

# **Declaration Of Reservations**

**SPRING CREEK ASSOCIATION**  
451 E. Spring Creek Parkway  
Spring Creek, NV 89815

This Declaration of Reservations is applicable to each and every tract when incorporated by reference.

**SPRING CREEK**  
**DECLARATION OF RESERVATIONS**  
**TRACT 101**  
**COUNTY OF ELKO, NEVADA**

**TRUST NO. 25**

**THIS DECLARATION**, made this 8th day of April, 1971, by CATTLEMEN'S TITLE GUARANTEE COMPANY, a Nevada Corporation, having a principal office at Elko, Nevada, (hereinafter referred to as the "Declarant") who holds the land hereinafter referred to as Trustee, for the benefit of Spring Creek Corporation, a Nevada Corporation, having its principal place of business in Elko, Nevada.

**WHEREAS**, the Declarant is the owner of that certain Tract No. 101, Spring Creek, County of Elko, Nevada, as per map thereof recorded as File No. 59342, records of said County, and

**WHEREAS**, the Declarant intends to sell, dispose of or convey from time to time all or a portion of the lots in said Tract No. 101 above described, and desires to subject the same to certain protective reservations, covenants, conditions, restrictions (hereinafter referred to as "Conditions") between it and the acquirers and/or users of the lots in said Tract.

**NOW, THEREFORE**, Declarant hereby certifies and declares that it has established and does hereby establish a general plan for the protection, maintenance, development and improvement of said Tract, and that:

**THIS DECLARATION** is designed for the mutual benefit of the lots in said Tract and Declarant has fixed and does hereby fix the protective conditions upon and subject to which all lots, parcels and portions of said Tract and all interest therein shall be held, leased, or sold and/or conveyed by the owners or users thereof, each and all of which is and are for the mutual benefit of the lots in said Tract and of each owner thereof, and shall run with the land and shall inure to and pass with each such lot and parcel of land in Said Tract, and shall apply to and bind the respective successors in interest thereof, and further are and each thereof is imposed upon each and every lot, parcel or individual portion of said Tract as a mutual equitable servitude in favor of each and every other lot, parcel or individual portion of land therein as the dominant tenement, and in favor of Declarant.

## COMMITTEE OF ARCHITECTURE

**DECLARANT** shall appoint a Committee of Architecture hereinafter sometimes called "Committee" consisting of five (5) persons. Declarant shall have the further power to create and fill vacancies on the Committee and/or to assign to others the duties delegated to the Committee.

**IT** shall be the general purpose of this Committee to provide for the maintenance of a high standard of architecture and construction in such manner as to enhance the aesthetic properties and structural soundness of the developed Tract.

**THE COMMITTEE** shall be guided by and, except when in their sole discretion good planning would dictate to the contrary, controlled by these Reservations. The Committee shall make available a copy of these said Reservations to any and all lot owners upon request.

**THE COMMITTEE** shall determine whether the Conditions contained in this Declaration are being complied with.

**THE COMMITTEE** may adopt reasonable rules and regulations in order to carry out its duties.

**THE COMMITTEE** shall adopt reasonable rules and regulations for the conduct of its proceedings and may fix the time and place for its regular meetings and for such extraordinary meetings as may be necessary, and shall keep written minutes of its meetings, which shall be open for inspection to any lot owner upon the consent of any one of the members of said Committee. Said Committee shall by a majority vote elect one of its members as chairman and one of its members as secretary and the duties of such chairman and secretary shall be such as usually appertain to such offices. Any and all rules or regulations adopted by said Committee regulating its procedure may be changed by said Committee from time to time by majority vote and none of said rules or regulations shall be deemed to be any part or portion of said Covenants.

### **SAID CONDITIONS ARE AS FOLLOWS:**

That all of the lots in this Tract, EXCEPT Parcels A thru C inclusive shall be designated as "AR" - AGRICULTURAL-RESIDENTIAL DISTRICT and shall be improved, used, and occupied in accordance with the provisions set forth under "AR" - AGRICULTURAL-RESIDENTIAL DISTRICT of this Declaration.

Parcels A thru C inclusive, shall be designated and remain "OS" - OPEN SPACE DISTRICT and shall be improved, used, and occupied in accordance with the provisions set forth under "OS" - OPEN SPACE DISTRICT of this Declaration.

The Committee of Architecture shall require not less than eight hundred (800) square feet in the dwelling portion of any residence exclusive of carport, garage, covered porches, contiguous patios, etc.

DECLARANT reserves the right to convey and/or dedicate rights of way and easements for public utilities, television and/or communication cables, and drainage purposes over a five foot strip of land within and along all side and rear lot lines of each and every lot, except as to all commercial zoned lots or parcels, and except as to any such easement along such side or rear lot lines as shown on the recorded map, together with the privilege to assign this right at any time, in Declarant's sole discretion, to Spring Creek Corporation, or its successors or assigns. This right shall run with the land for the time herein provided and as may be extended.

IN THE EVENT THAT ANY OF THE PROVISIONS OF THIS DECLARATION CONFLICT WITH ANY OF THE SECTIONS OF ELKO COUNTY ZONING ORDINANCE NO. 1968-D, AND ANY AMENDMENTS THERETO, AS APPLICABLE TO THIS TRACT, THE MORE RESTRICTIVE OF THE TWO SHALL GOVERN.

**A. IMPROVEMENT STANDARDS**

1. No building, including farm structures of any kind, fence, patio, or other structure shall be erected, altered, added to, placed, or permitted to remain on said lots or any of them or any part of any such lot until and unless the plans showing floor areas, external design, structural details, and the ground location of the intended structure along with a plot plan indicating the location of the sewage disposal system have been first delivered to and approved in writing by the Committee. The Committee may require a reasonable fee prior to checking or appraising said plans. On commercial structures submitted for approval, this Committee may require changes, deletions, or revisions in order that the architectural and general appearance of all such commercial buildings and grounds be in keeping with the architecture of the neighborhood and such as not to be detrimental to the public health, safety, general welfare of the community in which such use or uses are to be located. All residential, commercial and industrial structures shall conform to the requirements of the Uniform Building Code (Short Form), as published by the International Conference of Building Officials, current edition, and the requirements of the National Electrical Code, as published by the National Fire Protection Association, current edition, as a guide to sound construction and electrical installation practices and the Elko County Building Department, whichever are the more restrictive.

