

391724

COLLINS HEIGHTS SUBDIVISION

RESTRICTIVE COVENANTS

The, undersigned, Clarence E. Collins and Jennalea G. Collins, husband and wife, being the fee owners of the following described real property:

Lots 1 through 7 and Lots 9 through 20,
Collins Heights Subdivision, located in a
portion of Sections 19 and 30, Township 50
North, Range 71 West, 6th P.M., Campbell
County, Wyoming

hereby make the following declarations as to limitations, restrictions and uses to which the lots constituting the said subdivision may be put, hereby specify that said declarations shall constitute covenants to run with all of the land above described, as provided by law, and shall be binding upon all parties and all persons claiming under them, and for the benefit of said limitation of all future owners in said subdivision, or present owners consenting thereto by their signatures being affixed thereto.

1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one single family dwelling not to exceed two and one-half stories in height, and a private garage for not more than three cars.
2. No store, shop, repair shop, storage or repair garage, restaurant, dance hall, or other public place of amusement or any similar business of commercial enterprise shall be carried on or conducted upon any of the lots or tracts in said addition.
3. No trailer, basement, tent, shack, garage, barn or other out building erected on any lot or tract in the addition shall at any time be used as a residence permanently, nor shall any structure of a temporary character be used as a residence.
4. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
5. All construction shall be new.
6. No dwelling shall be permitted on any lot at a cost of less than \$25,000.00. The ground, for area of the main structure exclusive of one story open porches and garages, shall not be less than 1,000 square feet for a one story dwelling.
7. No building shall be located on any lot nearer than 50 feet to the front lot line, nor nearer than 50 feet to any side street line.
 - (a) No building shall be located nearer than fifteen feet to an interior line. No dwelling shall be located on any interior lot nearer than 40 feet to the rear lot lines.

- (b) For the purpose of this covenant, the steps, eaves and open porches shall not be considered as a part of a building, provided, however, that they shall not be constructed to permit any portion of a building on a lot to encroach upon another lot.
8. No dwelling shall be erected or placed on any lot having a width of less than 100 feet at the minimum building setback line, nor shall any dwelling be erected or placed on a lot having an area of less than 40,000 square feet.
 9. No animals may be kept except dogs and cats, and they shall be kept in an area which adequately fenced will keep the same within the owners area, and the premises must be kept in a clean and sanitary condition, so as to not be offensive to adjoining owners.
 10. 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 clean and sanitary.
 11. No individual sewage disposal system shall be permitted on any lot, unless such system has been designed, located and constructed in accordance with the requirements, standards and recommendations of the Wyoming Public Health Department.
 12. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 30 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years, unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to the change of said covenants in whole or in part.
 13. Enforcement shall be by the proceedings at law or inequity against any person or persons violating or attempting to violate any covenants either to restrain violation or to recover damages.

Dated this 12th day of March, 1975.

STATE OF WYOMING

Campbell County

Filed for record this 12th day of March

A. D., 19 75 at 3:16 o'clock P M. and re-

corded in Book 315 of Photos

on page 470 Fees \$ 7.00

By Gordon H. Hayden
County Clerk and Ex-Officio Register of Deeds

By Simon T. Whetstone
Deputy

RECORDED
ALSTADTED
INDEXED
CHECKED

Clarence E. Collins
Clarence E. Collins

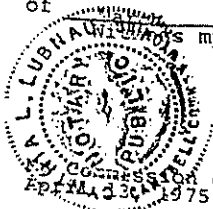
Jennalea G. Collins
Jennalea G. Collins

STATE OF WYOMING

County of Campbell

ss.

The foregoing instrument was acknowledged before me by
Clarence E. Collins and Jennalea G. Collins this 12th day
of March, 1975.
by my hand and official seal.



Lynda L. Lubman
Notary Public

1026113

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AMENDMENT TO THE COLLINS HEIGHTS
SUBDIVISION RESTRICTIVE COVENANTS

THIS Amendment to the Collins Heights Subdivision Restrictive Covenants is made this day by the Collins Heights Improvement and Service District, in its capacity as the Owner of Lots 8 and 21 of the Collins Heights Subdivision, Gillette, Campbell County, Wyoming and by a majority of the Lot Owners within Collins Heights Subdivision.

