

10100

RESTRICTIVE COVENANTS
OF
MOHAN SUBDIVISION
CAMPBELL COUNTY, WYOMING

THE STATE OF WYOMING)
COUNTY OF CAMPBELL)ss.

1. DESCRIPTION OF PROPERTY

WHEREAS, the undersigned, being the owner of certain real property in Campbell County, Wyoming, which has been subdivided and is now known as the MOHAN SUBDIVISION (hereinafter sometimes referred to as "Park"), more particularly set forth on the plat hereto attached and hereto marked as Exhibit "A", and more particularly described in metes and bounds on Exhibit "A" attached hereto and made a part hereof.

2. STATEMENT OF INTENT

WHEREAS, said owner desires to place certain restrictive covenants on said Park, it is specifically intended that such limitations and restrictions shall constitute COVENANTS RUNNING WITH THE LAND, and shall be binding upon all future owners as well as all assigns and successors in interest for the benefit of and as limitation upon all future owners thereof. These restrictions and limitations are intended for the purpose of keeping and maintaining desirable uses and to promote quality development of the Park, maintaining orderly development and suitable architectural design and to protect owners from offensive activities of their neighbors.

3. RESTRICTION UPON USE

The properly included within the MOHAN SUBDIVISION shall be used for light industrial purposes. The buildings constructed or erected thereon shall be of a design and

quality of construction as to maintain a good appearance in keeping with the type structures existing in the area and relating generally to the same use. No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as a quality of workmanship, materials and outward appearance, and a written permit issued therefor.

The Architectural Control Committee to be comprised of three persons selected by the undersigned as Developer. A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, the remaining members shall have the full authority to designate a successor.

The Park will be zoned "I-1" Light Industrial, and the development of the Park as to the type of business to be conducted thereon will be in keeping with restrictions set forth in Campbell County, Wyoming, Zoning Regulations.

4. STRUCTURE, QUALITY, SIZE AND MAINTENANCE

All structures within the MOHAN SUBDIVISION shall be of a design common to that of light industry use, and all structures shall be maintained in good condition.

5. BUILDING LINES AND EASEMENTS

No structure of any type shall be located nearer than ten (10) feet to the street or adjoining lot line. For the purpose of this restriction, eaves, steps and loading docks shall not be constructed to violate the ten (10) foot set back restriction. For the purpose of this restriction the set back line for those lots adjoining the Antelope Butte Creek shall be bound by the building set-back lines set forth on the plat.

Perpetual easements for installation and maintenance of utilities are hereby reserved upon each Lot or Lots as follows:

- A. Ten (10) feet wide along adjoining Lot line for the purpose of connecting to water, electric or telephone lines.
- B. Twenty (20) feet wide bordering property not included in MOHAN SUBDIVISION.

Within the easements as set forth above, no structure, shrubbery, trees or any other improvements or use of any type shall be placed or permitted to remain within said easements which may damage or interfere with installation of any utility places, or which may be placed therein.

No owner of any Lot or Lots shall create any additional easements other than those established by the attached plat to property outside the dedicated boundaries of MOHAN SUBDIVISION.

6. NOXIOUS OR OFFENSIVE ACTIVITIES

No noxious fumes or severely offensive odors shall be emitted to the air or any offensive activities carried on upon any Lot or Lots, which may be or does become a nuisance to the general neighborhood.

7. SIGNS

Each owner of any Lot or Lots may erect one large sign, not to exceed 10 feet by 20 feet, and shall be not more than 30 feet in height, such sign should be such appearance as to blend in with existing structures; subject to review and approval by the Architectural Control Committee prior to erection.

8. LIVESTOCK

No animals of any kind shall be raised or bred for commercial purposes upon any Lot or Lots, and same shall not be used for the pasture or feeding of any animal or poultry for resale, whether such resale shall take place on the premises or at another location.

9. GARBAGE AND REFUSE DISPOSAL

No Lot or Lots shall be used or maintained as a dumping

ground for rubbish of any type and no rubbish or garbage should be permitted to accumulate upon any Lot or Lots. The owners of each Lot shall maintain a sanitary container for the disposal of trash and garbage. No trash or garbage or other waste shall be kept on any location other than in appropriate containers for future disposal. There shall be no open burning of garbage or rubbish at any time on any Lot or Lots except with permission first obtained by said Lot owner from an official of the Wyoming Environmental Quality Act.

10. VEHICLES, PARKING AND ROADS

Each Lot or Lots owner shall provide off-the-road parking sufficient to accomodate the parking requirements inherent in the nature of his business and improvements of his Lot.

Each owner of a lot or Lots shall maintain in good condition all roads deducated by the official plat of said subdivision as a public road that are immediately adjacent to the Lot owner's property, or pass through the property, regardless of destination or purpose.

