

STATE OF WYOMING )  
 ) ss.  
COUNTY OF SHERIDAN )

FIFTH SUPPLEMENTARY DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR THE POWDER HORN

THIS FIFTH SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this 26<sup>TH</sup> day of February, 1998, by Powder Horn Ranch, LLC, a Wyoming Limited Liability Company, (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant recorded a Declaration Of Covenants, Conditions And Restrictions for the Powder Horn (the "Declaration") on September, 27, 1995 in Book 375, Page 563 of the records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a First Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on February 26, 1996, in Book 378, Page 321 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a Second Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on April 10, 1996, in Book 379, Page 135 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a Third Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on June 19, 1997, in Book 386, Page 401 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a Fourth Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on November 4, 1997, in Book 389, Page 16 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS, Declarant, pursuant to Article II thereof, retained the right to add additional property to the scheme of said Declaration by filing of record Supplementary Declarations of Covenants, Conditions and Restrictions; and

WHEREAS, Declarant is owner of that certain real property described on Exhibit A to this Fourth Supplementary Declaration of Covenants, Conditions and Restrictions for the Powder Horn ("the Additional Property"), which property represents an extension of Phase III (Three), titled Powder

Horn Minor No. 5 and Powder Horn Minor No. 6, of a master community development known as "The Powder Horn"; and

WHEREAS, Declarant desires to submit the Additional Property, together with all buildings, improvements, and other permanent fixtures of whatever kind, now or hereafter, and all easements, rights, appurtenants, of which are belonging to, or in any way pertaining thereto, to the covenants, conditions, restrictions, easements, charges, liens, assessments, privileges, and rights contained in the said Declaration, and to annex the Additional Property into the Property and the scheme of the Declaration in accordance with Section 2.02(a) of the Declaration; and

NOW, THEREFORE, the Declarant declares the Additional Property (described on Exhibit A) is hereby annexed into the Powder Horn pursuant to Section 2.02(a), and shall hereafter be a part of the Property, and shall be held, transferred, sold, conveyed, leased, occupied, and used subject to the covenants, conditions and restrictions, easements, charges, liens, assessments, privileges, and rights set forth in the Declaration, all of which shall run with the land and be binding upon the Additional Property, and all parties having acquired any right, title, or interest in and to the Additional Property, or any part thereof, and shall inure to the benefit of each person having at any time an interest or estate in the Property, or any part thereof, and the Powder Horn Homeowner's Association, Inc., (the "Association").

All capitalized terms used in this Fifth Supplementary Declaration, except as otherwise defined herein, shall have the same meaning as set forth in the Declaration.

Upon recording of this Fifth Supplementary Declaration The Property and all Additional Property shall be subject to the amendment herein above made.

IN WITNESS WHEREOF the Declarant has caused this Fifth Supplementary Declaration Of Covenants, Conditions and Restrictions For The Powder Horn to be executed.

POWDER HORN RANCH, LLC  
By: Homer Scott, Jr.  
Manager

STATE OF WYOMING )  
 ) ss.  
County of Sheridan )

The foregoing instrument was acknowledged before me this 26th day of February, 1998, by Homer Scott, Jr., Manager of Powder Horn Ranch, LLC.

WITNESS my hand and official seal.

[Signature]  
Notary Public

My commission expires: June 11, 1999

**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**Powder Horn Ranch**  
**Planned Unit Development**  
**Extension of Phase III (Three)**  
**Powder Horn Ranch Minor No. 5 Subdivision**  
**and**  
**Powder Horn Ranch Minor No. 6 Subdivision**

Powder Horn Ranch Minor No. 5 Subdivision, a subdivision in Sheridan County, Wyoming filed in Drawer P, Number 45 in the Office of the Sheridan County Clerk.

Powder Horn Ranch Minor No. 6 Subdivision, a subdivision in Sheridan County, Wyoming filed in Drawer P, Number 46 in the Office of the Sheridan County Clerk.