DOC # 555078

09/08/2016

Official Record

Requested By KERN & ASSOCIATES LTD

Lyon County - NV Dawna L. Warr - Recorder Page 1 of 23 Fee: \$61.00

Recorded By: DLW RPTT:



RECORDING REQUESTED BY, AND WHEN RECORDED, MAIL TO:

Santa Maria Ranch Homeowners' Association c/o Gayle A. Kern, Esq. Kern & Associates, Ltd. 5421 Kietzke Lane, Suite 200 Reno, Nevada 89511

The undersigned hereby affirms that this document, including any exhibits, submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B,030)

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SANTA MARIA RANCH (Phase 1)

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SANTA MARIA RANCH (this "Amendment") is executed as of the date(s) set forth below by SMR Development LLC, a Nevada limited liability company ("Developer"), and Santa Maria Ranch Homeowners' Association, a Nevada nonprofit corporation (the "Association") with reference to the following:

RECITALS:

- A. On May 6, 2005, Dayton Land Developers LLC, a Nevada limited liability company, recorded or caused to be recorded in the Official Records of Lyon County, Nevada ("Official Records"), as Document Number 350108, a handbook for that certain residential subdivision development in Lyon County, Nevada, commonly known and entitled as "Santa Maria Ranch" (the "Project Handbook").
- B. The Project Handbook included, among other things, that certain Declaration of Covenants, Conditions and Restrictions for Santa Maria Ranch, which document, together with all supplements, amendments, and addenda thereto (including, without limitation, that certain First Amended Declaration of Covenants, Conditions and Restrictions recorded in the Official Records on May 17, 2007, as Document Number 406555) is referred to herein as the "Declaration".
- C. The Declaration creates certain restrictive covenants and equitable servitudes running with, and binding upon all those claiming interest in, that certain real property located in Lyon County, Nevada, more particularly described in the Project Handbook, the Declaration, and the various exhibits attached thereto (such real property, the "Property"). Said covenants and servitudes provide for, among other things, the establishment of a common-interest community over the Property, which community is governed by the Association.



- D. Reference is hereby made to that certain real property located in Lyon County, Nevada, more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Withdrawn Property"). The Withdrawn Property is a portion of the Property, and thus is presently subject to the jurisdiction of the Declaration and the Association. Developer warrants and represents that Developer is not aware of any material inaccuracies or deficiencies in the attached legal description of the Withdrawn Property.
- E. The Association and Developer are owners of real property which comprise a portion of the Property, and thus are owners of real property subject to the jurisdiction of the Declaration and the Association.
- F. Pursuant to Article XII, Section 5 of the Declaration, Developer and the Association, based on the affirmative vote of more than 50% of the Owners with voting power under the Declaration as the date hereof, hereby desire to amend the Declaration to provide for the Withdrawn Property's deannexation and withdrawal from the Property and the jurisdiction of the Declaration and the Association, all as set forth below. Attached as Exhibit "B" is a map depicting the Property following said deannexation of the Withdrawn Property.
- G. All capitalized terms used herein without definition shall have the meaning given to such terms in the Declaration. References to "Sections" herein are to sections of the Declaration.

NOW, THEREFORE, Developer and the Signatories hereby agree that the Declaration shall be amended as follows:

- The Recitals are incorporated into this Amendment.
- 2. The Property, as defined and described in the Declaration, shall be amended to exclude in all respects the Withdrawn Property, and the Withdrawn Property is hereby deannexed and withdrawn from the Property and the effect of the restrictive covenants and equitable servitudes created by the Declaration, with the Withdrawn Property henceforth to be withdrawn and deannexed from the jurisdiction of the Declaration and the Association. Any rights or obligations arising under the Declaration and attributable to the Withdrawn Property shall be reallocated to the remaining Lots within the Property in accordance with the Declaration.
- 3. Notwithstanding recordation of this Amendment, Developer hereby agrees that, during the course of development of the Withdrawn Property, Developer and its successors and assigns will adopt and record against the Withdrawn Property such covenants, conditions, and restrictions, and create such common-interest communities, as may be required by local governmental authorities or deemed appropriate by Developer, its successors and assigns. Developer hereby further agrees, for itself and for its successors and assigns in ownership of the Withdrawn Property, that any such common-interest community or related owners association will use in its



name words that identify such common-interest community or related owners association as a phase of development distinct and separate from the Association. For purposes of clarification, but without limiting acceptable names, Developer and the Association agree that the following names would be sufficiently distinct to satisfy Developer's obligations hereunder: Santa Maria Ranch Master Community Association; The Bluffs at Santa Maria Ranch; Santa Maria Ranch Commercial Association; The Senior Village at Santa Maria Ranch; and Santa Maria Ranch Phase 2 Association.

