DOC # 336425
11/23/2004 08:56 AM
Official Record
Requested By
STEWART TITLE CARSON
Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 6 Fee: $44.00
Recorded By: MCM RPTT:
0336425

RECORDING REQUESTED BY, AND WHEN RECORDED, MAIL TO:

Lakemont Homes Nevada, Inc.
c/o Inman · Thomas, LLP
Attn: Bruce R. Inman, Esq.
2390 Professional Drive
Roseville, California 95661

2003999

(Space Above For Recorder's Use)

NOTICE OF ADDITION OF LAND AND DECLARATION OF ANNEXATION, FOR DAYTON VALLEY COUNTRY CLUB UNIT 2G

This Notice of Addition of Land and Declaration of Annexation for Dayton Valley Country Club Unit 2G ("Declaration of Annexation") is made by the undersigned owner in reference to the following facts:

RECITALS

A. The undersigned owns that certain real property located in the County of Lyon, State of Nevada, more particularly described as follows:

> Lot 21 as shown on the subdivision map of "Dayton Valley Country Club Unit 2G", filed for Record on April 20, 2004, as Document No. 318692, Lyon County Records.

In this Declaration of Annexation, the above described property is referred to as the "Annexed Property", and the above described subdivision map, for the Annexed Property is referred to as the "Subdivision Map".

B. John Lawrence (Nevada), Inc. a Nevada corporation ("Original Declarant") recorded the First Amended and Restated Declaration of Covenants, Conditions and Restrictions of Dayton Valley Country Club on May 18, 1990, in the Official Records of Lyon County, Nevada, as Document No. 133393, (the "Declaration"). Dayton Valley Investors, LLC, a Nevada limited liability company ("Declarant") is the successor-in-interest to the Original Declarant as to the real property described in Exhibit "A" of the Declaration.

C. Section 4.02 of the Declaration provides for the unilateral annexation by the Declarant of additional property to the Declaration by the Recordation of a Notice of Addition of Land which describes the land to be annexed. The undersigned owner and

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Declarant desire to add the Annexed Property to the Project and thereby subject the Annexed Property to the Declaration and this Declaration of Annexation.

NOW, THEREFORE, Declarant, with the consent of the undersigned owner, declares as follows:

1. Annexation.

1.01. Annexation of the Annexed Property. Declarant, with the consent of the undersigned owner of the Annexed Property, declares that the Annexed Property is hereby annexed to and made a part of the Property. This Declaration of Annexation constitutes a "Notice of Addition of Land" as described in Section 4.02 of the Declaration. The Annexed Property, and each part thereof, shall be held, sold, leased, transferred, occupied and conveyed subject to the terms, provisions, covenants, conditions, restrictions, easements and equitable servitudes of the Declaration and this Declaration of Annexation.

1.02. Assessment Obligation. The obligation for Regular and Special Assessments shall commence with respect to the Annexed Property on the first day of the first month following the Recording of this Declaration of Annexation.

1.03. Equitable Servitudes. The covenants, conditions and restrictions of this Declaration of Annexation and the Declaration are imposed as equitable servitudes upon the Annexed Property, and each Lot and Common Element located therein, as a servient tenement for the benefit of each and every other Lot or Common Element located in the property subject to the Declaration, as the dominant tenement.

1.04. Covenants Appurtenant. The covenants, conditions and restrictions of the Declaration shall run with, and shall inure to the benefit of, and shall be binding upon all of the Annexed Property, and shall be binding upon and inure to the benefit of all persons (and such persons' heirs, personal representatives, successors and assigns) having, or hereafter acquiring, any right, title or interest in all or any portion of the Annexed Property.

1.05. Membership in the Master Association. Upon the commencement of Regular Assessments against the Annexed Property, as provided in Section 1.02, above, the Owner of the Annexed Property shall automatically be a Member of the Association.

