

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS AND
MODIFICATION OF THE LANDSCAPING RESTRICTIONS
FOR THE COUNTRY CLUB HILLS
COMMUNITY ASSOCIATION

THIS AMENDMENT TO THE DECLARATION is made on the fifth day of February 1998, by the Country Club Hills Community Association, a Nevada non-profit corporation (the "Association").

RECITALS

WHEREAS, the Articles of Incorporation (The "Articles") created the Country Club Hills Community Association (the "Association") a Nevada non-profit corporation and the Declaration of Covenants, Conditions, and Restrictions (the "CC&Rs") vested the Board of Directors (the "Board") with the power to govern and control the Association; and

WHEREAS, the Declaration was recorded in the office of the Clark County Recorder on December 18, 1991 in Book No. 911218, Instrument No. 01031 which Declaration provides for a method to make amendments to the Declaration; and

WHEREAS, the Declaration, Article XV, Section 15.2 (b) provides that Owners may amend the Declaration upon approval of ~~sixty-seven percent (67%) of the voting power of the Association;~~ and

WHEREAS, the Declaration, Article XV, Section 15.2 (b) further provides that such approvals shall be evidenced by a Certificate of the Secretary of the Association which shall be Recorded with the Amendment; and

WHEREAS, on the fifth day of February 1998, the effective date of this Amendment, the Association consisted of One Hundred Sixty Nine Owners of Record; and

WHEREAS on the fifth day of February 1998 the effective date of this Amendment, One Hundred and Fifteen Owners of Record representing at least sixty-seven percent (67%) of the total voting power of the Association voted in favor of this Amendment; and

WHEREAS, no First Mortgagees have requested the Association notify them of proposed action or amendments under Article XV, Section 15.2 (c); and

WHEREAS, the First Amendment to the Declaration was recorded in the office of the Clark County Recorder on December 17, 1992 in Book No. 921217, Instrument No. 01095 which amendment amended Article IV Section 4.16 of the Declaration to prohibit the planting, removal, modification, or deviation to any of the plants and landscaping installed by the Participating Builder in the front yard area including all portions of the front yard outside the courtyard wall to the street

plus the side yard from the side yard wall return to the street and the corner yard landscape.

NOW, THEREFORE, Article IV Section 4.6 of the Declaration of Covenants, Conditions, and Restrictions is hereby deleted in its entirety and amended to read as follows:

1. Section 4.16: Landscaping. All landscaping improvements on those portions of the front, side and rear yards and the courtyards of each Owner's Lot which are visible from any Private Street, Public Street, within or outside the Development, Common Area or the Golf Course Property must be approved by the Design Review Committee and the Design Review Committee of Summerlin Community Association prior to installation or construction thereof. One of the continuing objectives of the Development shall be to ensure continuity and visual quality of the neighborhood image of the Development. The criteria set forth in this Declaration is intended to provide minimum standards for creating and maintaining the continuity and visual quality of the neighborhood image and character.

Each Participating-Builder shall install landscaping for each Lot in the Development constructed by such Participating Builder for such portion of each Lot which shall include only the front yard area which shall be all portions of the front yard outside the courtyard wall to the street, plus the side yard from the side yard wall return to the street, and the corner yard landscape.

All front yard landscaping installed by the Participating Builder shall be maintained by the Sub-Association, and the cost thereof shall be a 'Common Expense' as defined in Section 1.12 hereof. All irrigation of the front yard landscaping installed by the Participating Builder shall be controlled solely by the Sub-Association, its agents, employees, and contractors. The Sub-Association shall replace and replant the landscaping as necessary unless necessitated by the intentional act or neglect of any Owner.

However, a unit's owner may with the approval of the Design Review Committee and the Design Review Committee of the Summerlin Community Association remove, modify, or change the front yard garden area installed by the Participating Builder. If the front yard garden area is removed, modified, or changed, as outlined above, the unit's owner and not the Sub-Association shall be responsible for all maintenance, including but not limited to, trimming, irrigation, weeding, fertilizing, and replacement of plants and the unit's owner and not the Sub-Association shall be required to disclose such responsibilities to all potential buyers if the unit is sold.

