

RECORDED AUGUST 13, 1979 BK 242 PG 173 NO.771612 MARGARET LEWIS, COUNTY CLERK

SECOND AMENDMENT

TO DECLARATION OF PROTECTIVE COVENANTS

FOR PINEY SOUTH SUBDIVISION

TRACTS 1-33

SHERIDAN COUNTY, WYOMING

* * * * *

THIS SECOND AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS made this day by JOHN E. HANFT and HELEN L. HANFT, LARRY E. HANFT and VICKI D. HANFT, hereinafter referred to as Declarants,

WITNESSETH:

WHEREAS, the Declarants are the owners of more than seventy-five (75) percent of the land embraced within the subdivision known as Piney South Subdivision, which is platted and of record in the office of the County Clerk and Register of Deeds of Sheridan, Wyoming, said plat being referred specifically and made a part hereof in all respects as if fully set out herein; and

WHEREAS, on the 22nd day of June, 1978 Declarants executed a Declaration of Protective Covenants for Piney South Subdivision, Tracts 1-33, Sheridan County, Wyoming, which Declaration of Protective Covenants was duly recorded in the office of the County Clerk and Register of Deeds of Sheridan County, Wyoming on July 13, 1978 in Book 232 of Deeds at Page 150; and

WHEREAS, on the 9th day of November, 1978 Declarants executed the First Amendment to the Declaration of Protective Covenants for Piney South Subdivision, Tracts 1-33, Sheridan County, Wyoming, which First Amendment was duly recorded in the office of the County Clerk and Register of Deeds, Sheridan County, Wyoming on July 10, 1978 in Book 235 at Page 589; and

WHEREAS, Declarants, as owners of more than seventy-five (75) percent of Tracts 1-33 of said Piney South Subdivision, desire to amend said Declaration of Protective Covenants as hereinafter set forth.

NOW, THEREFORE, the Declaration of Protective Covenants for Piney South Subdivision, Tracts 1-33, Sheridan County, Wyoming is hereby amended to read as follows:

(5)

(a) All tracts in the subdivision must be fenced and the fencing shall be the responsibility of the individual tract owner. The cost of fences on common property lines shall be shared equally by the adjacent property owners.

(b) The term "adjacent property owners" referred to above shall not apply to the sharing of fence construction expenses by Declarants herein. If the buyers of a tract desire to fence their tract prior to the sale of the adjoining tracts to third parties, they shall do so at their own expense and Declarants shall have no obligation whatsoever to contribute any portion of the costs of such fence construction.

(c) Declarants are the owners of and reserve unto themselves all water, ditch and reservoir rights. Although historically some of the tracts may have been irrigated, Declarants make no representations or warranties as to the existence of any water rights for the tracts or the availability of water for irrigation. Should irrigation water become available from time to time in the future, it may be made available to the owners of the tracts for irrigation purposes, but each lot and tract is sold and purchase without any water or water rights and without warranty or representation on the part of Declarants as to the existence of or availability of water or water rights.

All other provisions of the Declaration of Protective Covenants for Piney South Subdivision, Tracts 1-33, as set forth in the Declaration filed July 13, 1978 in Book 232 at Page 150 and First Amendment thereto filed November 10, 1978 in Book 235 at Page 589, not in conflict with the provisions hereinabove set forth, shall remain in full force and effect.

IN-WITNESS WHEREOF, the Declarants have executed
this Second Amendment of Declaration of Protective Covenants
for Piney South Subdivision this 10th day of August, 1979.

John E. Hanft
John E. Hanft

Helen L. Hanft
Helen L. Hanft

Larry E. Hanft
Larry E. Hanft

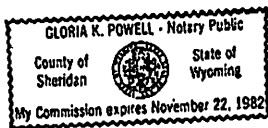
Vicki D. Hanft
Vicki D. Hanft

STATE OF WYOMING)
) ss
County of Sheridan)

The foregoing Second Amendment was acknowledged
before me by John E. Hanft and Helen L. Hanft, Larry E.
Hanft and Vicki D. Hanft this 10th day of August, 1979.

Gloria K. Powell
Notary Public

My Commission expires: Nov. 22, 1982



175