

RECORDED JULY 28, 1983 BK 277 PG 110 NO. 878422 MARGARET LEWIS, COUNTY CLERK

SECOND AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS
OF SHERRI VIEW SUBDIVISION
SHERIDAN COUNTY, WYOMING

* * * * *

THIS SECOND AMENDMENT made this 28 day of July, 1983 by SHERI VIEW SUBDIVISION, a joint venture, constituting the owner of seventy-five percent (75%) or more of the lots in the Sheri-View Subdivision, hereinafter referred to as "Owner",

WITNESSETH:

WHEREAS, a Declaration of Covenants, Conditions and Restrictions for Sherri View Subdivision dated the 20th day of June, 1979 and recorded the 29th day of June, 1979 in Book 241 of Deeds at page 232 in the office of the County Clerk and Recorder of Sheridan County, Wyoming; and

WHEREAS, the Amended Declaration of Covenants, Conditions and Restrictions of Sherri View Subdivision dated the 31st day of July, 1981 and recorded the 31st day of July, 1981 in Book 259 of Deeds at page 268 in the office of the County Clerk and Recorder of Sheridan County, Wyoming; and

WHEREAS, the Owners desire that certain portions of said Declaration of Covenants, Conditions and Restrictions and the Amended Declaration of Covenants, Conditions and Restrictions be amended as hereinafter provided;

NOW, THEREFORE, the Owners, constituting more than seventy-five percent (75%) of the owners of lots within the Sherri View Subdivision as of the date of this amendment, hereby declare as follows:

1.

Article II, subparagraph (2) of the Amended Declaration of Covenants, Conditions and Restrictions dated the

1.

31st day of July, 1981 and recorded the 31st day of July, 1981 in Book 259 of Deeds at page 268 in the office of the County Clerk and Recorder of Sheridan County, Wyoming is hereby amended as follows:

(2) No lot within the Subdivision shall be used, ~~except for residential purposes, and no buildings~~ shall be erected, altered, placed or permitted to remain on any lot or lots other than for residential purposes.

2.

Article II, subparagraph (8) of the Amended Declaration of Covenants, Conditions and Restrictions dated the 31st day of July, 1981 and recorded the 31st day of July, 1981 in Book 259 of Deeds at page 268 in the office of the County Clerk and Recorder of Sheridan County, Wyoming is hereby amended as follows:

(8) No structure of a temporary character, a trailer, basements, tent, garage, barn or other building shall be built or moved onto any lot at any time and used as a residence or other building, either temporarily or permanently, with the exceptions of temporary structures for construction purposes. No building materials shall be stored on any lot for a period longer than ninety (90) days unless substantial construction of a resident is actually in progress.

3.

Article II, subparagraph (9) of the Amended Declaration of Covenants, Conditions and Restrictions dated the 31st day of July, 1981 and recorded the 31st day of July, 1981 in Book 259 of Deeds at page 268 in the office of the County Clerk and Recorder of Sheridan County, Wyoming is hereby amended as follows:

(9) Only new construction or residences and structures which the Architectural Committee has found to be consistent with the new construction standards for this subdivision shall be permitted for all buildings or residences in the subdivision, and such construction shall be of good quality and appearance and the exterior design shall harmonize with the existing structures in the area. Mobile or modular homes of at least 920 square feet and having prior approval of the Architectural Committee may be placed on a lot or lots; provided that the home is permanently attached, affixed and made a part of the real property by being affixed to a permanent foundation.

4.

Article II, subparagraph (16) of the Amended Declaration of Covenants, Conditions and Restrictions dated the 31st day of July, 1981 and recorded the 31st day of July, 1981 in Book 259 of Deeds at page 268 in the office of the County Clerk and Recorder of Sheridan County, Wyoming is hereby amended as follows:

(16) Off-street parking for at least two vehicles shall be provided on each lot. Only motor vehicles capable of being moved under their own power may be parked within the limits of the subdivision. No street or other open area shall be used for the purposes of dismantling or repairing of any vehicle, and unregistered or inoperable vehicles may be parked and kept only within an enclosed garage.

5.

Article II, subparagraph (30) of the Amended Declaration of Covenants, Conditions and Restrictions dated the 31st day of July, 1981 and recorded the 31st day of July, 1981 in Book 259 of Deeds at page 268 in the office of the County Clerk and Recorder of Sheridan County, Wyoming is hereby amended as follows:

(30) A purchaser of any lot or lots within the subdivision shall complete construction of a residence within one (1) year after commencement of construction. In the event of the failure of the purchaser to abide by this deadline and in the event construction has commenced but is substantially incomplete, Owners, their successors and assigns, shall upon ten (10) days' notice unto the purchaser have the right to retake possession of the premises and pay the purchaser the original purchase price for the lot less the reasonable cost of removal of such construction, backfill, foundation or any other work required to return the lot to its original condition.

5.

Article VI, subparagraph (C) of the Amended Declaration of Covenants, Conditions and Restrictions dated the 31st day of July, 1981 provides that the Declaration may be amended at any time by an instrument signed by both the owners of not less than seventy-five percent (75%) of the total lots within the complete subdivision and by seventy-

five percent (75%) of the individuals who own lots within the subdivision. The undersigned as owner of more than seventy-five percent (75%) of the lots within the subdivision hereby certifies that more than seventy-five percent (75%) of the total lots within the subdivision and seventy-five percent of the individuals who own lots within the subdivision have consented in writing to the above amendments which are on file with Sheri-View Subdivision, a joint venture.

6.

All other provisions of the Declaration of Covenants, Conditions and Restrictions for Sherri View Subdivision dated the 20th day of June, 1979 and recorded the 29th day of June, 1979 in Book 241 of Deeds at page 232 in the office of the County Clerk and Recorder of Sheridan County, Wyoming and the Amended Declaration of Covenants, Conditions and Restrictions of Sherri View Subdivision dated the 31st day of July, 1981 and recorded the 31st day of July, 1981 in Book 259 of Deeds at page 268 in the office of the County Clerk and Recorder of Sheridan County, Wyoming not in conflict with the provisions hereinabove set forth shall remain in full force and effect.

Dated this 28 day of July, 1983.

SHERI-VIEW SUBDIVISION,
a joint venture

By Richard Horak

STATE OF WYOMING)
) ss
County of Sheridan)

The foregoing instrument was acknowledged before me this 28 day of July, 1983 by Richard Horak on behalf of TSP Wyoming, Inc., one of the members of the joint venture.

WITNESS my hand and official seal.



Betty J. Barkley
Notary Public

My commission expires: April 15, 1984