All portions of each Lot not described above shall be maintained by each Lot Owner consistent with this Declaration and all rules, regulations and criteria enacted or adopted from time to time by the Sub-Association and the Design Review Committee. All landscaping improvements shall be approved by the Design Review Committee and the Design Review Committee of Summerlin Community Association.

Landscape in the courtyard area of each Lot shall reinforce the imagery of the street as well as the residence itself, blending plants and architecture so that the plants and building seem

to be one. Plantings in masses and adjacent to buildings shall produce a recognizable theme, yet provide diversity along the street. The use of drought-resistant, low-water use plant material appropriate to the desert climate of Las Vegas shall be encouraged in the courtyard and rear yards of all Lots. The use of large, expansive turf areas shall not be permitted. The Declarant, any Participating Builder, and the Sub-Association shall encourage Lot Owners to be responsive to contemporary environmental concerns regarding water conservation and shall reflect this philosophy in the landscape design criteria of the Development. To the extent not inconsistent with the provisions hereof, the use of shrubbery shall offer flexibility and creativity and shall be used to express individual character. Design elements of shrubs such as form, foliage color, texture, size and flower shall help achieve individuality. Location of trees shall be limited to areas which will not interfere or create a nuisance to neighboring properties upon maturity. Plant materials shall be located to insure safe traffic site lines and visibility of signage. Hazards to pedestrians and traffic which shall or may be created by plant debris or litter shall be minimized. All trees shall be nursery grown, free of disease, and of good habit and shall represent the best qualities of their species. Sizing shall be as specified by the Arizona Nurserymen Association standards. The landscape areas of the courtyards of each Lot shall not have more than fifty percent (50%) coverage of non-living, non-organic material. Massed shrubbery and large ground cover beds shall be encouraged along with minimal but useable turf areas. Bare soil shall not be permitted. Street trees provided by the Declarant or any Participating Builder, or the Sub-Association shall not be included as part of any quantity requirements set forth herein.

The minimum number of trees and their sizes required for the courtyard area of each Lot shall be as follows:

Two (2) twenty-four (24) inch boxed trees;

Turf: All grass must be fescue blend, hybridized bermuda blend or annual ryegrass developed for use in the desert. Common bermuda grass is not permitted

Plant Materials: Plant materials provide shade, windbreaks, accents and screening in the landscape. Where structures are present, plants should complement the style and scale of architecture. The Declarant, Participating Builders, and Sub-Association encourage Lot Owners to select plants which are hardy to the Las Vegas climate, soil conditions and wind experienced in this area. Additionally, the Declarant, participating Builders and Sub-Association encourage the use of water conserving plant material as a conservation measure in recognition of the natural desert environment. A list of recommended trees, shrubs and ground covers is provided as exhibit 1 attached hereto.

Installation: Lot Owners must install plant materials in a manner generally acceptable to the horticultural practices of the area and in a manner which will maximize chances of survival.

Maintenance: *The Sub-Association shall maintain all landscaping installed by the Participating Builder in all portions of the front yard outside the courtyard wall to the street, plus the side yard from the side yard wall return to the street, and the corner yard*

landscape. The Sub-Association shall not maintain any front yard gardens areas that have been removed, modified, or changed by the unit's owner from the original installation by the Participating Builder after approval from the Design Review Committee. Any Owner who removes, modifies, or changes the front yard garden area with the approval of the Design Review Committee shall accept responsibility for problems caused by the Association's landscape crew. Lot Owners are expected to maintain their landscapes in good condition at all times. This includes weekly lawn mowing, pruning trees and shrubs, fertilizing, watering, removal of dead plants or parts of plants, replacement of plants and overseeding of lawn areas and removal of debris.

Recommended Plant List: Lot Owners are encouraged to select only those species indicated on the attached recommended plant list. Other species are subject to approval at the sole discretion of the Design Review Committee and the Design Review Committee of Summerlin Community Association.

