

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION, made this day by and between the following parties, ARNOLD FAY BETHUREM and WILLISCENE L. BETHUREM, husband and wife; and KIP MICHAEL BETHUREM and SHIRLEY BETHUREM, husband and wife, hereinafter called the First Party; and JOHN A. RUEB and JUDITH ANN RUEB, husband and wife, buyers of parcel 2, hereinafter called the Second Party, and Sheridan County, hereinafter referred to as the County.

WHEREAS, 1st Party, is the owner of the following-described parcel of real property situate in the County of Sheridan, State of Wyoming, parcel 1 described to wit:

A tract of land situated in the East½SE¼ of Section 7, and the SW¼ of Section 8, Township 55 North, Range 83 West, 6th P.M., Sheridan County, Wyoming, said tract being more particularly described as follows:

Beginning at the west quarter corner of said Section 8; thence S00°23'27"E, 100.84 feet along the west line of said SW¼ of Section 8, and the west line of a tract of land described in Book 350 of Deeds, Page 255 to a point; thence S87°47'25"E, 1159.21 feet along the south line of said tract of land described in Book 350 of Deeds, Page 255 to a point; thence N89°50'18"E, 583.30 feet along said south line of said tract to a point; thence due South, 1136.46 feet along said south line of said tract to a point, said point lying on the south line of a tract of land described in Book 121 of Deeds, Page 183; thence S87°10'08"W, 886.15 feet along said south line of said tract of land described in Book 121 of Deeds, Page 183 to a point, said point lying on the south line of the NW¼SW¼ of Section 8; thence S89°48'43"W, 28.22 feet along said south line to a point; thence due South, 162.50 feet along the east line of said tract of land described in Book 121 of Deeds, Page 183 to a point; thence S87°00'54"W, 819.73 feet along the south line of said tract described in Book 121 of Deeds, Page 183 to a point, said point lying on the east line of said East½SE¼ of Section 7; thence S00°23'27"E, 91.44 feet along said east line of said East½SE¼ to a point, said point lying on the east right of way line of U.S. Highway 14; thence N39°23'56"W, 682.54 feet along said east right of way line to a point; thence, through a curve to the right, having a radius of 1587.02 feet, a central angle of 24°14'21", an arc length of 671.39 feet, a chord bearing of N27°17'12"W, and a chord length of 666.40 feet along said east right of way line to a point; thence N15°09'42"W, 516.43 feet along said east right of way line to a point, said point lying on the north line of said East½SE¼ of Section 7; thence N89°49'12"E, 862.75 feet along said north line to the POINT OF BEGINNING of said tract.

Said tract contains 70.62 acres of land more or less.
Basis of Bearings is Wyoming State Plane (East Central Zone).

It is the desire of the First Party to sell 36.2 acres to the Second Party from parcel 1, to be referred to as parcel 2. Parcel 2 described to wit:

A tract of land situated in the North $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 55 North, Range 83 West, 6th P.M., Sheridan County, Wyoming, said tract being more particularly described as follows:

Commencing at the west quarter corner of said Section 8; thence S79°10'04"E, 671.93 feet to the POINT OF BEGINNING of the herein described tract, said point lying on the south line of a tract of land described in Book 350 of Deeds, Page 255; thence S87°47'25"E, 499.45 feet along said south line of said tract to a point; thence N89°50'18"E, 583.30 feet along said south line of said tract to a point; thence due South, 1136.46 feet along said south line of said tract to a point, said point lying on the south line of a tract of land described in Book 121 of Deeds, Page 183; thence S87°10'08"W, 840.40 feet along said south line of said tract described in Book 121 of Deeds, Page 183, to a point, said point lying on a fence line; thence N81°19'05"W, 143.05 feet along said fence line to a point; thence N19°03'06"E, 34.89 feet along said fence line to a point; thence N73°16'42"W, 260.49 feet along said fence line to a point; thence N12°28'00"W, 346.54 feet along said fence line to a point; thence N01°32'26"E, 229.55 feet along said fence line to a point; thence N03°36'24"W, 216.85 feet along said fence line to a point; thence N21°40'32"E, 168.55 feet to a point; thence N51°21'02"E, 200.41 feet to the POINT OF BEGINNING of said tract.