2. Notwithstanding any other provisions of this Declaration of Reservations, it shall remain the prerogative and in the jurisdiction of the Committee to review applications and grant approvals for exceptions to this Declaration. Variations from these requirements and, in general, other forms of deviations from these restrictions imposed by this Declaration may be made when and only when such exceptions, variances and deviations do not in any way, detract from the appearance of the premises, and are not in any way detrimental to the public welfare or to the property of other persons located in the vicinity thereof, all in the sole opinion of the Committee and in compliance with the requirements of the Elko County Planning Commission.

3. The designated maximum building height and minimum yard requirements may be waived by the Committee, when in their opinion, such structures relate to sound architectural planning and conform to the over-all design and pattern of the development and in conformance with the requirements of the Elko County Planning Commission.

**B. DEFINITIONS**

All definitions when used in this Declaration or any supplemental Declaration unless the context shall otherwise provide, shall have the same meaning as the definitions set forth in the current Elko County Zoning Ordinance No. 1968-D or as amended.

**C. LAND USE AREAS -- GENERAL**

The following provisions shall be applicable to all property regardless of classification:

1. Advertising:

No sign, advertisement, billboard or advertising structure of any kind shall be erected or allowed on any of the unimproved lots, and no signs shall be erected or allowed to remain on any lots improved or unimproved except as expressly provided in the "Uses Permitted" paragraph applicable to the particular type of land use area involved, provided, however, that a temporary permit for signs for structures to be sold or exhibited may be first obtained by application to the Architectural Committee. The Architectural Committee may approve the location of these signs within the front setback of the lot.

2. Air Conditioning Units:

No air conditioning unit, evaporative cooler, or other object other than a television or radio antenna shall be placed upon or above the roof of any dwelling or other building except and unless the same is architecturally concealed from view pursuant to plans submitted to and approved by the Committee of Architecture, and then only wherein the sole determination of the Committee of Architecture the same is not aesthetically objectionable, and is otherwise in conformity with the over-all development of the Community.

3. Animals-Livestock & Domestic:  
No livestock will be permitted in the “R” zones of this Declaration. No livestock, other than horses where permitted, shall be allowed without first having received the approval of the Committee of Architecture. Domestic animals such as dogs, cats, or other household pets may be kept provided they are not kept, bred, or maintained for any commercial purposes and are not kept in quantities which create an annoyance or nuisance to the neighborhood. Owners shall confine domestic animals to the limits of their property.
4. Building Exterior:  
The exterior portions of all buildings shall be painted or stained immediately upon completion or shall have color mixed in the final structural application, so that all such materials shall have a finished appearance.
5. Clothes Lines:  
Clothes lines shall be installed so as not to detract from the aesthetic value of the property and shall be so placed to be concealed from view from all public right of ways.
6. Easements:  
Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded map. Within these easements, as well as those otherwise reserved herein, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.
7. Ecological Control:  
Under no circumstances shall the owner of any lot or parcel of land disturb the natural soil, trees, or grasses unless the owner immediately thereafter, constructs improvements thereon, or paves or gravels or re-plants such disturbed areas, with ground cover approved by the Committee of Architecture.
8. Electrical Power:  
No source of electrical energy shall be brought to the property or used upon the property until the Committee of Architecture has approved plans and specifications for the erection of approved improvements upon any lot.
9. Natural Flowing Springs or Creeks:  
Under no circumstances shall any owner of any lot or parcel of land be permitted to obstruct, dam, or in any way divert water from a naturally flowing spring, creek, or irrigation ditch.
10. Nuisances:  
No noxious or offensive activities shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
11. Occupancy of Structures:  
No structure shall be occupied or used for the purpose for which it is designed or built until the same shall have been substantially completed and a certificate to the effect shall have been issued by the Committee of Architecture.
12. Plumbing:  
All structures shall have complete and approved plumbing installations before occupancy. Such plumbing shall conform to the requirements of the Uniform Plumbing Code as published by the

International Association of Plumbing & Mechanical Officials, current edition, as a guide to sound plumbing practices.

13. Sewage Disposal Systems:

Where approved for such use, the design and construction of all individual sewage disposal systems shall be installed in compliance with health requirements of the local, county, or district health department. Size, design, and location of all individual systems shall be shown on the building plot plan.

14. Storage of Materials:

In any building project, respecting a particular lot, during construction and during the period of sixty (60) days after completion, a lot may be used for the storage of materials used in the construction of the individual buildings in the project and for the contractor's temporary offices. Including chemical toilets. Said construction period shall not exceed one hundred twenty (120) days, unless specifically approved by the Committee of Architecture.

15. Storage of Tools and Trash:

The storage of tools, landscaping instruments, household effects, machinery or machinery parts, boats, trailers, empty or filled containers, boxes or bags, trash, materials, or other items that shall in appearance, detract from the aesthetic values of the property, shall be so placed and stored to be concealed from view from all public right of ways. Trash for collection may be placed at the street right of way line on regular collection days for a period not to exceed twelve hours before pick up. Storage of junk, old inoperative un-licensed cars, and other unsightly objects on any lot or parcel is expressly prohibited.

16. Temporary Buildings:

No temporary buildings, including tents, shacks, shanties or other structures shall be erected or placed upon any lot and no temporary buildings including basements, cellars, tents, shacks, shanties, garages, barns or other temporary out-buildings or other similar structures shall at any time be used for human habitation. Notwithstanding the foregoing, a trailer may be used as a residence of the lot owner and his family or by a contractor during construction by or for such owner of a permanent residence, but only after a certificate in writing has been issued by the Committee of Architecture for such use and then only after the said Committee of Architecture shall have approved plans and specifications for the erection of the said permanent residence. In no event shall such trailer be allowed to remain on any such lot for longer than 180 days.