11. WATER SUPPLY

No individual water supply system shall be permitted on any Lot or Lots unless such system is designed, located and constructed in accordance with the standards, requirements and provisions of the Wyoming Department of Environmental Quality, and in accordance with the laws of the State of Wyoming. Approval of such systems shall be obtained from said authority prior to installations.

12. SEWERAGE DISPOSAL

No individual sewerage disposal system shall be permitted on any Lot or Lots unless such system is designed, located and constructed in accordance with the requirements, standards, recommendations of the Wyoming Department of Environmental Quality, and in accordance with the laws of the State of Wyoming

Approval of such system shall be obtained from said authority prior to installation.

13. NOISE ABATEMENT

No Lot or Lots owner shall cause or permit any person, machine or device to emit loud noise that unreasonably offends the peace and quiet of other owners or occupants of any other Lot.

14 RE-SUBDIVISION

The owner, other than the developer, of a Lot or Lots is hereby prohibited from selling a Lot or Lots to third parties so as to re-subdivide any Lot or Lots. Nothing contained herein shall prohibit the buyer of a Lot or Lots from purchasing a portion of said Lot or Lots by warranty deed and agreeing to purchase the remaining portion of said Lot under an agreement for warranty deed, if same is necessary for financing of the structure or improvements upon said Lot, provided, however, that any portion of a Lot purchased shall be not less than one-half acre in area.

15. AMENDMENTS

No amendment to these covenants and restrictions herein set forth shall be made without unanimous consent of all record owners and the developers until seventy-five percent (75%) of the MOHAN SUBDIVISION and with the approval of the Campbell County Planning Commission and the Campbell County Board of County Commissioners. For the purpose of this last provision, the original developers of said Park shall not be considered as record owners.

16. ENFORCEMENT

It is expressly understood and agreed that these covenants are to run with the land and shall be binding on all parties and their successors for a period of twenty-five (25) years from September 1, 1976, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of

the then owners of the subject lands has been recorded agreeing to change said covenants in whole or in part. These covenants may be amended or altered at any time upon the written approval of the then owners of 75 per cent of the above-described property. Any owner shall have the right to maintain an action against the person or persons violating said covenants to seek injunctive relief in which event the Defendant, if found in violation of these covenants, shall pay all costs of maintaining such suit, including a reasonable attorney fee, and shall, furthermore, pay as liquidated damages to the Plaintiff the sum of \$100.00 per day said violations occurred. No such suit shall be maintained until written notice has been given to the alleged violator, and the alleged violator shall then have ten (10) days within which to cure and correct said defect.

17 SEVERABILITY

Invalidation of any one or more of the covenants or conditions hereof by a Court judgment or order shall not affect in any manner the other provisions hereof, which shall remain in full force and effect.

IN WITNESS WHEREOF, this declaration of restrictive covenants is executed this 23rd day of August, 1976,
at

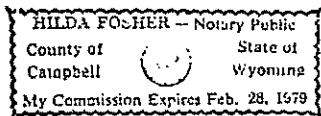
RONCO

BY Ronald P. Schoonover
Trustee

STATE OF)
COUNTY OF)

Before me, the undersigned authority, on this day personally appeared Ronald P. Schoonover, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Ronco, a corporation, and that he executed the same as the Trustee of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office on this the 23rd day of August, 1976.



Hilda Focher
NOTARY PUBLIC

STATE OF WYOMING } ss.
Campbell County

Filed for record this 1st day of March A. D., 19 77 at 10:10 o'clock A.M. and recorded in Book 369 of Photos 548 Fee \$ 12.00 9th page
Union & Co.
County Clerk and Ex-Officio Register of Deeds.

RECORDED
INDEXED
By 416495
Deputy

THE HILL COMPANY, INTRUDER 145300

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DECLARATION OF COVENANTS
FOR LIFT STATION

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963765

RECITALS

BUFFALO CAPITAL, LLC, a Wyoming corporation, (Declarant) hereby states as follows:

RECITALS

WHEREAS, Declarant is the owner of Lots 7 and 8, Block 3 Mohan Subdivision, Campbell County, Wyoming, the plat for said subdivision being recorded in Book 2 of Plats, Page 44 of the Campbell County Clerk's Office; and,

WHEREAS, Declarant wishes to create covenants and otherwise provide for the use and benefit of a sanitary sewer lift station and force main for the benefit and use of the lots, owners, heirs, successors and assigns; and,

WHEREAS, the purposes of these covenants are to:

1. provide for an equitable distribution of the operation, maintenance and replacement costs of the sanitary sewer lift station and force main, and
2. insure the availability of the sanitary sewer lift station and force main for the two lots.

