

RECORDED OCTOBER 23, 1998 BK 398 PG 488 NO 299657 RONALD L. DAILEY, COUNTY CLERK

**DECLARATION OF RESTRICTIVE COVENANT,  
CONDITION AND RESTRICTION**

THIS DECLARATION OF RESTRICTIVE COVENANT, CONDITION AND RESTRICTION is made this 30<sup>th</sup> day of September, 1998, by GARY DECKER and LARRY SUCHOR, owners in fee simple of all lands within the Mountain View Business Park, a Subdivision in Sheridan, Sheridan County, Wyoming, recorded in the Office of the County Clerk on the 1st day of May, 1998, in Drawer M, Plat No. 51. In order to promote the orderly development of the Mountain View Business Park for the benefit of the entire Mountain View Business Park Subdivision, the undersigned, as owners of the entire Mountain View Business Park Subdivision hereby declare, agree and impose the following covenant, condition and restriction on use of lands within Mountain View Business Park:

1. Lots 2 and 3 of Mountain View Business Park, and the property located immediately north of Lot 1 and west of Lot 3 of Mountain View Park (all of which property is hereafter referred to as the "Adjoining Property", for the benefit of Lot 1 of Mountain View Business Park:

- (a) Shall not alter the grading of the Adjoining Property in any manner as to cause drainage to occur from the top elevations of the Adjoining Property in a southerly direction to Lot 1;

- (b) Shall not alter the slope lying north of Lot 1 or take any other action which would increase drainage of surface water from the Adjoining Property onto Lot 1;
- (c) Shall implement drainage retention and control procedures and improvements on the Adjoining Property so as to prevent drainage and run off from the Adjoining Property from entering Lot 1, including maintaining and cleaning the concrete drainage ditch on the northern edge of Lot 1, and so as to prevent erosion on the slope lying north of Lot 1;
- (d) Shall establish and maintain vegetation on the south slope of the Adjoining Properties so as to stabilize the slope and control erosion and keep the vegetation mowed; and
- (e) Shall keep the south slope of the Adjoining Property adjacent to Lot 1 in a clean and orderly condition and not store or allow it to accumulate any trash, debris, or unsightly material on the slope.

2. It is expressly understood, agreed and declared that the foregoing restrictive covenant, condition and restriction contained in this instrument shall attach to and run with the land and shall enure to the benefit of Lot 1, Mountain View Business Park, and each owner thereof who derives title from or through the undersigned, and each such person is specifically given the right to enforce these restrictions, only against the persons owning or possessing the Adjoining Property, through any proceedings, at law or in

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equity, against any person or persons violating or threatening to violate such restrictions and to recover damages suffered by them for any violation of such restrictions.

DATED this 30<sup>th</sup> day of September, 1998.

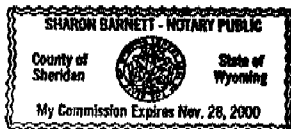
[Signature]  
GARY DECKER

[Signature]  
LARRY SUCHOR

STATE OF WYOMING     )  
                                     : ss.  
COUNTY OF SHERIDAN )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of September, 1998, by **Gary Decker** and **Larry Suchor**.

WITNESS my hand and official seal.



[Signature]  
Notary

My Commission Expires: 11-28-2000