



Planning Commission Staff Report

Meeting Date: October 6, 2015

Subject: Abandonment Case Number: AB15-004
Applicant(s): Michael Botich and Lynn Bowering
Agenda Item Number: 9A
Summary: To allow the abandonment of two 10-foot-wide public utility and drainage easements, relocate them into one 10-foot-wide public utility and drainage easement; and to abandon a 20-foot-wide drainage easement.
Recommendation: Approval with Conditions
Prepared by: Kelly Mullin, Planner
Washoe County Community Services Department
Division of Planning and Development
775.328.3608
Phone: 775.328.3608
E-Mail: kmullin@washoecounty.us

Description

Abandonment Case Number AB15-004 (Botich/Bowering) – Hearing, discussion, and possible action to approve the abandonment of a 20-foot-wide drainage easement on one property; to abandon two 10-foot-wide public utility and drainage easements on that property and an adjoining property; and to relocate the abandoned 10-foot easements into one 10-foot-wide public utility and drainage easement along the adjoining property line.

- Applicants: Michael Botich and Lynn Bowering
- Property Owners: Michael & Nancy Botich Trust; Lynn Bowering
- Location: 6655 Timberline Court, and the adjacent parcel to the east. These properties are approximately ½ mile north of the intersection of Timberline Drive and Mt. Rose Highway.
- Assessor's Parcel Numbers: 049-860-11 and 049-860-12
- Parcel Size: ±2.373-ac. and ±2.402-ac.
- Master Plan Category: Suburban Residential
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: Forest
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Article 806, Vacations and Abandonments of Easements or Streets
- Commission District: 2 – Commissioner Lucey
- Section/Township/Range: Section 34, T18N, R19E, MDM, Washoe County, NV

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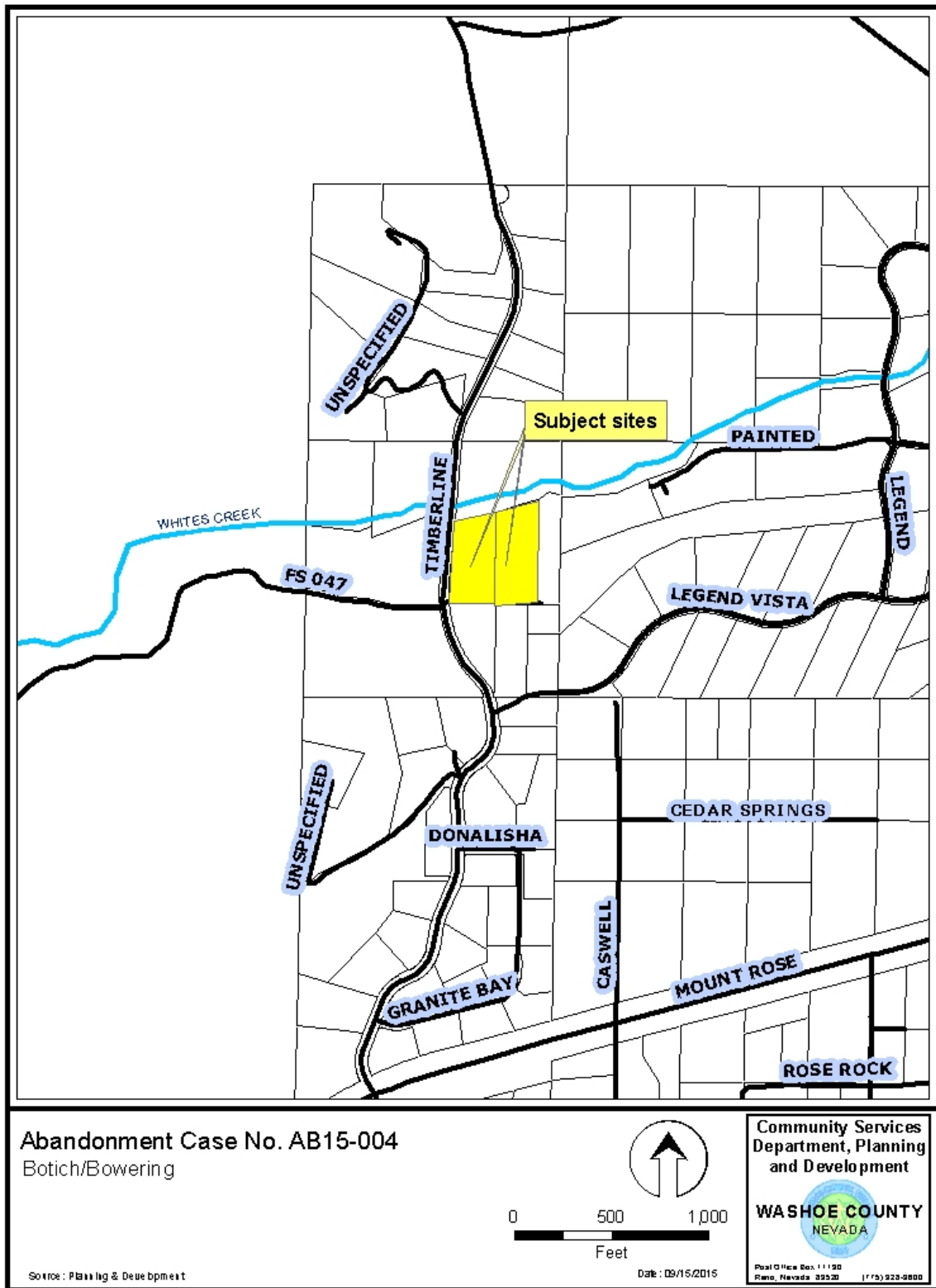
Abandonment Definition

The purpose of an abandonment is to allow for the vacation or abandonment of easements or streets. If the Planning Commission grants an approval of the Abandonment, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed prior to the recordation of the Resolution and Order of Abandonment.

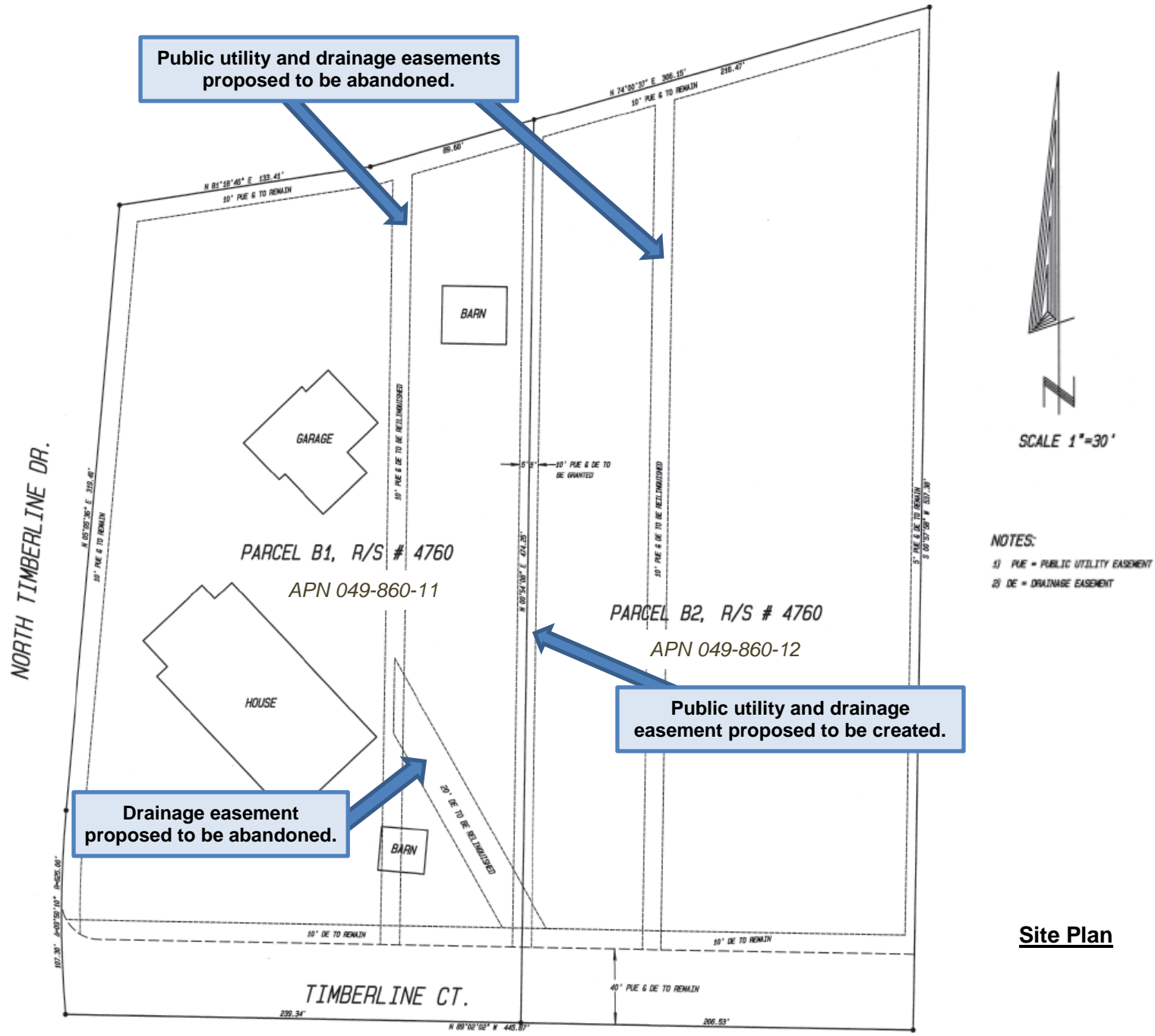
The Resolution and Order of Abandonment is the legal record, prepared by the Engineering and Capital Projects Division, which is recorded to complete the abandonment process. The Engineering and Capital Projects Division completes a technical review of the legal description, exhibit maps and any new easements submitted by the applicants' surveyor that are required by the Conditions of Approval. When the Engineering and Capital Projects Division is satisfied that all conditions of approval have been met, then the Engineering and Capital Projects Division will record the Resolution and Order of Abandonment with the County Recorder. The abandonment is complete upon the recordation of the Resolution and Order of Abandonment with the County Recorder.

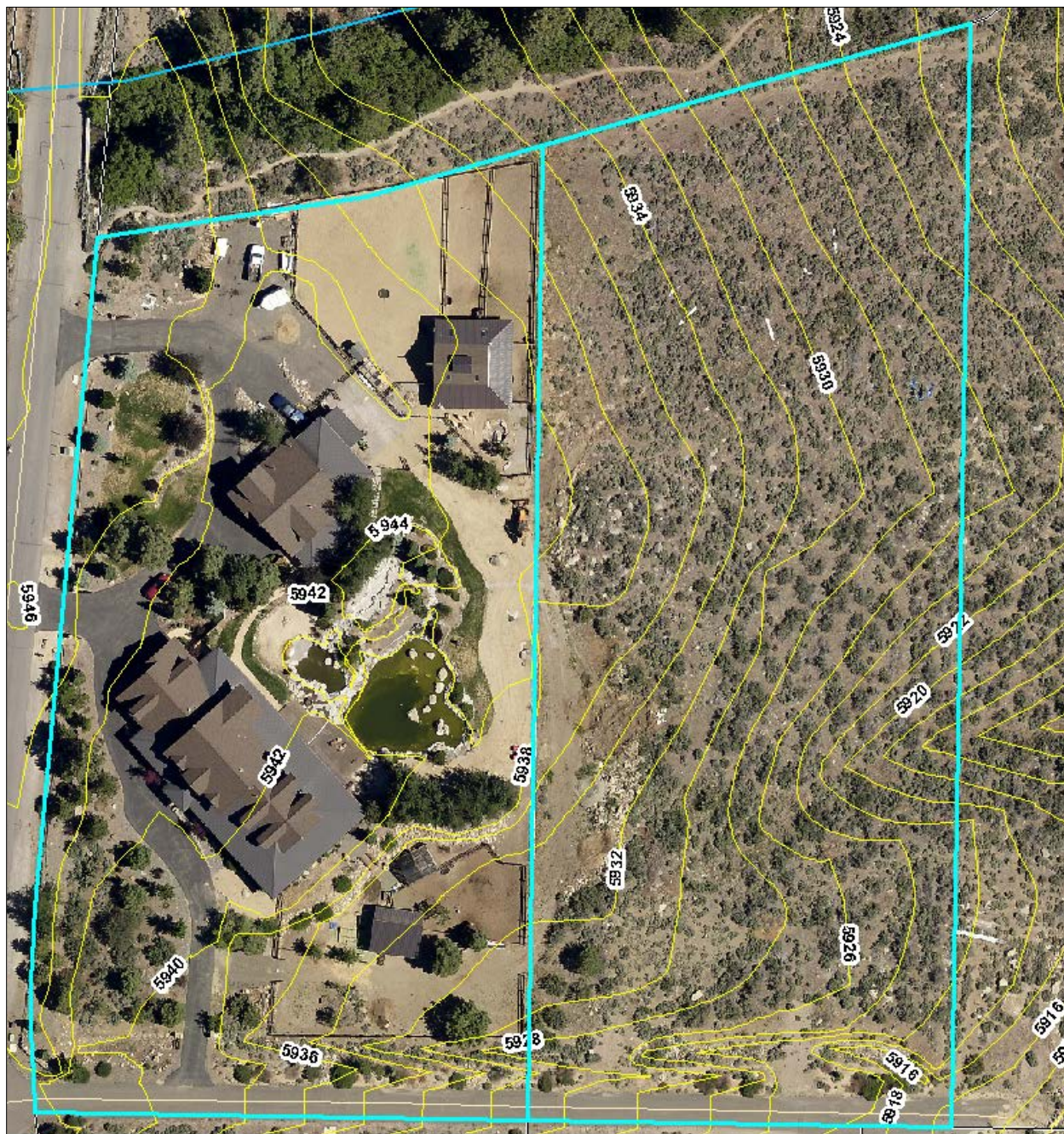
The Conditions of Approval for Abandonment Case Number AB15-004 are attached to this staff report and will be included with the Action Order if granted approval.

- All conditions of approval are required to be completed before the abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects Division and after the recordation of the Resolution and Order of Abandonment by the County Recorder.



