHARE CO. NO. SHEAT OF SHARE CO. NO. SHEAT OF SHARE CO. NO. SHEAT OF FEM-1006 Z .0 PRO. ANDERSON TO THE PROPERTY OF THE PROPERTY TO AN IN W DINTIC SO' FUND ACCESS
AND FUNE UTANY EASTER
TO DOMESTIC COMMITTEE TOWN WHITE
COMMITTEE BY 250,
FG. 437, DOG. NO. 300542 COL SAN ED T WITH

Document #370215