WHEREAS, a declaration of Collins Heights Restrictive Covenants ("Restrictive Covenants") was recorded in the Office of the Clerk of Campbell County, Wyoming on the 12th day of March, 1975, at Book 315 of Photos, Page 470; and,

WHEREAS, said Restrictive Covenants omitted Lots 8 and 21 of the Collins Heights Subdivision, Campbell County, Wyoming, from the legal description of the property which was to be subject to said Restrictive Covenants; and,

WHEREAS, said Lots 8 and 21 of the Collins Heights Subdivision, Campbell County, Wyoming, are presently owned by the Collins Heights Improvement and Service District, a duly formed and qualified Wyoming Improvement and Service District;

WHEREAS, pursuant to a Resolution adopted by the Board of Directors of Collins Heights Improvement and Service District on the 9th day of May, 2016, the Board of Directors, acting pursuant to the powers conferred upon them by W.S. §18-12-112, it was agreed that Lots 8 and 21 would hereafter be included within the Restrictive Covenants of the Collins Heights Subdivision;

WHEREAS, pursuant to the amendment provision of the Restrictive Covenants, the Collins Heights Improvement and Service District and the current Lot Owners within the Collins Heights Subdivision now desire to amend the Restrictive Covenants to include Lots 8 and 21 within the Restrictive Covenants, to provide certain additional provisions applying to all lots and to provide certain additional restrictions with regard only to Lots 8 and 21 of the Collins Heights Subdivision.

NOW THEREFORE, in consideration of the benefits conferred upon the subject property by virtue of the Restrictive Covenants, and further in consideration of the benefits conferred upon the members of the Collins Heights Improvement and Service District by virtue of having the subject property included within the Restrictive Covenants, the sufficiency of such consideration being acknowledged by all parties, the undersigned parties do hereby agree as follows: .

1. The undersigned Lot Owners within the Collins Heights Subdivision and the undersigned Board of Directors of the Collins Heights Improvement and Service District do hereby declare their consent and agree to amend the Restrictive Covenants of Collins Heights Subdivision as hereinafter described.

Paragraph 13 of the Restrictive Covenants shall be amended to read as follows:

- 13. *Enforcement may be made by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants. These covenants may be enforced by any governing body of Collins Heights Subdivision or by any lot owner within Collins Heights. Should any action be brought to enforce these covenants, the successful party to any such enforcement action shall be entitled to recover its reasonable attorney's fees and costs in conjunction with such enforcement action.***
- 2. Lots 8 and 21 shall hereinafter be included within, and shall hereafter be subject to, the Restrictive Covenants of Collins Heights Subdivision.**
- 3. The Restrictive Covenants shall be amended to include and incorporate the following paragraph, which shall hereafter be identified as Paragraph 14 of the Restrictive Covenants of Collins Heights Subdivision:**
- 14. *Notwithstanding any provisions to the contrary contained herein, it is hereby agreed that Lots 8 and 21 shall be further subject to the following restrictions:***

 - (a) *There shall be no dwellings, buildings or structures of any kind constructed or located upon Lots 8 or 21, whether temporary or permanent in nature. It is the intent of these Restrictive Covenants that said Lots 8 and 21 shall be maintained, permanently, as undeveloped property.***
 - (b) *This paragraph shall not restrict the maintenance, repair or replacement of any structure which is in any way a part of, or associated with, the radio towers presently located on Lots 8 or 21 of the Collins Heights Subdivision. This paragraph shall not restrict the construction, maintenance or repair of any roadway surfaces on Lots 8 or 21.***
 - (c) *Should either Lot 8 or 21 be consolidated with adjoining lots or be re-subdivided in any manner, the foregoing restrictions shall remain in full force and effect with respect to such property. Any lot consolidation or re-subdivision of either Lot 8 or 21 shall include the restrictive covenants contained within this Paragraph 14 and Lots 8 and 21 shall remain subject to the foregoing restrictions in perpetuity or until such time as the Restrictive Covenants are removed from all lots within the Collins Heights Subdivision.***

4. Lots 1 through 21 of the Collins Heights Subdivision shall remain subject to the Restrictive Covenants, including the amendments contained herein and any future amendments thereto, in perpetuity or until such time as the Restrictive Covenants are removed from all lots within the Collins Heights Subdivision.