1.06. Voting Rights. The voting rights of the Owners of the Annexed Property shall be as set forth in the Master Declaration and in the Bylaws. Voting rights shall commence with respect to the Annexed Property upon commencement of the payment of Common Assessments for the Annexed Property, as provided in this Declaration of Annexation.

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2. Reservation of Easements. The Lot within the Annexed Property and its Owner is hereby declared to be subject to all the easements, dedications and rights-of-way granted or reserved in, on, over and under the Annexed Property as shown on the Subdivision Map and as provided in the Declaration.

3. Airport Notice Regarding Annexed Property. The Annexed Property is located in the vicinity of an airport. For that reason, the Annexed Property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations, including, but not limited to, aircraft over-flight, noise, vibration, and lights. The operations of the airport, including but not limited to day and nighttime airplane landings and take-offs, shall not constitute a nuisance or an unreasonable interference with the use or enjoyment of any portion of the Annexed Property. In addition, for the benefit of the airport owner, Owner consents to Declarant's reservation over the Annexed Property of an avigation easement for airplane flight above the Annexed Property.

4. Incorporation by Reference. The provisions of the Declaration are incorporated herein by this reference and are expressly declared to be applicable to the Annexed Property and to each Owner of the Lot therein, as if the Annexed Property was originally encumbered by the Declaration. Except as otherwise provided herein, all capitalized terms used in this Declaration of Annexation shall have the same meanings as set forth in the Declaration.

5. Effective Date. This Declaration of Annexation shall be upon its Recording with the County Recorder.

IN WITNESS WHEREOF, the undersigned, as the Owner of the Lot described in Recital A, consent to this Declaration of Annexation.

Date: 11/5/04

- on behalf of World Plaza Corp
MARK ZARUBI - World Plaza Corp
{print name}

Date: _____

_____
_____
{print name}

{Notary Acknowledgement Attached}

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IN WITNESS WHEREOF, The undersigned, Declarant, has executed this Declaration of Annexation on 11 - 10, 2004.

"Declarant"

DAYTON VALLEY INVESTORS, LLC, a Nevada limited-liability company

By: Wade Dayton, LLC, A Nevada limited-liability company
Its: Manager

By: _____
Joe Wade
Its: Chief Executive Officer

By: _____
Patricia M. Snyder
Its: President

By: Lakemont Dayton, LLC, A Nevada limited-liability company
Its: Manager

By: Lakemont Homes Nevada, Inc., a Nevada corporation
Its: Managing Member

By: _____
Greg Peitzmeier
Its: Nevada Division President

(Notary Acknowledgements Attached)

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STATE OF NEVADA)
COUNTY OF Washoe) ss.

ON November 5 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED Mark Zaruki, World Plaza Corp. PERSONALLY KNOWN (OR PROVED) TO ME TO BE THE PERSON (S) WHOSE NAME(S) IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGES THAT he EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL.

Barbara A. Hunsaker
NOTARY PUBLIC

SEAL:

BARBARA A. HUNSAKER
Notary Public, State of Nevada
Appointment No. 00-61389-2
My Appt. Expires Mar 15, 2008

Unofficial Copy

STATE OF NEVADA)
COUNTY OF Washoe) ss.

ON November 10, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOE WADE AND PATRICIA M. SNYDER PERSONALLY KNOWN (OR PROVED) TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGES THAT THEY EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL.

Barbara A Hunsaker
NOTARY PUBLIC

SEAL:

BARBARA A. HUNSAKER
Notary Public, State of Nevada
Appointment No. 00-61389-2
My Appt. Expires Mar 15, 2008

STATE OF NEVADA)
COUNTY OF Washoe) ss.

ON November 10, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GREG PEITZMEIER PERSONALLY KNOWN (OR PROVED) TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGES THAT HE EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL.

Barbara A Hunsaker
NOTARY PUBLIC

SEAL:

BARBARA A. HUNSAKER
Notary Public, State of Nevada
Appointment No. 00-61389-2
My Appt. Expires Mar 15, 2008

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