17. Unnatural Drainage:

Under no circumstances shall any owner of any lot or parcel of land be permitted to deliberately alter the topographic conditions of his lot or parcel of land in any way that would change the natural course of drainage to the detriment of any adjoining property or public right-of-way.

18. Use of Premises:

A person shall not use any premises in any land use area, which is designed, arranged or intended to be occupied or used for any purpose other than expressly permitted in this Declaration or in compliance with Elko County Zoning Ordinance whichever is more restrictive.

19. Wells:

No person shall be permitted to drill a well in those areas presently supplied with an existing piped domestic water distribution system or wherein such a system will be constructed within the four (4) year period commencing upon date of recordation of the particular map wherein such area is located pursuant to an agreement between Declarant, its sole beneficiary or the assignee thereof, and a bona fide utility. In any other areas, the lot owner shall be permitted to drill a well upon receiving approval from the Spring Creek Corporation or its assignee and complying with requirements of the governing agency.

**D. USE AND MAINTENANCE OF COMMON RECREATION AREAS**

1. Certain designated parcels and access roads within the area known as Spring Creek shall be owned, improved, operated and maintained by the Declarant or its sole beneficiary, or the assignee thereof, hereinafter for convenience designated the "Company", and all such parcels, together with the recreational facilities and road improvements situated or to be constructed thereon, shall be set aside for the common use and enjoyment of the owners, lessees, contract purchasers or other proper occupants of the lots situated in this tract and all future tracts within the boundaries of Spring Creek as defined in Exhibit "A" of this Declaration of Reservations. Subject to the provisions hereinafter set forth, each person or entity who owns a fee interest in all or part of any lot in Spring Creek, or who is the lessee of any such owner, or who has entered into an agreement to purchase any such lot in Spring Creek, shall have the right to share equally in the use and enjoyment of said parcels, access roads, and recreation facilities, herein called the Common Recreation Facilities. The Company may establish, maintain and enforce such written rules and regulations for the use of the Common Recreation Facilities as it may, from time to time, deem appropriate. Copies of such rules and regulations shall be made available to all of such lot owners, lessees, and contract purchasers.

2. By entering into an agreement to acquire a lot in Spring Creek, or by accepting conveyance of any such lot, the contract purchaser or owner of each lot agrees to pay to the Company, as compensation for the privileges herein granted, such amount as may be assessed ratably against said contract purchaser or owner by the Company each month. The assessments shall be uniform against all lots without regard to the extent of use or non-use of the Common Recreation Facilities by the owner, lessee, contract purchaser or occupant of any lot. The aggregate amount assessed per lot shall not at any time exceed \$144.00 per year, provided that this maximum charge may, at the Company's option, be periodically increased at the same proportionate rate as the cost of living index of the U.S. Department of Labor shall increase above such index as fixed on the first day of June, 1971.

3. Any and all charges made by the Company under this section shall, at the time of any assessment provided herein, constitute a lien in favor of the Company on the lot against which made, and shall be payable as hereinafter provided. Each such assessment shall also constitute the personal obligation of the owner or contract purchaser of the lot upon which it is a lien. The Company shall be entitled to enforce its lien hereunder by following the procedure provided by Nevada Law for the enforcement of mechanic's and materialmen's liens, except that the enforceability of any such lien shall not depend upon any action by the Company, nor the timeliness thereof, in filing a claim for payment of charges or assessments secured by such lien, nor shall any failure by the Company to assert or file such a claim at any time, with respect to any particular charge or assessment, constitute or to be construed to constitute a waiver by the Company of any such charge(s) or assessment(s). Any claim against the Company shall not constitute a defense or offset in any action by the Company for non-payment of any amounts which may be assessed hereunder. Any lien created hereby shall be subject and subordinate to the lien of any mortgage or deed of trust now or hereafter placed upon the lot.

4. The Company shall construct, operate, care for and administer the Common Recreation Facilities, shall install and maintain such landscaping therefor as the Company shall deem desirable, and shall undertake the removal of all rubbish, trash and unsightly objects to the extent necessary, in its sole discretion, to provide a pleasant appearance.

5. The lot assessment for each month shall become due and payable upon the same date on which the corresponding month's payment is due on the purchase of said lot. Where title to a lot has been conveyed, however, the assessment for each month shall become due and payable on or before the tenth day of the next succeeding month. Payment of assessments shall be made to the Company or its designee.

6. The right of the owners, lessees, contract purchasers or other proper occupants of subdivision lots to use and enjoy the Common Recreation Facilities is and shall remain subject to the right of the Company to suspend the same for any period during which any assessment remains unpaid, provided that no such suspension of rights to use and enjoy said Facilities shall qualify or affect the continuing obligation of the lot owner or contract purchaser to pay each and every monthly assessment hereunder in full and in a timely manner.

7. The Company shall at the expiration of the twelve year period following the date this Declaration is recorded in Elko County, Nevada create, or cause to be created, a Nevada non-profit corporation composed of Spring Creek property owners, possessing all or part of the rights, power, and authority held by it under the terms of this Declaration, which shall have for its principal purpose the ownership, operation, maintenance and administration of all or any material part of said designated parcels, recreation facilities, and road improvements. Each lot owner or contract purchaser in Spring Creek shall automatically become, by virtue of such ownership and throughout the time such ownership shall continue, a member of such non-profit corporation and shall have the rights and privileges of membership as set forth in the articles and by-laws thereof. Said articles and by-laws shall have the form and content deemed appropriate by the Company in its sole discretion, subject to the foregoing provisions and the limitations of applicable laws of the State of Nevada. The Company shall at any time after formation of said non-profit corporation convey all or any part of said parcels and/or facilities (the Common Recreation Facilities) thereto, without cost, and the Company may enter into one or more agreements therewith covering construction, operation, and maintenance of said facilities or any part thereof. Upon delivery of such conveyance and/or documents of transfer, the non-profit corporation shall be deemed entirely substituted for the Company to the extent of all areas described therein, and all facilities and improvements situated thereon, or facilities and improvements otherwise transferred, and the Company shall thereupon be relieved from, and shall no longer be liable for, the ownership, operation, maintenance and administration of areas and facilities so conveyed and/or transferred, nor shall the Company retain any right, title or interest in or claim to any lands, properties or other assets so conveyed, transferred or assigned to such non-profit corporation. Notwithstanding any of the provisions of this paragraph, the rights of the lot owner or contract purchaser shall not in any way be abridged, nor shall his or its duties or obligations be enlarged, by the formation of such non-profit corporation, or by the Company's transfer or conveyance of any such properties or facilities thereto in the manner herein set forth.