5. The Restrictive Covenants of Collins Heights Subdivision, this Amendment to the Restrictive Covenants and any future amendments thereto, shall run with the land described as Lots 1 through 21 of the Collins Heights Subdivision, Gillette, Campbell County, Wyoming and shall be binding upon the Owners of all such Lots and their successors and assigns.

6. In case of any conflict between this Amendment and the Restrictive Covenants, this Amendment shall control.

7. Invalidation of any one of the provisions contained herein shall in no way affect any other provisions contained herein, which provisions shall remain in full force and effect.

COLLINS HEIGHTS IMPROVEMENT
AND SERVICE DISTRICT
AS OWNER OF LOTS 8 AND 21:

BY: Owen Carlson
Owen Carlson
President / Director
BY: RaDona Borgialli
RaDona Borgialli
Vice President / Director
BY: Phyllis Smith
Phyllis Smith
Secretary / Treasurer / Director

COLLINS HEIGHTS IMPROVEMENT
AND SERVICE DISTRICT
AS GOVERNING BODY OF COLLINS
HEIGHTS SUBDIVISION

BY: Owen Carlson
Owen Carlson
President / Director
BY: RaDona Borgialli
RaDona Borgialli
Vice President / Director
BY: Phyllis Smith
Phyllis Smith
Secretary / Treasurer / Director

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STATE OF WYOMING)
)
 COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Collins Heights Subdivision Restrictive Covenants was acknowledged before me by Owen Carlson as President and Director of the Collins Heights Improvement and Service District, in its capacity as the Owner of Lots 8 and 21 and in its capacity as the Governing Body of the Collins Heights Subdivision, on this 19th day of September, 2016.

WITNESS my hand and official seal.

Helenanne Cathey
 Notary Public

My commission expires: 3-23-2018



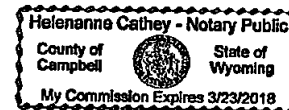
STATE OF WYOMING)
)
 COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Collins Heights Subdivision Restrictive Covenants was acknowledged before me by RaDona Borgialli as Vice President and Director of the Collins Heights Improvement and Service District, in its capacity as the Owner of Lots 8 and 21 and in its capacity as the Governing Body of the Collins Heights Subdivision, on this 19th day of September, 2016.

WITNESS my hand and official seal.

Helenanne Cathey
 Notary Public

My commission expires: 3-23-2018



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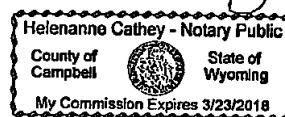
STATE OF WYOMING)
)
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Collins Heights Subdivision Restrictive Covenants was acknowledged before me by Phyllis Smith as Secretary, Treasurer and Director of the Collins Heights Improvement and Service District, in its capacity as the Owner of Lots 8 and 21 and in its capacity as the Governing Body of the Collins Heights Subdivision, on this 19th day of September, 2016.

WITNESS my hand and official seal.

Helenanne Cathey
Notary Public

My commission expires: 3-23-2018



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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Greg Monger
Owner Name

Owner Name

Greg Monger
Owner Signature

Owner Signature

Date: 8-7-16

Date: _____

Property Address: 4414 Hi Line Rd

STATE OF WYOMING)

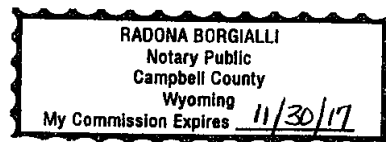
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Greg Monger, as Lot Owner(s) within Collins Heights Subdivision, on this 7 day of August, 2016.

Witness my hand and official seal.

Radona Borgialli
Notary Public

My commission expires: 11/30/17



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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Tim Zebroski

Owner Name

Tim Zebroski

Owner Signature

Date: 8-15-16Carletta Zebroski

Owner Name

Carletta Zebroski

Owner Signature

Date: 8-15-16Property Address: 4402 Collins Rd E.

