

DOUGLAS COUNTY, NV

Rec \$35 00

Total \$35 00

FELDMAN THIEL LLP

2019-925296

01/31/2019 03 35 PM

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

**FELDMAN THIEL LLP**

**Attn: Kara L. Thiel**

**Post Office Box 1309**

**Zephyr Cove, NV 89448**



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KAREN ELLISON, RECORDER

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(Space Above For Recorder's Use)

**FIRST AMENDMENT TO DECLARATION OF  
ESTABLISHMENT OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
LOT 11 CONDOMINIUMS, TAHOE VILLAGE UNIT NO. 3**

**FIRST AMENDMENT TO DECLARATION OF  
ESTABLISHMENT OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
LOT 11 CONDOMINIUMS, TAHOE VILLAGE UNIT NO. 3**

This First Amendment to Declaration of Establishment of Covenants, Conditions and Restrictions for Lot 11 Condominiums, Tahoe Village No 3, Douglas County, Nevada, (the "**First Amendment**") is made by 317 Quaking Aspen, LLC, a Nevada limited liability company, ("**Declarant**") as of January 18, 2019, with reference to the following facts

**RECITALS**

A Declarant is the owner of that certain real property located at 317 Quaking Aspen in Douglas County, Nevada which consists of Units 1 through 8 (the "**Units**") and Common Area (the "**Common Area**") as set forth on the Condominium Map of Lot 11, Tahoe Village No 3, filed for record June 2, 1980, as Document No 44977, Official Records of Douglas County, Nevada (the "**Property**")

B Declarant acquired the Property via that certain Grant, Bargain, Sale Deed recorded August 17, 2018, as Document No 918208, Official Records of Douglas County, Nevada

C Declarant's predecessor in interest in the Property, The Aloha Group, Inc ("**Aloha**"), caused that certain Declaration of Establishment of Covenants, Conditions and Restrictions for Lot 11 Condominiums, Tahoe Village Unit No 3, to be recorded August 14, 1980, as Document No 47439 in Book 880 at Page 784 in Official Records of Douglas County, Nevada (the "**CC&Rs**")

D The CC&Rs prescribe certain covenants, conditions, restrictions, limitations, reservations, easements, rights, rights-of-way, liens, charges and equitable servitudes, subject to which the Property shall be held, conveyed, divided, encumbered, hypothecated, rented, used, occupied, and improved

E The CC&Rs created the Lot 11 Condominiums Owners Association, Tahoe Village Unit No 3 ("**Lot 11 Association**"), consisting of the owners of the Units with duties to maintain, operate, and manage the Common Area

F The CC&Rs provide that prior to close of the first escrow on a Unit, Declarant shall have the right to amend the CC&Rs by executing and recording the desired amendment(s) with the consent of beneficiaries of any and all deeds of trust then of record.

G Escrow has not closed on any of the Units

H A Deed of Trust dated May 25, 2018, was recorded against the Property on August 17, 2018, as Document No 918209 in Official Records of Douglas County, Nevada (the "**Deed of Trust**")

I William C Owens, Trustee of the Owens Trust dated 02/24/1993, is the beneficiary of the Deed of Trust (“Beneficiary”)

J Declarant desires to amend the CC&Rs to reflect the changes in the identity of the declarant under the CC&Rs and in the name of the governing association

NOW THEREFORE, Declarant hereby amends the CC&Rs pursuant to this First Amendment as follows

**AMENDMENT**

1 The reference to “The Aloha Group, Inc ” in Article 1, Paragraph 1 of the CC&Rs is replaced with “317 Quaking Aspen, LLC ” All other references to “Declarant” in the CC&Rs shall be to 317 Quaking Aspen, LLC

2 The reference to “Lot 11 Condominiums Owners Association, Tahoe Village Unit No 3, an incorporated association” in Article I, Paragraph 8 of the CC&Rs is replaced with “317 Quaking Aspen Homeowners Association, a Nevada non-profit corporation ” All other references to “Association” in the CC&Rs shall be to 317 Quaking Aspen Homeowners Association

3 Except as expressly amended herein, the CC&Rs is ratified and confirmed and remains in full force and effect In the event of any material conflict or inconsistency between any provision of this First Amendment and any provision of the CC&Rs, the provisions contained in this First Amendment shall be deemed to prevail

IN WITNESS WHEREOF, 317 Quaking Aspen, LLC has executed this First Amendment as of the date set forth above

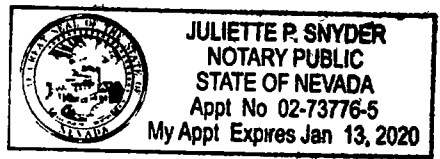
**317 QUAKING ASPEN, LLC,**  
a Nevada limited liability company

By *Randy Lane*  
Randy Lane, Managing Member

State of Nevada }  
County of Douglas }


This instrument was acknowledged before me on January 18, 2019  
by Randy Lane as President (type of authority) of 317 Quaking Aspen Homeowners Association.

*Juliette P. Snyder*  
Notary's Signature



**CONSENT TO AMENDMENT**

I, William C Owens, Trustee of the Owens Trust dated 02/24/1993, the beneficiary under that certain Deed of Trust dated May 25, 2018, recorded on August 17, 2018, as Document No 918209 in Official Records of Douglas County, Nevada, hereby consents to the amendment of the Declaration of Establishment of Covenants, Conditions and Restrictions for Lot 11 Condominiums, Tahoe Village No 3 pursuant to the foregoing First Amendment thereof

  
\_\_\_\_\_  
William C Owens,  
Trustee of the Owens Trust dated 02/04/1993

Dated Jun 17, 2019

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }

*SEE ATTACHED*

This instrument was acknowledged before me on \_\_\_\_\_  
by \_\_\_\_\_ as \_\_\_\_\_ (type of  
authority) of \_\_\_\_\_

\_\_\_\_\_  
Notary's Signature

ALL-PURPOSE 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 CALIFORNIA

COUNTY OF Contra Costa

On January 17, 2019, before me, Susan McCall  
Notary Public, personally appeared William C. Owens

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

S. McCall  
SIGNATURE OF NOTARY