Said tract contains 33.20 acres of land more or less.
Basis of Bearings is Wyoming State Plane (East Central Zone).

A tract of land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 55 North, Range 83 West, 6th P.M., Sheridan County, Wyoming, said tract being more particularly described as follows:

Beginning at the east quarter corner of said Section 7; thence S00°23'27"E, 100.84 feet along the east line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the west line of a tract of land described in Book 350 of Deeds, Page 255 to a point; thence S82°12'18"W, 814.44 feet along the south line of an access easement described in said Book 350 of Deeds, Page 255 to a point lying on the east right of way line of U.S. Highway 14; thence N15°09'42"W, 216.11 feet along said east right of way line to a point, said point lying on the north line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence N89°49'12"E, 862.75 feet along said north line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ to the POINT OF BEGINNING of said tract.

Said tract contains 3.00 acres of land more or less.
Basis of Bearings is Wyoming State Plane (East Central Zone).

The First Party will then retain a balance of 34.42 acres to be referred to as parcel 3. Parcel 3 described to wit:

A tract of land situated in the East $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, and the West $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 55 North, Range 83 West, 6th P.M., Sheridan County, Wyoming, said tract being more particularly described as follows:

Commencing at the west quarter corner of said Section 8; thence S00°23'27"E, 100.84 feet to the POINT OF BEGINNING of the herein described tract, said point lying on the west line of said West $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, and the west line of a tract of land described in Book 350 of Deeds, Page 255; thence S87°47'25"E, 659.76 feet along the south line of said tract of land described in Book 350 of Deeds, Page 255 to a point; thence S51°21'02"W, 200.41 feet to a point; thence S21°40'32"W, 168.55 feet to a point; thence S03°36'24"E, 216.85 feet to a point, said point lying on a fence line; thence S01°32'26"W, 229.55 feet along said fence line to a point; thence S12°28'00"E, 346.54 feet along said fence line to a point; thence S73°16'42"E, 260.49 feet along said fence line to a

point; thence S19°03'06"W, 34.89 feet along said fence line to a point; thence S81°19'05"E, 143.05 feet along said fence line to a point, said point lying on the south line of a tract of land described in Book 121 of Deeds, Page 183; thence S87°10'08"W, 45.75 feet along said south line of said tract to a point, said point lying on the south line of the NW¼SW¼ of Section 8; thence S89°48'43"W, 28.22 feet along said south line of the NW¼SW¼ to a point; thence due South, 162.50 feet along the east line of said tract of land described in Book 121 of Deeds, Page 183 to a point; thence S87°00'54"W, 819.73 feet along the south line of said tract to a point, said point lying on the east line of said East½SE¼ of Section 7; thence S00°23'27"E, 91.44 feet along said east line to a point, said point lying on the east right of way line of U.S. Highway 14; thence N39°23'56"W, 682.54 feet along said east right of way line to a point; thence, through a curve to the right, having a radius of 1587.02 feet, a central angle of 24°14'21", an arc length of 671.39 feet, a chord bearing of N27°17'12"W, and a chord length of 666.40 feet along said east right of way line to a point; thence N15°09'42"W, 300.32 feet along said east right of way line to a point, said point being the southwest corner of a access easement described in said Book 350 of Deeds, Page 255; thence N82°12'18"E, 814.44 feet along the south line of said access easement to the POINT OF BEGINNING of said tract.

Said tract contains 34.42 acres of land more or less.
Basis of Bearings is Wyoming State Plane (East Central Zone).

WHEREAS, the First Party desires to impose a restrictive covenant on parcel one, (inclusive of parcel 2 sold to Party 2 and parcel 3 retained by party one) in order to comply with the Zoning Laws of Sheridan County, Wyoming, specifically the Sheridan County Zoning Resolution, which requires a minimum lot size of 35 acres per dwelling unit.