- 4. The Association will retain all rights and assets as outlined in the Declaration or arising under applicable Nevada law, including, but not limited to, all property, monies and assessments collected, currently held or due.
- 5. Except as to any rights held by Developer or any other party to maintain models, sales offices, and/or signs in relation to the lots described in Exhibit "C" attached hereto, upon recordation of this Amendment, any existing (if any there be) and alleged declarant rights and special rights terminate with respect to the Association and "Declarant" (as defined in the Declarations) shall have no further rights under the Declaration.
- 6. Upon recordation of this Amendment, any exhibit, defined term, or provision in the Declaration or the governing documents of the Association that makes reference to, includes, or incorporates any portion of the Withdrawn Property shall be automatically redefined to exclude the Withdrawn Property.
- 7. This Amendment may be executed in any number of identical counterparts. If so executed, each of such counterparts is to be deemed an original for all purposes, and all such counterparts shall, collectively, constitute one agreement.
- Except as expressly provided in this Amendment, the Declaration shall remain in full force and effect, unmodified hereby.
- This Amendment shall be subject to and enforced in accordance with the laws of the State of Nevada, and shall be effective as of the date of its recordation in the Official Records.
- 10. By affixing its signature below, Developer agrees that all future development of that portion of the Withdrawn Property owned by Developer as of the date of its signature below (including, without limitation, the 29 developed lots in the subdivision commonly referred to as the "Bluffs" located on the South side of the Carson River, and Developer's approximately 665 acres entitled under the Santa Maria Ranch II Specific Plan, as approved by the Lyon County Board of County Commissioners) shall be conducted in conformance with the architectural and development standards from time to time applicable to such portion of the Withdrawn Property, including, without limitation, the Santa Maria Ranch II Specific Plan as approved by the Lyon County Board of County Commissioners.



IN WITNESS WHEREOF, Developer and the Association have executed this Amendment as of the date(s) set forth below.

Developer:	
SMR Development LLC, a Nevada limited liability compa	
David Alkosser, Manager	
STATE OF)	
COUNTY OF)ss.	
This instrument was acknowledged before a David Alkosser, Manager of SMR Development I	ne on, 2016, by LLC, a Nevada limited liability company.
Districtly della saccessing and the second s	Notary Public My Commission Expires:
gant op years is a ct or . Mag-1965	
[The Association's signature and certificat	ion are set forth on the following pages.]
lease see attach	red California
Acknowledgment For	~M

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

☐ Corporate Officer — Title(s): ☐ Corporate Officer — Title(s): ☐ Partner — ☐ Limited ☐ General ☐ Partner — ☐ Limited ☐ General				
On June 1, 2016 before me, And Gabriela Perez-Notary, Public Parties of the Officer Personally appeared Parties of satisfactory evidence to be the person(s) whose name(s) is/afe subscribed to the within instrument and acknowledged to me that he/shfe/they executed the same in his/hef/their authorized capacity(jes), and that by his/hef/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 Signature of Viotary Public Place Notary Seal Above Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. Description of Attached Document Title or Type of Document: Amen Amen + bordinal paragraph is true and correct. Description of Attached Document Title or Type of Document: Amen Amen + bordinal paragraph is form to an unintended document. Description of Attached Document Title or Type of Document: Amen Amen + bordinal paragraph paragraph is form to an unintended document. Declaration of the document or fraudulent reattachment of this form to an unintended document. Declaration of the document or number of Pages: 22 Signer's Name: Declaration of the document or fraudulent reattachment of this form to an unintended document. Capacity(les) Claimed by Signer(s) Signer's Name: Signer's Name: Signer's Name: Corporate Officer — Title(s): Corporate Officer — Title(s): Corporate Officer — Title(s): Corporate Officer — Itleid General Individual Attorney in Fact Gourdian or Conservator Other: Cother: Cother: Cother — Cother: Cother — Cother: Cother — Coth				
subscribed to the within instrument and acknowledged to me that he/she/he/s executed the same in his/he//their authorized capacity(ies), and that by his/he//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. WITNESS my hand and official seal. Signature Signature of Notary Public Place Notary Seal Above OPTIONAL Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. Description of Attached Document Title or Type of Pages: Signer's Name: Corporate Officer — Title(s): Partner — Limited — General Endividual — Attorney in Fact Trustee — Guardian or Conservator Other: Other:	On June 11, 2016 before me, And Gabriela Perez-Notary, Purpersonally appeared David Alkosser			
of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. Signature Place Notary Public - California Napa County My Comm. Expires Dec 19, 2018 Place Notary Seal Above OPTIONAL Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. Description of Attached Document Title or Type of Document: Document Date: Dell' 2016 Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Corporate Officer — Title(s): Partner — Limited General Individual Attorney in Fact Trustee Guardian or Conservator Other: Officer Other: Officer Guardian or Conservator Other: Other: WITNESS my hand and official seal. WITNESS my hand and official seal. Signature Violaty Public Violaty Public Signature of Notary Public Signature of Notary Public	subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/he/r/their authorized capacity(jes), and that by his/he/r/their signature(s) on the instrument the person(s),			
ANA GABRIELA PEREZ Commission # 2090881 Notary Public - California Napa County My Comm. Expires Dec 19, 2018 Place Notary Seal Above Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. Description of Attached Document Title or Type of Document: Antendament - Declaration Document Date: Delia Number of Pages:	of the State of California that the foregoing paragraph			
Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. Description of Attached Document Title or Type of Document: Amendment to Declaration Document Date: Della Dife Number of Pages:	ANA GABRIELA PEREZ Commission # 2090881 Notary Public - California Napa County Signature of Notary Public			
Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. Description of Attached Document Title or Type of Document: Amendment to Declaration Document Date: Declaration Number of Pages:				
Title or Type of Document: Amendment to Secration Document Date: De III 2016 Number of Pages:	Though this section is optional, completing this information can deter alteration of the document or			
Signer's Name: Daw A Kosser Signer's Name: Corporate Officer — Title(s): Corporate Officer —	Title or Type of Document: Amendment to Declaration Document Date: 06/11/2016 Number of Pages: 22			
	Signer's Name: Daw A Kossey Corporate Officer — Title(s): Partner — Limited General Individual Attorney in Fact Guardian or Conservator Other: Signer's Name: Corporate Officer — Title(s): Partner — Limited General Individual Attorney in Fact Trustee Guardian or Conservator Other: Signer Is Representing: Signer Is Representing:			