Vicinity Map





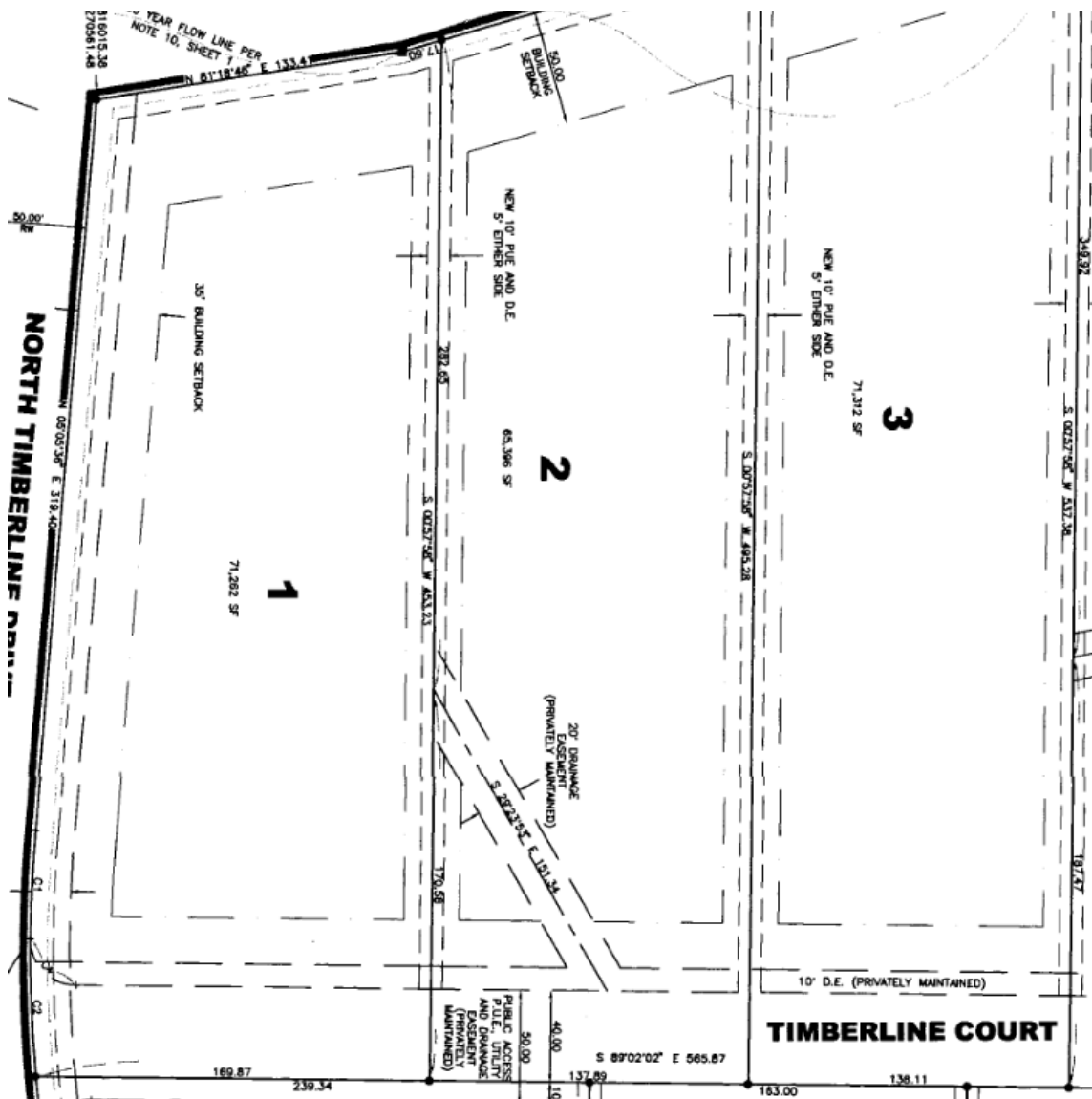
Aerial Photograph (shown with 2' contours)

Project Evaluation

The applicants are the separate property owners of 6655 Timberline Ct. (APN 049-860-11), and the adjacent parcel to the east (APN 049-860-12). The property owners are requesting to abandon two 10-foot-wide public utility and drainage easements (one on each property), and to relocate them into one 10-foot-wide public utility and drainage easement along the adjoining

property line. They are also requesting to abandon a 20-foot-wide drainage easement located almost entirely on the western parcel (APN 049-860-11).

All three of these easements were initially created in 2000 as part of a subdivision that divided an ±11.5-acre property into seven lots (Tentative Map Case No. TM9-15-97; recorded as subdivision tract map 3859A). The parcels in this abandonment request were Lots 1, 2 and 3 of that subdivision. During the final map process, 10-foot-wide drainage and public utility easements were created along the common property lines. An additional 20-foot-wide drainage easement was established on Lot 2 that connected the southern half of Lot 1 to a privately maintained drainage ditch located to the north of Timberline Court. Below is a portion of that original tract map:



Subdivision Tract Map 3859A; recorded in 2000. Image shows the original three lots that were later reverted to the two lots that are the subject of this abandonment request.

In 2006, a reversion to acreage and boundary line adjustment were completed, combining the original three lots into two. Although the property lines were adjusted at that time, the easement locations were not. This abandonment request seeks to rectify that by abandoning the two 10-foot-wide drainage and public utility easements and re-locating them into a single 10-foot-wide drainage and public utility easement along the common property line. It also seeks to abandon the 20-foot-wide drainage easement that is located on what was previously Lot 2, connecting what was previously Lot 1 to the drainage ditch to the south. As that drainage easement is now almost wholly located on 6655 Timberline Ct., it is no longer considered necessary.

None of the three easements that are part of this request are developed as drainage-ways. The pictures below show various aspects of each of the easement locations.



Taken from southern terminus of 20' angled drainage easement, looking slightly northwest.



View from northern property line of western parcel, looking south along existing utility/drainage easement.



View from northern property line of eastern parcel, looking south along existing utility/drainage easement.



View from the north, looking south along proposed location of new utility/drainage easement.

The Engineering and Capital Projects Division has included a standard condition of approval indicating that the retention or relocation of all drainage easements shall be to the satisfaction of Washoe County. The Division will determine compliance with that condition.

Furthermore, an important question here concerns “ownership” of the easements in question. Nominally at least, the County is not the owner. On the other hand, the County did have a hand

in the easements' creation in the sense that they were added in connection with the tentative mapping process used to create the lots originally. To the extent that the County does not own the easements, it cannot abandon them. Therefore, if this request is approved, it in effect will be a "quitclaim" by the County of whatever interest it might have in the easements in favor of the owners of these two parcels. However, nothing in this abandonment should be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, this abandonment would not affect those interests and the property owners applying for the abandonment would be responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

South Truckee Meadows/Washoe Valley Citizen Advisory Board (STM/WV CAB)

Pursuant to Article 806, Vacations and Abandonments of Easements and Streets, proposals for abandonments or vacations are not required to be noticed to Citizen Advisory Boards.

Public Notice

Abandonments require that affected property owners be notified by certified mail. There is no minimum number of property owners that need to be notified. Both applicants and all adjacent property owners were provided with notice.

A legal notice is also required to be posted in a local newspaper. A legal notice was published in the Reno Gazette-Journal on Friday, September 25, 2015.

Reviewing Agencies

The following agencies received a copy of the project application for review and evaluation.

- Washoe County Community Services Department
 - Engineering and Capital Projects
 - Planning and Development
 - Utilities
- Washoe County Health District
 - Vector-Borne Diseases
 - Environmental Health Services
- Truckee Meadows Fire Protection District
- Regional Transportation Commission
- AT&T
- NV Energy
- Truckee Meadows Water Authority
- Charter Communications

Five of the above-listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided below. The Conditions of Approval document is attached to this staff report and will be included with the Action Order if the Planning Commission approves the requested abandonment.

- Washoe County Planning and Development provided a condition regarding substantial conformance.

Contact: Kelly Mullin, 775.328.3608, kmullin@washoecounty.us

- Washoe County Engineering and Capital Projects offered technical conditions related to retaining or relocating easements and recordation of the proper documents.

Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us

- Truckee Meadows Fire Protection District provided a condition regarding defensible space.

Contact: Amy Ray, 775.326.6005, aray@tmfcpd.us

- The Washoe County Health District and Regional Transportation Commission both indicated they reviewed the proposal and have no conditions or objections.

Staff Comment on Required Findings

Washoe County Code Section 110.806.20 requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the abandonment request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows:

1. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Forest Area Plan.

Staff Comments: The proposed abandonments and easement re-locations do not affect any standards of either the Master Plan or the Forest Area Plan.

2. No Detriment. The abandonment or vacation does not result in a material injury to the public.

Staff Comments: The request was submitted to all relevant agencies and departments for review. No recommendations of denial were received. Conditions of approval are included with the staff report. The proposal essentially updates the locations of easements that were put in place when a subdivision occurred on the affected properties in 2000. A subsequent reversion to acreage and adjustment of the lot lines occurred in 2006 but did not adjust the easement lines at that time. This request updates the easement locations accordingly.

3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Staff Comments: The applicant proposes to re-locate the public utility easements to along the common property line between the subject properties, thereby giving utility providers a similar right of use that existed prior to the abandonment.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Abandonment Case Number AB15-004 is being recommended for approval with conditions. Staff offers the following motion for the Commission's consideration.

Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Abandonment Case Number AB15-004 for Botich/Bowering, having made all three findings in accordance with Washoe County Code Section 110.806.20:

1. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Forest Area Plan; and
2. No Detriment. The abandonment or vacation does not result in a material injury to the public; and
3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Appeal Process

Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicants, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Development Division within 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicants.

xc: Applicant: Michael Botich, 6655 Timberline Ct., Reno, NV 89511
Property Owner: Michael & Nancy Botich Trust, 6655 Timberline Ct., Reno, NV 89511
Applicant/Property Owner: Lynn Bowering, 370 Morningside Dr., Reno, NV 89509
Developer: Landmark Surveying, Attn: Dennis Chapman, 2548 Rampart Terrace,
Reno, NV 89519



Conditions of Approval

Abandonment Case Number: AB15-004

The project approved under Abandonment Case Number AB15-004 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on October 6, 2015. Conditions of Approval are requirements placed by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property. Furthermore, to the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, this request is in effect a “quitclaim” by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. Nothing in this abandonment should be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, this abandonment does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

Unless otherwise specified, all conditions related to the approval of this Abandonment shall be met prior to recordation of the Resolution and Order of Abandonment. Prior to recordation of the Resolution and Order of Abandonment, each agency shall determine when compliance of their specific conditions is met by the applicant as set forth in the Conditions of Approval. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Community Services Department – Planning and Development Division.

Compliance with the conditions of approval related to this Abandonment is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. All conditions of approval must be met prior to the Engineering and Capital Projects Division recording the required Resolution and Order of Abandonment.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

- All conditions of approval are required to be completed before the Abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects Division and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Development

1. The following condition is a requirement of the Community Services Department – Planning and Development Division, which shall be responsible for determining compliance with this condition.

Contact Name – Kelly Mullin, 775.328.3608, kmullin@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of the Community Services Department – Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Leo Vesely, 775.328.2313, lvesely@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action. The County Engineer shall determine compliance with this condition.
- b. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for area of abandonment, and any easements that may be required. The County Surveyor shall determine compliance with this condition.
- c. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
- d. Retention of all drainage easements or relocation of all drainage easements to the satisfaction of and at no expense to Washoe County as well as any drainage facilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements.
- e. The applicant shall comply with conditions necessary to effect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

Truckee Meadows Fire Protection District

3. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact Name – Amy Ray, 775.326.6005, aray@tmfpd.us

- a. Defensible space shall be required, in accordance with a HIGH fire hazard risk rating, making the defensible space maintenance minimum 50 feet or to the property line, as designated by the International Wildland Urban Interface Code and the fire hazard map per NAC 472. This shall be noted on the plan, as the application attachment "Declaration of Covenants, Conditions, and Restrictions" states a 20 foot minimum fuel break.

*** End of Conditions ***



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Engineering and Capital Projects Division

EXHIBIT B

"Dedicated to Excellence in Public Service"

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

INTEROFFICE MEMORANDUM

DATE: September 03, 2015
TO: Kelly Mullin, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **AB15-004**
APN 049-860-11 & 12
BOTICH/BOWERING

I have reviewed the referenced abandonment and recommend the following conditions:

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action. The County Engineer shall determine compliance with this condition.
2. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the County Engineer for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for area of abandonment, and any easements that may be required. The County Surveyor shall determine compliance with this condition.
3. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
4. Retention of all drainage easements or relocation of all drainage easements to the satisfaction of and at no expense to Washoe County as well as any drainage facilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements.
5. The applicant shall comply with conditions necessary to effect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

LRV/lrv

AB15-004
EXHIBIT B

Amy Ray
Fire Marshal



Tim Leighton
Deputy Fire Chief

Charles A. Moore
Fire Chief

September 3, 2015

Washoe County Community Services Department
1001 East Ninth Street
Reno, NV 89512

Re: Abandonment Case 15-004 (Botich/Bowering)

The Truckee Meadows Fire Protection District (TMFPD) will approve permit with the following conditions:

- Defensible space shall be required, in accordance with a HIGH fire hazard risk rating, making the defensible space maintenance minimum 50 feet or to the property line, as designated by the *International Wildland Urban Interface Code* and the fire hazard map per NAC 472. This shall be noted on the plan, as the application attachment "Declaration of Covenants, Conditions, and Restrictions" states a 20 foot minimum fuel break.

Please contact me with any questions at (775) 326-6005.

