

RECORDED FEBRUARY 22, 1996 BK 378 PG 273 NO 220186 RONALD L. DAILEY, COUNTY CLERK

Warranty Deed

TODD A. ATTER, a married person dealing in his sole and separate property, grantor, of Sheridan County, State of Wyoming, for and in consideration of One Dollar (\$1.00), and other good and valuable consideration, in hand paid, receipt whereof is hereby acknowledged, CONVEYS AND WARRANTS TO GLEN C. AND D. JILL MITCHELL, husband and wife, as tenants by the entireties with full right of survivorship, grantees, whose address is \_\_\_\_\_, Sheridan, Wyoming, 82801, the following described real estate situate in Sheridan County and State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:  
Lot 10, in Pleasant Valley Subdivision, a subdivision in Sheridan County, Wyoming.

Subject to all reservations, restrictions, easements, rights-of-way and covenants of record.

Together with all improvements situate thereon and all appurtenances thereunto appertaining or belonging.

Subject to the following covenants which are attached.

WITNESS my hand this 20<sup>th</sup> day of February, 1996.

Todd A. Atter  
TODD A. ATTER

STATE OF WYOMING     )  
                                  : ss  
COUNTY OF SHERIDAN   )

The foregoing Warranty Deed was acknowledged before me by TODD A. ATTER, this 20<sup>th</sup> day of February, 1996.

WITNESS my hand and official seal Cathy M. Harrington  
NOTARY PUBLIC

My Commission Expires: 7-18-98



274

COVENANTS

- (1) All lots in said subdivision shall be known and described as residential lots and will be restricted by all the covenants contained herein.
  - (2) No lot shall be used except for residential purposes and no business of any nature whatsoever shall be conducted on said lots. No building shall be erected, altered, placed or permitted to remain on any lot other than one single family dwelling with attached double garage. All buildings shall be new construction. Every effort shall be made to keep such structures attractive and painted and concealed from general view to the extent possible.
  - (3) No buildings shall be erected, placed or altered on any building lot until the construction plans and specifications and a lot plan shall have been approved.
  - (4) No structure of a temporary character, mobile home, shack, trailer, basement, 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 sole exception of temporary structures for construction purposes. No building materials shall be stored on any lot for a period longer than 30 days. No portion of lots shall be used for storage of items unless items are enclosed in buildings.
  - (5) No more than one residence is permitted on any lot as a principal use.
  - (6) No birds, dogs, pets, animals or livestock of any kind shall be kept, bred, raised or cared for on a commercial basis within the subdivision. Goats, bulls, swine, stallions and rams are expressly forbidden and none shall be kept on any lot for any purpose. Any dog, cat or other pet which may be kept shall be controlled by the owner thereof so that it shall not become a public nuisance. No pet shall at any time be permitted to run at large, and all pets shall be kept in the dwelling. A family garden is permissible.
  - (7) No portion of the subdivision shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. All such trash, garbage or other waste shall be kept in sanitary containers which are to be housed within enclosures or recessed in the ground. Trash, garbage, and other waste shall be removed from the premises on a periodic basis by the lot owner. All trash containers shall be secure against spillage.
  - (8) No noxious or offensive activity shall be carried on upon any lot nor shall anything be done which may be or may become an annoyance or nuisance to the owner of any other portion of the subdivision.
  - (9) Any new fence construction must be as follows: steel, treated or unpainted posts. If poles, they must be stained or painted. Adequate wire must be used.
  - (10) One "For Rent" or "For Sale" sign, which shall be no larger than six (6) square feet, shall be permitted. One entrance gate sign identifying the owner or occupant of the property, no advertising signs, billboards, unsightly objects, or nuisances shall be erected, altered, or permitted on any lot.
  - (11) There will be no resubdividing of any lot in the subdivision.
  - (12) All areas disturbed by construction shall be returned to natural conditions and replanted with suitable ground cover.
  - (13) Elevated tanks shall not be erected or permitted upon any lot.
  - (14) No television or other communication towers or structures, including satellite dishes, shall be placed in front of the front line of the house, and no such tower or structure shall exceed three feet above the building roof line. All such towers and antennas must be attached to the dwelling.
  - (15) Each dwelling shall be constructed with adequate off-road parking area for at least two automobiles per residence. No parking shall be allowed within the boundaries of any road rights of way. No trailers, campers, motor or mobile homes, boats, snowmobiles, snowmobile trailers, recreational vehicles, tractors, equipment or similar vehicles of any kind shall be allowed to be parked or stored on any lot for more than four consecutive days, nor more than twenty days within any calendar year unless vehicle or equipment is enclosed in garage.
  - (16) Only construction through its appearance that will enhance the environmental surrounds will be allowed.
  - (17) Each building on a lot shall have minimum setback distances measured from the lot line to the nearest wall of such structure. House locations must be approved. New structures shall line up with existing structures in subdivision on front setback. All structures shall be centered on lot for side setbacks.
  - (18) No residence dwelling shall be erected unless it has a private attached two-car garage.
  - (19) The ground floor, or main floor living area of all dwellings erected on the following described lots exclusive of open porches, breezeways, or garages shall contain not less than 1600 square feet. Lot number 10 as shown on the plat for Pleasant Valley that shall be governed by this minimum living area.
  - (20) Only one residence shall be allowed on one acre lot. No detached garages, barns, sheds, or other buildings shall be built or moved onto lot 10 at any time, either temporarily or permanently, with the exception of a detached shed
- TA