Prohibited Plants: The following plants are prohibited:

BOTANICAL NAME	COMMON NAME
Cynodn dactylon	Common Bermuda Grass
Morus alba	Mulberry Species
Nerium oleander	Oleander Species
Olea europaea	Common Olive
Populus species	Cottonwood

Landscape Lighting: Lot Owners are encouraged to use landscape lighting to enhance their residence and yard. Only indirect low level lighting is permitted. No lighting which causes glare, discomfort or disrupts the visual environment of the neighboring residences and yards is permitted. Any lights mounted high than six (6) feet off the ground must be pointed downward and away from neighboring residences. No light on any building, tree, pole, or any other vertical element within a Lot may be located higher than the eaves of the house. Ground mounted spotlights and uplights are acceptable provided thy point towards the building and do not provide nuisance light levels in adjacent Lots.

All landscaping installation and construction on a Lot shall take place within one hundred twenty (120) days following conveyance of such Lot from Declarant or a Participating Builder to the Owner of such Lot, other than Declarant or Participating Builder, and the installation and construction thereof shall be substantially complete within one hundred fifty (150) days of such conveyance referred to above. Thereafter, the landscaping shall be maintained in a neat and attractive condition, including all necessary gardening, pruning, and mowing, and shall be properly maintained and periodically replaced when necessary by the Sub-Association *or other responsible party as outlined above* with respect to the specifically defined area set forth herein-above, and the Owner with respect to all other areas on each Lot. No plants or seeds infected with insects or plant diseases shall be brought upon, grown or maintained within the Development. The Board of Directors of the Sub-Association may adopt additional rules and regulations to maintain landscaping in conformance with the

general principles set forth herein. If any Owner fails to install and maintain landscaping in conformity with such rules and regulations of this Declaration, or allows the landscaping on any Lot to deteriorate to an unsightly or unattractive condition, or fails to replace any dead plant materials within a reasonable period of time as established by the Board of Directors of the Sub-Association, then the Board of Directors, upon thirty (30) days' prior written notice to such owner, shall have the right to seek any remedy at law or in equity which the Sub-Association may have to correct such condition, or after notice and a hearing, to enter upon the Owner's property and Lot for the purpose of maintaining or replacing the landscaping in conformity with this Declaration and the rules and regulations of the Board of Directors. Such Owners shall thereafter promptly reimburse the Sub-Association for the cost of such corrective procedures. Such costs shall be a special assessment and enforceable in the manner set forth in this Declaration.

Following installation of landscaping improvements, no Owner shall remove, alter, or replace such improvements without the specific written consent of the Design Review Committee and the Design Review Committee of the Summerlin Community Association.

5.3.8 Recommended Plant List: Lot Owners are encouraged to select only those species indicated on the following recommended plant list. Other species are subject to approval at the sole discretion of the Committee.

