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RESTRICTIVE COVENANTS  
OF  
PRAIRIE VIEW SUBDIVISION  
CAMPBELL COUNTY, WYOMING

STATE OF WYOMING )  
                  ) SS.  
COUNTY OF CAMPBELL)

1. DESCRIPTION OF PROPERTY.

WHEREAS, THE UNDERSIGNED, BEING THE OWNERS OF CERTAIN REAL PROPERTY IN CAMPBELL COUNTY, WYOMING, WHICH HAS BEEN SUBDIVIDED AND IS NOW KNOWN AS THE PRAIRIE VIEW SUBDIVISION (HEREINAFTER SOMETIMES REFERRED TO AS "THE SUBDIVISION"), MORE PARTICULARLY SET FORTH ON THE PLAT HERETO ATTACHED AND HERETO MARKED AS EXHIBIT "A" WHICH CONTAINS METES AND BOUNDS DESCRIPTION AND MADE A PART HEREOF.

2. STATEMENT OF INTENT.

WHEREAS, SAID OWNERS DESIRE TO PLACE CERTAIN RESTRICTIVE COVENANTS ON SAID SUBDIVISION, 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 SUBDIVISION, MAINTAINING ORDERLY DEVELOPMENT AND SUITABLE ARCHITECTURAL DESIGN AND TO PROTECT OWNERS FROM OFFENSIVE ACTIVITIES OF THEIR NEIGHBORS.

3. RESTRICTIONS UPON USE.

THE PROPERTY INCLUDED WITHIN THE PRAIRIE VIEW SUBDIVISION SHALL BE USED FOR COMMERCIAL AND 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 TRACT OR 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 TO QUALITY OF WORKMANSHIP, MATERIALS AND OUTWARD APPEARANCE, AND A WRITTEN PERMIT ISSUED THEREFOR.

THE ARCHITECTURAL CONTROL COMMITTEE IS TO BE COMPRISED OF THREE PERSONS SELECTED BY JOHN R. GARMAN AND ROBERT H. HAYS, AGENT FOR CHAMPION VENTURES, INC., DEVELOPERS. 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 SUBDIVISION WILL BE ZONED "I-A" LIGHT INDUSTRIAL, AND THE DEVELOPMENT OF THE SUBDIVISION AS TO THE TYPE OF BUSINESS TO BE CONDUCTED THEREON WILL BE IN KEEPING WITH THE RESTRICTIONS SET FORTH IN CAMPBELL COUNTY, WYOMING, ZONING REGULATIONS.

4. STRUCTURE, QUALITY, SIZE AND MAINTENANCE.

ALL STRUCTURES OTHER THAN RESIDENCES WITHIN THE PRAIRIE VIEW SUBDIVISION SHALL BE OF A DESIGN COMMON TO THAT OF LIGHT INDUSTRY USE, AND ALL STRUCTURES SHALL BE MAINTAINED IN GOOD CONDITION.

RESIDENTAL STRUCTURES MAY BE A PERMANENT STRUCTURE OR PORTABLE, BUT IN ALL CASES MUST BE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE PRIOR TO BEING PLACED UPON ANY TRACT OR LOT OR PORTION THEREOF.

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THERE SHALL BE NO MORE THAN ONE PLACE OF RESIDENCE SITUATED UPON EACH LOT OR PORTION OF ANY LOT IF SAID LOT WAS DIVIDED BY THE DEVELOPERS PRIOR TO INITIAL SALE.

5. BUILDING LINES AND EASEMENTS.

NO STRUCTURE OF ANY TYPE SHALL BE LOCATED NEARER THAN TEN (10) FEET TO THE STREET. FOR THE PURPOSE OF THIS RESTRICTION, EAVES, STEPS AND LOADING DOCKS SHALL NOT BE CONSTRUCTED TO PERMIT ANY PORTION OF A STRUCTURE UPON A TRACT, LOT OR LOTS TO ENCROACH UPON ANOTHER LOT.

PERPETUAL EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES ARE HEREBY RESERVED UPON EACH TRACT, LOT OR LOTS AS FOLLOWS:

- A) TEN (10) FEET WIDE ALONG THE REAR TRACT OR LOT LINE FOR THE PURPOSE OF CONNECTING TO WATER, ELECTRIC AND TELEPHONE LINES.
- B) TWENTY (20) FEET WIDE BORDERING PROPERTY ON THE REAR NOT INCLUDED IN PRAIRIE VIEW SUBDIVISION.

