

STATE OF WYOMING

County of Sheridan

)  
) ss.  
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2019-748585 3/8/2019 1:58 PM PAGE: 1 OF 4  
BOOK: 579 PAGE: 422 FEES: \$21.00 SM AFFIDAVIT - LEGAL  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

**Affidavit and Notice relating to Title and Building Restriction on certain lands**  
**[W.S §34-11-101]**

The undersigned first having been sworn under oath, do state:

1. Affiants, **Richard. K. Bratten and Laurie L. Schierloh-Bratten, husband and wife**, whose address is 1004 Big Goose Road, Sheridan Wyoming 82801, have personal knowledge of the facts stated herein relating to matters which may affect the title to certain real property, and are competent to testify in open court concerning them.

2. John E. McWilliams and Mary Ellen McWilliams, Trustees of the Second Amended and Restated McWilliams Living Trust, U/A dated June 18, 2009, as Grantors, conveyed to David Nelson and Janann Nelson, husband and wife, and Dennis Nelson and Nancy Nelson, husband and wife, as tenants in common, as Grantees, pursuant to Warranty Deed recorded December 28, 2012 in Book 538, Page 288 in the records of the Sheridan County Clerk and Recorder, the following-described real property located in Sheridan County, State of Wyoming, to wit:

See Attached **Exhibit A**.

3. The Grantors, John E. McWilliams and Mary Ellen McWilliams, Trustees, retained and reserved ownership of the following-described real property described in said Warranty Deed, and located in Sheridan County, State of Wyoming, to wit:

See Attached **Exhibit B**.

4. The real property described in **Exhibit A** is subject to a Building Restriction described in the Warranty Deed recorded at Book 538, Page 288, to wit: ***“no residence or other structure shall be built by Grantees or their successors or assigns within One Hundred Fifty (150) yards of the property line between the property sold to Grantees (Exhibit A) and that reserved by Grantors (Exhibit B). This restriction shall terminate only upon Grantees acquiring Grantors’ adjoining Exhibit B property.”***

5. The properties described in **Exhibit A** and **Exhibit B** are adjacent to each other and share a common boundary line. Said Building Restriction runs to the benefit of, and is appurtenant to, the real property described in **Exhibit B**.

6. The Grantees of the property described **Exhibit A** to the Warranty Deed recorded December 28, 2012 in Book 538, Page 288 did not, and have not, acquired the Grantors’ adjoining property described in **Exhibit B** thereto.

7. Mary Ellen McWilliams, Trustee under the Second Amended and Restated McWilliams Living Trust, U/A dated June 18, 2009, as Grantor, conveyed the real property described in **Exhibit B** to Richard. K. Bratten and Laurie L. Schierloh-Bratten, as joint tenants with the right of survivorship, as Grantees, pursuant to Trustee’s Deed, recorded December 12, 2017 in Book 571,

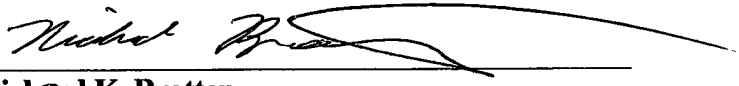



Page 131 in the records of the Sheridan County Clerk and Recorder.

8. Richard. K. Bratten and Laurie L. Schierloh-Bratten, as joint tenants with the right of survivorship, are presently the owners of and occupy the real property described in **Exhibit B**.

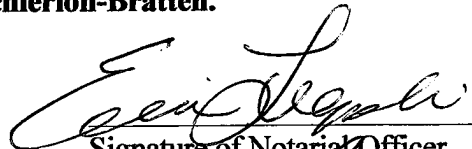
9. This Affidavit is given to provide Notice that there is a Building Restriction on the real property described in **Exhibit A**; that said Building Restriction is for the benefit of and appurtenant to the property described in **Exhibit B**; and that said Building Restriction on the **Exhibit A** property has not terminated, and is in full force and effect.

Further your affiants say not.

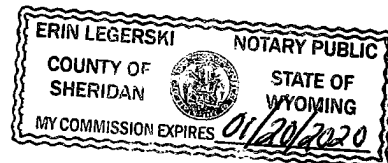
  
Richard K. Bratten  
  
Laurie L. Schierloh-Bratten

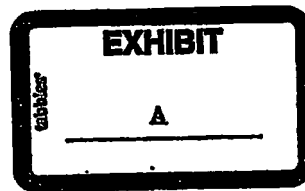
This instrument was signed and sworn to before me on this 28<sup>th</sup> day of February, 2019 by  
**Richard K. Bratten and Laurie L. Schierloh-Bratten.**

(SEAL)

  
Signature of Notarial Officer  
Title and Rank: Personal Banker

My commission expires: 01/20/2020.