Regards,

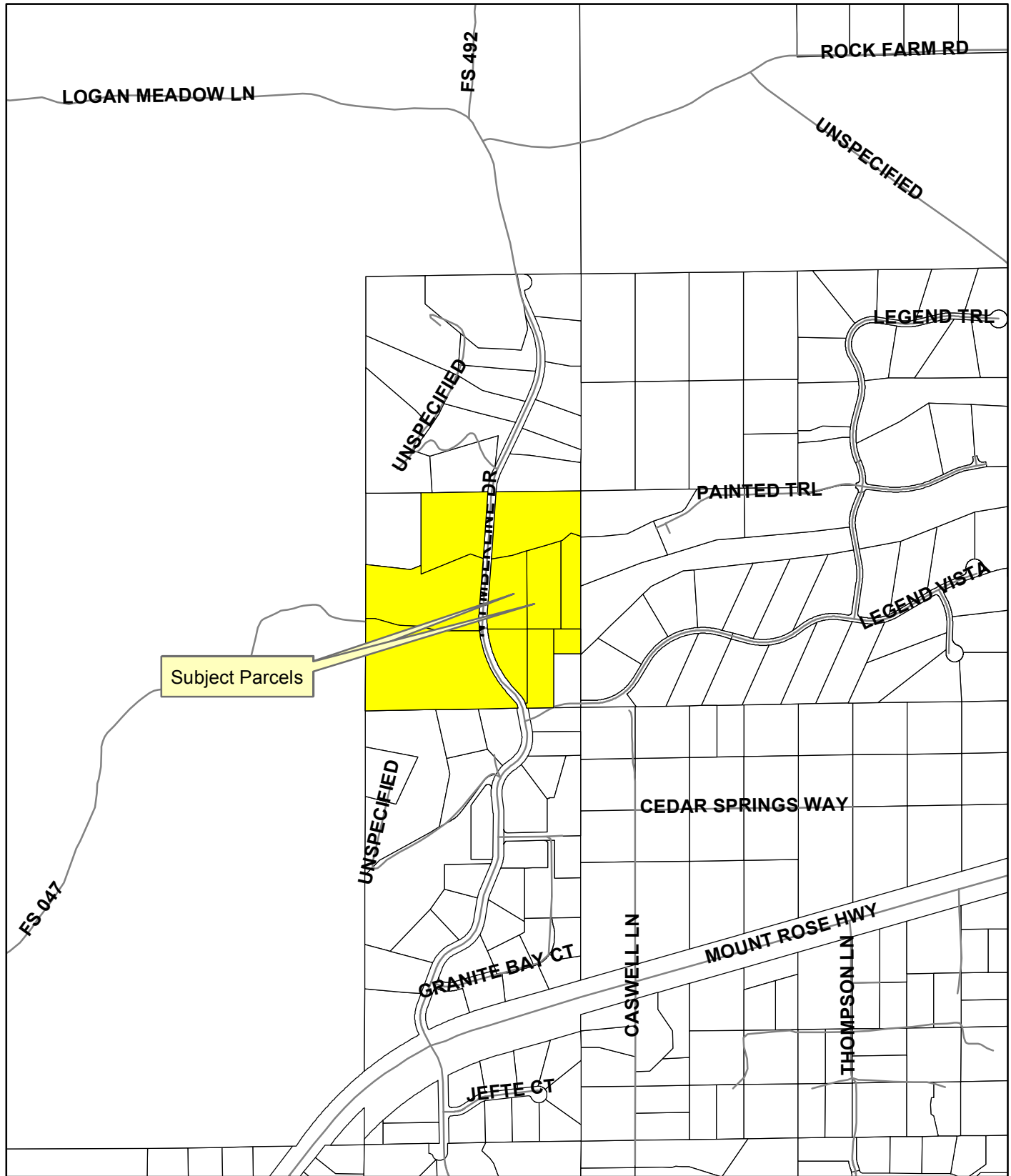
Amy Ray
Fire Marshal

TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

1001 E. Ninth St. Bldg D 2nd Floor • Reno, Nevada 89512 • PO Box 11130 • Reno, Nevada 89520

Office 775.326.6000 Fax 775.326.6003

**AB15-004
EXHIBIT C**

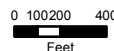
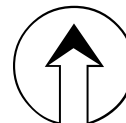


Vicinity

Abandonment Case No. AB15-004
(Botich/Timberline)

10 parcels selected (all adjacent properties)

Source: Planning and Development Division



Date: September 21, 2015

Community Services
Department



Post Office Box 11130
Reno, Nevada 89520 (775) 328-3600

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name:			
Project Description: Request to abandon easements remaining from lot reversion and boundary line adjustment and establish replacement easement along shared property boundary line.			
Project Address: 6655 Timberline Ct, 0 Timberline Ct			
Project Area (acres or square feet): 4.775 ac			
Project Location (with point of reference to major cross streets AND area locator): NE Corner Timberline Court and Timberline Drive. Major cross street: Timberline Dr and Mt Rose Hwy			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
049-860-11	2.373 ac		
049-860-12	2.402 ac		
Section(s)/Township/Range: Section 34, T18N, R19E			
Indicate any previous Washoe County approvals associated with this application:			
Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Michael & Nancy Botich Trust		Name: Landmark Surveying	
Address: 6655 Timberline Ct		Address: 2548 Rampart Tce	
Reno, NV	Zip: 89511	Reno, NV	Zip: 89519
Phone: 775.849.2603	Fax:	Phone: 775.324.0904	Fax:
Email: mbotich@gmail.com		Email: hubtac@sbcglobal.net	
Cell:	Other:	Cell:	Other:
Contact Person: Michael Botich		Contact Person: Dennis Chapman	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Michael Botich		Name: Lynn Bowering	
Address: 6655 Timberline Ct		Address: 370 Morningside Dr	
Reno, NV	Zip: 89511	Reno, NV	Zip: 89509
Phone: 775.849.2603	Fax:	Phone: 775.827.6335	Fax:
Email: mbotich@gmail.com		Email: kiwilynnj@gmail.com	
Cell:	Other:	Cell:	Other:
Contact Person: Michael Botich		Contact Person: Lynn Bowering	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name:			
Project Description: Request to abandon easements remaining from lot reversion and boundary line adjustment and establish replacement easement along existing property boundary.			
Project Address: 6655 Timberline Ct, 0 Timberline Ct			
Project Area (acres or square feet): 4.775 ac			
Project Location (with point of reference to major cross streets AND area locator): NE Corner Timberline Court and Timberline Drive. Major cross street: Timberline Dr and Mt. Rose Hwy.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
049-860-11	2.373 ac		
049-860-12	2.402 ac		
Section(s)/Township/Range: Section 34, T18N, R19E			
Indicate any previous Washoe County approvals associated with this application:			
Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Lynn Bowering		Name: Landmark Surveying	
Address: 370 Morningside Dr		Address: 2548 Rampart Tce	
Reno, NV	Zip: 89509	Reno, NV	Zip: 89519
Phone: 775.827.6335	Fax:	Phone: 775.324.0904	Fax:
Email: kiwilynnj@gmail.com		Email: hubtac@sbcglobal.net	
Cell:	Other:	Cell:	Other:
Contact Person: Lynn Bowering		Contact Person: Dennis Chapman	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Lynn Bowering		Name: Michael Botich	
Address: 370 Morningside Dr		Address: 6655 Timberline Ct	
Reno, NV	Zip: 89509	Reno, NV	Zip: 89511
Phone: 775.827.6335	Fax:	Phone: 775.849.2603	Fax:
Email: kiwilynnj@gmail.com		Email: mbotich@gmail.com	
Cell:	Other:	Cell:	Other:
Contact Person: Lynn Bowering		Contact Person: Michael Botich	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

February 2014

**AB15-004
EXHIBIT E**

Abandonment Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to vacations and abandonments may be found in Article 806, Vacations and Abandonments of Easements or Streets.

1. What is the abandonment being requested?

We are requesting the abandonment of the Public Utility and Private Drainage easements which ran along the original lot lines and which are associated with now closed APNs 049-860-04 and 049-860-05; and APNs 049-860-05 and 049-860-06. These lots were reversed in 2006 (Tract Map 4666), and a lot line adjustment was completed creating our lots, APNs 049-860-11 and 049-860-12. At that time these easements were not relocated along the new boundary line between our lots. We were recently notified that this task was not completed and hope to complete it at this time.

2. On which map or document (please include with application) is the easement or right-of-way first referenced?

Tract Map 3859 grants a 5 foot Public Utility and Private Drainage easement along all side and rear lot lines.

3. What is the proposed use for the vacated area?

Relocating these PU and Private drainage easements will enable the property owners to comply with building setback requirements for existing structures and future structures. APN 049-860-12 is a vacant lot, relocating the easement to the side lot line will enable orienting future structures on an East-West axis without building so close to the Eastern lot line as to impact the neighboring property owner. Relocating these easements will remove the encumbrances left on these lots when the lot reversion and boundary line adjustment work was completed in 2006.

4. What replacement easements are proposed for any to be abandoned?

We propose to establish a 5 foot Public Utility and Private Drainage easement each side of the lot line shared by APN 049-860-11 and APN 049-860-12. Legal descriptions of the easements to be dedicated, along with those to be abandoned are included with this application

5. What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?

There will be no damage or discrimination to other property in the vicinity.

6. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the abandonment request? (If so, please attach a copy.)

<input checked="" type="radio"/> Yes	<input type="radio"/> No
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Property Tax Reminder Notice

WASHOE COUNTY
 P O BOX 30039
 RENO, NV 89520-3039
 775-328-2510

PIN: 04986011
 AIN:

Balance Good Through:	07/02/2015
Current Year Balance:	\$0.00
Prior Year(s) Balance: (see below for details)	\$0.00
Total Due:	\$0.00

AUTO
 :895116:

MICHAEL & NANCY BOTICH TRUST
 6655 TIMBERLINE CT
 RENO NV 89511

Description:

Situs: 6655 TIMBERLINE CT
 WCTY

This is a courtesy notice. If you have an impound account through your lender or are not sure if you have an impound account and need more information, please contact your lender directly. Please submit payment for the remaining amount(s) according to the due dates shown. Always include your PIN number with your payment. Please visit our website: www.washoecounty.us/treas

Current Charges									
PIN	Year	Bill Number	Inst	Due Date	Charges	Interest	Pen/Fees	Paid	Balance
04986011	2014	345298	1	08/18/2014	2,274.60	0.00	0.00	2,274.60	0.00
04986011	2014		2	10/06/2014	2,272.82	0.00	0.00	2,272.82	0.00
04986011	2014		3	01/05/2015	2,272.82	0.00	0.00	2,272.82	0.00
04986011	2014		4	03/02/2015	2,272.82	0.00	0.00	2,272.82	0.00
Current Year Totals					9,093.06	0.00	0.00	9,093.06	0.00

Prior Years								
PIN	Year	Bill Number	Charges	Interest	Pen/Fees	Paid	Balance	
Prior Years Total								

Property Tax Reminder Notice

WASHOE COUNTY
 P O BOX 30039
 RENO, NV 89520-3039
 775-328-2510

PIN: 04986012
 AIN:

Balance Good Through:	07/02/2015
Current Year Balance:	\$0.00
Prior Year(s) Balance: (see below for details)	\$0.00
Total Due:	\$0.00

AUTO
 :895099:
 BOWERING, LYNN
 370 MORNINGSIDE DR
 RENO NV 89509

Description:

Situs: TIMBERLINE CT
 WCTY

This is a courtesy notice. If you have an impound account through your lender or are not sure if you have an impound account and need more information, please contact your lender directly. Please submit payment for the remaining amount(s) according to the due dates shown. Always include your PIN number with your payment. Please visit our website: www.washoecounty.us/treas

Current Charges									
PIN	Year	Bill Number	Inst	Due Date	Charges	Interest	Pen/Fees	Paid	Balance
04986012	2014	345441	1	08/18/2014	277.65	0.00	0.00	277.65	0.00
04986012	2014		2	10/06/2014	277.43	0.00	0.00	277.43	0.00
04986012	2014		3	01/05/2015	277.43	0.00	0.00	277.43	0.00
04986012	2014		4	03/02/2015	277.43	0.00	0.00	277.43	0.00
Current Year Totals					1,109.94	0.00	0.00	1,109.94	0.00

Prior Years								
PIN	Year	Bill Number	Charges	Interest	Pen/Fees	Paid	Balance	
Prior Years Total								

6582

WHITE ROSE ESTATES PHASE 1

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THE UNDERSIGNED, JAMES A. TAYLOR, AS APPLICANT, IS THE OWNER OF THE TRACT OF LAND REPRESENTED ON THIS PLAT AND HAS CONSENTED TO THE PREPARATION AND RECORDATION OF THIS PLAT AND THAT THE SAME IS EXECUTED BY COMPLIANCE WITH AND SUBJECT TO THE PROVISIONS OF N.E.S. CHAPTER 278, AND HEREBY GRANT TO ALL PUBLIC UTILITIES AND WASHOE COUNTY, A PERMANENT EASEMENT SHOWN ON THIS PLAT FOR THE CONSTRUCTION AND MAINTENANCE OF DRAINAGE AND UTILITY SYSTEMS, TOGETHER WITH THE RIGHT OF ACCESS THEREFORE. PUBLIC ACCESS IS HEREBY GRANTED OVER TIMBERLINE COURT.

James A. Taylor 6/29/00
DATE

NOTARY PUBLIC CERTIFICATE:

STATE OF NEVADA, ss.
COUNTY OF WASHOE
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 29th June 2000 BY JAMES A. TAYLOR.

Montyridge
(SIGNATURE OF NOTARIAL OFFICER)

(MY COMMISSION EXPIRES 12-15-03)

TITLE COMPANY CERTIFICATE:

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS PLAT HAS BEEN EXAMINED AND THAT JAMES A. TAYLOR, AS APPLICANT, OWNS OF RECORD AN INTEREST IN THE LANDS DESCRIBED HEREON AND THAT THEY ARE THE ONLY OWNERS OF RECORD OF SAID LANDS. THAT ALL THE OWNERS OF RECORD OF THE LAND HAVE SIGNED THE FINAL MAP, THAT THE COLORADO SOUTHWEST ALABAMA CORPORATION HOLDS OF RECORD A SECURITY INTEREST IN THE LANDS TO BE DIVIDED AND THAT THEY ARE THE ONLY HOLDER OF RECORD OF A SECURITY INTEREST IN SAID LAND, AND THAT THERE ARE NO LIENS OF RECORD AGAINST THE LANDS DESCRIBED HEREON FOR DELINQUENT STATE, COUNTY, MUNICIPAL, FEDERAL OR LOCAL TAXES OR ASSESSMENTS COLLECTED AS TAXES OR SPECIAL ASSESSMENTS, AND THAT A GUARANTEE DATED JUNE 12, 2000 FOR THE BENEFIT OF THE COUNTY OF WASHOE, STATE OF NEVADA, HAS BEEN ISSUED WITH REGARD TO ALL OF THE ABOVE.