IT IS THEREFORE DECLARED AS FOLLOWS:

1. Declarant shall construct the following improvements within a portion of Lot 8 as described in Exhibit "A" and shown on Exhibit "B", which are attached hereto and made a part hereof, all related to providing sanitary sewer service:
 - a. A sanitary sewer service line that serves Lot 8;
 - b. A sanitary sewer service line extending from Lot 7 onto Lot 8 that serves Lot 7;
 - c. A sanitary sewer lift station benefitting both Lots 7 and 8; and
 - d. A force main that extends from the sanitary sewer lift station to the public sewer main, benefitting both Lots 7 and 8.
2. The cost for operating, maintaining, and replacing both the sanitary sewer lift station and force main, including all related appurtenances, shall be borne in proportion to their historical usage, by the owners of Lots 7 and 8, their heirs, successors and assigns.
3. Lot 7 shall have access to the lands described in Exhibit "A" and shown in Exhibit "B" as needed for its sanitary sewer purposes. The access to and the location of the land described in Exhibit "A" and shown in Exhibit "B" shall be considered a common area for purposes of sanitary sewer service, with the use and benefits available to both Lots 7 and 8.
4. Each owner agrees to indemnify and hold harmless the other for any damages which may result in the event of the malfunction of the facilities being constructed pursuant to this agreement.
5. This declaration shall be binding on the heirs, successors, licensees and assigns. In the event it becomes necessary to grant any further rights to the owner of Lot 7 for purposes of continuing to provide sanitary sewer service to Lot 7 (e.g., rights related to an easement), the parties, their heirs, successors and assigns agree to execute any documents necessary to effect the terms and intent of this declaration.

DATED THIS 18 day of July, 20 11.

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Craig Deemer

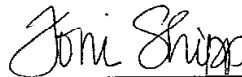
President

Title

STATE OF WYOMING)
) ss.
County of Campbell)

The above and foregoing instrument was acknowledged before me by Craig Deemer,
the President of Buffalo Capital, LLC, this 10th day of July, 2011.

Witness my hand and official seal.



Notary Public

My commission expires: 6/21/18

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EXHIBIT "A"

Legal Description --Sanitary Sewer Lift Station Site

July 11, 2011

A sanitary sewer lift station site located in Lot 8, Block 3 of Mohan Subdivision in Section 11, T49N, R72W of the 6th P.M., Campbell County, Wyoming, as recorded in Book 2 of Plats, Page 44 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the south sixteenth corner of said Section 11, being monumented by a brass cap stamped RLS577;

Thence N29°40'11"W, 1086.42 feet to the southeast corner of said lot, monumented by an aluminum cap stamped LS 6872, being located on the westerly right of way of Belle Court and being the point of beginning of said sanitary sewer lift station site;

Thence along south boundary of said lot, S78°02'46"W, 43.96 feet to the westerly limits of said site;

Thence along said site, N19°47'15"W, 128.75 feet to a point;

Thence continuing along said site, N70°12'45"E, 20.00 feet to a point;

Thence continuing along said site, S19°47'15"E, 76.21 feet to a point;

Thence continuing along said site, S76°54'12"E, 46.92 feet to a non-tangent curve concave to the east, being located on the easterly boundary of aforementioned lot and being on aforementioned westerly right of way;

Thence along said westerly right of way, through said curve with a delta angle of 26°18'28", a radius length of 59.98 feet, an arc length of 27.54 feet, a chord bearing of S01°11'27"W and a chord length of 27.30 feet to the point of beginning of aforementioned sanitary sewer lift station site.

Said sanitary sewer lift station site contains 4040 square feet more or less.

All areas are computed at ground.

All measured distances are grid, for conversion to ground, multiply by 1.0002696410.