STATE OF WYOMING)

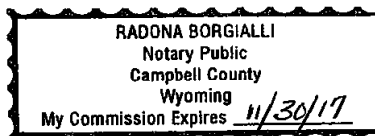
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Timothy & Carletta Zebroski as Lot Owner(s) within Collins Heights Subdivision, on this 15 day of August, 2016.

Witness my hand and official seal.

Radona Borgia
Notary Public

My commission expires:

11/30/17

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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Bonnie Bott
Owner Name

Bonnie Bott
Owner Signature

Date: 8-10-16

Owner Name

Owner Signature

Date: _____

Property Address: 401 Badger Ave

STATE OF WYOMING)

COUNTY OF CAMPBELL)

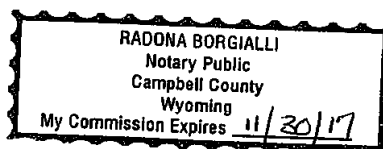
The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Bonnie Bott, as Lot Owner(s) within Collins Heights Subdivision, on this 10 day of August, 2016.

Witness my hand and official seal.

Radona Borgialli
Notary Public

My commission expires:

11/30/17



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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Jay Borgialli
Owner Name
Jay Borgialli
Owner Signature

Date: 8-23-16

RaDona Borgialli
Owner Name
RaDona Borgialli
Owner Signature

Date: 8/23/16Property Address: 327 Badger Ave

STATE OF WYOMING)
)
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Jay Borgialli + RaDona Borgialli, as Lot Owner(s) within Collins Heights Subdivision, on this 23rd day of August, 2016.

Witness my hand and official seal.

Helenanna Cathey
Notary Public

My commission expires: 3-23-2018

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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Janet Shober
Owner Name_____
Owner NameJanet Shober
Owner Signature_____
Owner SignatureDate: 8/16/16

Date: _____

Property Address: 315 Badger Av Gillette WY 82718

STATE OF WYOMING)

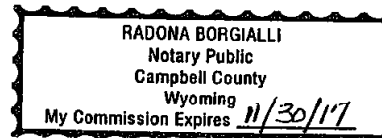
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Janet Shober, as Lot Owner(s) within Collins Heights Subdivision, on this 16 day of August, 2016.

Witness my hand and official seal.

Radona Borgialli
Notary Public

My commission expires:

11/30/17

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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Duane Cebulski
Owner Name
[Signature]
Owner Signature

Date: 8-1-16

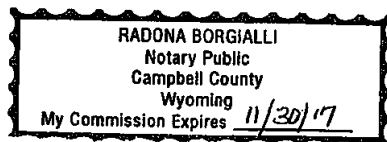
Deborah Cebulski
Owner Name
[Signature]
Owner Signature

Date: 8-1-16Property Address: 4406 Hi-Line Road Gullith WY
82718STATE OF WYOMING)
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Duane & Deborah Cebulski as Lot Owner(s) within Collins Heights Subdivision, on this 1st day of August, 2016.

Witness my hand and official seal.

[Signature]
Notary Public

My commission expires: 11/30/17

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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Carl M. Hahn
Owner Name

Carl M. Hahn
Owner Signature

Date: 8/1/16

Edith A. Hahn
Owner Name

Edith A. Hahn
Owner Signature

Date: 8/1/16

Property Address: 308 TOWER AVE

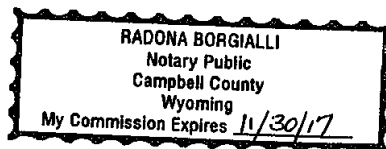
STATE OF WYOMING)
)
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Carl & Edith Hahn, as Lot Owner(s) within Collins Heights Subdivision, on this 1st day of August, 2016.

Witness my hand and official seal.