A.	<p>Large Trees</p> <p>Acacia constricta*</p> <p>Fraxinus velutina "Modesto"</p> <p>Fraxinus velutina "Rio Grande"</p> <p>Gleditsia tricanthos "Imperial"</p> <p>Gleditsia tricanthos "Shademaster"</p> <p>Pistacia chinensis</p> <p>Platanus wrightii</p> <p>Platanus acerifolia</p> <p>Quercus ilex</p> <p>Quercus virginiana</p> <p>Quercus virginiana "Heritage"</p> <p>Ulmus parvifolia sempervirens</p>	<p>Mescat Acacia</p> <p>Modesto</p> <p>Fan-Tex Ash</p> <p>"Imperial" Honey Locust</p> <p>"Shademaster" Honey Locust</p> <p>Chinese Pistache</p> <p>Arizona Sycamore</p> <p>London Plane Tree</p> <p>Holly Oak</p> <p>Southern Live Oak</p> <p>"Heritage" Oak</p> <p>Evergreen Elm</p>
B.	<p>Accent Trees</p> <p>Albizia julibrissin</p> <p>Chilopsis linaris*</p> <p>Koelreuteria paniculata</p> <p>Lagerstroemia indica</p> <p>Ligustrum lucidum</p> <p>Magnolia grandiflora</p> <p>Malus species</p> <hr/> <p>Olea europaea "Swan Hill"</p> <p>Prosopis glandulosa juliflora*</p> <p>Prosopis glandulosa torreyana*</p> <p>Prunus armenica</p> <p>Prunus caroliniana</p> <p>Prunus persica</p> <p>Prunus cerasifera hybrids</p> <p>Pyrus calleryana "Bradford"</p> <p>Vitex angux-castus*</p>	<p>Mimosa/Silk Tree</p> <p>Desert Willow</p> <p>Goldenrain Tree</p> <p>Crape Myrtle</p> <p>Glossy Privet</p> <p>Southern Magnolia</p> <p>Crabapples</p> <hr/> <p>"Swan Hill" Olive</p> <p>Velvet Mesquite</p> <p>Honey Mesquite</p> <p>Flowering Apricot</p> <p>Carolina Laurel Cherry</p> <p>Flowering Peach</p> <p>Flowering Plum</p> <p>"Bradford" Pear</p> <p>Chaste Tree</p>
C.	<p>Coniferous Trees</p> <p>Cupressocyparis leylandii</p> <p>Cupressus sempervirens</p> <p>Cupressus glabra*</p> <p>Juniperus chinensis "Torolosa"</p> <p>Pinus roxburgii</p> <p>Pinus brutia eldarica</p> <p>Pinus halepensis</p> <p>Pinus pinea</p>	<p>Leylandi Cypress</p> <p>Italian Cypress</p> <p>Smooth Arizona Cypress</p> <p>Hollywood Juniper</p> <p>Chir Pine</p> <p>Mondell Pine</p> <p>Aleppo Pine</p> <p>Italian Stone Pine</p>
D.	<p>Palms</p> <p>Chamaerops humilis</p> <p>Cycas revoluta^o</p> <p>Phoenix canariensis</p> <p>Phoenix dactylifera</p>	<p>Mediterranean Fan Palm</p> <p>Sago Palm</p> <p>Canary Island Palm</p> <p>Date Palm</p>

Phoenix roebelenii^o
Trachycarpus fortunei
Washingtonia filifera*
Washingtonia robusta^o

Pygmy Date Palm
Windmill Palm
California Fan Palm
Mexican Fan Palm

E. Shrubs

Abelia grandiflora^o
Atriplex lentiformis "Brewerii"*
Atriplex lentiformis*
Baccharis sarothroides*
Berberis thunbergii
Buxus microphylla japonica
Ceasalpinia gillieii*
Cassia artemisioides*
Cassia wislizeni*
Celtis pallida*
Convolvulus cneorum*
Cotoneaster glaucophyllus*
Cotoneaster pannosus*
Cotoneaster salicifolius*
Elaeagnus ebbingei*
Elaeagnus pungens*
Euonymus japonica
Ilex cornuta "burfordii"
Ilex vomitoria
Juniperus chinensis "Blue Vase"
Juniperus chinensis "Mint Julip"
Juniperus chinensis "Pfitzerana"
Juniperus chinensis
 "Pfitzerana Compacta"
Juniperus chinensis
 "Pfitzerana Glauca"
Juniperus sabina "Arcadia"
Juniperus sabina "Buffalo"
Juniperus sabina "Tamariscifolia"
Lagerstroemia indica
Larrea tridentata Divericata*
Leucophyllum frutescens*
Leucophyllum laevigatum*
Ligustrum japonica
Ligustrum lucidum
Mahonia aquifolium^o
Myrtus Communis
Nandina domestica
Osmanthus fragans^o
Photinia fraseri
Pittosporum tobira^o
Podocarpus macrophyllus^o
Prunus besseyi
Punica granatum