STEWART TITLE OF NORTHERN NEVADA
BY [Signature] TITLER OFFICER JUNE 29 2000 DATE

SECURITY INTEREST HOLDERS CERTIFICATE

THE SECURITY INTEREST HOLDER, COLORADO SOUTHWEST ALABAMA CORPORATION, HAS SIGNED A SEPARATE SECURITY INTEREST HOLDERS CERTIFICATE FILED AS DOCUMENT 246022, OFFICIAL RECORDS, WASHOE COUNTY, NEVADA.

TAX CERTIFICATE:

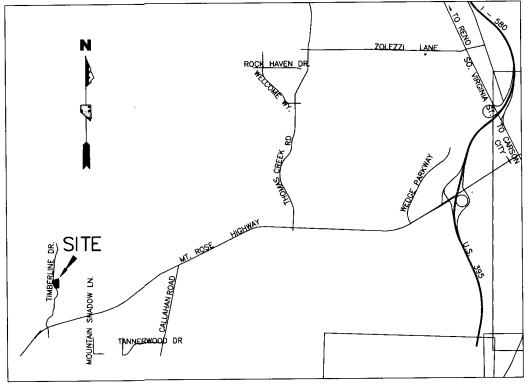
THE UNDERSIGNED HEREBY CERTIFIES THAT ALL PROPERTY TAXES ON THIS LAND FOR THE FISCAL YEAR HAVE BEEN PAID AND THAT THE FULL AMOUNT OF ANY DEFERRED PROPERTY TAXES FOR THE CONVERSION OF THE PROPERTY FROM AGRICULTURAL USE HAS BEEN PAID PURSUANT TO NRS 360.045.

WASHOE COUNTY TREASURER
BY Melissa J. Rind 7-5-2000
Debra Maxwell 6/21/00
DEPUTY

UTILITY COMPANIES CERTIFICATE:

THE EASEMENTS SHOWN ON THIS PLAT HAVE BEEN CHECKED, ACCEPTED AND APPROVED BY THE UNDERSIGNED PUBLIC UTILITY AND GUY COMPANY.

James Conn 6/27/2000
SIERRA PACIFIC POWER CO. DATE
Dr. Carmichael 6/28/2000
NEVADA BELL DATE
[Signature] 6-22-00
TO: TABLETS OF NEVADA, INC. DATE
[Signature] 6/27/00
WASHOE COUNTY UTILITY SERVICES DIVISION DATE



VICINITY MAP 1"=300'

NOTES:

- 1) A 10 FOOT PUBLIC UTILITY, TRAFFIC CONTROL, SNOWING AND PLUMBED SNOW STORAGE SHALL BE LOCATED ALONG ALL STREET RIGHTS-OF-WAY. THE 10 FOOT PLUMBED SNOW STORAGE EASEMENT IS FOR PLUMBED SNOW FROM THE STREET RIGHT-OF-WAY ONLY. IN ADDITION A 3 FOOT PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT SHALL BE LOCATED ALONG ALL SIDE AND REAR LOT LINES.
- 2) A PUBLIC UTILITY EASEMENT IS ALSO HEREBY GRANTED WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY FACILITIES TO THAT PARCEL AND THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS AT LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD, AT THAT TIME, AND THE UTILITY COMPANY.
- 3) ALL PUBLIC UTILITY EASEMENTS SHALL INCLUDE CABLE TELEVISION.
- 4) NO OWNER OR TENANT SHALL OBSTRUCT A DRAINAGE EASEMENT OR CHANNEL, WITHIN THE TRACT.
- 5) NO FORCES SHALL BE ALLOWED WITHIN OR ACROSS ANY DRAINAGE, UTILITY, PEDESTRIAN OR EQUESTRIAN EASEMENTS MAINTAINED BY WASHOE COUNTY.
- 6) NO COVERTURE OF OCCUPANCY SHALL BE ISSUED UNTIL THE WATER AND SENIOR FACILITIES HAVE BEEN COMPLETED AND ACCEPTED BY THE WASHOE COUNTY UTILITY DIVISION.
- 7) NO INADMISSIBLE STRUCTURES SHALL BE LOCATED ON A FACILITY THAT HAS BEEN ACTIVE DURING THE HOLIDAY OF GEOLOGIC TIME.
- 8) NO DIRECT ACCESS IS ALLOWED FROM LOTS 1,5, AND 6 ONTO THE PRIVATE DRIVEWAY.
- 9) THE DRIVEWAY ACCESS EASEMENTS AS SHOWN ON THIS PLAT ARE PRIVATE AND ARE SUBJECT TO BLANKET EASEMENTS AND RIGHTS OF ACCESS THEREBY FOR SENIORS, DRAINAGE, AND OTHER PUBLIC UTILITIES INSTALLED FOR THE BENEFIT OF THE PROPERTY OWNERS OF THIS SUBDIVISION. SUCH EASEMENTS SHALL INCLUDE BUT NOT BE LIMITED TO SENIORS, STORM DRAINAGE, POWER, GAS, WATER, TELEPHONE, STREET LIGHTS AND CABLE TELEVISION LINES.
- 10) RETENTION: WHITE ROSE ESTATES PHASE 1 100-YEAR FLOOD HYDROLOGY STUDY FOR 100-YEAR FLOOD INFORMATION BY SUMMIT ENGINEERING CORPORATION DATED MAY 7, 1998, SUBJECT TO POTENTIAL CHANGE AS APPROVED BY THE COUNTY ENGINEER.
- 11) EACH OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF DRAINAGE FACILITIES AND THE NATURAL DRAINAGE CHARACTERISTICS WITHIN THEIR LOT SO OTHER PROPERTIES ARE NOT UNDESIRABLY AFFECTED. A BLANKET DRAINAGE EASEMENT IS HEREBY GRANTED WITH EACH LOT TO THE AFFECTED PROPERTY AS MAY BE NECESSARY FOR THE PERPETUATION AND MAINTENANCE OF THE NATURAL CHARACTERISTICS AND IMPROVED DRAINAGE FACILITIES.
- 12) ALL FENCING WITHIN THE 100-YEAR FLOOD PLAN SHALL BE DESIGNED TO NOT OBSTRUCT FLOOD FLOWS AND WILL REQUIRE THE APPROVAL OF THE COUNTY ENGINEER.
- 13) THE PRIVATE DRIVEWAY SHALL BE PRIVATELY MAINTAINED AND PERPETUALLY FUNDED BY THE HOMEOWNER'S ASSOCIATION.
- 14) ALL DRAINAGE FACILITIES NOT MAINTAINED BY WASHOE COUNTY SHALL BE PRIVATELY MAINTAINED AND PERPETUALLY FUNDED BY THE HOMEOWNER'S ASSOCIATION.
- 15) PRIOR TO ISSUANCE OF A BUILDING PERMIT, A DEED RESTRICTION MUST BE RECORDED STATING THAT THE LOT SHALL A) CONSENT TO A COMBINATION SENIORS WITHIN 60 DAYS OF WHICH IT BECOMES AVAILABLE AND B) THE ON-SITE SENIOR DISPOSITION SYSTEM MUST BE PROPERLY ABANDONED IN ACCORDANCE WITH THE WASHOE COUNTY DISTRICT HEALTH DEPARTMENT.
- 16) WATER SERVICE ABOVE ELEVATION 5942 (DWAQ 23) MAY BE LESS THAN 50 PSI.

COMMUNITY DEVELOPMENT CERTIFICATE:

A TENTATIVE MAP OF WHITE ROSE ESTATES PHASE 1, TM 9-15-97, WAS APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON THE 17th DAY OF JULY, 1998. THE FINAL MAP OF WHITE ROSE ESTATES PHASE 1 IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP AND ALL THE CONDITIONS OF APPROVAL HAVE BEEN MET.

THIS FINAL MAP IS APPROVED AND ACCEPTED THIS 7th DAY OF July, 2000 BY THE COMMUNITY DEVELOPMENT DIRECTOR OF WASHOE COUNTY, NEVADA. THE OFFER OF DEDICATION OF THE SENIOR FACILITIES ARE REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NRS 278.

Robert W. Sullivan 7/7/2000
ROBERT W. SULLIVAN DATE
COMMUNITY DEVELOPMENT DIRECTOR

COUNTY SURVEYOR'S CERTIFICATE:

I CERTIFY THAT I HAVE EXAMINED THIS PLAT CONSISTING OF TWO SHEETS, AND THAT I AM SATISFIED SAID MAP IS TECHNICALLY CORRECT AND THAT AN ADEQUATE PERFORMANCE GUARANTEE HAS BEEN FILED GUARANTEEING THE MONUMENTS AS SHOWN WILL BE SET BY THE SURVEYOR.

[Signature] 7/7/2000
COUNTY SURVEYOR DATE

WATER RIGHT DEDICATION CERTIFICATE:

THE WATER AND SENIOR RESOURCE REQUIREMENTS SET FORTH IN ARTICLE 422 OF THE WASHOE COUNTY DEVELOPMENT CODE, RELATED TO THE DEDICATION OF WATER RESOURCES, HAVE BEEN SATISFIED.

[Signature] 6/27/00
WASHOE COUNTY UTILITY SERVICES DIVISION DATE

DIVISION OF WATER RESOURCES CERTIFICATE:

THIS PLAT IS APPROVED BY THE STATE OF NEVADA DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING DIVISION QUANTITY, SUBJECT TO THE REVIEW OF APPROVAL ON FILE IN THIS OFFICE.

[Signature] 6-28-00
DIVISION OF WATER RESOURCES DATE

DISTRICT BOARD OF HEALTH CERTIFICATE:

THIS FINAL MAP IS APPROVED BY THE WASHOE COUNTY DISTRICT BOARD OF HEALTH. THIS APPROVAL CONCERNING SEWAGE DISPOSAL, WATER POLLUTION, WATER QUALITY, AND WATER SUPPLY FACILITIES AND IS PRECEDENT UPON PLANS FOR A PUBLIC WATER SUPPLY AND INDIVIDUALS' SYSTEM FOR DISPOSAL OF SEWAGE.

[Signature] 7-5-00
FOR THE DISTRICT BOARD OF HEALTH DATE

SURVEYOR'S CERTIFICATE

L. LAWRENCE F. GRUBE, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF JAMES A. TAYLOR TRUST.
2. THE LINES SURVEYED USE NAD 83, TIE B, RISE, M.D.M. AND THE SURVEY WAS COMPLETED ON JULY 21, 2000.
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
4. THE MONUMENTS DEPICTED ON THE PLAT WILL BE OF THE CHARACTER SHOWN AND OCCUPY THE POSITIONS INDICATED BY JUNE 16, 2000 AND AN APPROPRIATE PERFORMANCE GUARANTEE WILL BE POSTED WITH THE GOVERNING BODY BEFORE RECOGNITION TO ENSURE THE INSTALLATION OF THE MONUMENTS.

[Signature]
LAWRENCE F. GRUBE, PROFESSIONAL LAND SURVEYOR NO. 6995

REGULATORY ZONE FOR REVIEW PURPOSES	MIN. LOT AREA (ACRES)	MIN. LOT WIDTH	MIN. FRONT YARD	MIN. SIDE YARD	MIN. REAR YARD	MAX. BUILDING HEIGHT
LOW DENSITY SUBURBAN (MAX. 1 UNIT/ACRE)	35,000 SQ. FT.	120 FEET	30 FEET	12 FEET	30 FEET	35 FEET/2 STORY MAX.

FILE NO. <u>246242B</u> FEED <u>37.45</u> FILED FOR RECORD AT THE REQUEST OF SUMMIT ENGINEERING ON THIS 7 DAY OF July MINUTES PAST 11 O'CLOCK AM OF WASHOE COUNTY, NEVADA. BY: <u>KATHY L. SHINE</u> COUNTY RECORDER BY: <u>C. Bartley</u> DEPUTY	OFFICIAL PLAT OF WHITE ROSE ESTATES PHASE 1 A DIVISION OF A PORTION OF PARCEL B OF P.M. 3436 LOCATED IN A PORTION OF SECTION 34, T18N, R18E, M.D.M. NEVADA WASHOE COUNTY ENGINEERING SHEET 1 OF 2 CONSULTING ENGINEERS AND SURVEYORS SUMMIT ENGINEERING CORPORATION 5400 SOUTH WALKER AVENUE SUITE 100 SPRINGFIELD, UT 84603 (725) 771-5500
---	--

COPY THIS PLAT TO THE WASHOE COUNTY CLERK'S OFFICE FOR RECORDATION AND TO THE WASHOE COUNTY ENGINEERING DIVISION FOR ANY SUBSEQUENT CHANGES TO THIS PLAT

