

CHARLESTON RAINBOW UNIT 6A

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BOOK 890

DECLARATION OF ESTABLISHMENT

714650

3-1

OF

CONDITIONS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that SPROUL HOMES, INC., A New Mexico Corporation, 1012 Sproul Court, Las Vegas, Nevada owner of the real property in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

All that real property contained within the exterior boundary lines of CHARLESTON RAINBOW UNIT # 6-A as shown by map thereof recorded in Book 11, Page 32 of maps, in the Office of Clark County, Nevada records.

Hereby CERTIFY AND DECLARE that it has established and does hereby establish a general plan for the improvement land development of said Tract, and does hereby establish the provisions, conditions, restrictions and covenants upon and subject to which all lots and portions of lots in said Tract, herein referred to as "Said Tract", shall be improved or sold or conveyed by them as such owners, each and all of which shall hereaft apply to and bind the owner or owners of each and every parcel of land in said Tract, any interest therein, and their respective successors in their mutual interest, as fol to wit:

FIRST: All lots shall be used for single-family one-story, one and one-half story, or two story residential purposes only, and limited to one such residence to a lot, it being permissible to maintain servant's quarters. If servant's quarters are i or attached to the garage same shall be no more than one story in height. Any one-sto residence erected on said lots shall contain not less than 900 square feet, exclusive of garage, whether attached or detached, out buildings, basement and porches, and that any residence erected thereon shall face the front line thereof.

SECOND: No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the records plot. In any event, no building shall be located on any lot nearer than 20 fe to the front lot line, or nearer than 5 feet to any side street line. No building sha be located nearer than 5 feet to an interior lot line, except that no side yard shall required for a building setback line. No dwelling shall be located on any interior lot nearer than 15 feet to the rear lot line. For the purpose of this covenant, eaves, sto and open porches shall not be considered as a part of a building, provided, however, t this shall not be construed to permit any portion of a building on a lot to encroach up on another lot.

LOT AREA AND WIDTH: No dwelling shall be erected or placed on any lot having a width of less than 50 feet at the minimum building setback line, nor shall any dwelli be erected or placed on any lot having an area of less than 6000 square feet.

THIRD: No fences shall be erected or permitted to remain between the street and the front setback line to exceed the height of three (3) feet; nor shall any hedge therein be permitted to exceed the height of three (3) feet; and any fence wall or hedg placed or erected elsewhere on said premises shall not be more than six (6) feet in height.

That no building, tent or trailer of any kind shall be moved onto said premises nor shall any temporary residence be erected or maintained thereon.

FOURTH: That no intoxicating liquors of any kind shall ever be manufactured on said premises.

FIFTH: That no animals, including dogs, cats, poultry, fowl, rabbits, etc., shall be kept, maintained or raised on the premises for commercial purposes and not more than a total of four cats or dogs shall be maintained on the premises at any one time i any event.

SIXTH: ARCHITECTURAL CONTROL COMMITTEE: The architectural control committee composed of: R. B. CLINE, JOHN E. KINKENON AND GARY L. LOWES, 1012 Sproul Court, Las Vegas, Nevada.

A majority of the committee may designate a representative to act for it. In event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. At any time the then record owners of a majority of the lots shall have the power through duly recorded written instrument to change the membership of the committee or to withdraw from the committee or to restore it to any of its power and duties.

PROCEDURE: The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee, or its designated representative fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been duly complied with.

SEVENTH: That the breach of any said covenants and restrictions shall not defeat or render invalid the lien of any mortgage or deed of trust made in good faith and for value as to said lots or property, or any part thereof, but such provisions, restrictions, or covenant shall be binding and effective against any owner of said property whose title thereto is acquired by foreclosure, trustee's sale, or otherwise.

EIGHTH: That the above conditions and restrictions shall continue for ninety (90) years from September 15, 1968 unless at the expiration of any thirty (30) year period more than fifty percent of the property owners in said Tract desire to remove or modify them, or to substitute other provisions for any of the provisions herein contained

NINTH: Oil and mining operations: No oil drilling, oil development, operation oil refinish, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted in or upon any lot.

TENTH: No trucks, trailers, boats, or unlicensed motor vehicles of any kind shall be kept, parked in or upon any portion of said property between the street and the front setback line, except in a completely covered carport or garage.

ELEVENTH: Signs. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

TWELFTH: Garbage and refuse disposal. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

THIRTEENTH: Sign Distance at Intersections. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadway shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight-line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

FOURTEENTH: That on Lots 4 and 5, Block 1, there shall be no access permitted from subject property to street abutting the rear of these lots.

No delay or omission on the part of SPROUL HOMES, INC.,

its successors in interest, herein provided for, of the conditions, restrictions, covenants or reservations herein contained shall be construed as a waiver thereof, or acquiescence therein.

Each and all of the foregoing provisions shall constitute covenants running with the land and shall operate to the benefit of each and every lot in said tract and to the benefit of each and every owner of any such lot, his successors, or assigns, as against every other lot in said tract, and the owners thereof, their successors or assigns, and is created as a mutual equitable servitude in favor of each of said lots as against all others; and the breach or violation of any of said restrictions or covenants may be enjoined, abated or remedied by appropriate proceedings therefore at the instance of any present or subsequent owner of any lot, or portion of lot in said Tract, and the cost of such proceedings, together with reasonable attorney's fees, shall be borne and paid by the party or parties causing or permitting such breach or violation or the continuance thereof. In the event that any action for the enforcement of said restrictions or covenants shall proceed to judgment, the amount of such costs and fees shall be fixed by the court and included in any such judgment.

Whenever the context so requires herein, the masculine gender includes the feminine and/or neuter and the singular includes the plural.

SPROUL HOMES, INC.

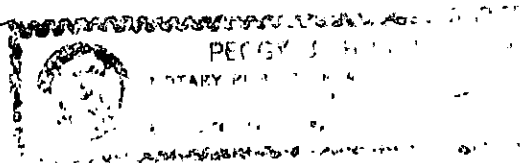
BY: R. B. Cline
R. B. Cline

STATE OF NEVADA
COUNTY OF CLARK

On July 31, 1968, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared R. B. Cline, known to me to be the Vice-President of the Corporation that executed the within instrument and acknowledged to me that he executed the same for and on behalf of the said Corporation and that said Corporation executed the same freely and voluntarily for the uses and purposes therein mentioned.

Witness my hand and Official Seal

Peggy J. Burch
Notary Public



When recorded return to Sproul Homes, Inc.,
1012 Sproul Court, Las Vegas, Nevada 89102

INST. NO. 714656
OFFICIAL RECORD BOOK NO. 890
RECORDED AT REQUEST OF
Title Insurance and Trust Company
AUG 2 10 00 AM '68