

1 After recording mail to:

2 Mr. Leo A. Hanly
3 Western Nevada Properties, Inc.
4 Post Office Box 2647
5 Minden, Nevada 89423

6 SECOND AMENDMENT TO
7 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
8 AND RESERVATION OF EASEMENTS
9 OF WINHAVEN
10 A PLANNED UNIT DEVELOPMENT
11 MINDEN, DOUGLAS COUNTY, NEVADA

12 This Second Amendment, made on the date hereinafter set
13 forth by WESTERN NEVADA PROPERTIES, INC., a Nevada corporation,
14 and VICKY D. MORRISON, the owner of Lot No. 101, Winhaven Unit I
15 ("Declarants"), is made with reference to the following facts:

16 A. WESTERN NEVADA PROPERTIES, INC. is the owner of a
17 certain tract of real property located in Minden, Douglas County,
18 Nevada and more particularly described in Exhibit "1" attached
19 hereto and by this reference incorporated herein.

20 B. On or about August 25, 1989, WESTERN NEVADA PROPERTIES,
21 INC. as Declarant caused a certain Declaration of Covenants,
22 Conditions and Restrictions and Reservation of Easements of
23 Winhaven ("Declaration") to be recorded as Document No. 209465 in
24 Book 889, commencing at Page 3662 in the Official Records of the
25 Recorder for the County of Douglas, State of Nevada.

26 C. On or about September 21, 1989, WESTERN NEVADA
27 PROPERTIES, INC. as Declarant caused the First Amendment to said
28 Declaration to be recorded as Document No. 211409 in Book 989,

216430

BOOK 1289 PAGE 1383

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Pages 2909-2913 in the Official Records of the Recorder for the County of Douglas, State of Nevada.

D. As of the date of this Second Amendment to said Declaration, one lot in the Project has been sold and, therefore, paragraph 13.2.1 of said Declaration governs and controls the method by which said declaration may be amended. The parties hereto represent 100% of both the Class A and Class B memberships assenting to this Amendment.

NOW, THEREFORE, Declarants hereby amend Article VI, paragraph 6.7 entitled "Commencement of Assessments and Individual Charges" and appearing at page 31 of the Declaration, and paragraph 10.2 entitled "Effect of Annexation" appearing at page 39 of the Declaration, to read as follows:

"6.7 Commencement of Assessments and Individual Charges

Assessments and Individual Charges shall commence as to all Lots in the Project or any Phase thereof on the later of the conveyance of the Common Areas under paragraph 2.1.3 or the close of escrow for the first sale of a Lot in the Project or Phase thereof. Thereafter, Regular Assessments shall commence on the first day of the first month of the fiscal year."

"10.2 Effect of Annexation

Upon annexation of the new Phase, the annexed parcel shall become part of the Project, subject to the Project Documents and subject to the rights, powers and duties of the Association to the same extent as the first Phase of the Project. Without limiting the foregoing, the Owners of Lots in pre-existing Phase(s) shall continue to have the same rights with respect to the use of the Common Area located within their Phase(s), and shall acquire a non-exclusive easement for use, enjoyment, ingress and egress over any Common Area located within the new Phase, provided, however, that such rights will be subject to the same conditions regarding use, enjoyment, ingress and egress as governs the pre-existing Phase(s). Upon the same conditions, the Owners of Lots in the new Phase shall acquire non-

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exclusive easements for use, enjoyment, ingress and egress in both the Common Area located within the pre-existing Phase(s) and the Common Area located within the new Phase. Assessments shall commence as to all Lots in the new Phase as provided in paragraph 6.7 of this Declaration. The above-described easements over the Project are hereby reserved for the benefit of Owners of Lots in subsequent Phases."

Declarants hereby reaffirm and incorporate herein by this reference all other provisions of the Declaration and First Amendment thereto as originally recorded.

The undersigned, being the Declarants herein, have executed this Second Amendment to the Declaration on this 16th day of November, 1989.

DECLARANT:

WESTERN NEVADA PROPERTIES,
INC., a Nevada corporation

By *Leo Hanly*
Leo Hanly, President

Vicky D. Morrison
Vicky D. Morrison
Owner: Lot No. 101
Winhaven Unit I

FIRST INTERSTATE BANK OF
NEVADA

By *Jackie DeLaney*
Vice President
Jackie DeLaney, Vice President

realest\amend2.ccr

216430

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DOUGLAS COUNTY



SAFECO Stock No. CAL-0374 (Rev. 6-83) Ack. Corporation
Staple

STATE OF CALIFORNIA } s.s.
COUNTY OF Santa Barbara
On this the 16th day of November 19 89 before me,
the undersigned, a Notary Public in and for said County and State,
personally appeared Leo Hanly
personally
known to me or proved to me on the basis of satisfactory evidence to be
the President, and of Western Nevada
Properties
personally
known to me or proved to me on the basis of satisfactory evidence to be
Secretary of the corporation that executed the within
instrument on behalf of the corporation therein named, and acknow-
ledged to me that such corporation executed the within instrument
pursuant to its by laws or a resolution of its board of directors.

Signature

FOR NOTARY SEAL OR STAMP



STATE OF NEVADA

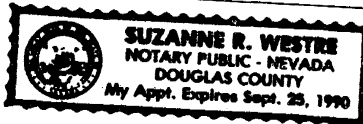
COUNTY OF Douglas } ss.

On December 1, 1989 before me, the undersigned, a Notary Public in and for
said State, personally appeared

Vicky D. Morrison

known to me to be the person whose name
subscribed to the within instrument and acknowledged to me
that she executed the same.

WITNESS my hand and official seal.



Signature Suzanne R. Westre/Reddon
Suzanne R. Westre/Reddon
Name (Typed or Printed)

(This area for official notarial seal)

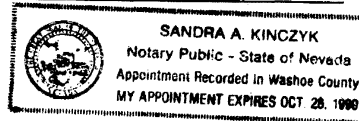
STATE OF NEVADA

COUNTY OF WASHOE } ss.

On DECEMBER 11, 1989 personally appeared before me,
a Notary Public, JACKIE DE LANEY

who acknowledged that she executed the above instrument.

Signature Sandra A. Kingzyk
SANDRA A. KINGZYK
Name (Typed or Printed)



(This area for official notarial seal)

BOOK 1289 PAGE 1386 216430

DOUGLAS COUNTY

REQUESTED BY
Western Nevada Properties
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

'89 DEC 13 P1:48

SUZANNE BEAUDREAU
RECORDER **216430**
\$ *9.00* PAID *K12* DEPUTY
BOOK **1289** PAGE **1387**