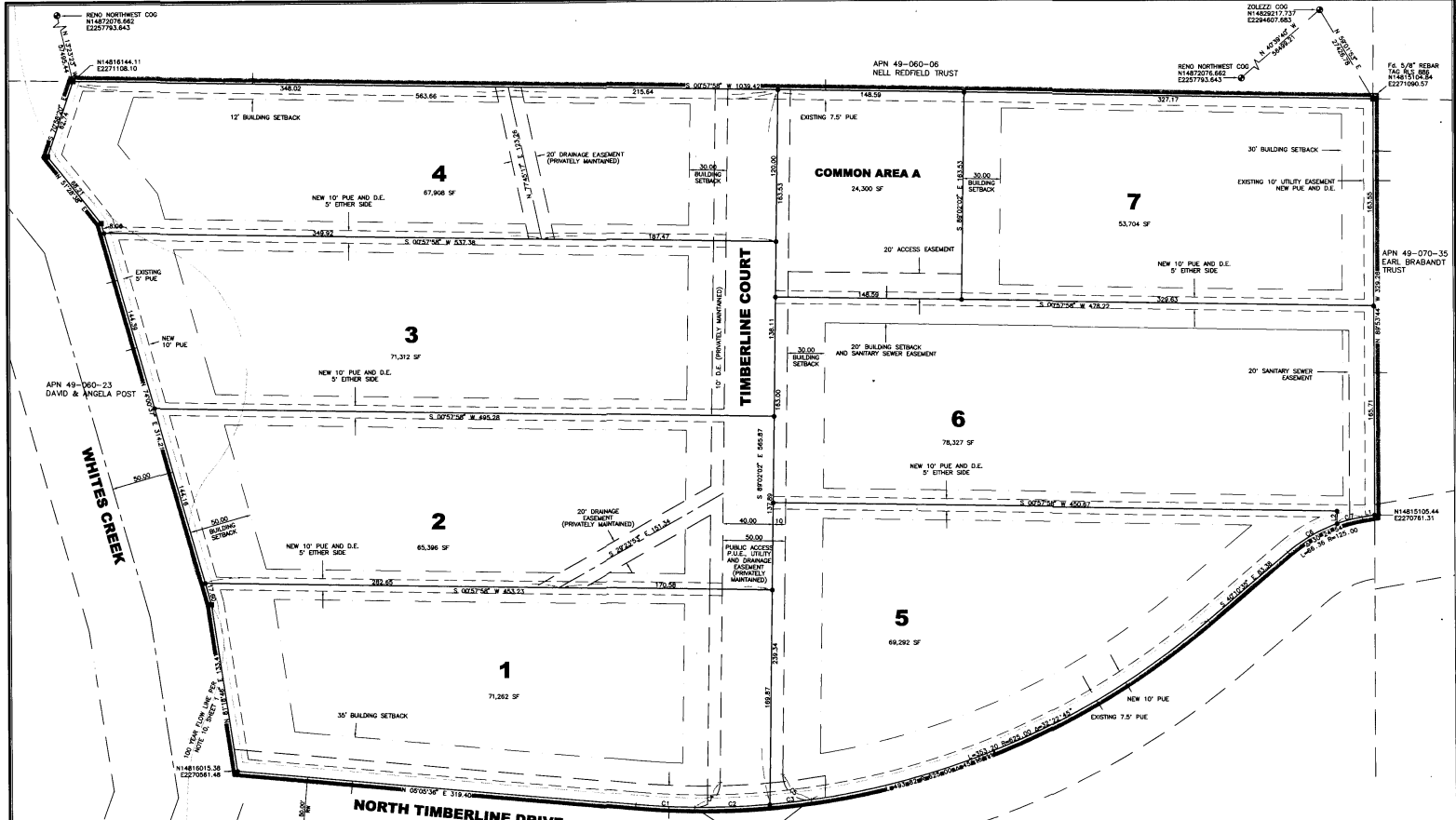
246242B

Subdivision Tract Map 3859

AB15-004 EXHIBIT E

3859

3859A



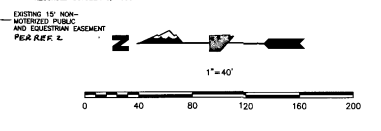
BASIS OF BEARINGS:
OBSERVED ON MARCH 25, 2000 USING WASHOE COUNTY CONTINUOUS OPERATING GPS BASE STATIONS ZOLEZZ AND RENO NORTHWEST VALUES AS PER INFORMATION PUBLISHED ON SEPTEMBER 30, 1998 AND MODIFIED BY MULTIPLYING SAID PUBLISHED VALUES BY A GRID TO GROUND SCALE FACTOR OF 1.000197339. BEARINGS ON THIS MAP ARE 0.48131° GREATER IN AZIMUTH THAN REFERENCES 1 TO 4. COMPUTATIONAL ROUNDING MAY RESULT IN BEARING DIFFERENCES ON THIS MAP OF EITHER 0.48131° OR 0.48132° WITH SAID REFERENCES.

LINK	BEARING	DISTANCE
L1	S. 08°48'41" E	10.09
L2	S. 86°53'44" E	10.11

COURSE	BEGIN	END	LENGTH	CHORD
C1	04230.00'	625.00'	47.87	47.86
C2	05230.17'	625.00'	60.63	60.61
C3	05030.15'	625.00'	33.32	33.31
C4	89°47'39"	20.00'	31.34	28.23
C5	94°45'06"	20.00'	34.47	30.36
C6	37°24'59"	125.00'	45.62	45.32
C7	09°30'57"	125.00'	20.78	20.73

- LEGEND:**
- FOUND 5/8" REBAR, PLS 4787 OR OTHERWISE NOTED
 - SET 5/8" REBAR, PLS 6995
 - ⊙ GEODETIC CONTROL POINT
 - C.O.G. WASHOE COUNTY CONTINUOUS OPERATING GPS STATION
 - BUILDING SETBACK LINE (12' UNLESS OTHERWISE NOTED)
 - - - PUBLIC UTILITY EASEMENT
 - - - DRAINAGE EASEMENT
 - - - 100 YEAR FLOOD LINE

- REFERENCES:**
- 1) MAP OF DIVISION INTO LARGE PARCELS FOR NELL J. REDFIELD REVOCABLE TRUST AGREEMENT, DIVISION OF LAND MAP 113, FILE NUMBER 1234835, RECORDED MAY 14, 1988
 - 2) PARCEL MAP FOR JAMES A. TAYLOR, PARCEL MAP 2728, FILE NUMBER 1693410, RECORDED JULY 20, 1993.
 - 3) RECORD OF SURVEY FOR JAMES A. TAYLOR, SURVEY MAP 2784, FILE NUMBER 1836447, RECORDED SEPTEMBER 6, 1994.
 - 4) SECOND PARCEL MAP FOR JAMES A. TAYLOR TRUST, PARCEL MAP 3436, FILE NUMBER 2280443, RECORDED OCTOBER 5, 1994.



TOTAL AREA = 11.51 ACRES
TOTAL LOTS = 7
TOTAL LOT AREA = 10.96 ACRES
TOTAL PARCELS = 1
COMMON AREA = 24,300 SQUARE FEET

2462428 B:25 AM + 07-JUL-2000

OFFICIAL PLAT
 OF
WHITE ROSE ESTATES
 PHASE 1
 A DIVISION OF A PORTION OF PARCEL B OF P.M. 3436
 LOCATED IN A PORTION OF
 SECTION 34, T8N, R19E, M.D.M.

WASHOE COUNTY NEVADA

by VOWES_V22022\Print\Print.dwg

SUMMIT ENGINEERING CORPORATION
 CONSULTING ENGINEERS AND SURVEYORS
 5400 W. LANE AVE., RENO, NEVADA 89523
 (775) 727-8888

SHEET 2 OF 2

Subdivision Tract Map 3859 A

AB15-004
 EXHIBIT E

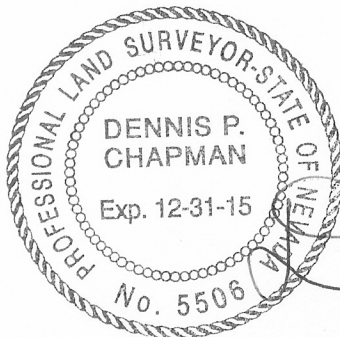
APR 2004 03:52PM
 J:\PROJECTS\3859A\3859A.DWG
 3859A.DWG
 2462428

3859A
 CUMULATIVE REVISIONS
 FOR ANY SUBSEQUENT
 CHANGES TO THIS MAP

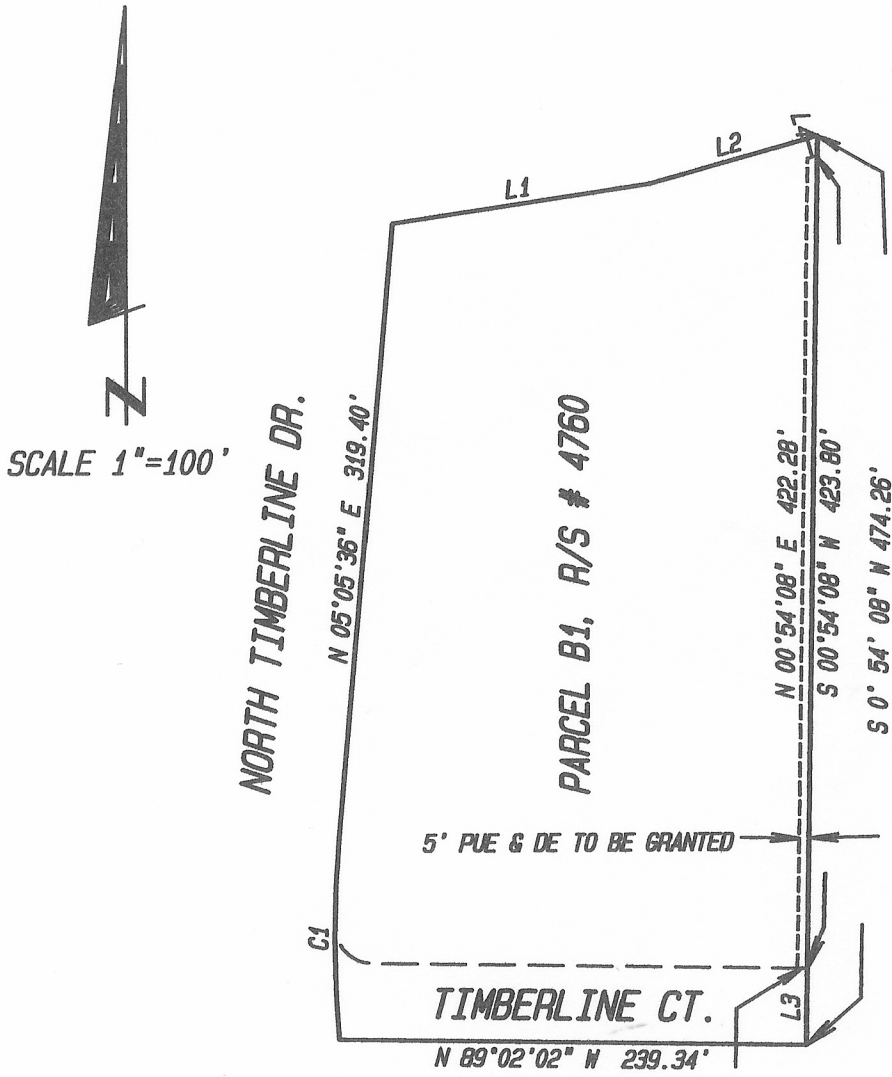
A parcel of land located within the Northwest $\frac{1}{4}$ of section 34 , Township 18 North Range 19 East, M.D.M. described as follows:

Commencing at the Southeast corner of parcel B1 of record of survey number 4760, recorded under file number 3406987 on June 28, 2006 official records of Washoe County;
thence North $0^{\circ} 54' 08''$ East along the East line of said parcel B1, 40.00 feet to the point of beginning;
thence North $89^{\circ} 02' 02''$ West, 5.00 feet;
thence North $0^{\circ} 54' 08''$ East, 422.28 feet;
thence North $74^{\circ} 00' 37''$ East, 5.23 feet;
thence South $0^{\circ} 54' 08''$ West, 423.80 feet to the point of beginning.

Basis of Bearing for this description is Nevada state plane coordinate system West zone NAD 83/94.



Dennis P. Chapman
2548 Rampart Terrace
Reno, Nevada 89519



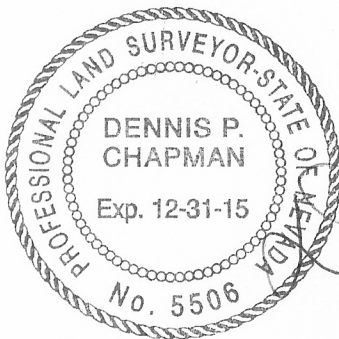
LINE	BEARING	DISTANCE
L1	N 81°18'46" E	133.41
L2	N 74°00'37" E	89.68
L3	N 00°54'08" E	40.00
L4	N 74°00'37" E	5.23

CURVE	ARC	DELTA	RADIUS
C1	107.30	09°50'10"	625.00

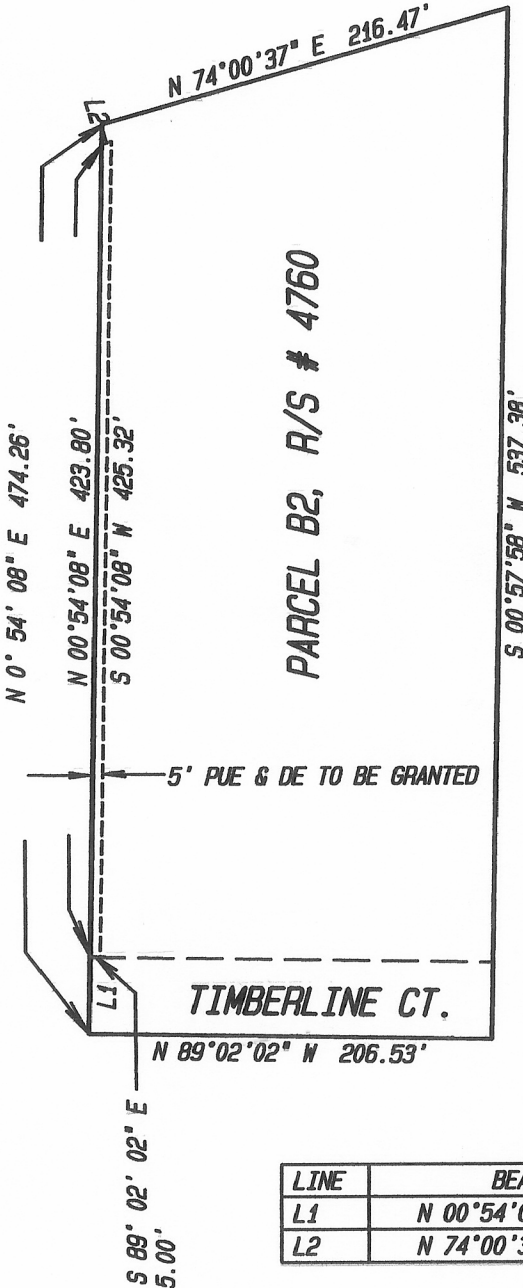
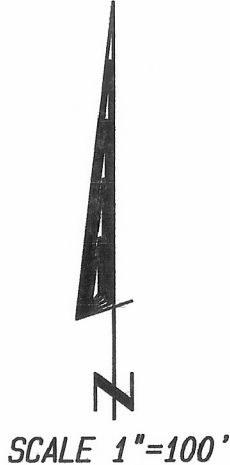
A parcel of land located within the Northwest $\frac{1}{4}$ of section 34 , Township 18 North Range 19 East, M.D.M. described as follows:

Commencing at the Southeast corner of parcel B1 of record of survey number 4760, recorded under file number 3406987 on June 28, 2006 official records of Washoe County;
thence North $0^{\circ} 54' 08''$ East along the East line of said parcel B1, 40.00 feet to the point of beginning;
thence South $89^{\circ} 02' 02''$ East, 5.00 feet;
thence North $0^{\circ} 54' 08''$ East, 425.32 feet;
thence South $74^{\circ} 00' 37''$ West, 5.23 feet;
thence South $0^{\circ} 54' 08''$ West, 423.80 feet to the point of beginning.