**“A”**  
**AGRICULTURAL-RECREATIONAL DISTRICT**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

1. Agricultural-Recreational: “A” District: Intent:

The recreational-agricultural District (“A” District) is intended to provide for commercially operated dude ranching, resorts, and other commercial recreation activities, but also including agricultural operations, farming, and animal raising. It is also intended to provide areas for the development of “residential ranches” or vacation homes in a primarily ranch-type setting.

2. Permitted Uses:

The following principal listed uses are permitted:

- a. Dude ranches, with gaming casino
- b. Resort hotel or lodge, with gaming and entertainment
- c. Ski facilities
- d. Amusement park
- e. Golf courses
- f. Seasonal residences, including cabins
- g. Parks, playgrounds, campgrounds
- h. Customary accessory uses and buildings.

3. Conditional Uses:

The following are conditional uses permitted only when authorized by the Elko County Planning Commission and approved by the Committee of Architecture:

- a. Mobile home park
- b. Churches
- c. Schools, libraries, museums
- d. Utility or public service facilities
- e. Motels or hotels
- f. Eating and drinking establishments
- g. Single family dwellings of a permanent nature
- h. Convents, monasteries, retreats
- i. Similar used to those permitted which in the judgment of the Planning Commission are allowable as a conditional use.
- J. Livestock ranches

4. Minimum Parcel Size:

The minimum land parcel size for any permitted use shall be five (5) acres. No parcel shall have an average width of less than three hundred fifty (350) feet.

5. Yards:

The minimum requirements for yards shall be as follows:

- a. Front yard - 50 feet
- b. Rear yard - 30 feet
- c. Side yard - 20 feet

6. Building Height Limits:

None

7. Parking Requirements:

None

8. Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provision of A-2, Page 3, of this Declaration of Reservations and upon approval of the Elko County Planning Commission.

**“AR” DISTRICT**  
**AGRICULTURAL - RESIDENTIAL**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

Intent:

The agricultural-residential district is intended to provide areas primarily for rural or estate-type living, but allowing certain agricultural pursuits to be maintained on land parcels of at least one acre.

1. Permitted Uses:

The following principal uses are permitted:

- a. Single family dwellings of a permanent nature, not to exceed one (1) each per one acre and no more than three (3) such units on each parcel of land.
- b. Orchards, vegetable crops, gardens, small animal raising.
- c. Private stables.
- d. Home occupations, provided that there shall be no external evidence of any home occupation except a nameplate not exceeding three (3) square feet in area.

2. Conditional Uses:

The following are conditional uses permitted only when authorized by the Elko County Planning Commission and approved by the Committee of Architecture:

- a. Schools
- b. Libraries
- c. Museums
- d. Churches
- e. Retreats
- f. Monasteries
- g. Convents

3. Minimum Parcel Size:

The minimum land parcel size for any permitted use shall be one (1) acre. No parcel shall have an average width of less than one hundred and fifty (150) feet.

4. Yards:

The minimum requirements for yards shall be as follows:

- a. Front yard - 50 feet
- b. Rear yard - 30 feet
- c. Side yard - 20 feet

5. Building Height:

No building or structure shall have more than two (2) stories or a height in excess of thirty (30) feet. No accessory building shall have a height in excess of twenty (20) feet.

6. Automobile Parking:

For each dwelling unit two (2) off-street parking spaces, shall be provided. For other permitted or conditional uses, automobile parking shall be as approved by the Elko County Planning Commission.

7. Signs:

No sign or nameplate for residences shall exceed three (3) square feet in size

8. Maintenance of Horses:

No more than two (2) horses per acre shall be permitted. The maintenance of animals on any lot occupied by a dwelling and having an area not less than one (1) acre shall be a permitted accessory use. The following limitations shall apply:

- a. No accessory building used as a stable for any horse shall be located less than thirty-five (35) feet from any dwelling or less than twenty (20) feet from any lot line, or less than sixty (60) feet from any front lot line, any school grounds, or any public park or open space.
- b. No paddock or other open space set off for use by any horse or horses shall occupy any part of a required front yard, or farm sheds, corrals, or barns for any other animals.

9. Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provision of A-2, Page 3, of this Declaration of Reservations and upon approval of the Elko County Planning Commission.

**R-1**  
**ONE (1) FAMILY RESIDENCE DISTRICT**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

1. Permitted Uses:

The following principal uses are permitted in an R-1 one (1) Family Residence District:

- a. One (1) one-family dwelling on a lot.
- b. Garden, orchard, field crop; where no building is involved.

2. Conditional Uses:

The following are conditional uses permitted only when authorized by the Elko County Planning Commission and approved by the Committee of Architecture:

- a. Church
- b. School, attendance at which satisfies the requirements of the compulsory education laws of the State.
- c. Utility or public service facility, when operating requirements necessitate its location within the District, but not including a storage garage, machine shop or corporation yard.
- d. Recreation facility owned and maintained by Declarant, its sole beneficiary or its assignee, or an agency of any City, the County, the State, or Federal agencies.
- e. Community clubhouse
- f. Parking lot, when established to fulfill the parking space requirements of a use occupying abutting property.

3. Accessory Uses:

In addition to the general regulations governing accessory uses, the following specific limitations and special regulations shall apply:

- a. Not more than one (1) room in a dwelling unit shall be rented to a lodger, and no room shall be rented to more than two persons.
- b. An accessory building may occupy part of the rear half of a required interior side yard or part of a required rear yard; provided that an equal area of open space exclusive of required yard space is provided elsewhere on the lot, and that no such building be distant less than three (3) feet from any lot line.