Glossy Abelia
Brewer's Saltbrush
Quail Bush
Desert Broom
Japanese Barberry
Japanese Boxwood
Yellow Bird of Paradise
Feathery Acacia
Shrubby Acacia
Desert Hackberry
Bush Morning Glory
Bright Bead Cotoneaster
Silverleaf Cotoneaster
Willowleaf Cotoneaster
Ebbing Silverberry
Silverberry
Evergreen Euonymus
Burford Holly
Yaupon
Texas Star Juniper
Mint Julip Jujiper
Pfitzer Juniper

Compact Pfitzer

Blue Pfitzer
Arcadia Juniper
Buffalo Juniper
Tamarix Juniper
Shrub form Crape Myrtles
Creosote Bush
Texas Ranger
Chihauhuan sage
Waxleaf Privet
Glossy Privet
Oregon Grape
Myrtle
Heavenly Bamboo
Sweet Olive
Fraser's Photinia
Tobira
Yew pine
Western Sand Cherry
Pomegranate

<i>Pyracanthus species</i>	Pyracantha/Firethorn
<i>Raphiolepis indica</i>	India Hawthorn
<i>Rhus ovata*</i>	Sugar Bush
<i>Rosmarinus officinalis*</i>	Rosemary
<i>Salvia clevelandii*</i>	Chaparral Sage
<i>Salvia greggii*</i>	Texas Red Sage
<i>Salvia leucantha*</i>	Mexican Bush Sage
<i>Simmondsia chinensis*</i>	Jojoba
<i>Syringa persica</i>	Persian Lilac
<i>Vauquelinia californica</i>	Arizona Rosewood
<i>Viburnum tinus</i> °	Viburnum
<i>Vitex angus-castus*</i>	Chaste Tree
<i>Xylosma congestum</i>	Shiny Xylosma

F. Groundcovers

<i>Acacia redolens longerup*</i>	Prostrate Acacia
<i>Ajuga reptans</i> °	Carpet Bugle
<i>Baccharis pilularis*</i>	Dwarf Coyote Brush
<i>Campanula poscharskyana</i>	Serbian Bellflower
<i>Dalea greggii*</i>	Prostrate Indigo Bush
<i>Euonymus fortunei</i>	Wintercreeper
<i>Gazania hybridus</i>	Hybrid Gazania
<i>Hedera canariensis</i> °	Algerian Ivy
<i>Hedera helix</i> °	English Ivy
<i>Hypericum calycinum</i>	Creeping St. Johnswort
<i>Juniperus horizontalis</i>	Prostrate, Creeping

Carpet Junipers

<i>Lantana montevidensis</i>	Trailing Lantana
<i>Lonicera japonica "Halliana"</i>	"Hall's" Honeysuckle
<i>Oenothera berlandieri*</i>	Mexican Evening Primrose
<i>Osteospermum fruticosum</i>	Trailing African Daisy
<i>Potentilla verna</i>	Spring Cinquefoil
<i>Rosmarinus officinalis prostratus</i>	Trailing Dwarf Rosemary
<i>Teucrium chamaedrys "Prostratum"</i>	Dwarf Germander
<i>Trachelospermum asiaticum</i> °	Asiatic Jasmine
<i>Trachelospermum jasminoides</i> °	Star Jasmine
<i>Verbena goodingii*</i>	Gooding Verbena
<i>Verbena pulchella/tenuisecta*</i>	Moss Verbena
<i>Verbena rigida/venosa*</i>	Sand Verbena
<i>Vinca major</i> °	Periwinkle
<i>Vinca minor</i> °	Dwarf Periwinkle

G. Vines

<i>Antigonon leptopus</i>	Queen's Wreath
<i>Campsis radicans</i>	Common Trumpet Creeper
<i>Gelsemium sempervirens</i>	Carolina Jessamine
<i>Hedera species</i>	Ivy
<i>Lonicera japonica "Halliana"</i>	Hall's Honeysuckle
<i>Macfadyena unguis-cati</i>	Cat's Claw Vine
<i>Parthenocissus quinquefolia</i>	Virginia Creeper

Rosa banksia
Trachelospermum jasminoides
Wisteria floribunda

Lady Bank's Rose
Star Jasmine
Japanese Wisteria

H.

