

✓ Donna Hook
New Valley Real Estate Mgmt.
1664 US Hwy 395, Ste 102
Minden, NV 89423

WHEN RECORDED, MAIL TO:

Michael T. Schulman, Esq.
SCHULMAN & GRODE, LLP
717 S. Third Street
Las Vegas, Nevada 89101

CERTIFICATE OF AMENDMENT

TO

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

MILL CREEK ESTATES HOME OWNERS' ASSOCIATION, INCORPORATED

THIS AMENDMENT to the Declaration of Covenants, Conditions and Restrictions for Mill Creek Estates Home Owners' Association, Incorporated. ("Association") is made this 16 day of November, 2000, with reference to the following facts:

A. The Association's Declaration of Covenants, Conditions and Restrictions (the "Declaration") was recorded in Book 691, as Instrument Number 253163 on June 19, 1991 in the office of the Recorder for Douglas County, Nevada and encumbers that certain real property as shown on Exhibit "A" attached hereto and incorporated herein by this reference.

B. The Association is a non-profit corporation subject to Nevada Revised Statute 116 ("NRS 116"). NRS 116 was amended effective October 1, 1999, by Senate Bill 451.

C. The amendments added to NRS 116 by Senate Bill 451 require certain amendments to the Association's governing documents, including, but not limited to, its Declaration. Pursuant to the terms of NRS 116, the Board of Directors, without a required vote of the homeowners, has the right to amend the Declaration to comply with NRS 116, as amended.

D. The Board of Directors, by a resolution adopted at a duly called, properly notice Board Meeting approved the following amendment to the Declaration to comply with NRS 116, as amended.

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NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING:

1. The following shall be added to the Declaration as Article X:

**"ARTICLE X
RESERVES**

Section 1. The Association shall establish an adequate reserve funded on a reasonable basis, for the repair, replacement or restoration of the major components of the common elements. The reserve may be used only for those purposes, including, without limitation, repairing, replacing and restoring roofs, roads and sidewalks, and must not be used for daily maintenance.

Section 2. The Association shall:

- (a) Cause to be conducted at least once every five years, a study of the reserves required to repair, replace and restore the major components of the common elements;
- (b) Review the results of that study at least annually to determine if those reserves are sufficient; and
- (c) Make any adjustments it deems necessary to maintain the required reserves."

2. Except as the same is hereinabove amended, the Declaration, and each and every provision thereof, shall continue in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this instrument on the date and year first written above.

MILL CREEK ESTATES HOME OWNERS'
ASSOCIATION, INCORPORATED,
a non profit corporation

By: Cathy J. Hopkins
CATHY J. HOPKINS Its President

I hereby certify and declare, under penalty of perjury, that the foregoing Amended and Restated Declaration has been approved by the Board of Directors as provided for in Nevada Revised Statutes 116.

Executed at Gardnerville, Nevada, on the 13th day of November, 2000.

Cathy Hopkins
, President

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STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

On this 16 day of November 2000, before me, Mary A. Draper,
a Notary Public, State of Nevada, duly commissioned and sworn, personally appeared Cathy Hopkins, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as President (or Secretary) or on behalf of the corporation therein named, and acknowledged to me that the corporation executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County of Douglas, the day and year in this certificate above written.

Mary A. Draper
Notary Public
State of Nevada



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EXHIBIT "A"

Legal Description

All that certain real property in Douglas County, Nevada, hereinafter known as Mill Creek Estates, said subdivision containing all the lands shown those certain plats filed as Document No. 252075 in the Office fo the County Recorder of Douglas County.

REQUESTED BY
New Valley Real Estate
IN OFFICIAL RECORDS OF
DOUGLAS COUNTY, NEVADA

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LINDA SLATER
RECORDER

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