Basis of Bearing for this description is Nevada state plane coordinate system West zone NAD 83/94.



Dennis P. Chapman
2548 Rampart Terrace
Reno, Nevada 89519

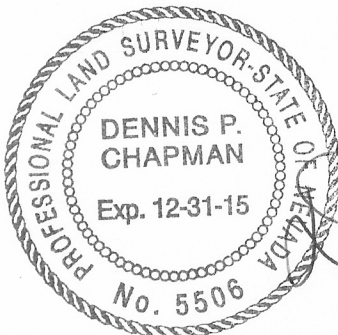


LINE	BEARING	DISTANCE
L1	N 00°54'08" E	40.00
L2	N 74°00'37" E	5.23

A parcel of land located within the Northwest $\frac{1}{4}$ of section 34 , Township 18 North Range 19 East, M.D.M. described as follows:


Commencing at the Southeast corner of parcel B1 of record of survey number 4760, recorded under file number 3406987 on June 28, 2006 official records of Washoe County;
thence North $0^{\circ} 54' 08''$ East along the East line of said parcel B1, 40.00 feet;
thence North $89^{\circ} 02' 02''$ West, 64.43 feet to the point of beginning;
thence North $0^{\circ} 57' 58''$ East, 404.30 feet;
thence South $74^{\circ} 00' 37''$ West, 10.45 feet;
thence South $0^{\circ} 57' 58''$ West, 401.25 feet;
thence South $89^{\circ} 02' 02''$ East, 10.00 feet to the point of beginning.

Basis of Bearing for this description is Nevada state plane coordinate system West zone NAD 83/94.

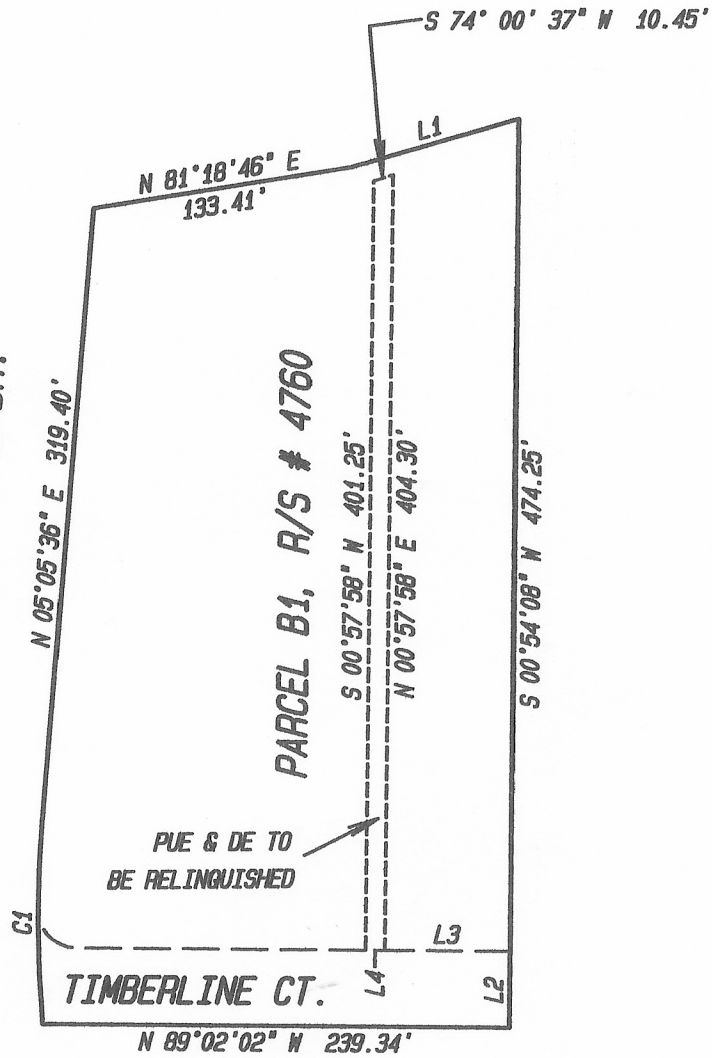


A handwritten signature in black ink, appearing to read "D. Chapman", written over the right side of the professional seal.

Dennis P. Chapman
2548 Rampart Terrace
Reno, Nevada 89519


 SCALE 1"=100'

NORTH TIMBERLINE DR.



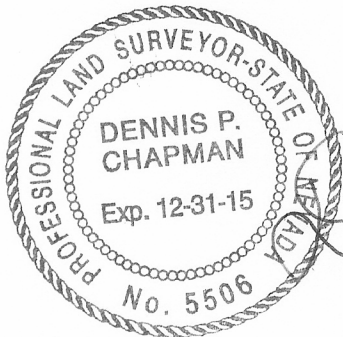
LINE	BEARING	DISTANCE
L1	N 74°00'37" E	89.68
L2	N 00°54'08" E	40.00
L3	N 89°02'02" W	64.43
L4	S 89°02'02" E	10.00

CURVE	ARC	DELTA	RADIUS
C1	107.30	09°50'10"	625.00

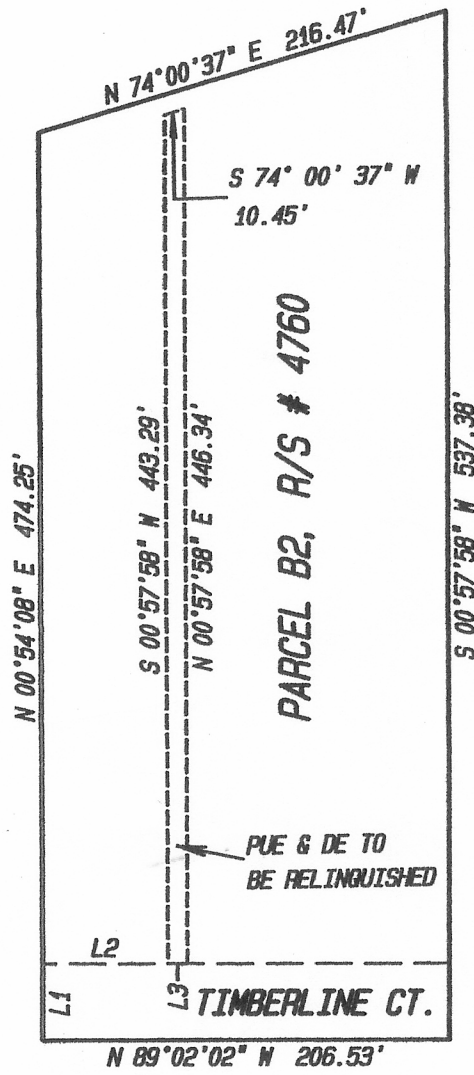
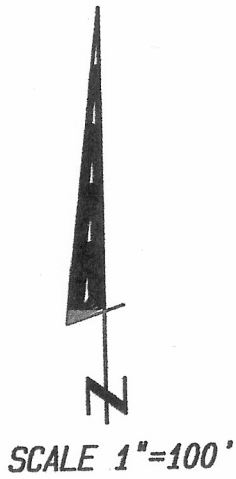
A parcel of land located within the Northwest $\frac{1}{4}$ of section 34 , Township 18 North Range 19 East, M.D.M. described as follows:

Commencing at the Southeast corner of parcel B1 of record of survey number 4760, recorded under file number 3406987 on June 28, 2006 official records of Washoe County;
thence North $0^{\circ} 54' 08''$ East along the East line of said parcel B1, 40.00 feet;
thence South $89^{\circ} 02' 02''$ East, 63.46 feet to the point of beginning;
thence North $0^{\circ} 57' 58''$ East, 443.29 feet;
thence North $74^{\circ} 00' 37''$ East, 10.45 feet;
thence South $0^{\circ} 57' 58''$ West, 446.34 feet;
thence North $89^{\circ} 02' 02''$ West, 10.00 feet to the point of beginning.

Basis of Bearing for this description is Nevada state plane coordinate system West zone NAD 83/94.



Dennis P. Chapman
2548 Rampart Terrace
Reno, Nevada 89519

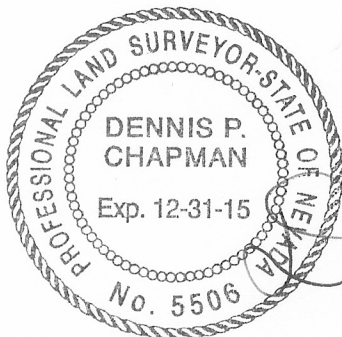


LINE	BEARING	DISTANCE
L1	N 00°54'08" E	40.00
L2	S 89°02'02" E	63.46
L3	S 89°02'02" E	10.00

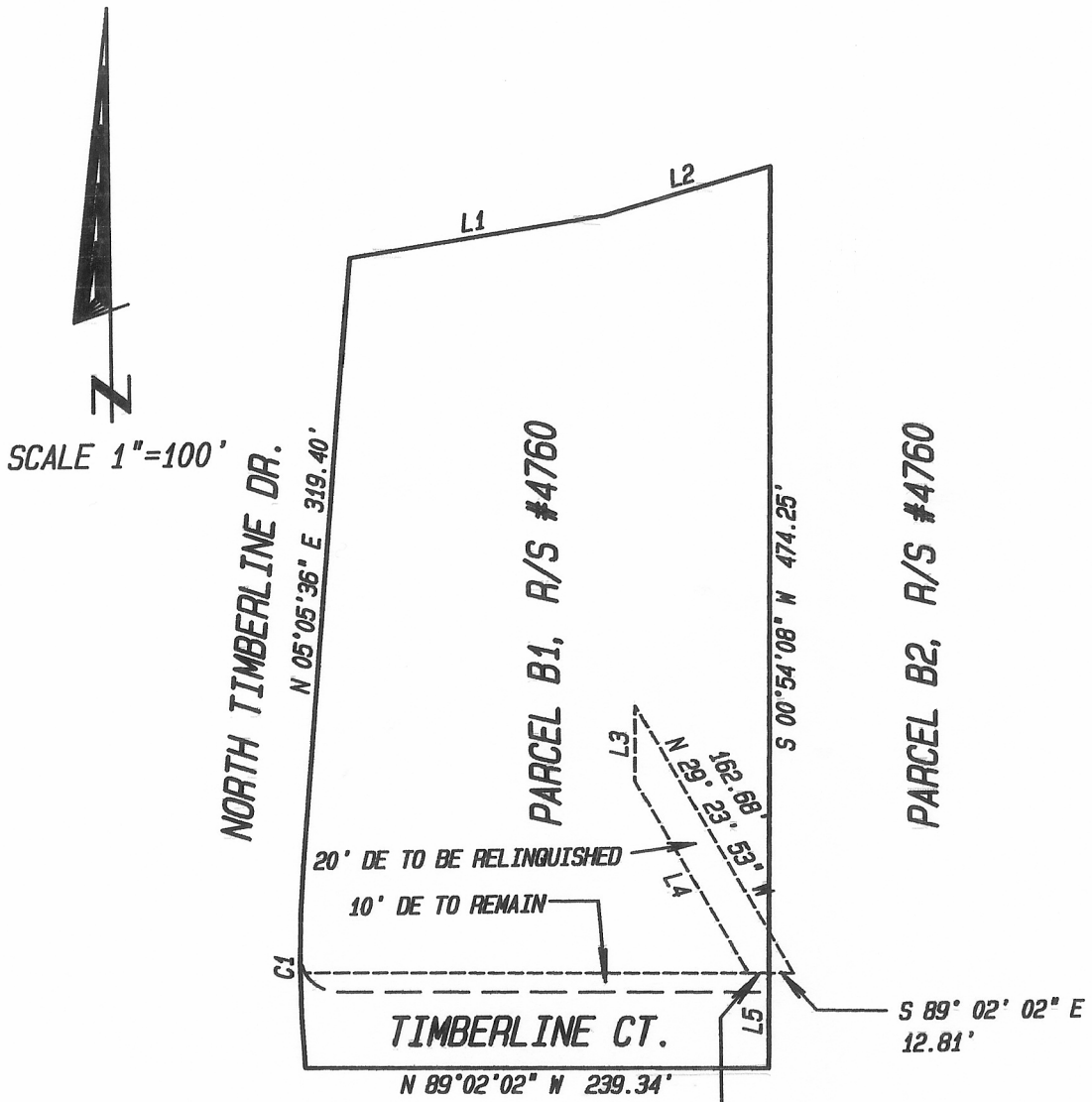
A parcel of land located within the Northwest ¼ of section 34 , Township 18 North Range 19 East, M.D.M. described as follows:

Commencing at the Southeast corner of parcel B1 of record of survey number 4760, recorded under file number 3406987 on June 28, 2006 official records of Washoe County;
thence North 0° 54' 08" East along the East line of said parcel B1, 50.00 feet to the point of beginning;
thence South 89° 02' 02" East, 12.81 feet;
thence North 29° 23' 53" West, 162.68 feet;
thence South 0° 57' 58" West, 39.57 feet;
thence South 29° 23' 53" East, 116.52 feet;
thence South 89° 02' 02" East, 10.37 feet to the point of beginning.

Basis of Bearing for this description is Nevada state plane coordinate system West zone NAD 83/94.



Dennis P. Chapman
2548 Rampart Terrace
Reno, Nevada 89519



LINE	BEARING	DISTANCE
L1	N 81°18'46" E	133.41
L2	N 74°00'37" E	89.68
L3	S 00°57'58" N	39.57
L4	S 29°23'53" E	116.82
L5	N 00°54'08" E	50.00

CURVE	ARC	DELTA	RADIUS
C1	107.30	09°50'10"	625.00

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION is made as of this 7th day of July, 2000, by **The JAMES A. TAYLOR TRUST, dba White Rose Development Company**, hereinafter "**Declarant**".

Declarant hereby declares that the property shall be held, conveyed, sold, encumbered, leased, rented, used, occupied, improved, or otherwise affected in any manner, subject to the declarations, limitations, easements, covenants, conditions and restrictions set forth in this declaration, all of which are hereby declared to be in furtherance of a general plan for the development, improvement, and sale of the Property, and are further declared to be for the purposes of enhancing, maintaining and protecting the value and attractiveness thereof. All provisions herein shall be deemed to be covenants running with the land or as equitable servitudes, or as liens, as the case may be, and shall constitute benefits and burdens to the Declarant and its successors in interest.