Specia Accent Plants

Baileya multiradiata*

Cortaderia selloana*

Dasyliion wheeleri*

Ferocactus species#

Festuca ovina glauca*

Fouquieria splendens#

Hesperaloe parvifolia*

“Englemannii”

Justicia spigera*

Liriope muscare

Muhlenbergia rigens*

Nolina microcarpa*

Ophiopogon japonicus*

Opuntia phaeacantha#

Pennisetum setaceum*

Penstemon eatonii

Platycladus orientalis

Santolina chamaecyparis*

Santolina virens*

Yucca aloifolia*

Yucca brevifolia#

Yucca elata*

Yucca recurvifolia*

Yucca whipplei*

Desert Marigold

Pampas Grass

Desert Spoon

Barrell Cactus

Bloue Ovina

Ocotillo

Red Yucca

Mexican Honeysuckle

Lilyturf

Deer Grass

Bear Grass

Mondo Grass

Engelmann Prickly Pear

Fountain Grass

Eaton's Penstemon

Oriental Arborvitae

Lavender Cotton

Green Santolina

Spanish Bayonet

Joshua Tree

Soap Tree

Pendulous Yucca

Our Lord's Candle

* Drought tolerant species

o Plant in protected location

Limit use to native desert areas

COUNTRY CLUB HILLS COMMUNITY ASSOCIATION

ELECTION CERTIFICATION
AMENDMENT TO ARTICLE SECTION

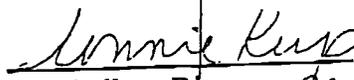
The Country Club Hills Community Association's Board of Directors submitted the above referenced proposed CC&R Amendment to the general membership of the Association for its vote.

OWNERS OF RECORD ON FEBRUARY 5, 1998.	<u>169</u>
67% AGREEMENT OF OWNERS OF RECORD OTHER THAN DECLARANT REQUIRED PER ARTICLE XV	<u>114</u>
TOTAL NUMBER OF VOTES IN FAVOR OF THE AMENDMENT	<u>115</u>

The undersigned further declare and certify that they have prepared this Certificate in accordance with the authority aforesaid, have executed said Certificate at Las Vegas, Nevada, on the day and year below written, and have caused the same to be recorded in the office of the County Recorder of Clark County, Nevada, Official Records, in accordance with N.R.S. 116-2117, thereby causing said Amendments to be binding upon every owner and subject to the Declaration of Covenants, Conditions, and Restrictions, whether the owner of each and every lot consented thereto or not.

I hereby certify that I have examined the ballots cast in the above referenced amendment election and the amendment has passed.


Larry Smith, President 1998
Country Club Hills Community Association


Connie Keys, Director president 2000
Country Club Hills Community Association

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF
JAMES DRIGGS ET AL
10-18-2000 14:58 CDO
BOOK 20001018 INST 01594
FEE 17.00 RPTL
AM RESTRICTIONS
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

When Recorded Return To:

Angela K. Rock, Esq.
James, Driggs, Walch, Santoro,
Kearney, Johnson & Thompson
3773 Howard Hughes Parkway, Suite 290N
Las Vegas, NV 89109

APN # 128-20-216-001 through 128-20-414-032

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS AND
MODIFICATION OF LANDSCAPING RESTRICTIONS
FOR THE COUNTRY CLUB HILLS
COMMUNITY ASSOCIATION

JUDITH A. VANDEVER, CLARK COUNTY RECORDER
500 SOUTH GRAND CENTRAL PKWY.
LAS VEGAS, NEVADA 89155-1510
(702) 455-4336

10-18-2000 14:58 CDD

OFFICIAL RECORDS	BOOK	20001018	INST	0159
FEE	17.00	RETT		00
TOTAL	17.00			

AM RESTRICTIONS

RECORDED AT THE REQUEST OF
JAMES DRIGGS ET AL

RECEIPT