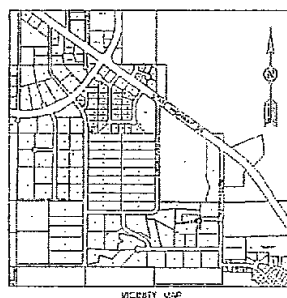
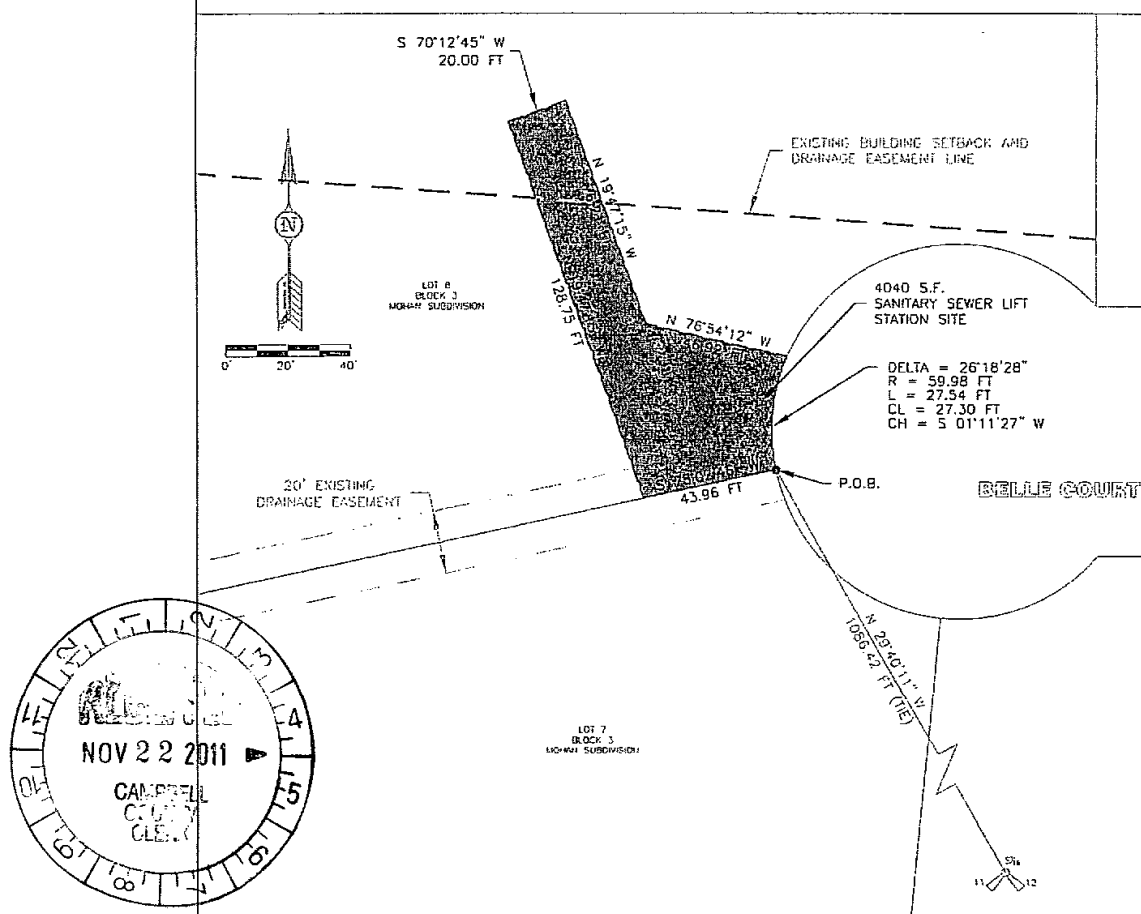
The basis of bearing for this legal description and for the attached Exhibit "B" is City of Gillette Horizontal Control Network.

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EXHIBIT "B"

A SANITARY SEWER LIFT STATION SITE LOCATED IN LOT 8 BLOCK 3 MONMOUTH SUBDIVISION, SECTION 11, T48N, R72W OF THE 6TH P.M. CAMPBELL COUNTY, WYOMING, WITHIN WHICH SANITARY SEWER IMPROVEMENTS ARE CURRENTLY OR WILL BE LOCATED WHICH WILL SERVE LOTS 7 AND 8.



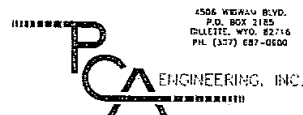
- LEGEND**
- EXISTING EASEMENT
 - LIMITS OF SANITARY SEWER LIFT STATION SITE
 - FOUND BENCHMARK CORNER BRASS CAP STAMPED 195377
 - FOUND IRON PIPER CORNER ALUMINUM CAP STAMPED 1954 8212

BASIS OF BEARING: CITY OF CALLETON HORIZONTAL CONTROL NETWORK
GRID TO GROUND CONVERSION: 1.0007696+10
*****ALL AREAS ARE COMPUTED TO GROUND**

RECORDED
ABSTRACTED
INDEXED
CHECKED

SURVEYOR'S CERTIFICATE

I, DAVID L. VUEM, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED UNDER THE LAWS OF THE STATE OF WYOMING, THAT THIS DRAWING WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY AND IS A TRUE REPRESENTATION OF THE SURVEY.



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963765 Recorded on **11/22/2011** at **4.30.00** Fee **17.00**
Book 2670 of PHOTOS Pages **400 to 403**
 by: **A. CARTWRIGHT**
 Susan F. Saunders, Campbell County Clerk