Radona Borgialli
Notary Public

My commission expires: 11/30/17



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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Mark P Wernsmann
Owner Name

Elizabeth A Wernsmann
Owner Name

Mark P Wernsmann
Owner Signature

Elizabeth A Wernsmann
Owner Signature

Date: 8-2-16

Date: 8-2-16

Property Address: 3141 Tower Ave

STATE OF WYOMING)
)
COUNTY OF CAMPBELL)

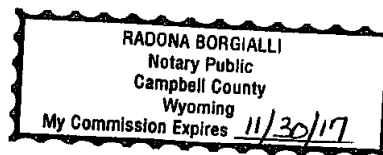
The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Mark & Elizabeth Wernsmann as Lot Owner(s) within Collins Heights Subdivision, on this 2 day of August, 2016.

Witness my hand and official seal.

Radona Borgialli
Notary Public

My commission expires:

11/30/17



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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

MATT WALKER

Owner Name

[Signature]

Owner Signature

Date: 8/7/16Marlayna Walker

Owner Name

[Signature]

Owner Signature

Date: 8/7/16Property Address: 4409 HI LINE RD

STATE OF WYOMING)

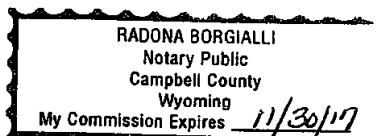
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Matthew & Marlayna Walker Owner(s) within Collins Heights Subdivision, on this 7 day of August, 2016.

Witness my hand and official seal.

[Signature]
Notary Public

My commission expires:



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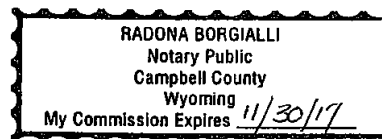
APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Darran Conrad
Owner NameDarran Conrad
Owner SignatureDate: 8/25/16Fawn Conrad
Owner NameFawn Conrad
Owner SignatureDate: 8/25/16Property Address: 4509 Hi Line RdSTATE OF WYOMING)
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Darran & Fawn Conrad, as Lot Owner(s) within Collins Heights Subdivision, on this 25 day of August, 2016.

Witness my hand and official seal.

Radona Borgialli
Notary PublicMy commission expires:
11/30/17

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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

ARTHUR A. TERNO
Owner Name

Arthur A. Terno
Owner Signature

Date: 8-1-16

Marjorie J. Terno
Owner Name

Marjorie J. Terno
Owner Signature

Date: 8-1-16

Property Address: 303 Tower Ave Dillite, WY 82718

STATE OF WYOMING)

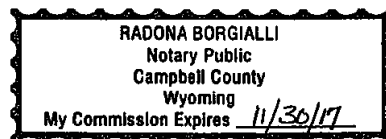
COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Arthur & Marjorie Terno, as Lot Owner(s) within Collins Heights Subdivision, on this 1st day of August, 2016.

Witness my hand and official seal.

Radona Borgialli
Notary Public

My commission expires: 11/30/17



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APPROVAL

By executing this Amendment to the Restrictive Covenants of Collins Heights Subdivision, below, the undersigned hereby agrees and consents to the foregoing described amendments:

Johnny Fleming
Owner Name_____
Owner NameJ Fleming
Owner Signature_____
Owner SignatureDate: 7-29-16

Date: _____

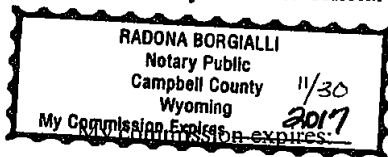
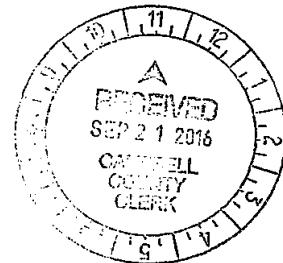
Property Address: 326 Tower Ave

STATE OF WYOMING)

COUNTY OF CAMPBELL)

The above and foregoing Amendment to the Restrictive Covenants of Collins Heights Subdivision, was acknowledged before me by Johnny Fleming, as Lot Owner(s) within Collins Heights Subdivision, on this 29 day of July, 2016.

Witness my hand and official seal.

Radona Borgialli
Notary PublicRECORDED
ABSTRACTED
INDEXED
CHECKED

1026113 Recorded on 9/21/2016 at 11.02.00 Fee 68.00
Book 3044 of PHOTOS Pages 63 to 79
Susan F. Saunders, Campbell County Clerk by: M. COLEMAN