WHEREAS the First Party desires to convey Parcel 2 to the Second Party, which parcel is 36.2 acres leaving 34.42 acres referred to as parcel 3.

WHEREAS, such conveyance would violate the minimum acreage requirement of the said Zoning Resolution.

WHEREAS, under the provisions of W.S. Sections 18-5-182, 18-2-101 (iv), and 18-3-504(a) (v), the County has the authority to enter into this Agreement and is required to secure from the Parties necessary assurances that the Parties will, for the purpose of meeting the minimum lot area required in Sheridan County's Zoning Resolution A-Agricultural Zone restrict the use of Parcel 2 and Parcel 3 (originally all of Parcel 1) so that no additional residential, commercial or industrial use of any description can be placed upon this parcel of real property without the express and

written consent of the Planning Commission or the Board of County

Commissioners of Sheridan County, Wyoming.

NOW, THEREFORE, IT IS EXPRESSLY AGREED by the Parties hereto that in consideration of Sheridan County, Wyoming, permitting the conveyance, which would violate the minimum acreage requirement of the Zoning Resolution, the First Party imposes a restrictive covenant on Parcel 2 and 3. Such restrictive covenant is for the benefit of the County and the Second Party, their heirs and assigns. For the purpose of meeting the minimum lot area required in Sheridan County's Zoning Resolution A-Agricultural Zone, it is expressly understood that no additional residential, commercial or industrial use or structure shall be placed upon Parcel 2 and 3, except with the written permission of the Planning Commission of the Board of County Commissions of Sheridan County, Wyoming.

ALSO, IT IS EXPRESSLY AGREED to by the Parties hereto, that this restrictive instrument runs in perpetuity, unless removed by Sheridan County, Wyoming, or legislative changes, which change either the zoning of parcel or the minimum lot size required for agricultural land that all subsequent owners of said parcels are bound by this document.

IN WITNESS WHEREOF, the Parties hereto set their hand to this restrictive instrument this 6th day of Jan.

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Charles L. Peterson
William L. Peterson

[Signature]
[Signature]

First Party

IN WITNESS WHEREOF, the Parties hereto set their hand to this restrictive instrument this 6th day of JAN

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John A. Rueb

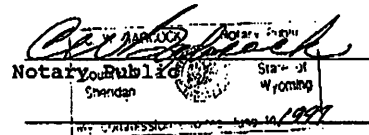
Judith A. Rueb

Second Party

STATE OF WYOMING)
County of Sheridan) ss.

The foregoing instrument was acknowledged before me this 6th
day of January, 1994, by ARNOLD FAY BETHUREM and
WILLISCENE L. BETHUREM.

WITNESS my hand and official seal.

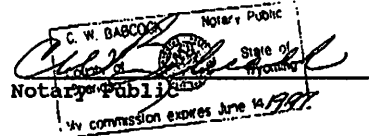

Notary Public
C. W. BISCOE
State of Wyoming
My Commission Expires June 14, 1997

My Commission Expires:

STATE OF WYOMING)
County of Sheridan) ss.

The foregoing instrument was acknowledged before me this 6th
day of January, 1994, by KIP MICHAEL BETHUREM AND
SHIRLEY BETHUREM.

WITNESS my hand and official seal.


Notary Public
C. W. BISCOE
State of Wyoming
My Commission Expires June 14, 1997

My Commission Expires:

STATE OF WYOMING)
County of Sheridan) ss.

The foregoing instrument was acknowledged before me this 6th
day of January, 1994, by JOHN A. RUEB AND JUDITH A.



WITNESS my hand and official seal.


Notary Public
Sandra E. Buddler
State of Wyoming
My Commission Expires Feb. 5, 1994

My Commission Expires:

My commission expires Feb. 5, 1994

SHERIDAN COUNTY, WYOMING hereby removes, rescinds and releases all Parties to the above restrictive instrument of the provisions contained within. _

PLANNING COMMISSION

Chairman

ATTEST:

Clerk

BOARD OF COUNTY COMMISSIONERS

Chairman

ATTEST:

County Clerk