The Association:

	Santa Maria Ranch Homeowners' Association, a Nevada nonprofit corporation
	Name: HAIS TING KOP AUGUSTON Its: President
	Date: 8.29-16
STATE OF Z	CARROL)
MRISTINE	strument was acknowledged before me on August 29, 2016, by Hop Lation, President of Santa Maria Ranch Homeowners' Association, a offit corporation.
	MICHAEL D ENRIGHT Notary Public, State of Nevada Appointment No. 98-38108-3 My Appt. Expires Sept 12, 2019 My Commission Expires: 7-12-79



Certification of Signatures

I, as authorized representative of the Association, hereby certify that more than 50% of the Owners with voting power under the Declaration as of the date hereof voted affirmatively to amend the Declaration as set forth above.

Santa Maria Ranch Homeowners' Association,	
a Nevada nonprofit corporation	36.2.3.032
By: Name: JOHA, P. HITCH Its: SEASTHAY	
Date: 8-29-16	
STATE OF ARGA) COUNTY OF ARGA)	
This instrument was acknowledged before no the state of t	of Santa Maria Ranch
MICHAEL D ENRIGHT Notary Public, State of Nevada Appointment No. 98-38108-3 My Appt. Expires Sept 12, 2019	Notary Public My Commission Evenings 7, 12, 19
Appointment No. 98-38108-3 My Appt. Expires Sept 12, 2019	Notary Public My Commission Expires: 7-/2-/



Exhibit "A"

Legal Description of the Withdrawn Property

All that real property located in the County of Lyon, State of Nevada, more particularly described as follows:

PARCEL 2:

PARCEL 2A:

THOSE PORTIONS OF THE SOUTH 1/2 OF SECTION 27 AND THE NORTH ½ OF SECTION 34, TOWNSHIP 16 NORTH, RANGE 21 EAST, M.D.B.&M. IN THE COUNTY OF LYON, STATE OF NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF "NEW PARCEL 2" OF THE MAP OF DIVISION INTO LARGE PARCELS FOR WINTERS SUNRISE PROPERTIES, RECORDED JANUARY 16, 1992 AS FILE NO. 148320 OF THE OFFICIAL RECORDS OF SAID LYON COUNTY; THENCE N. 0°00'36" W., 3582.72 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 50; THENCE EASTERLY ALONG SAID RIGHT-OF-WAY LINE N. 89°36'04" E., 1309.07 FEET; THENCE N. 0°01'45" E., 70.00 FEET; THENCE N. 89°36'04" E., 261.72 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 3631.76 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 5°31'06" AN ARC DISTANCE OF 349,79 FEET TO THE END POINT OF SAID CURVE, A RADIAL LINE THROUGH SAID POINT BEARS S. 555'58" E.; THENCE N. 72°11'14" E., 162.86 FEET TO A POINT ON A CURVE WHICH IS CONCAVE TO THE NORTH AND HAS A RADIUS OF 3601.76 FEET, A RADIAL LINE THROUGH SAID POINT BEARS S. 8°28'08" E.; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°27'20" AN ARC DISTANCE OF 28.65 FEET TO A POINT ON A POINT ON SAID CURVE A RADIAL LINE THROUGH SAID POINT BEARS S. 8°55'29" E,; THENCE LEAVING SAID RIGHT-OF-WAY LINE S. 29"26"01" E., 280.54 FEET; THENCE S. 60"33'59" W., 359.62 FEET; THENCE S. 29"26"01" E., 50.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 39.27 FEET; THENCE S. 29°26'01" E., 170.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 200.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 0°18'41" AN ARC DISTANCE OF 4.58 FEET TO A POINT OF REVERSING CURVATURE, A RADIAL LINE THROUGH SAID POINT BEARS N. 59" 15'18" E., SAID REVERSING CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS OF 25.00 FEET; THENCE

SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 77°09'37" AN ARC DISTANCE OF 33.67 FEET; THENCE S. 46°24'55" W., 159.16 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 400.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25°16'24" AN ARC DISTANCE OF 176.44 FEET; THENCE S. 21°08'31" W., 274.64 FEET TO