**90.28 Acre Tract**

A tract of land located in the SW1/4SE1/4 of Section 8, the NE1/4NW1/4, the NW1/4NE1/4, the SE1/4NW1/4, and the SW1/4NE1/4 of Section 17, T55N, R85W, of the 6<sup>th</sup> P.M., Sheridan County, Wyoming, being more particularly described as follows:

Beginning at the Southeast corner of said SW1/4SE1/4 of Section 8; thence along the East line of the W1/2NE1/4 of Section 17, S00°02'31"W, 2637.79 feet to the Southeast corner of said SW1/4NE1/4 of Section 17; thence along the South line of said SW1/4NE1/4, N89°57'31"W, 1031.44 feet to a point on the East line of a tract of land described in Book 411, Page 301 of the records of Sheridan County; thence along said East line N03°36'31"E, 14.57 feet to a 1-1/2" aluminum cap, LS 5369; thence N03°36'31"E, 98.13 feet to a 1-1/2" aluminum cap, LS 5369; thence N70°34'09"W, 435.94 feet to a 1-1/2" aluminum cap LS 5369; thence N06°25'30"W, 171.02 feet to a 1-1/2" aluminum cap, LS 5369; thence N73°41'13"W, 119.36 feet to a 1-1/2" aluminum cap, LS 5369; thence leave said tract, North, 590.16 feet; thence N26°55'00"E, 955.24 feet; thence N11°57'03"E, 1241.64 feet to a point in the center of Big Goose Creek; thence along said center of Big Goose Creek the following courses and distances; S80°44'46"E, 39.93 feet; S84°02'39"E, 134.85 feet; N79°56'13"E, 100.39 feet; N80°54'08"E, 118.26 feet; N43°38'54"E, 128.33 feet; N41°33'28"E, 18.87 feet; N75°56'23"E, 146.50 feet; S87°32'24"E, 65.82 feet; N79°17'59"E, 41.08 feet; S36°19'38"E, 196.09 feet; S38°42'57"W, 147.04 feet; S41°20'04"W, 43.07 feet; S07°00'25"W, 16.48 feet; S49°48'02"E, 37.45 feet; N79°26'55"E, 45.12 feet; and N66°47'12"E, 84.93 feet to a point on the East line of said SW1/4SE1/4 of Section 8; thence leaving said center of Big Goose Creek S00°17'10"W, 339.93 feet to the point of beginning, said tract having an area of 90.28 acres, more or less.



**81.25 Acre Tract**

A tract of land located in the SW1/4SE1/4 of Section 8, the NE1/4NW1/4, the NW1/4NE1/4, and the SE1/4NW1/4 of Section 17, T55N, R85W, of the 6<sup>th</sup> P.M., Sheridan County, Wyoming, being more particularly described as follows:

Beginning at the North 1/4 corner of said Section 17 monumented with a 3-1/4" aluminum cap, LS2615; thence along the West line of said SW1/4SE1/4 of Section 8, N00°20'07"E, 320.66 feet to a point in the center of Big Goose Creek; thence along said center of Big Goose Creek the following courses and distances; N31°05'20"E, 142.48 feet; N51°01'31"E, 63.72 feet; N59°34'55"E, 40.22 feet; N84°58'03"E, 102.90 feet; S83°02'32"E, 74.93 feet; S73°39'01"E, 81.83 feet; and S80°44'46"E, 39.93 feet; thence, leaving said center of Big Goose Creek, S11°57'03"W, 1241.64 feet; thence S26°55'00"W, 955.24 feet; thence South, 590.16 feet to a point on the North line of a tract of land described in Book 411, Page 301 of the records of Sheridan County and monumented with a 1-1/2" aluminum cap, LS5369; thence along said tract along a curve to the right with an arc length of 130.42 feet, a radius of 195.78 feet, a chord bearing of S19°47'43"W, and a chord length of 128.02 feet to a 1-1/2" aluminum cap, LS5369, thence S38°52'45"W, 61.84 feet to a 1-1/2" aluminum cap, LS5369; thence along a curve to the left with an arc length of 68.23 feet, a radius of 124.08 feet, a chord bearing of S23°07'39"W, and a chord length of 67.37 feet to a 1-1/2" aluminum cap, LS5369, thence along a curve to the right having an arc length of 59.62 feet, a radius of 168.05 feet, a chord bearing of S17°32'20"W, and a chord length of 59.31 feet to a 1-1/2" aluminum cap, LS5369, thence S27°42'09"W, 36.54 feet to a 1-1/2" aluminum cap, LS5369; thence along a curve to the right with an arc length of 117.70 feet, a radius of 166.71 feet, a chord bearing of S47°55'46"W, and a chord length of 115.27 feet to a 1-1/2" aluminum cap, LS5369, thence S78°16'16"W, 44.79 feet to a 1-1/2" aluminum cap, LS5369; thence S00°06'30"E, 20.71 feet to a 1-1/2" aluminum cap, LS5369; thence S00°06'30"E, 33.88 feet a point on the South line of the SE1/4NW1/4 of Section 17; thence along said South line, N89°57'31"W, 827.01 feet to the Southwest corner of the SE1/4NW1/4 of Section 17 monumented with a 5/8" rebar; thence along the West line of said SE1/4NW1/4 of Section 17, N00°02'43"E, 877.63 feet; thence leaving said West line, N89°58'21"E, 41.32 feet to the East right-of-way line of Wyoming State Highway No. 331; thence along said right-of-way N00°15'39"W, 1640.61 feet; thence N89°58'21"E, 25.00 feet; and N00°01'39"W, 125.60 feet to a point on the North line of said Section 17; thence along said North line, S89°58'06"E, 576.79 feet to a 2" aluminum cap, LS 2615; thence S89°56'27"E, 698.61 feet to the point of beginning. Said tract having an area of 81.25 acres, more or less.