10 x 12 ft. or smaller on lot 10. All buildings must be approved for location, size, and height and must be built with same material as main dwelling. These structures shall not block the view of neighbors. No other barns, sheds or other buildings shall be built, altered, placed or moved onto lots.

- (21) No trailers or modulars will be allowed on any lots for residence.
- (22) Roofs must be T-locks or cedar shakes; no metal roofs will be allowed.
- (23) All garage doors will not exceed 8 ft. in height.
- (24) No basements will be built on lot 10 unless owner of lot has done his own tests for water level depth at owner's expense.
- (25) Once lot 10 is sold, irrigation water is available for the tap fee of \$300.00 per lot and the yearly assessment of \$50.00 each year for five years and will be reassessed after that if the irrigation rights have gone up.
- (26) Only new construction shall be permitted for all building or residence 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, and no mobile homes of any nature shall be permitted.
- (27) No gasoline or other type of fuel, except propane, shall be stored in tanks or containers located above or on the surface of the ground.
- (28) Only motor vehicles capable of being moved under their own power may be parked upon the streets of the subdivision, and they shall remain so parked only for reasonable periods of time. No street or other open area shall be used for the purposes of dismantling or repairing any vehicle, and unregistered or inoperable vehicles may be parked and kept only within an enclosed garage.
- (29) All lots shall have a 14 ft. approach off the road that can be road gravel or shale and will have a 12 in. culvert in the ditch that will be installed before any construction has begun on the lot. No driving in ditches will be allowed during construction except on the 14 ft. approach to building. Any damages done to ditches will be restored to original condition by the party that has done the damage.
- (30) During the period of construction of any residence or other building upon any lot of the subdivision, the said lot and area shall be kept as neat and orderly as possible.
- (31) Basketball boards or other sporting equipment shall be attached to the house or garage and not supported on separate posts unless no part thereof extends in front of the front line of the residence.
- (32) Any swimming pool (with the exception of children's wading pools not exceeding eight feet in diameter), tennis courts, or other outdoor recreational facilities, which are to be constructed or located on privately-owned land, must have prior approval as to design and location.
- (33) No permanent clothes line posts will be erected on any of said lots. Any clothes line posts or poles shall be of the removable type, and must be enclosed or screened from obvious view.
- (34) Any exterior lights may be installed on decorative metal posts or attached to house or garage. Telephone poles will not be allowed for light posts.
- (35) No weeds, under brush or unsightly growth of plants shall be permitted to grow or remain upon any lot in the subdivision, and all lots shall be kept mowed (except for lots which are not sold and are being hayed) and cleared of any trash, debris, or waste.
- (36) There shall be no hunting or discharging of firearms.
- (37) A purchaser of any lot or lots within the subdivision shall complete exterior construction within 120 days of commencement of construction.
- (38) Motor cycles, all-terrain and similar recreational type vehicles, motorbikes, trail bikes and snow machines and snow vehicles of all types may be used only to enter and exit from the public roads to an individual lot, and the same shall be accomplished only along the dedicated public streets and in full accordance with all applicable laws relating to speed, safety, noise, and general operation thereof; it is strictly prohibited to operate such motorcycles, all-terrain and similar recreational type vehicles, motorbikes, trail bikes, and snowmachines and snow vehicles of all types in a recreational manner or in any unsafe, noisy or offensive manner on or in the subdivision (whether on public streets, common ground or individually owned lots) and the operation thereof shall strictly be limited to ingress and egress as stated above. In addition, all vehicles of any kind shall be operated at noise levels which are at least as quiet as factory noise level.
- (39) Each lot owner shall have the responsibility to execute percolation tests, at his expense, to determine what type of sewer system will be mutually agreeable to the Sheridan County Engineer
- (40) Irrigation water will be pumped from ditch or pipe, no flood irrigating will be allowed.