ARTICLE 1

A. Definitions:

Unless the context clearly indicates a different meaning therefore, the following words, phrases or terms as hereinafter used in this Declaration (regardless of the tense or person in which the same may be used) shall be deemed to mean and shall be defined as hereinafter in this Article I set forth:

1. Architectural Committee:

"Architectural Committee" shall mean The White Rose Architectural Committee.

2. Articles of Incorporation:

"Articles of Incorporation" or "Articles" means the Articles of Incorporation of the Association as the same may be amended from time to time.

3. Association:

"Association" means **THE WHITE ROSE ASSOCIATION**, a Nevada non-profit corporation, the members of which shall be all of the Owners of the Subject Property as hereinafter defined.

4. Association Member:

Association "Member" means the Owner of a Lot, and in the event there is more than one Owner of a Lot, "Association Member" or "Member" shall refer to all such



Owners collectively as a group. The original incorporators of the Association, whether or not such incorporators are Owners, shall be deemed to be Members for the sole purpose of complying with the provisions of NRS 1.450 and the status of each incorporator as a Member shall terminate upon convening the first meeting of the Members (unless an incorporator is also an Owner). Unless such incorporators are also Owners, such incorporators shall have no rights, duties, liabilities or obligations as Members, or otherwise, under this Declaration or the Articles or Bylaws.

5. Common Area:

“Common Area” means any portion of the Subject Property designated as a common area on the final subdivision map of the Subject Property as filed with the County Recorder of Washoe County, Nevada and includes, but is not limited to designated open spaces, public access easements, common areas, water detention basins or drainage facilities that are required to be privately maintained by the Association.

6. Master Declaration:

“Master Declaration” means the Declaration of Restrictive Covenants and Grant of Easement, as recorded in the office of the County Recorder of Washoe County, Nevada, or as amended by Supplemental Declaration from time to time.

7. Owner:

“Owner” means any person or entity who or which has a fee interest in a Lot, and the successors, assigns, heirs, devisees or personal representatives of such person or entity.

ARTICLE II

A. Incorporation of Existing Restrictions:

To the extent that all or any portion of the Subject Property shall heretofore have been made subject to any conditions or restrictions of use by a recorded instrument or instruments, the Association and each member thereof shall abide by any such conditions or restrictions.

ARTICLE III

A. Use and Occupancy:

1. Land Use:

Only single family dwellings and such outbuildings as are usually accessory thereto (as may be specifically permitted by the Committee), shall be permitted on any lot



designated as single family residential.

2. Accessory Outbuildings:

No accessory outbuildings, e.g. garages or sheds, (as approved by the Committee) shall be erected on any lot prior to the erection thereon of a dwelling. Motor homes must be sheltered from view from the road and not parked in front of the residence. In no event shall any temporary structure or trailer or motor home or tent ever be used for human habitation. Only such guest houses or servants' quarters or motor home shelter as may be approved in writing by the Committee as an accessory outbuilding shall be constructed and all unattached accessory outbuildings may be constructed only as approved in writing by the Committee. No accessory building shall be placed closer than fifty (50) feet from Whites Creek.

3. Completion of Construction:

Construction of any building or improvement once commenced shall be pursued diligently to completion. Improvements or construction upon which work has ceased for a period of ninety (90) days, without just cause, may be deemed to be a nuisance and the Association may remove any such nuisance or repair or complete the construction if the Owner has not commenced the required work within thirty (30) days from the Association or the Declarant posting a notice to commence such work upon the property and mailing a copy of such notice to the Owner at the address appearing on the books of the Association.

4. Minimum Area:

Each dwelling constructed shall have fully enclosed floor area (exclusive of roofed or unroofed porches, terraces, garages, carports, guest houses or other outbuildings) not less than two thousand five hundred (2,500) square feet.

5. Building Envelope:

The Declarant shall establish a building envelope and recommended point of access for each lot. This envelope will be based upon the topography of the lot and its relationship to neighboring lots, and any unique features that the lot may have. The size and shape of the building envelope may vary from lot to lot. In general, all building construction shall be confined to the building envelope area. If, in the opinion of the Committee, the building envelope shall cause the lot owner undue hardship, in locating his home or accessory improvements, variances may be granted by the Committee. No structure shall be placed closer than fifty (50) feet from Whites Creek.



6. Owner's Conduct:

An Owner shall not interfere with the rights of other Owners, the Association or the Declarant, nor intentionally or unintentionally annoy other Owners or any of the occupants of Subject Property by unreasonable noises, offensive odors, improper or unneighborly conduct. No noxious or offensive activities or nuisances shall be permitted on any lot or parcel. No refuse, unsightly or abandoned vehicles, debris, noxious materials, discarded personal effects, construction materials not intended for immediate use or similar matter shall be permitted on any lot or parcel.

7. Fire Breaks and Re-Vegetation:

The Association shall develop and administer a plan to insure that minimum fuel breaks are prescribed and maintained. Areas graded and/or disturbed but not built on or ornamentally landscaped shall be re-vegetated within thirty (30) days of completion of construction activity and temporary irrigation will be provided by the owner as required. A property line 20 foot minimum fuel break shall be maintained.

8. Maintenance of Lots:

All lots and parcels, whether vacant or improved, occupied or unoccupied, and any improvements placed thereon, shall at all times be maintained in such manner as to prevent their becoming unsightly, unsanitary or a health or fire hazard. If not so maintained, the Association shall have right, after giving thirty (30) days notice, through its agents or employees to undertake such work and may be necessary or desirable to remedy the unsightly, unsanitary or unsafe condition(s) and the cost of such work shall be added to and become a part of the annual assessment to which lot is subject. Each Owner shall have the affirmative duty to keep the exterior of such Owner's Residential Unit and all decks, walks, fences and other structures on such Owner's Lot in good condition and repair.

9. Construction or Alterations of Improvements:

No person shall construct any improvements nor shall any person alter any existing structure without the prior written approval made after written application to the Architectural Committee in the manner and forms prescribed by it.

10. Roof Covering:

All roofs shall be covered with roofing materials per County Code, in earth tones or in green metal roofs. No blue roofs shall be authorized.



11. Fences:

All fences constructed shall conform to the adopted fencing plan and shall conform as to location, materials, heights and styles. Lots 1, 2, 3 and 4 shall be limited to open style fencing such as split rail or other materials as approved by the Architectural Committee. All property lines from single family dwelling houses to the street shall be kept free and open. There shall be no fences or walls over four (4) feet in height anywhere within the development without Committee approval. There shall be no chainlink, woven wire or any type of wire fence within the Development except for backyard pet enclosures or swimming pool enclosures as approved by the Committee. All fences and walls shall be approved by the Committee as in the case of all other structures. Nothing contained herein shall prevent necessary erection or maintenance of retaining walls required by the terrain or topography and as approved by the Committee. All fencing shall conform to County Code.

12. Sewage Disposal:

Each lot shall, at the owner's expense, shall connect to the community sewer within sixty (60) days of when such service becomes available. The on-site sewage disposal system must be properly abandoned in accordance with the Washoe County District Health Department regulations and standards.

13. Solid Waste:

Solid Waste Disposal shall be as set forth in Washoe County Solid Waste Management Regulations, Section 040.0005 through 040.110 and service shall be provided by Reno Disposal or other authorized Waste Disposal provider.

14. Signs:

No signs shall be permitted on any Lot except one "FOR SALE" or "FOR LEASE" sign with an area not exceeding four (4) square feet which may be placed on the front yard of the Lot being sold or leased.

15. Swimming Pools:

No above-ground swimming pools shall be constructed.

16. Animals:

No animals including horses shall be kept or maintained on any lot except the usual household pets not kept for commercial purposes. All pets shall be kept reasonably confined so as not to become a nuisance. Household pets shall not unreasonably interfere



with the comfort, privacy or safety of other owners. No household shall have more than two (2) such household pets.

ARTICLE IV

A. Association:

1. Ownership of Common Area:

Promptly after recording of the Declaration of CC&R's, Declarant shall convey title to any Common Areas of the Subject Property, including but not limited to "Timberline Court", to the Association, and the Association shall accept such conveyance.

2. Membership and Voting Rights:

Declarant shall, immediately following the recordation of the Declaration, cause the Articles of Incorporation to be filed with the Secretary of State of the State of Nevada. There shall be and there is hereby issued effective upon filing the Articles, one membership in the Association appurtenant to each Lot. No membership may be severed or separated from the Lot to which it is appurtenant, and any sale, transfer or conveyance of such Lot shall operate to sell or transfer the appurtenant membership without the requirement of express reference thereto.

Except as herein specifically provided, each Association Member shall be entitled to one vote for each Lot owned by such Association Member. In the case of a Lot held by two or more Owners, the voting power shall be exercised by only one Owner who shall be designated in writing by all the Owners, or in the absence of such designation by the Owners, shall be selected by the Board. Declarant shall have three votes for each Lot owned by Declarant, (whether or not the Residential Unit thereon has been constructed) until such times as seventy percent (70%) of the Lots within the subject Property have been sold by Declarant. At such time as 70% of the proposed Lots are sold, Declarant shall have one vote for each Lot owned by Declarant.

3. Powers and Duties:

a. General Powers. The Association shall have all the powers of a non-profit corporation organized under the laws of the State of Nevada. The Association shall act by and through its Board of Directors which shall be composed of Association Members.

b. Powers to Enforce the Declaration. The Association shall have the power, to be exercised in the sole discretion of the Association, to commence and prosecute legal actions, in its own name and on its own behalf, to enforce the provisions of this Declaration and any Rules and Regulations adopted pursuant hereto, or to restrain and enjoin any actual



or threatened breach of any such provision, and/or recover damages as result of such breach.

c. Rules and Regulations. The Association (acting through its Board of Directors) shall have the power to adopt and amend and repeal in whole or in part, such Rules and Regulations regarding use of any Common Area which it deems, in its sole discretion, to be reasonable, provided, however, that such Rules and Regulations shall not be inconsistent with the provisions of this Declaration of CCR's, the Articles or Bylaws.

d. Duties of the Association. In addition to the duties delegated to it by its Articles or the Bylaws, and without limiting their generality, the Association, acting by and through the Board, shall conduct all business affairs of the Association of common interest to all Owners and to perform each of the following duties:

i. Assessments. The Association shall have the duty to establish, fix, levy and collect assessments against the Owners, including but not limited to transfer fees, and to enforce the payment of such assessments, in accordance with the provisions of this Declaration. Assessments levied by the Association shall be a lien or charge upon a members individual real property until paid.

ii. Maintenance. The Association shall, in perpetuity, be expressly required to maintain, repair or otherwise manage to high standards all common area property, including but not limited to designated open spaces, Timberline Court, privately maintained drainage facilities or any privately maintained designated storm water detention systems or facilities. In addition, the costs incurred for this maintenance, management and repair are considered to be for the common benefit of all Owners and such costs shall be paid by the Association from assessments levied against the Owners.

4. Personal Liability of Board Members. Except to the extent such liability, damage, or injury is covered by any type of insurance, no member of the Board, or of any committee of the Association, or any officer of the Association,, or any Manager, or Declarant, or any agent of Declarant, shall be personally liable to any Owner, or to any other party, including the Association, for any damage, loss, or prejudice suffered or claimed on account of any act, omission, error, or negligence of any such person or entity if such person or entity had, on the basis of such information as may be possessed by him or it, acted in good faith without willful or intentional misconduct.

5. Architectural Committee:

The Association shall form an Architectural Committee.

a. The original Architectural Committee shall consist of the Declarant until such time as 70% of the Lots are sold.



b. From and after the date 70% of the Lots are sold the Architectural Committee shall consist of three (3) Members appointed by the Owners of a majority of Lots within the Subject Property. At least one (1) member of the Architectural Committee shall be an Owner of a Lot.

c. Remodeling, adding to existing structures, or making structural changes shall require the Owner to submit complete plans to the Architectural Committee for approval. In the event an Owner desires to repaint the exterior of any structure, the Owner shall submit the color scheme to the Architectural Committee for approval. Failure of the Architectural Committee to comment on any application within forty-five (45) days from receipt by the Architectural Committee of the application shall be deemed approval of the application by the Architectural Committee. Architectural Committee comments with respect to any application shall be strictly followed. If requested by the Architectural Committee applications must be re-submitted to the Architectural Committee, in which case the Architectural Committee shall have forty-five (45) days after the re-submission to comment thereon.

ARTICLE V

A. Repair and Restoration:

1. Residential Unit:

In the event a Residential Unit is damaged or destroyed, the Owner shall forthwith prepare plans and specifications for the repair or replacement of the Residential Unit. The Owner shall submit said plans to the Architectural Committee and no work shall be commenced and no structure shall be constructed, altered, or repaired and no structures shall be painted or repainted until the approvals of the above Architectural Committee has been obtained. All work of repair and reconstruction shall be completed within six (6) months from the date of damage or destruction.

ARTICLE VI

A. Easements:

1. Reservation:

There are hereby specifically reserved for the benefit of the Association, for each Owner severally, as their respective interest shall obtain, the easements and rights of way as particularly identified in the final subdivision map of the Subject Property as filed with the County Recorder of Washoe County, Nevada. Said reservation specifically includes the street denominated as "Timberline Court".



2. Utilities:

There is reserved for the benefit of each Residential Unit as dominant tenement, an easement for utility services over, under, and through the Subject Property, as the servient tenement.

3. Rights of Association:

There is reserved to the Association, as an easement in gross of which all of the Subject Property shall be the servient tenement, as easements of entry and of access for the installation and maintenance of utility lines, utility meter boxes, landscaping and Common Facilities, and for the performance generally of its rights and duties as provided in this Declaration.

B. Miscellaneous:

1. Construction and Validity of Restrictions:

All of said restrictions, conditions, covenants, reservations, liens, and charges contained in this Declaration shall be construed together, but if it shall at any time be held that any one or more of such restrictions, conditions, covenants, reservations, liens, or charges, or any part thereof, is invalid or for any reason becomes unenforceable, no other restriction, condition covenant, reservation, lien or charge or any part thereof, shall be thereby affected or impaired.

2. Assignment of Powers:

Any and all rights and powers of Declarant provided for in this Declaration, and any modification or amendment hereof, may be delegated, transferred, assigned, conveyed or released by Declarant to the Association, and the Association shall accept the same upon the recording of a notice thereof and the same shall be effective for the period and to the extent stated therein.