4. Building Site Area:

Except as otherwise specified in the case of density classes, as stated under Elko County Zoning Ordinance, every building site in an R-1 District shall have an area not less than six thousand (6000) square feet and an average width not less than sixty (60) feet.

5. Yards:

The minimum requirements for yards in R-1 District shall be as follows:

- a. Depth of front yard - 20 feet
- b. Depth of rear yard - 20 feet
- c. Width of side yard along the street lot line of a corner lot - 10 feet

- d. Width of side yard along interior side lot line - 10 feet
6. Height of Buildings:

No dwelling in an R-1 District shall have more than two (2) stories or a height in excess of thirty (30) feet. No accessory building shall have a height in excess of fifteen (15) feet.

7. Signs:

No nameplate in an R-1 District shall have a size in excess of four (4) inches by sixteen (16) inches. Not more than two (2) sale or lease signs shall be placed on any lot, nor shall any such sign have a size in excess of nine (9) square feet.

8. Parking Requirement:

Two (2) spaces are required for each dwelling unit.

9. Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provision of A-2, Page 3, of this Declaration of Reservations and upon approval of the Elko County Planning Commission.

**R-1**  
**TWO (2) FAMILY RESIDENCE DISTRICT**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

1. Permitted Uses:

The following principal uses are permitted in a Two-Family Residence District:

- a. One (1) one-family dwelling on a lot or one (1) two-family dwelling on a lot.
- b. Garden, orchard, field crop; where no building is involved.

2. Conditional Uses:

The following are conditional uses permitted only when authorized by the Elko County Planning Commission and approved by the Committee of Architecture:

- a. Church
- b. School, attendance at which satisfies the requirements of the compulsory education laws of the State.
- c. Utility or public service facility, when operating requirements necessitate its location within the District, but not including a storage garage, machine shop or corporation yard.
- d. Recreation facility owned and maintained by Declarant, its sole beneficiary or assignee, or an agency of any City, the County, the State or Federal agencies.
- e. Community clubhouse.
- f. Parking lot, when established to fulfill the parking space requirements of a use occupying abutting property.

3. Accessory Uses:

In addition to the general regulations governing accessory uses, the following specific limitations and special regulations shall apply:

- a. Not more than one (1) room in a dwelling unit shall be rented to a lodger, and no room shall be rented to more than two persons.
- b. An accessory building may occupy part of the rear half of a required interior side yard or part of a required rear yard; provided that an equal area of open space exclusive of required yard space is provided elsewhere on the lot, and that no such building be distant less than three (3) feet from any lot line.

4. Building Site Area:

Except as otherwise specified in the case of density classes, as stated under Elko County Zoning Ordinance, every building site in an R-1 District shall have an area not less than six thousand (6000) square feet and an average width not less than sixty (60) feet.

5. Yards:

The minimum requirements for yards shall be as follows:

- a. Depth of front yard - 20 feet
- b. Depth of rear yard - 20 feet

- c. Width of side yard along the street lot line of a corner lot - 10 feet
- d. Width of side yard along interior side lot line - 10 feet

6. Height of Buildings:

No dwelling shall have more than two (2) stories or a height in excess of thirty (30) feet. No accessory building shall have a height in excess of fifteen (15) feet.

7. Signs:

No nameplate shall have an area in excess of four (4) inches by sixteen (16) inches. Not more than two (2) sale or lease signs shall be placed on any lot, nor shall any such sign have an area in excess of nine (9) square feet.

8. Parking Requirements:

Two (2) spaces are required for each dwelling unit.

9. Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provision of A-2, Page 3, of this Declaration of Reservations and upon approval of the Elko County Planning Commission.



**R-2**  
**MULTIPLE RESIDENTIAL DISTRICT**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

1. Permitted Uses:

The following principal uses are permitted in an R-2 District:

- a. One-family dwelling; two family dwelling
- b. Multiple dwelling
- c. Garden, orchard, field crop; where no building is involved.

2. Conditional Uses:

The following are conditional uses permitted only when authorized by the Elko County Planning Commission and upon approval of the Committee of Architecture.

- a. Church, school, recreational, utility or service facility, all as limited and regulated in R-1 Districts.
- b. Community clubhouse
- c. Parking lot
- d. Boarding house
- e. Rest home
- f. Mobile home park
- g. Fraternal clubs

3. Accessory Uses:

Same as R-1

4. Building Site Area:

Every building site shall have an area of not less than ten thousand (10,000) square feet. The minimum width of a lot shall be seventy-five (75) feet.

5. Yards:

The minimum requirements for yards shall be as follows:

- a. Depth of front yard - 15 feet
- b. Depth of rear yard - 10 feet
- c. Width of side yards - 5 feet

6. Height of Building:

No building shall have more than two (2) stories, or a height in excess of thirty (30) feet.

7. Signs:

No nameplate shall have an area in excess of four (4) inches by sixteen (16) inches. Not more than two (2) sale or lease signs shall be placed on any lot, nor shall any such sign have an area in excess of nine (9) square feet.

8. Parking:

Off-street parking spaces shall be provided on a parking lot, or within a garage or carport at the ratio of one and one half (1.5) spaces per dwelling unit.

9. Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provisions of A-2, Page 3, of this Declaration of Reservations and upon approval of the Elko County Planning Commission.

**“OS”**  
**OPEN SPACE DISTRICT**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

1. Open Space or “OS”:

The Open Space exclusive district is intended to provide protection for agricultural areas from urban development of residential tracts, and to serve as an open space area around the more intensive urban uses of the County of Elko, Nevada.

2. Permitted Uses:

The following principal uses are permitted:

- a. Botanical conservatory
- b. Field and truck crops
- c. Orchards and vineyards
- d. Nurseries and greenhouses
- e. Crop drying
- f. Dairies and the processing of dairy products
- g. Animal breeding and raising, including sheep, goats, cattle, dogs, cats, rabbits, fox, mink, and similar animals
- h. Aviary
- I. Riding academies and stable
- j. Poultry raising, eggs and hatcheries
- k. Hay and straw sale and storage
- l. Pasture
- m. Livestock ranches
- n. Vegetable or flower farms
- o. Necessary housing for farm workers whose employment is necessary to agricultural operations conducted on the same parcel of land.

