

DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS

This Declaration, made and entered into this 19TH day of JUNE, 2001, by and between the city of Gillette, Wyoming, a municipal corporation and city of the first class, hereinafter CITY, of 201 East Fifth Street, Gillette, Wyoming, and Campbell County Farm Bureau of 1309 West Second Street, Gillette, Wyoming, 82716 County of Campbell, hereinafter OWNER. OWNER and CITY may be referred to collectively herein as the PARTIES or DECLARANT.

WHEREAS CITY owns a tract of land, hereinafter referred to as PARCEL A, lying between the right of way of Highway 14-16 and a tract of land owned by OWNER legally described as Lot 4B, Block 1 of the Wagensen Addition, hereinafter referred to as PARCEL B.

WHEREAS, the Parties agree that the CITY will convey PARCEL A to OWNER and OWNER and CITY will jointly declare the following covenants, conditions and restrictions as set forth below to bind and control, touch and concern both PARCEL A and PARCEL B to require that they be conveyed together hereinafter as one parcel.

NOW THEREFORE, DECLARANT hereby declares that all of the properties described herein, namely PARCEL A and PARCEL B, shall be held, sold and conveyed subject to the following restriction, covenant and condition which shall run with the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assignees, and shall inure to the benefit of each owner thereof and which are not intended to be personal to the PARTIES but to be real covenants running with and appurtenant to the land.

PARCEL A is more fully described as follows:

A tract of land situated in the SE¹/₄SW¹/₄ of Section 21, T50N, R72W of the Sixth Principal Meridian, Campbell County, Wyoming. Said tract of land being a 35 feet wide strip of land within the dedicated Right of Way of Highway 14-16 lying northerly and adjacent to Lot 4B, Block 1 of the Wagensen Addition to the City of Gillette being described more particularly as follows:

Beginning at the Northeast lot corner of the said Lot 4B, Block 1 of the Wagensen Addition from which the South one-quarter section corner of said Section 21 lies S39°22'54"E a distance of 845.23 feet;

thence S89°35'17"W a distance of 104.93 feet (formerly described as S89°28'00"W a distance of 105.00 feet) to the Northwest lot corner of said Lot 4B, Block 1 of the Wagensen Addition;

thence N00°25'48"W a distance of 35.00 feet;

thence N89°35'17"E a distance of 104.94 feet;

thence S00°24'43"E a distance of 35.00 feet to the POINT OF BEGINNING.

Said tract of land contains 0.084 acres (3672 square feet), more or less, subject to all rights, restrictions, reservations, and/or easements of sight and record.

PARCEL A is more fully described as follows:

Lot 4B of the Resubdivision of Lots 3a and 4a, Block 1 Wagensen Addition, a part of the SE¹/₄SW¹/₄, Section 21, T50N, R72W, 6th P.M., Campbell County, Wyoming, according to the official plat thereof recorded 14 September 1979 in Book 2 of Plats, page 219 of the records of Campbell County, Wyoming.

HEREINAFTER, and until such time as PARCEL A and PARCEL B are resubdivided, they shall be treated as one tract of land and shall have common ownership. Each and every Deed or other transfer, conveyance or encumbrance of either tract of land shall include the other tract of land. Each and every Deed or other transfer, conveyance or encumbrance of either tract of land shall be deemed to include the other tract whether or not specifically described therein.

The terms of this COVENANT, CONDITION AND RESTRICTION shall bind the parties hereto and their successors in interest to the title to land described herein and referred to as PARCEL A and PARCEL B.

If any legal action is instituted to enforce any of the terms of this COVENANT, CONDITION AND RESTRICTION, the unsuccessful party shall pay the successful party's reasonable attorneys' fees and all costs of the action including court costs, expert witness fees and all other actual expenses incurred in the prosecution of the action.

DATED this 19th day of JUNE, 2001, in Gillette, Wyoming.

City of Gillette

Owners

BY Frank W. Latta
Frank W. Latta, Mayor

Mary Jo Jodlyn President
Campbell County Farm Bureau



Margo Rhoades, Deputy
Margo Rhoades, Clerk City Clerk

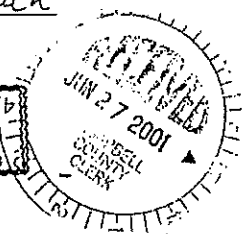
STATE OF WYOMING)
County of Campbell) ss.

The above and foregoing instrument was acknowledged before me by the Campbell County Farm Bureau, this 19th day of June, 2001.

Witness my hand and official seal.

Betty L. Schuch
Notary Public

My Commission Expires:
2/06/2005

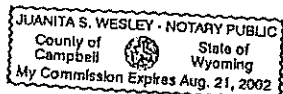


STATE OF WYOMING)
County of Campbell) ss.

On the 19th day of June, 2001, before me personally came Frank W. Latta, and Margo Rhoades, to me known, who, being by me duly sworn, did depose and say they reside in Campbell County, Wyoming; they are the Mayor and Clerk, respectively, of the City of Gillette, Wyoming a City of the First Class and the municipal corporation which executed the foregoing instrument; they know the seal of the said municipal corporation; that the seal affixed to the said instrument is such municipal corporate seal; that it was so affixed by order of the Governing Body of the said municipal corporation; and that they signed their names to the said instrument by like order.

Juanita S. Wesley
Notary Public

My Commission Expires:



STATE OF WYOMING)
Campbell County) ss. 1780143
Filed for record this 27th day of June
A.D. 2001 at 11:02 o'clock A.M. and recorded
in Book 1675 of Photos RECORDED
on page 150-152 Fees \$ 10.00 INDEXED
CHECKED

Cheryl Gunders
County Clerk and Ex-Officio Register of Deeds
By Denise Perioch
Deputy