WITHIN THE EASEMENTS AS SET FORTH ABOVE, NO STRUCTURE OR ANY OTHER IMPROVEMENT OR USE OF ANY TYPE SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN SAID EASEMENTS WHICH MAY DAMAGE OR INTERFERE WITH INSTALLATIONS OF ANY UTILITY IN PLACE, OR WHICH MAY BE PLACED THEREIN.

NO OWNER OF ANY TRACT, LOT OR LOTS SHALL CREATE ANY ADDITIONAL EASEMENTS OTHER THAN THOSE ESTABLISHED BY THE ATTACHED PLAT TO PROPERTY OUTSIDE THE DEDICATED BOUNDARIES OF PRAIRIE VIEW 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 TRACT, LOT OR LOTS, WHICH MAY BE OR DOES BECOME A NUISANCE TO THE GENERAL NEIGHBORHOOD.

7. SIGNS.

EACH OWNER OF ANY TRACT, LOT OR LOTS MAY ERECT ONE LARGE SIGN. SUCH SIGN SHOULD BE SUCH APPEARANCE AS TO BLEND IN WITH EXISTING STRUCTURES AND MUST BE APPROVED 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 TRACT, 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 TRACT, 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 TRACT, LOT OR LOTS. THE OWNERS OF EACH TRACT OR 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 TRACT, LOT OR LOTS EXCEPT WITH PERMISSION FIRST OBTAINED BY SAID TRACT OR LOT OWNER FROM AN OFFICIAL OF THE WYOMING ENVIRONMENTAL QUALITY ACT.

10. VEHICLES, PARKING AND ROADS.

EACH TRACT, LOT OR LOTS OWNER SHALL PROVIDE OFF-THE-ROAD PARKING SUFFICIENT TO ACCOMMODATE THE PARKING REQUIREMENTS INHERENT IN THE NATURE OF HIS BUSINESS AND IMPROVEMENTS ON HIS TRACT OR LOT.

EACH OWNER OF A TRACT, LOT OR LOTS SHALL BE A MEMBER OF THE PRAIRIE VIEW SUBDIVISION LAND OWNERS ASSOCIATION AND ABIDE BY ITS CONSTITUTION.

11. WATER SUPPLY.

NO INDIVIDUAL WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY TRACT, 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 TRACT, 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.

IF A LOT IS DIVIDED BY THE DEVELOPERS PRIOR TO INITIAL SALE, ANY TRACT CONTAINING LESS THAN 2 1/2 ACRES SHALL TREAT SEWERAGE WATER OR WASTE WATER OF ANY DESCRIPTION IN A CLOSED SEPTIC SYSTEM OR SHARE A SEPTIC SYSTEM WITH THE CO-OWNER OF THE LOT. THERE SHALL BE NO PERCOLATION OF SEWAGE, SEWAGE WATER, OR WASTE WATER WITHIN ANY TRACT CONTAINING LESS THAN 2 1/2 ACRES NOR SHALL THE SAME BE PERMITTED TO FLOW OVER OR THROUGH ANY TRACT, LOT OR LOTS AT ANY TIME; REGARDLESS OF OWNERSHIP.

LOTS CONTAINING 2 1/2 ACRES OR MORE MAY DISPOSE OF SEWAGE AND WAST WATER BY A SEPTIC SYSTEM COMPOSED OF A SEPTIC TANK AND DRAIN FIELD DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE ABOVE-MENTIONED AUTHORITIES.

13. TYPE OF BUSINESS LIMITATION.

NO TRACT, LOT OR LOTS WITHIN THE SUBDIVISION SHALL BE USED OR MAINTAINED AS A SCRAP METAL YARD, AUTO WRECKING YARD, JUNK YARD, OR ANY BUSINESS SELLING OR DISPENSING ANY TYPE OF ALCOHOLIC BEVERAGE.