3. Conditional Uses:

The following are conditional uses permitted only when authorized by the Elko County Planning Commission:

- a. Amusement park
- b. Church
- c. School, attendance at which satisfies the requirements of the compulsory education laws of the State
- d. Utility of public service facility, when operating requirements necessitate its location with the District
- e. Park, playground, or community by a governmental agency or non-profit community organization
- f. Golf course
- g. Permanent farm labor camp

4. Accessory Uses:

Subject to the above provisions, uses customarily incident to any of the listed permitted uses may be maintained, and specifically the following:

- a. Residence of the owner, owners, lessee, or lessor of the kind upon which use is conducted.

- b. Residence of bona fide employees.
- c. Approved incidental uses pertaining to conditional uses when authorized by the Elko County Planning Commission.
- d. All necessary farm storage, administration or other buildings or enclosures customarily required for the efficient

operation of any of the permitted uses.

5. Minimum Parcel Size:

Except as otherwise approved in the case of conditional or accessory uses, the minimum parcel size of land used for the permitted uses shall be ten (10) acres. No parcel shall have a width of less than five hundred (500) feet.

6. Yards:

The minimum requirements for yards shall be as follows:

- a. Front yard - 50 feet
- b. Rear yard - 30 feet
- c. Side yard - 20 feet

7. Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provision of A-2, Page 3, of this Declaration of Reservations and upon approval of the Elko County Planning Commission.

**C-1**  
**GENERAL COMMERCIAL AND RETAIL**

**GROUP I**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

1. Permitted Uses:

The following principal uses are permitted when entirely conducted within an enclosed building:

a. Retail stores, including:

- Bakery
- Book or stationery store
- Confectionery store
- Drug store, pharmacy
- Dry goods or notions store
- Florist or gift shop
- Grocery, fruit or vegetable stores
- Hardware or electrical appliance store
- Jewelry store
- Meat market or delicatessen store
- Apparel and department stores
- Amusement enterprises
- Antique stores
- Automobile and trailer sales provided that repair work be conducted wholly within a building
- Furniture stores
- Second-hand stores if conducted wholly within completely enclosed building
- Bar, cocktail lounge, and eating and drinking establishments
- Gaming and gambling establishments

b. Office or ground space:

- Automobile parking lot
- Offices, business or professional, including financial and insurance

c. Services:

- Bank
- Barber shop and beauty parlor
- Cafe or restaurant (including dancing or entertainment)
- Church
- Clothes cleaning agency and/or pressing establishment
- Club or lodge (non profit), fraternal or religious association
- Community Center
- Dressmaker or millinery shop
- Clinic (Human or animal)
- Laundry
- Photographer
- Post Office
- Shoe store and repair

Tailor  
Motion picture theater  
Blueprinting or photostating  
Carpenter shop, if conducted wholly within a completely enclosed building and no more than five (5) persons are employed on the premises  
Conservatory of music  
Drive-in business  
Fortune telling, clairvoyance or astrology  
Interior decorating store  
Locksmith shop  
Message parlor  
Medicine and dental laboratories  
Mortuary  
Newspaper plants  
Public garage, including automobile repairing, and incidental body work, painting or upholstering, if all operations are conducted wholly within a completely enclosed building. Provided, however that where a public garage is located on a lot which does not abut an alley and is within sixty-five (65) feet of a lot in any R District, the garage wall which parallels the nearest line of such district shall have no opening other than stationary windows  
Public Services, including electric distributing substation, fire or police station, telephone exchange, and similar uses  
Theater  
Wedding Chapel

d. Other uses similar to above if approved by the Elko County Planning Commission and the Committee of Architecture.

2. Conditional Uses:

The following are conditional uses and shall be permitted only if approved by the Elko County Planning Commission and by the Committee of Architecture:

Frozen food locker plants (excluding wholesale processing or cold storage)  
Plumbing shop  
Printing, lithographing, publishing or reproducing  
Distributors of petroleum products if location is approved by the Elko County Planning Commission  
Furniture warehouse, for storing personal household goods, provided the ground floor front is devoted to stores  
Ice storage house if not more than five (5) ton capacity  
Trade school, if location is approved by the Elko County Planning Commission  
Stadium and commercial recreation enterprise

3. Parking:

One parking space shall be provided for each four hundred (400) square feet of useable floor area for all permitted and conditional uses.

4. Yards:

No requirements.

5. Height Limitations:

when No building shall have a height in excess of fifty (50) feet or two (2) stories, or in excess of twenty (20) feet located within thirty (30) feet of a residential (R) District.

6. Building Site Area:

shall The minimum building site area or lot shall be ten thousand (10,000) square feet; the minimum width of a lot be seventy-five (75) feet.

7. Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provision of A-2, Page 3, of this Declaration of Reservations and upon approval of the Elko County Planning Commission.

C-2  
**HIGHWAY SERVICES AND TOURIST  
COMMERCIAL GROUP II**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

1. Permitted Uses:

The following principal uses are permitted when conducted entirely within a completely enclosed building:

- a. Store for the sale at retail of books, confectionery, dairy products, drugs, flowers, food, stationery, toys, or variety household goods, excluding second hand stores
- b. Barber shop, beauty parlor
- c. Tailor, dressmaking or shoe repair shop
- d. Office, bank, rental agency
- e. Laundry, or dry cleaning pick-up agency, self-service automatic laundry
- f. Eating establishment including liquor and gaming
- g. Commercial recreation facility
- h. Social, cultural, religious or philanthropic institution
- I. Liquor stores
- j. Motel, motor hotel, with gaming

2. Conditional Uses:

The following are conditional uses and shall be permitted only if approved by the Elko County Planning Commission and the Committee of Architecture.

- a. Any of the uses permitted when combined with or involving any outdoor display of goods or outdoor business activity
- b. Automobile service station, including facilities for general repair or mechanical washing
- c. Plant nursery, greenhouse, garden supply store
- d. Sale at retail of new or used automotive vehicles, trailers or boats
- e. Drive-in restaurant
- f. Establishment where liquor is sold for consumption on the premises
- g. Clinic, hospital (human or animal)

3. Accessory Uses:

A dwelling unit within a business building may be qualified as an accessory use if it is for occupancy by the owner of lessee of business premises therein, or by a caretaker or watchman.