3. Notice of Transfer:

Immediately after any transfer of title to any Lot, either the transferring Owner or the acquiring Owner shall give notice to the Board of such Transfer, including the name and address of the acquiring Owner and the date of transfer. Upon the conveyance, sale, assignment, or other transfer of a Lot to a new Owner, the transferring Owners shall not be liable for any Assessments levied with respect to such Lot after notification of the Association of such transfer and payment of a transfer fee as prescribed by the Association.



4. Notices Generally:

All notices hereunder to the Association or the Board shall be sent by registered or certified mail to the Board at the Project, to such other address as the Board may designate from time to time by notice in writing to all Owners. All notices to any Owner shall be sent by registered or certified mail addressed to his Residential Unit or to such other address as may be designated by such Owner from time to time, in writing, to the Board. All notices shall be deemed to have been given which mailed except notices of change of address which shall be deemed to have been given when received.

5. Enforcement, Waiver and Exemptions:

a. In addition to the rights of enforcement granted to the Association, any Owner shall have the right (but not the duty) to enforce any and all of the covenants, conditions and restrictions now or hereafter imposed by this Declaration upon the Owners or upon any of the Property, in the event the Association fails, refuses or neglects to act.

b. Any violation of any state, municipal or local law, ordinance, or regulation pertaining to the ownership, occupation, or use of any portion of the Property is hereby declared to be in violation of this Declaration and subject to any or all of the enforcement procedures herein set forth.

c. The failure by the Association or of Declarant or any Owner to enforce any of the restrictions, conditions, covenants, reservations, liens, or charges contained herein, shall in no event be deemed a waiver of the right to do so thereafter or to enforce any other restriction, condition, covenant, reservation, lien or charge.

d. Washoe County is hereby made an intended third party beneficiary as to any of the provisions of the covenants, conditions and restrictions that affect the public health, safety and welfare such as any provision pertaining to fuel breaks, vegetation, sewage disposal, storm drainage, flood control, solid waste disposal, or maintenance and removal obligations in connection with public access easements, with full power and authority to enforce the provisions of such covenants, conditions and restrictions in the same manner as the Association or Owners as provided in this Declaration and as provided by applicable law.

6. Successors in Interest:

References herein to either the Association or Declarant shall include each successor to the affairs of such, and each such successor shall succeed to the rights powers and authority hereunder of such to whose affairs it succeeds.



7. Amendments:

Except as otherwise provided in these Articles, the covenants, restrictions, reservations and conditions herein contained shall remain in full force and effect for a period of twenty five (25) years from the date hereof. No modifications, or amendment of this Declaration shall be effective or binding upon any party or upon any real property subject hereto or benefitted hereby unless an instrument in writing shall be duly recorded and unless it be executed by the Owners of not less than seventy-five percent (75%) of the Residential Units then subject to this Declaration. During such twenty five (25) year period, this Declaration shall not be terminated and the covenants, conditions and restrictions contained herein shall not be released from the subject property except as provided herein.

IN WITNESS WHEREOF, The JAMES A. TAYLOR TRUST, dba White Rose Development Company, has caused this Declaration to be executed by its duly authorized attorney in fact, this 7th day of July, 2000.

The JAMES A. TAYLOR TRUST, dba
White Rose Development Company

By: _____


James A. Taylor, Trustee

JAMES A. TAYLOR, Trustee

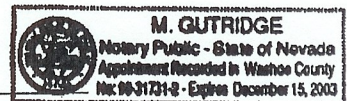


STATE OF NEVADA)
) ss
COUNTY OF WASHOE)

This instrument was acknowledged before me on the 7th day of July, 2000, by James A. Taylor as Trustee of the James A. Taylor Trust, dba White Rose Development Company.



NOTARY PUBLIC
(My commission expires 12-15-03)



When Recorded Mail to:
James A. Taylor
2395 Harbor Circle
Reno, Nevada 89509

DOC # 2462430
07/07/2000 11:11A Fee:18.00
BK1
Requested By
SUMMIT ENGINEERING
Washoe County Recorder
Kathryn L. Burke - Recorder
Pg 12 of 12 RPT 0.00



APN: 049-860-07, 049-860-11,
049-860-02, 049-860-12,
049-860-03, 049-860-08

DOC # 4431390

01/30/2015 04:32:10 PM

Requested By

VANDUYNE LAW GROUP

Washoe County Recorder

Lawrence R. Burtness - Recorder

Fee: \$19.00 RPTT: \$0.00

Page 1 of 3

When recorded, mail to:

Sheila D. Van Duyne, Esq.
Van Duyne Law Group
1575 Delucchi Lane Suite 215
Reno, NV 89502



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)

FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS

WHEREAS, this First Amendment to Declaration of Covenants, Conditions and Restrictions is made this 27th day of January, 2015, by the Residential Unit Owners, in accordance with the amendment provisions set forth in the original Declaration of Covenants, Conditions and Restrictions dated July 7, 2000, recorded as Document 2462438 against buildable lots known as APN: 049-860-07, 049-860-11, 049-860-02, 049-860-12, 049-860-03, 049-860-08 (“Declaration”).

WHEREAS, the Residential Unit Owners of the above identified buildable lots, approved this First Amendment of the Declaration as hereinafter set forth;

NOW, THEREFORE, the undersigned hereby acknowledge and certify that this First Amendment of the Declaration was executed and voted on by the Owners of not less than seventy-five percent (75%) of the Residential Units as evidenced by their signatures below now subject to the Declaration in accordance with the provisions set forth in ARTICLE VI B 7 of the Declaration as follows:

Article I A is amended to read:

A. 1. Architectural Committee:

“Architectural Committee” shall mean The White Rose Architectural Committee and any Residential Unit Owner who wishes to be on the Architectural Committee shall be a member.

A. 8 Residential Unit Owner:

“Residential Unit Owner” shall mean any Owner of a Lot on which a family dwelling or residence has been constructed and a certificate of occupancy has been issued for

such dwelling or residence which shall also be referred to herein as a Residential Unit.

Article III A 1 is amended to read:

A. 1. Land Use:

Only single family dwellings and such outbuildings as are usually accessory thereto (as may be specifically permitted by the Committee), shall be permitted on any lot designated as single family residential, noting that Parcel No. 049-860-11 (hereinafter known as "Lot #1") and Parcel No 049-860-02 (hereinafter known as "Lot #6"), are granted approval and permission to keep all dwellings, patios, decks, landscaping and accessory outbuildings existing as of January 27, 2015.

Article III A 9 is amended to read:

A. 9. Construction or Alterations of Improvements:

No person shall construct any improvements nor shall any person alter any existing structure without the prior written approval made after written application to the Architectural Committee in the manner and forms prescribed by it, noting that Lot #1 and Lot #6 are deemed to have been authorized and permitted to construct all structures including any decking, patios, outbuildings, landscaping and barn existing on January 27, 2015. All such structures identified herein may remain as currently in existence as of January 27, 2015.

Article III A 11 is amended to read:

A. 11. Fences:

All fences constructed shall conform to the adopted fencing plan and shall conform as to location, materials, heights and styles. Lots 2, 3 and 4 shall be limited to open style fencing such as split rail or other materials as approved by the Architectural Committee, noting that the fencing currently in existence on Lot #1 is deemed to have been authorized and approved and may remain as currently in existence on January 27, 2015. All property lines from single family dwelling houses to the street shall be kept free and open. There shall be no fences or walls over four (4) feet in height anywhere within the development without Committee approval (noting the exceptions articulated herein for Lot #1.) There shall be no chain-link, woven wire or any type of wire fence within the Development except for backyard pet enclosures or swimming pool enclosures as approved by the Committee. All fences and walls shall be approved by the Committee as in the case of all other structures. Nothing contained herein shall prevent necessary erection or maintenance of retaining walls required by the terrain or topography and as approved by the Committee. All fencing shall conform to County Code.

Article III A 16 is amended to read:

A. 16. Animals:

No animals including horses shall be kept or maintained on any lots, with the exception of Lot #1, except the usual household pets not kept for commercial purposes. All pets shall be kept reasonably confined so as not to become a nuisance. Household pets shall not unreasonably interfere with the comfort, privacy or safety of other owners. No household shall have more than two (2) such household pets. Household pets shall not be kept for purposes of breeding on any of the lots. Lot #1 is authorized and permitted, in addition to household pets, to keep alpaca, llama, and up to four (4) horses and a reasonable number of hens so long as the Lot Owner abide by any applicable City and County Codes and restrictions. The animals on Lot #1 shall be kept reasonably confined so as not to become a nuisance. Animal pens, corrals, enclosures, and other associated structures shall be kept clean and up to high standards.

Article IV A 5 b is amended to read:

b. From and after the date this First Amendment is recorded, the Architectural Committee shall consist of at least three (3) members appointed by the Owners of a majority of Lots within the Subject Property and all Residential Unit Owners shall be members of the Architectural Committee. The Residential Unit Owners shall constitute the majority of the Architectural Committee unless a Residential Unit Owner voluntarily declines to be on the Architectural Committee.

All other terms and conditions of the Declaration to remain in full force and effect.


MICHAEL BOTICH,
Residential Unit Owner

Date 1/28/15


BRETT COTHERN,
Residential Unit Owner

Date 1/28/15

ACKNOWLEDGMENT

State of Nevada)
) ss
County of Washoe)

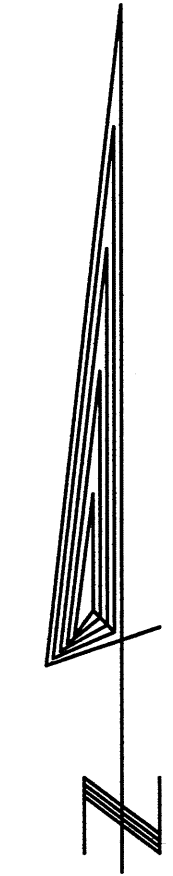
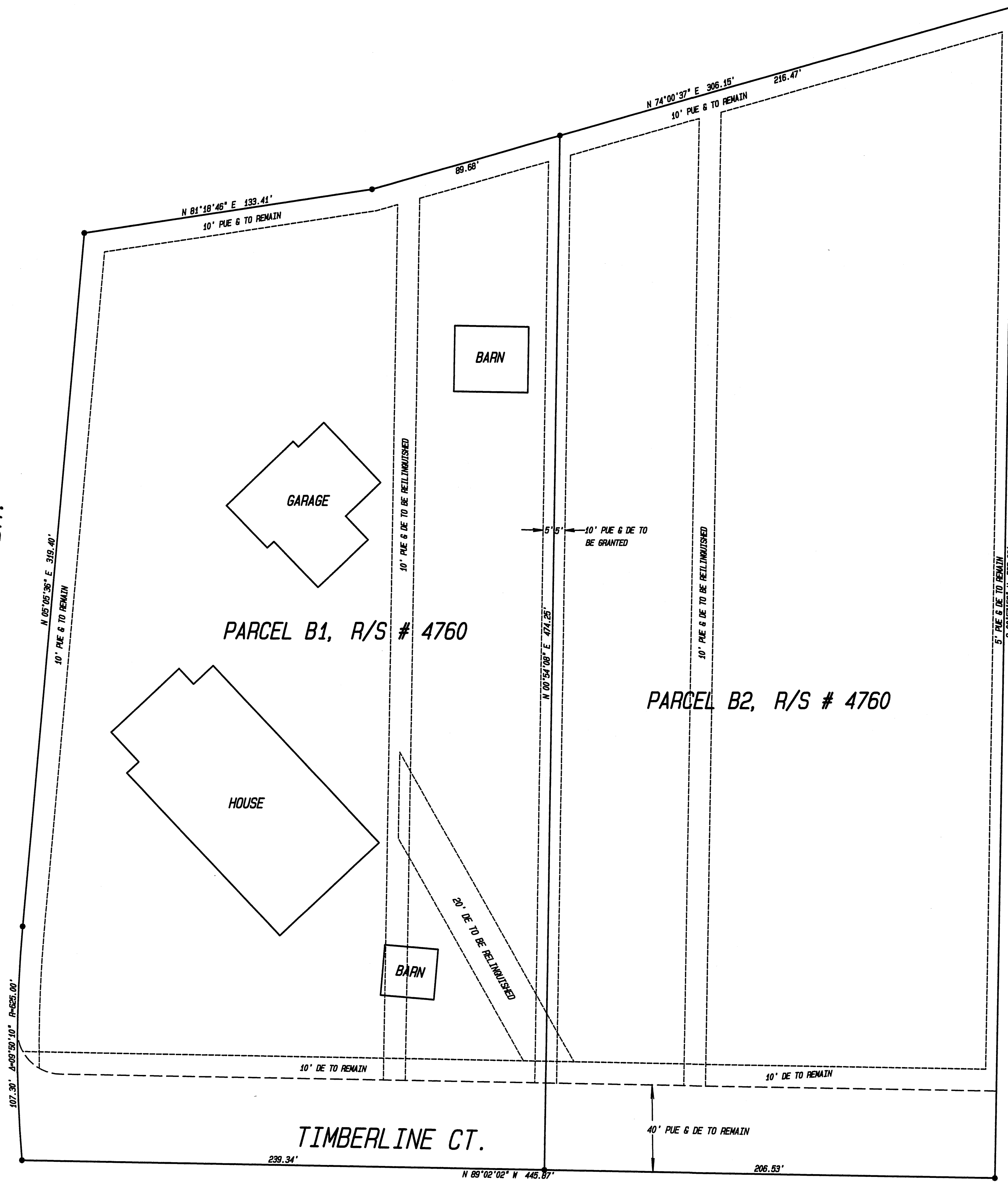
On January 28, 2015 before me, Betty A. Chronister, a Notary Public in and for the State of Nevada, personally appeared Michael Botich and Brett Cothorn, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument.

WITNESS my hand and official seal.

Signature: 



NORTH TIMBERLINE DR.



SCALE 1"=30'

NOTES:

- 1) PUE = PUBLIC UTILITY EASEMENT
- 2) DE = DRAINAGE EASEMENT

PLOT MAP
 FOR
 LYNN BOWERING & MICHAEL BOTICH
 OF PARCELS B1 AND B2 OF RECORD OF SURVEY # 4760
 JOB NUMBER BOWE2715
 PREPARED BY : LANDMARK SURVEYING
 2548 RAMPART TERRACE
 RENO, NEVADA 89519
 (775) 324-0904