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THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 39.27 FEET; THENCE S. 21°08'31" W., 60.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 39.27 FEET; THENCE S. 68°51'29" E., 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 39.27 FEET; THENCE S. 68°51'29" E., 220.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 39.27 FEET; THENCE S. 21° 08'31"W., 450.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86° 08'07" AN ARC DISTANCE OF 112.75 FEET; THENCE N. 72°43'22" W., 172.71 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°47'27" AN ARC DISTANCE OF 40.05 FEET; THENCE N. 70°55'55" W., 50.00 FEET TO A POINT OF NON-TANGENT CURVATURE, A RADIAL LINE THROUGH SAID POINT BEARS N. 70°55'55" W., SAID NON-TANGENT CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1675.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°56'38" AN ARC DISTANCE OF 144.53 FEET; THENCE S. 14°07'27" W., 566.84 FEET; THENCE S. 78°25'19" W., 222.30 FEET; THENCE S. 9°47'53" E., 393.42 FEET; THENCE S. 13°20'17" W., 64.00 FEET; THENCE S. 56°06'57" E., 541.51 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 5A OF THAT CERTAIN PARCEL MAP FOR THE JOHND N., WINTERS RESIDENTIAL TRUST AGREEMENT OF MARCH 23, 1995 AND THE KATHLEEN M. WINTERS RESIDENTIAL TRUST AGREEMENT OF MARCH 23, 1995, RECORDED AS FILE NO. 218676 OF THE OFFICIAL RECORDS OF SAID LYON COUNTY, SAID CORNER LIES ON THE NORTHWESTERLY MEAN HIGH WATER LINE OF THE CARSON RIVER, PER SAID PARCEL MAP; THENCE SOUTHWESTERLY ALONG SAID MEAN HIGH WATER LINE S. 39°34'14" W., 94.10 FEET; THENCE S. 49°54'48" W., 247.96 FEET; THENCE S. 38°22'21" W., 66,55 FEET; THENCE S. 53°01'03" W., 360.72 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE S. 89°59'24" W., 1057.00 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM ALL THAT PORTION THEREOF, LYING BELOW THE NATURAL ORDINARY HIGH WATER LINE OF THE CARSON RIVER.

REFERENCE IS FURTHER MADE ADJUSTED PARCEL 7 ON RECORD OF SURVEY MAP RECORDED IN THE OFFICE OF THE LYON COUNTY RECORDER ON DECEMBER 4, 2003 AS DOCUMENT NO. 309612, OFFICIAL RECORDS OF LYON COUNTY STATE OF NEVADA

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED DECEMBER 4, 2003, AS FILE NO. 309619, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

ASSESSOR'S PARCEL NO. 016-261-11 PARCEL 2B:

THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 16 NORTH, RANGE 21 EAST, M.D.B.&M., IN THE COUNTY OF LYON, STATE OF NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF PARCEL 5A OF THAT CERTAIN PARCEL MAP FOR THE JOHND N. WINTERS RESIDENTIAL TRUST AGREEMENT OF MARCH 23, 1995 AND THE KATHLEEN M. WINTERS RESIDENTIAL TRUST AGREEMENT OF MARCH 23, 1995, RECORDED AS FILE NO. 218676 OF THE OFFICIAL RECORDS OF SAID LYON COUNTY; THENCE N. 39° 36'02"E., 1251.93 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S. 76°24'52" W., 263.35 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 1080.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°43'39" AN ARC DISTANCE OF 654.60 FEET; THENCE N. 68°51'29" W., 456.18 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF

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39.27 FEET; THENCE N. 68°51'29" W., 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 39.27 FEET; THENCE N. 21°08'31" E, 60.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 39.27 FEET; THENCE N. 21°08'31" E, 274.64 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 400.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25°16'24" AN ARC DISTANCE OF 176.44 FEET; THENCE N. 46° 24'55" E., 159.15 FEET; THENCE S. 43°35'05" E., 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38"34'49" AN ARC DISTANCE OF 16.83 FEET TO A POINT ON SAID CURVE THROUGH A CENTRAL ANGLE OF 38"34'49" AN ARC DISTANCE OF 16.83 FEET TO A POINT ON SAID CURVE, A RADIAL LINE THROUGH SAID POINT BEARS N. 5"00'16" W.; THENCE S. 15°57'40" E., 161.76 FEET; THENCE S. 50°23'32" E., 34.26 FEET; THENCE N. 88"33'53" E., 127.33 FEET; THENCE S. 60°33'17" E. 97.70 FEET; THENCE S. 53°19'33" E, 117.73 FEET; THENCE S. 73°52'16" E., 171.58 FEET; THENCE S. 66°32'44" E., 69.60 FEET; THENCE S. 53°19'33" E, 117.73 FEET; THENCE S. 43°02'16" E., 114.37 FEET; THENCE S. 13°35'08" E., 394.13 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF, LYING BELOW THE NATURAL ORDINARY HIGH WATER LINE OF THE CARSON RIVER

REFERENCE IS FURTHER MADE ADJUSTED PARCEL 5 ON RECORD OF SURVEY MAP RECORDED IN THE OFFICE OF THE LYON COUNTY RECORDER ON DECEMBER 4, 2003 AS DOCUMENT NO. 309612, OFFICIAL RECORDS OF LYON COUNTY STATE OF NEVADA

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED DECEMBER 4, 2003, AS FILE NO. 309617, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

ASSESSOR'S PARCEL NO. 016-261-14

PARCEL 2C:

Adjusted Parcel 4 as shown on the FINAL MAP FOR SANTA MARIA RANCH, PHASE 1, filed in the Office of the County Recorder of Lyon County, State of Nevada, May 06, 2005, File No. 350106, Official records and as amended by Certificate of Amendment recorded July 5, 2005 as Document No. 355482, Official Records of Lyon County, State of Nevada.

EXCEPTING THEREFROM all that portion thereof, lying below the natural ordinary high water line of the Carson River.

ASSESSOR'S PARCEL NO. 016-261-15

PARCEL 2D:

Adjusted Parcel 2 as shown on the FINAL MAP FOR SANTA MARIA RANCH, PHASE 1, filed in the Office of the County Recorder of Lyon County, State of Nevada, May 06, 2005, File No. 350106, Official records and as amended by Certificate of Amendment recorded July 5, 2005 as Document No. 355482, Official Records of Lyon County, State of Nevada.