4. Yards:

The minimum requirements for yards shall be as follows:

- a. Depth of front yard - 30 feet
- b. Depth of rear yard - 20 feet
- c. Side yards - 10 feet

5. Height Limitations:



No building shall have a height in excess of fifty (50) feet or two (2) stories, or in excess of twenty (20) feet when located within thirty (30) feet of an R District.

6. Building Site Area:

The minimum building site area or lot shall be ten thousand (10,000) square feet; the minimum width of a lot shall be seventy-five (75) feet.

7. Parking:

One parking space shall be provided for each three hundred (300) square feet of useable floor area for all permitted and conditional uses.

8. Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provision of A-2, Page 3, of this Declaration of Reservations and upon approval of the Elko County Planning Commission.

**C-3**  
**ADMINISTRATIVE-PROFESSIONAL OFFICES**  
**GROUP III**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

1. Permitted Uses:

The following principal uses are permitted:

- a. Office or office building for the conduct of business, professional or administrative services
- b. Bank, loan agency
- c. Church, library, exhibit hall, art gallery
- d. Clinic, hospital
- e. Clubhouse or rooms used by members of a lodge, union or society
- f. Medical or dental laboratory

2. Conditional Uses:

The following are conditional uses and shall be permitted only if approved by the Elko County Planning Commission and the Committee of Architecture:

- a. Pharmacy, limited to the sale of drugs and medical supplies
- b. Restaurant or store needed to serve the occupants of existing buildings
- c. Parking lot
- d. Public utility substation or facility, not including any service yard or repair shop
- e. Mortuary establishment

3. Accessory Uses:

A dwelling unit within a business building may be qualified as an accessory use if it is for occupancy by the owner or a lessee of business premises therein, or by a caretaker or watchman.

4. Yards:

The minimum yard requirements shall be as follows:

- a. Depth of front yard - 15 feet
- b. Depth of rear yard - 10 feet
- c. Width of side yard abutting any R District or on the street side of a corner lot - 10 feet; otherwise a 5 foot side yard is required
- d. No required yard shall be used as a parking space
- e. All yards shall be landscaped or provided with growing ground cover, except for access driveways and walks

5. Height of Building:

No building shall have a height in excess of thirty (30) feet, or two (2) stories.

6. Signs:

The aggregate of identifying business signs on any one building site, or alternatively for each ten thousand

(10,000) square feet of a building site containing two (2) or more separate main buildings, shall not exceed six (6) in number of fifty (50) square feet in area. No sign shall have any moving parts or extend more than four (4) feet above the roof or cornice line of any main building on the site. No sale or lease sign shall exceed nine (9) square feet in area.

7. Building Site Area:

The minimum building site area of lot shall be seven thousand five hundred (7,500) square feet; the minimum width of a lot shall be seventy-five (75) feet.

8. Parking:

One parking space shall be provided on site for each two hundred (200) square feet of useable floor area.

9. Subdivision of Lots:

No lot or parcel of land shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provision of A-2, Page 3, of this Declaration of Reservations and upon approval of the Elko County Planning Commission.

**M-1**  
**INDUSTRIAL AND EXTRACTIVE DISTRICT**

Notwithstanding other uses permitted under Elko County Zoning Ordinance, the following uses and regulations shall apply unless otherwise provided in these reservations.

1. Industrial and Extractive Districts:

Certain classes of Districts, designated herein by the primary symbol “M” and collectively referred to as “Industrial” or “M” Districts, are established to provide for the various types of manufacturing, warehousing, processing and mineral extraction activities of Elko County.

2. Intent:

The general industrial and extractive M-1 District is intended to provide space in suitable locations in Elko County for all types of manufacturing, warehousing, processing mining, ore reduction, and mineral development activities.

3. Permitted Uses:

The following listed uses are permitted:

- I. Agricultural uses of any kind
- II. Retail and wholesale establishment for the sale or distribution of products manufactured or produced by the industry on the same site.
- III. Commercial establishments provided as a service to employees of the plant or industry on the same site.
- IV. Dwellings to be limited to lots or parcels on which permitted factories, manufacturing plants or industrial uses are located, such dwelling to be used exclusively by the caretaker or superintendent of such enterprise and his family.
- V. Mining, including milling
- VI. Oil well drilling
- VII. Steam electric generating station
- VIII. Railroad Yards
- IX. Airports and landing fields
- X. Manufacturing uses, as listed:
  1. Ordinance and accessories:
    - a. Guns, howitzers, mortars and related equipment
    - b. Tank and tank components
    - c. Small arms
    - d. Ordinance and accessories
  2. Food and kindred products:
    - a. Sugar
    - b. Beverage industries
    - c. All other types of food and kindred products
  3. Textile mill products:
    - a. Scouring and combing plants
    - b. Carpets, rugs and other floor coverings
    - c. Miscellaneous textile goods:
      - (1) Felt goods
      - (2) Processed waste
      - (3) Linen goods

- (4) Jute goods
- (5) Cordage and twine
- 4. Lumber and wood products:
  - a. Logging and camps and logging contractors
  - b. Sawmills and planing mills
  - c. Millwork, plywood and prefabricated structural wood products
  - d. Miscellaneous wood products
- 5. Chemicals and allied products:
  - a. Drugs and medicines
- 6. Products of petroleum and coal:
  - a. Coke and by-products
  - b. Paving and roofing materials
  - c. Miscellaneous petroleum and coal products
- 7. Rubber products: All types
- 8. Leather and leather products
  - a. Industrial leather belting and packing
  - b. Boot and shoe cut stock and findings
- 9. Stone, clay and glass products: All types
- 10. Primary metal industries: All types
- 11. Fabricated metal products: All types
- 12. Machinery and electrical machinery: All types
- 13. Transportation equipment: All types
- 14. Miscellaneous manufacturing industries:
  - a. Candles
  - b. Mortician's goods
  - c. Beauty and barber shop equipment
  - d. Furs, dressed and dyed

4. Conditional Uses:

The following manufacturing and industrial uses shall be permitted if the location and development plan is approved by the Elko County Planning Commission and the Committee of Architecture.

