



**Amendment to Declaration of Protective Covenants, Restrictions and Conditions of:
Brookfield Acres Subdivision, Dayton, Wyoming**

WHEREAS, the Declaration of Protective Covenants, Restrictions and Conditions of: Brookfield Acres Subdivision, Dayton, Wyoming was recorded in the office of the Sheridan County Clerk and Recorder on June 6, 2011 at Book 581, Page 160, #2019-750471 (hereinafter "Covenants"); and

WHEREAS, the Covenants placed restrictions and conditions on real property described in Attachment A; and

WHEREAS, Attachment A is the legal description which is found on the Final Plat of Brookfield Acres (hereinafter "Plat") recorded in the office of the Sheridan County Clerk and Recorder on April 19, 2019 at Plat Book B, Page 70; and

WHEREAS, the Town of Dayton and the Developer, a/k/a "Declarant" per the Covenants, has sold Outlot B, as shown on the Plat; and

WHEREAS, Outlot B is located adjacent to real property owned by Montana Dakota Utilities, (hereinafter "MDU"); and

WHEREAS, the Town of Dayton intends to transfer Outlot B to MDU in exchange for property which will allow for the expansion of East Lane; and

WHEREAS, pursuant to Article 24 of the Covenants, "Amendment of Covenants", the Covenants may be amended by the Declarant until such time as five (5) lots have been sold; and

WHEREAS, as of the date of the approval of this amendment, five lots have not been sold.

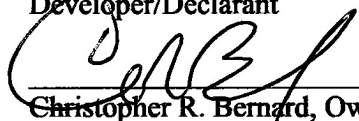
NOW THEREFORE, the Declaration of Protective Covenants, Restrictions and Conditions of: Brookfield Acres Subdivision, Dayton, Wyoming are hereby amended as follows:

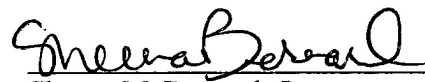
"Outlot B, as shown on the Final Plat of Brookfield Acres, filed in the Sheridan County Clerk's Office shall not be subject the Declaration of Protective Covenants, Restrictions and Conditions of: Brookfield Acres Subdivision, Dayton, Wyoming.

Attachment A of the Covenants is hereby amended to exclude Outlot B as real property included within the legal description."

Dated this 5th day of December, 2019.

Bernard Investment Group, LLC
Developer/Declarant


Christopher R. Bernard, Owner


Sheena M. Bernard, Owner



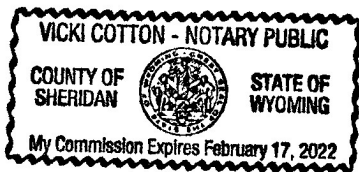
STATE WYOMING)
) ss
County of Sheridan)

The foregoing instrument was acknowledged before me by CHRISTOPHER R. BERNARD and SHEENA M. BERNARD, in their capacity as the Owners of BERNARD INVESTMENT GROUP, LLC, a Wyoming limited liability company, Grantor, this 5 day of December, 2019.

WITNESS my hand and official seal.

Vicki Cotton
Notary Public

My Commission Expires: 2/17/22





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FEES: \$18.00 HLM AMENDED COVENANTS
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

Attachment A

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 32, TOWNSHIP 57 NORTH, RANGE 86 WEST, OF THE 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE NE CORNER OF SAID SE1/4NE1/4 OF SECTION 32 AND SAID POINT ALSO BEING IN COUNTY ROAD #102 (DAYTON EAST ROAD); THENCE ALONG SAID ROAD S88°28'06"W, 613.34 FEET TO A POINT LYING IN SAID ROAD; THENCE LEAVING SAID ROAD S00°41'53"E, 129.98 FEET ALONG THE EAST LINE OF A MDU SUBSTATION SITE; THENCE S89°18'07"W, 99.99 FEET ALONG THE SOUTHLINE OF A MDU SUBSTATION SITE; THENCE N00°41'53"W, 129.98 FEET ALONG THE WEST LINE OF A MDU SUBSTATION SITE TO A POINT LYING IN SAID ROAD; THENCE CONTINUING ALONG SAID ROAD S89°24'39"W, 35.28 FEET TO A POINT LYING IN SAID ROAD; THENCE LEAVING SAID ROAD S00°12'24"W, 106.05 FEET ALONG THE WESTERLY LINE OF AN ACCESS AND UTILITY EASEMENT AS RECORDED IN SHERIDAN COUNTY RECORDS BOOK 382, PAGES 175-176; THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID EASEMENT S03°03'16"E, 175.04 FEET TO A POINT, THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID EASEMENT S00°05'07"W, 172.40 FEET TO A POINT; THENCE N89°37'17"E, 734.66 FEET TO A POINT LYING ON THE WESTLINE OF PHASE 1 OF WOODROCK ESTATES SUBDIVISION; THENCE N00°02'54"W, 272.89 FEET ALONG SAID WEST LINE TO A POINT LYING ON THE SOUTH LINE OF A TRACT OF LAND AS RECORDED IN BOOK 416 PAGE 319; THENCE S89°48'50"W, 50.09 FEET ALONG SAID SOUTH LINE TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF SAID TRACT OF LAND; THENCE ALONG THE WEST LINE OF SAID TRACT OF LAND AS RECORDED IN BOOK 416 PAGE 319, N00°00'33"E, 162.19 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF SAID TRACT OF LAND; THENCE ALONG THE NORTH LINE OF SAID TRACT OF LAND, S89°59'27"E, 55.24 FEET TO A POINT ON THE EAST LINE OF SAID SECTION; THENCE ALONG THE EAST LINE OF SAID SECTION, N00°11'22"E, 31.45 FEET TO THE POINT OF BEGINNING CONTAINING 7.30 ACRES MORE OR LESS.

SUBJECT TO PRIOR RECORDED EASEMENTS, EXCEPTIONS, RESERVATIONS, RESTRICTIONS, COVENANTS AND CONVEYANCES.

NO. 2019-754775 AMENDED COVENANTS
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
KERNS AND BUNTING LLC 200 W LOUCKS
P O BOX 6669 SHERIDAN WY 82801