EXCEPTING THEREFROM all that portion thereof, lying below the natural ordinary high water line of the Carson River.

ASSESSOR'S PARCEL NO. 016-261-18

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PARCEL 3:

THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 27, THE SOUTHEAST 1/4 OF SECTION 28, THE NORTHEAST 1/4 OF SECTION 33, AND THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 16 NORTH, RANGE 21 EAST, M.D.B.&M., IN THE COUNTY OF LYON, STATE OF NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF THE PARCEL SHOWN AS "EXISTING PARCEL" ON THAT CERTAIN MAP OF DIVISION INTO LARGE PARCELS FOR WINTERS SUNRISE PROPERTIES, RECORDED AS FILE NO. 148320 IN THE OFFICIAL RECORDS OF SAID LYON COUNTY; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID EXISTING PARCEL N. 89°34'31" E., 1826.13 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EXISTING PARCEL N. 89°34'31" E., 1826.13 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S., HIGHWAY 50; THENCE EASTERLY ALONG SAID RIGHT-OF-WAY LINE S. 81°42'15" E., 2245.88 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 5184.13 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 8°42'53" AN ARC DISTANCE OF 788.51 FEET; THENCE N. 89°36'04" E., 122.66 FEET; THENCE S. 0°00'36" E., 3582.72 FEET TO THE SOUTHWESTERLY CORNER OF "NEW PARCEL 2" OF SAID MAP OF DIVISION INTO LARGE PARCELS; THENCE S. 0°13'09" E., 1320.68 FEET TO THE SOUTHEASTERLY CORNER OF "NEW PARCEL 1" OF SAID MAP OF DIVISION INTO LARGE PARCELS; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID "NEW PARCEL 1", N. 89°58'50" W., 1311.05 FEET TO THE SOUTHWESTERLY CORNER OF SAID "NEW PARCEL 1" SAID SOUTHWESTERLY CORNER BING THE 1/4 CORNER COMMON TO SAID SECTIONS 33 AND 34; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID "NEW PARCEL 1", N. 0° 15'01" W., 1320.01 FEET TO THE SOUTHEASTERLY CORNER OF SAID "EXISTING PARCEL", N. 2861.83 FEET; THENCE S. 89°58'18" W., 995.28 FEET TO THE SOUTHWESTERLY CORNER OF SAID "EXISTING PARCEL", THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID "EXISTING PARCEL", THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID "EXISTING PARCEL", N. 0°07'30" W., 1323.32 FEET; THENCE N. 0°18'30" E., 2625.19 FEET TO THE SOUTHWESTERLY TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 016-151-94

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE MAP OF DIVISION INTO LARGE PARCELS FOR WINTERS SUNRISE PROPERTIES, RECORDED JANUARY 16, 1992 AS FILE NO. 148320 OF THE OFFICIAL RECORDS OF SAID LYON COUNTY.

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED JUNE 3, 2004, AS FILE NO. 322308, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

PARCEL 4:

LOTS 357 THROUGH 385 AS SHOWN ON THE OFFICIAL MAP OF SANTA MARIA RANCH PHASE 3, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON JUNE 14, 2007 AS DOCUMENT NO. 408296.

ASSESSOR'S PARCEL NO. 026-611-01 TO 29

* * * * *



Exhibit "B"

Map Depicting Property After Deannexation of the Withdrawn Property

[See Attached.]



DOC # 355482

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WESTERN ENGINEERING

Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 2 Fee: \$15.00
Recorded By: NCM RPT:



A.P.N. 16-261-13 & 16

Certificate of Amendment

To: Barry A. Fitzpatrick, P.L.S. 7809

Lyon County Surveyor 31 So. Main Street Yerington, Nevada 89447

This is to amend the Final Map for Santa Maria Ranch Phase 1, as said map was filed for record on May 6, 2005, as File No. 350106. Said map lies within the West ½ of Section 26 and the East ½ of Section 27, T. 16 N., R. 21 E., M.D.B.& M.

The Amendment is as follows:

 On Sheet 1 of said Final Map, under the "Owners Certificate", the owner of adjusted Parcels 2 & 3 of File No. 309612 (A.P.N. 16-261-13 & 16) should have signed the map. Following is the required signature to rectify this situation:

See Exhibit "A"

By: David De Winchellog LS 3259

Vo. 3209

I hereby certify that I have examined the Certificate of Amendment and that the changes to the original document specified therein are provided for in applicable sections of NRS 278.010 to 278.630, inclusive, NRS 625.340 to 625.380, inclusive, and local ordinances adopted pursuant thereto, and I am satisfied this Certificate of Amendment so amends the document as to make it technically correct.