- a. Ammunition
- b. Meat packing and slaughtering
- c. Dyeing and finishing textiles
- d. Canning and curing of sea foods
- e. Pulp, paper and paperboard mills
- f. Pulp goods and miscellaneous converted paper products
- g. Chemicals and allied products
- h. Petroleum refining's
- I. Leather-tanned, curried and finished
- j. Matches
- k. Fireworks and pyrotechnics
- l. Rendering or reducing plant
- m. Salvage yard
- n. Junk yard
- o. Open storage of used buildings, used building materials and used fixtures.
- p. Blast furnace or coke oven
- q. Rocket propellants manufacturing and testing
- r. Explosives
- s. Permanent asphalt plant.

- T. Livestock feed and sales yard
  - u. Stockyards
  - v. Sandblasting plant
  - w. Tank farm for petroleum products
  - x. Cement, lime, gypsum, potash, or plaster of paris manufacture
  - y. Drop forge industries manufacturing forgings with power hammers
  - z. Iron, steel, brass or copper foundry or fabrication plant, including rolling mill and boiler works
  - aa. Ore reduction, including refining and smelting of metals
- Auto wrecking, salvage yards, junk yards, and open storage of used buildings, used building materials, and used fixtures, must be completely enclosed within a neat, painted, solid, six foot fence which shall be constructed in accordance with requirements of the Elko County Building Official and maintained in good repair and painted at all times.

5. Accessory Buildings:

Any accessory customarily incident to any of the above uses when located on the same lot.

6. Similar Uses:

Any use similar to those listed if the use, location and development plan is approved by the Elko County Planning Commission and the Committee of Architecture.

7. Abatement of Fumes and Odors:

Uses shall be planned, developed, conducted and operated so that smoke, fumes, dust, odors, liquids and other waste of any kind is confined and/or purified to control pollution of air, soil or water to meet the standards and requirements of the Elko County Planning Commission and in such manner as to provide no threat to public health and welfare.

8. Parking and Loading:

One parking space for each full-time employee shall be provided, plus guest parking and loading space as deemed appropriate by the Elko County Planning Commission for the particular use.

9. Yards:

The minimum requirements for yards shall be as follows:

- a. Front yard - 25 feet
- b. Rear yard - 15 feet
- c. Side yards- 10 feet

10. Height Limitations:

None, except where the M-1 District abuts an R or C District, no building, structure, chimney or other facility within five hundred (500) feet of an R or C District boundary shall exceed thirty -five (35) feet or two and one-half stories in height.

11. Area of Building Site Requirements:

Every lot or building site shall have an area not less than twenty thousand (20,000) square feet, and a width of not less than one hundred (100) feet.

12. Subdivision of Lots:  
No lot or parcel of land, shall be divided into smaller lots or parcels whether for lease, sale or rental purposes, provided that variations may be granted by the Committee of Architecture in accordance with provision of A-2, Page 3 of this Declaration of Reservations and upon approval of the Elko County Planning Commission.

GENERAL PROVISIONS

1. Duration:  
The covenants and conditions of this Declaration shall run with the land and shall be binding upon all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants and conditions are recorded. At that time, the covenants and conditions shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change the covenants and conditions in whole or in part.
2. Notices:  
Any notice required to be sent to any owner under the provisions of this Declaration shall be deemed to have been properly sent when mailed postpaid to the last known address of the person who appears as owner on the records of Declarant at the time of such mailing.
3. Severability:  
In the event that any of the provisions of this Declaration in each area of Land Use Regulations conflict with any other of the sections therein, the more restrictive of the two shall govern. If any paragraph, section, sentence, clause or phrase of the conditions and covenants herein contained shall be or become illegal, null, or void, for any reason or shall be held by any court of competent jurisdiction to be illegal, null, or void, the remaining paragraphs, sections, sentences, clauses or phrases herein contained shall not be affected thereby. It is hereby declared that those conditions and covenants herein contained would have been and are imposed and each paragraph, section, sentence, clause or phrase thereof, irrespective of the fact that any one or more other paragraphs, sections, sentences, clauses or phrases is (are) or shall become or be illegal, null, or void.
4. Enforcement:  
In the event of any existing or threatened violation of any of the Conditions or other provisions of this Declaration, or the nonpayment of any of the charges herein, the Declarant, any person, firm, or corporation to whom the Declarant may have assigned the right, or any owner of any lot or parcel of land in Spring Creek, may bring an action at law or in equity for an injunction, action to foreclose a lien or charge, action for damages, or for any additional remedy as may be available. All such remedies shall be cumulative, and the bringing of such an action, or the failure to do so by anyone so entitled, shall not affect the right of another to avail himself for itself of any available remedy.

IN WITNESS WHEREOF, CATTLEMEN'S TITLE GUARANTEE COMPANY has caused its corporate name and seal to be hereunto affixed by its officer thereunto duly authorized this 6th day of April, 1971.

CATTLEMEN'S TITLE GUARANTEE COMPANY  
(Trustee)

By \_\_\_\_\_ Ruby Dalton  
Trust Officer, Vice President

STATE OF NEVADA    )  
                                   ) ss.  
COUNTY OF ELKO    )

On this, the 6th day of April, 1971, before me, the undersigned officer, personally appeared Ruby Dalton who acknowledged himself to be the Trust Officer, of the Cattlemen’s Title Guarantee Company of Nevada, a corporation, and that he as such Trust Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

GAY GLENN  
Notary Public-State of Nevada  
Elko County, Nevada  
Commission expires Mar 8, 1975  
Copy File No. 59343

\_\_\_\_\_ Gay Glenn  
Notary Public in and for said County & State

FILED FOR RECORD AT REQUEST OF CATTLEMEN’S TITLE GUARANTEE COMPANY

April 8, 9:14 A.M., 1971, RECORDED BOOK 142 PAGE 606

ESTHER N. SKELTON, ELKO COUNTY RECORDER.

FEE \$34.00

59343