14. RE-SUBDIVISION.

THE OWNER, OTHER THAN THE DEVELOPERS, OF A TRACT, LOT OR LOTS IS HEREBY PROHIBITED FROM SELLING A TRACT, LOT OR LOTS TO THIRD PARTIES SO AS TO RE-SUBDIVIDE ANY TRACT, LOT OR LOTS UNLESS RE-SUBDIVISION PROCEDURES AS REQUIRED BY CAMPBELL COUNTY PLANNING BOARD ARE FOLLOWED. NOTHING CONTAINED HEREIN SHALL PROHIBIT THE BUYER OF A TRACT, LOT OR LOTS FROM PURCHASING A PORTION OF SAID TRACT, LOT OR LOTS BY WARRANTY DEED AND AGREEING TO PURCHASE THE REMAINING PORTION OF SAID TRACT OR LOT UNDER AN AGREEMENT FOR WARRANTY DEED IF SAME IS NECESSARY FOR FINANCING OF THE STRUCTURE OR IMPROVEMENTS UPON SAID TRACT OR LOT, PROVIDED, HOWEVER, THAT ANY PORTION OF A TRACT OR LOT PURCHASED SHALL NOT BE LESS THAN ONE-HALF ACRE IN AREA.

15. AMENDMENTS.

NO AMENDMENT TO THE COVENANTS AND RESTRICTIONS HEREIN SET FORTH SHALL BE MADE WITHOUT TWO/THIRDS (2/3RDS) MAJORITY VOTE OF ALL RECORD OWNERS OF LOTS OR TRACTS WITHIN THE SUBDIVISION. EACH LOT SHALL BE ENTITLED TO ONE VOTE.

16. ENFORCEMENT.

IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT THE SEVERAL RESTRICTIVE COVENANTS HEREIN CONTAINED SHALL ATTACH TO AND RUN WITH THE LAND, AND IT SHALL BE LAWFUL FOR ANY OF THE PARTIES HERETO, THEIR SUCCESSORS AND ASSIGNS, AND ALSO FOR THE OWNER OF ANY LANDS ADJOINING THE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, TO INSTITUTE AND PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR THREATENING TO VIOLATE THE SAME, AND IN SUCH EVENT THE PARTY FOUND TO BE VIOLATING ANY PROVISION HEREOF, SHALL BE RESPONSIBLE FOR THE COST OF SUCH SUIT, INCLUDING A REASONABLE ATTORNEY FEE.

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 PROVISION HEREOF, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THIS DECLARATION OF RESTRICTIVE COVENANTS IS EXECUTED THIS 2nd DAY OF July, 1976, AT GILLETTE, WYOMING.

PRAIRIE VIEW SUBDIVISION

BY ITS DEVELOPERS:

John R. Garman  
JOHN R. GARMAN

Eileen E. Garman  
EILEEN E. GARMAN

CHAMPION VENTURES, INC.

BY: Robert H. Hays  
ROBERT H. HAYS, AGENT

STATE OF WYOMING )  
Campbell County ) ss. 469391  
Filed for record this 26th day of August  
A. D., 19 76 at 2:20 o'clock P. M. and re-  
corded in Book 354 of Photos  
on page 569 Fees 7.75  
Clifton G. Addison  
County Clerk and Ex-Officio Register of Deeds  
By Jeanette Faust  
Deputy

RECORDED  
ABSTRACTED  
INDEXED

STATE OF WYOMING )  
 ) SS.  
COUNTY OF CAMPBELL )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 2nd DAY OF July, 1976, BY JOHN R. GARMAN AND EILEEN E. GARMAN AND ROBERT H. HAYS AS AGENT OF CHAMPION VENTURES, INC., WHO ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID PRAIRIE VIEW SUBDIVISION AND THAT THEY EXECUTED THE SAME AS THE ACT OF SUCH SUBDIVISION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND AND OFFICAL SEAL.

Debra C. Reeves  
NOTARY PUBLIC

DEBRA C. REEVES - Notary Public  
MY COMMISSION EXPIRES:  
12-13-77  
My Commission expires Dec 13, 1977

I, \_\_\_\_\_, PURCHASER OF LAND WITHIN THE PRAIRIE VIEW SUBDIVISION DO HEREBY AGREE TO COMPLY WITH THE RESTRICTIVE COVENANTS AS SET FORTH HEREIN.

STATE OF WYOMING )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_, BY \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL.

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

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