Barry A. Fitzparrick, P.L.S. 7809

Lyon County Surveyor

Dated: 7/1/05



355482

07/05/2005 002 of 2

A.P.N. 16-261-13 & 16

EXHIBIT "A"

OWNER'S CERTIFICATE:

Know all men by these present, that the undersigned, Gary J. Hill, Manager of Dayton Land Developers, L.L.C., owner of record title interest, hereby consents to the preparation and recording of this map in accordance with and for the uses and purposes set forth in the Nevada Revised Statutes, Chapters 116 and 278, and subsequent amendments thereto, and does hereby offer and convey for dedication to Lyon County, State of Nevada, for the use of the public those portions of said lands designated on this map as public ways and right-of-ways and does hereby offer and dedicate for particular purposes the rights-of-way and easements shown for private access, natural gas, water, sewer, private storm drainage, drainage facilities, and drainage pipes, for poles, anchors, guys for conductor wire and conduit for electrical, cablet.v. and telephone service, together with any and all appartenances thereto, on, across, and under all land lying outside the individual sites shown thereon

	ogether with any and all appartenances thereto, on, across, and under all land lying outside the individual sites shown thereon.
	Dayton Land Bevelopers, L.L.C.
	By: Gary J. Hill, Manager
	Dated: 6/3/0/5
	NOTARY CERTIFICATE:
	State of Nevada }
	}ss
	County of Douglas }
	On this 31.4 day of Julie, 2005 personally appeared before me, a notary public for said county and state, Gary J. Hill, Manager of Dayton Land Developers, L.L.C., who acknowledged that he executed the above instrument.
	My commission expires on 11-04-06 SANDRA L. WINCHELL NOTARY PUBLIC BILL BITTED OF NEW ADA
	Andra Samuel My Appt. Explor November 4, 2006 No: 94-9354-8
1	Notary Public

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COUNTY CLERK'S CERTIFICATE

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TITLE COMPANY CERTIFICATES

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DR. ROBERT N. ZEIBLAFT

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COUNTY ENGINEER'S CERTIFICATE:

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LYON COUNTY AND FIRE DISTRICT REVIEWS HALLOND WHACE

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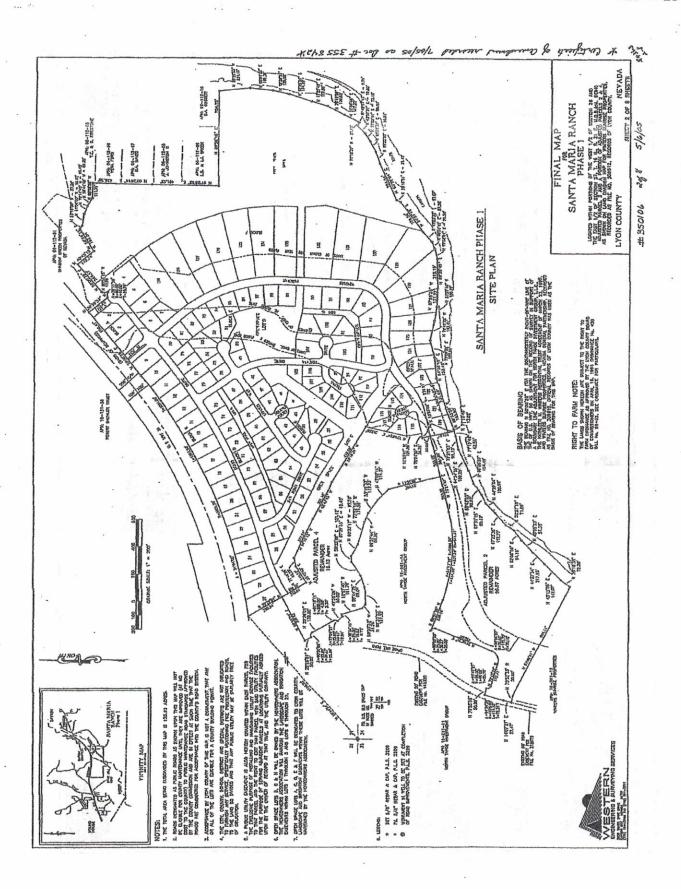
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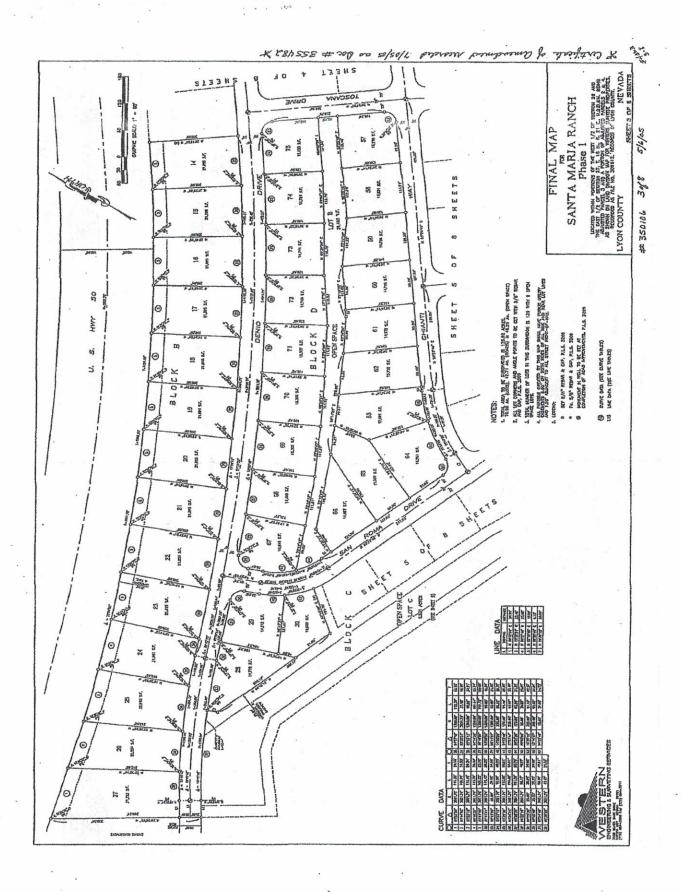
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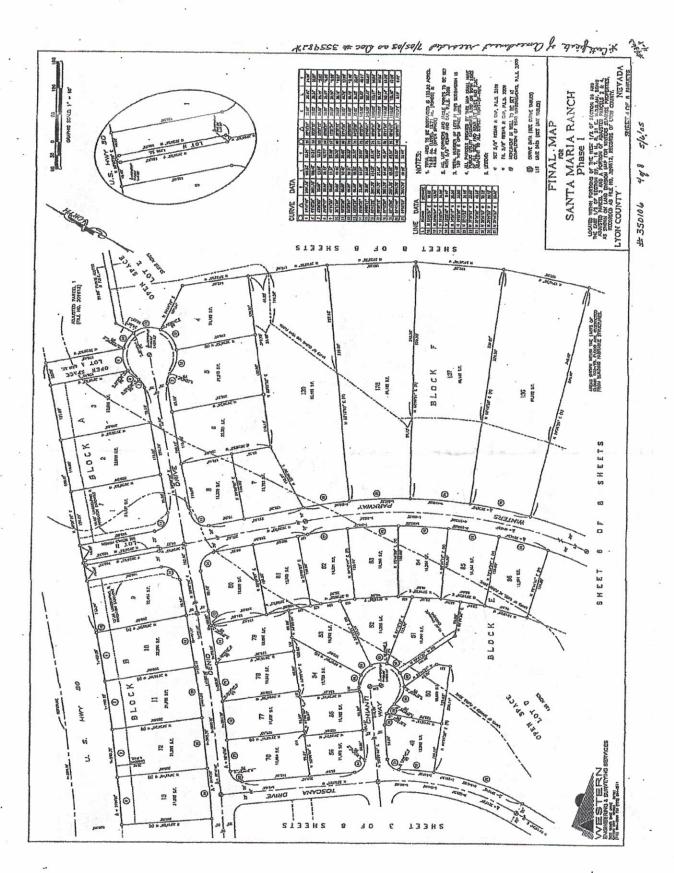
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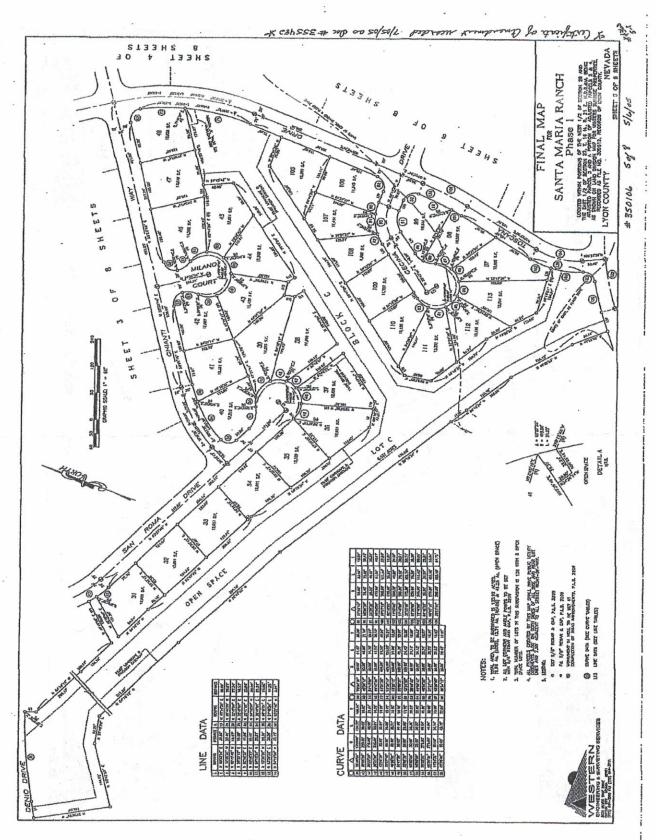








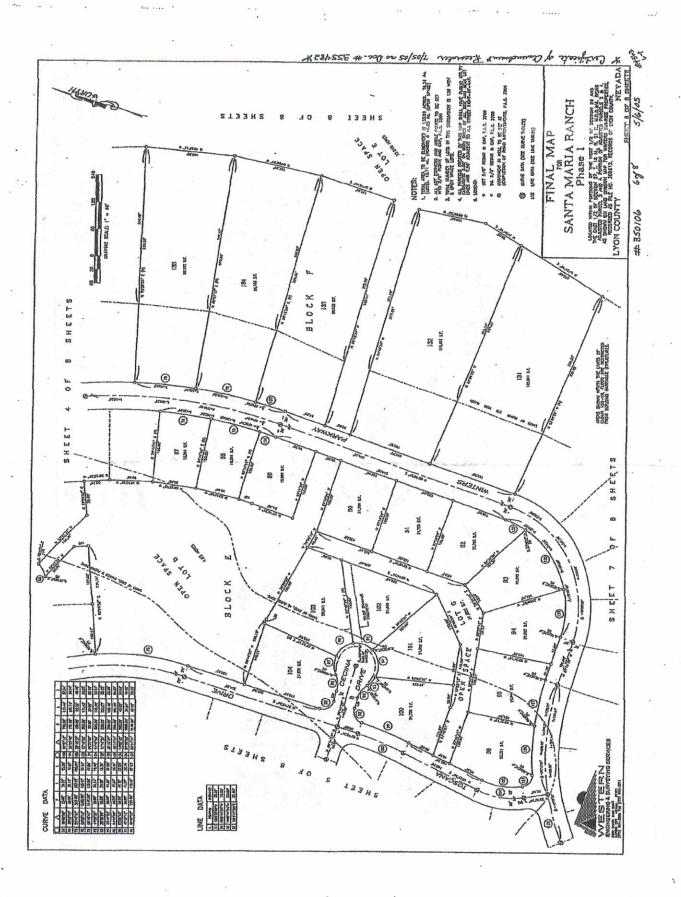




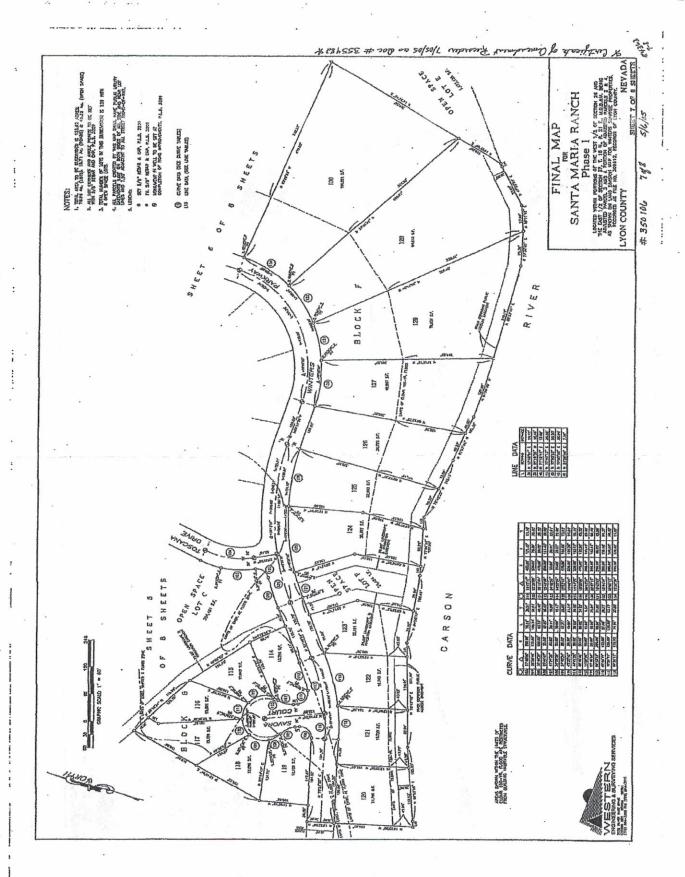
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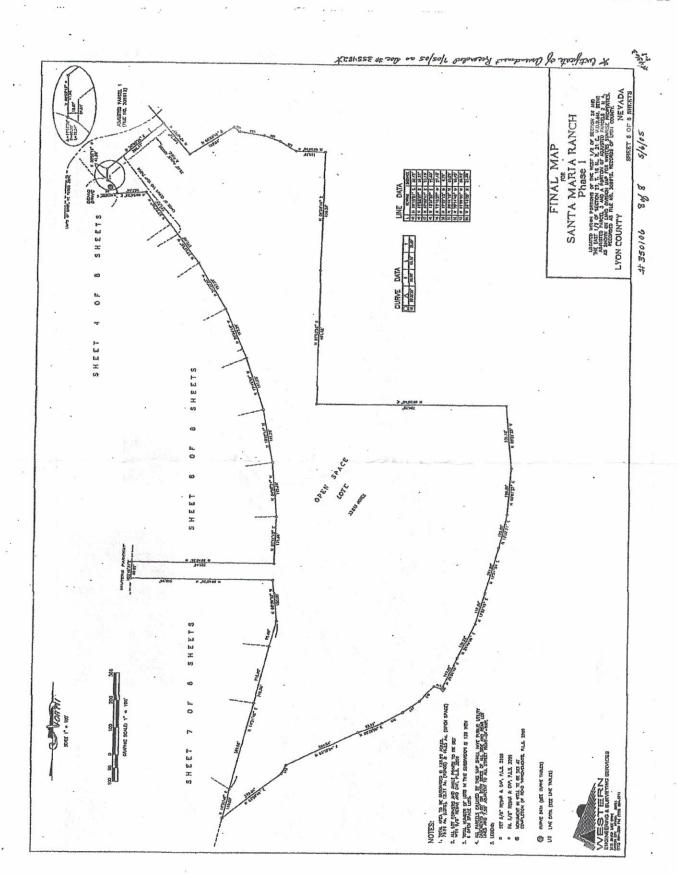




Exhibit "C"

Lots as to which Certain Declarant Rights Survive

All that real property located in the County of Lyon, State of Nevada, more particularly described as follows:

LOTS 126, 129, AND 130, AS SHOWN ON THE FINAL MAP FOR SANTA MARIA RANCH PHASE 1, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF LYON COUNTY, NEVADA, ON MAY 6, 2005, FILE NO. 350106 OF OFFICIAL RECORDS AND AS AMENDED BY CERTIFICATE OF AMENDMENT RECORDED JULY 5, 2005 AS DOCUMENT NO. 355482, OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA.