

538334 CORRECTED AFFIDAVIT  
BOOK 473 PAGE 0594  
RECORDED 04/25/2006 AT 02:45 PM  
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

**CORRECTIVE AFFIDAVIT REGARDING DESCRIPTION**  
**AS TO**  
**EXTENSION OF THE POWDER HORN**  
**RESIDENTIAL DEVELOPMENT STANDARDS**  
**AND**  
**FOURTEENTH SUPPLEMENTARY DECLARATION OF**  
**COVENANTS, CONDITIONS, AND RESTRICTIONS**  
**FOR THE POWDER HORN**

PURSUANT TO THE AUTHORITY OF W.S. § 34-11-101, and more particularly under W.S. § 34-11-101[b] for the purpose of resolving a conflict and ambiguity in the description of lands in a previously recorded instrument, the undersigned Affiant, Homer Scott, Jr., first properly being sworn, states and affirms as follows with regard to the AFFECTED PROPERTY, which herein below is described, as corrected:

**AFFECTED PROPERTY:**

**CORRECTED EXHIBIT A**

The property which is described upon and within that certain **Corrected Plat Of Powder Horn Cottages At The Hub**, which is **recorded and filed** in **Drawer "P" of Plats** in the office of the Clerk and Recorder of Sheridan County, State of Wyoming, being denoted therein as **Plat No. 77**; and which describes the following lands in **Sheridan County, State of Wyoming**, to wit:

**A Tract of land located in the SW ¼ SE ¼ of Section 33, Township 55 North, Range 84 West, and in the NW ¼ NE ¼ of Section 4 , Township 54 North, Range 84 West, of the Sixth Principal Meridian, Sheridan County, Wyoming; being more particularly described as follows:**

**Beginning** at a point located S 89° 44' 28" W, 506.40 feet from the East 1/16 Corner of said Sections 33 and 4; thence, S 08° 28' 54" E, 50 feet; thence, along a curve to the right with a length of 69.98 feet, a radius of 877.25 feet, a delta angle of 04° 34' 15" a chord bearing of S 83° 48' 13" W, and a chord length of 69.96 feet; thence, along a curve to the right with a length of 26.51 feet, a radius of 605.00 feet, a delta angle of 02° 30' 37", a chord bearing of S 87° 20' 39" W, and a chord length of 26.51 feet; thence, S 00° 58' 04" W, 153.63 feet; thence, along a curve to the right with a length of 256.26 feet, a radius of 785 feet, a delta angle of 18° 42' 15", a chord bearing of S 10° 19' 11" W, and a chord length of 255.13 feet; thence, S 19° 40' 18" W, 184.00 feet; thence, along a curve to the right with a length of 139.42 feet, a radius of 225.00 feet, a delta angle of 35° 30' 10", a chord bearing of S 37° 25' 24" W, and a chord length of 137.20 feet; thence along the easterly right-of-way line of Club House Drive along a curve to the left with a length of 228.15 feet, a radius of 1030.00 feet, a delta angle of 12° 41' 29", a chord bearing of N 27° 44' 20" W, and a chord length of 227.69 feet; thence, along said easterly right-of-way N 34° 05' 05" W, 559.88 feet; thence, leaving said easterly right-of-way, N 59° 45' 39" E, 38.39 feet; thence, along a curve to the right with a length of 132.38 feet, a radius of 780.00 feet, a delta angle of 09° 43' 28", a chord bearing of N 64° 37' 23" E, and a chord length of 132.22 feet; thence, along a curve to the right with a length of 307.17 feet, a radius of 495.00 feet, a delta angle of 35° 33' 17", a chord bearing of N 87° 15' 46" E, and a chord length of 302.27 feet; thence, along a curve to the left with a length of 183.57 feet, a radius of 555.00 feet, a delta angle of 18° 57' 04", a chord bearing of S 84° 26' 08" E, and a chord length of 182.74 feet; thence, along a curve to the left with a length of 65.99 feet, a radius of 827.25 feet, a delta angle of 04° 34' 15", a chord bearing of N 83° 48' 13" E, and a chord length of 65.98 feet, **to the point of beginning.**

[Said Tract containing 6.41 acres, more or less.]

Which said Tract by and through that aforesaid Plat now is subdivided into Lot Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27; and which includes also the Common Area described as "Outlot A", as shown on the said subdivision Plat; and, which pertains also to the Dedicated Area for access, as shown on the said subdivision Plat.

**AFFIDAVIT:**

[1] The undersigned **Affiant, Homer Scott, Jr.**, is the Manager, and a Member, of Powder Horn Ranch, L.L.C., [a Wyoming limited liability company] and is the Manager, and a Member, of Powder Horn Ranch - 2, L.L.C., [a Wyoming limited liability company], whose business address is 23 Country Club Lane, Sheridan, Wyoming 82801, which is within the County of Sheridan, State of Wyoming. The said **Affiant** has direct and personal knowledge of the facts and circumstances which are associated with the formation of the above-described **Powder Horn Cottages At The Hub** subdivision in the County of Sheridan, State of Wyoming; and, has direct and personal knowledge of the previously filed [incorrect] Plat and of the above-described **Corrected Plat**; and, has direct and personal knowledge of other documents which accomplish and are associated with the formation of the said subdivision. The said **Affiant** is an adult person, who is familiar with relevant facts, and who would be competent to testify in open Court concerning such relevant facts. Therefore, the said **Affiant** believes that the **Affiant** is qualified under W.S. § 34-11-101[a] to make and to file this statutory **AFFIDAVIT**, and makes this **AFFIDAVIT** upon the basis of the best knowledge and belief of the said **Affiant**.

[2] The said **Affiant** has examined the records of the Clerk and Recorder of Sheridan County, State of Wyoming, with reference to the above described **AFFECTED PROPERTY**, and thereby is informed that the above-described **Corrected Plat Of Powder Horn Cottages At The Hub**, which is recorded and filed in Drawer "P" of Plats in the office of the Clerk and Recorder of Sheridan County, State of Wyoming, being denoted therein as

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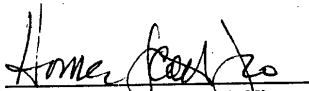
**Plat No. 77**, replaces a previously recorded Plat, which said previously recorded Plat contained an error in its legal description, and which said previously recorded Plat now has been vacated. The aforesaid **Corrected Plat**, and the description herein above of the **AFFECTED PROPERTY**, contain and state the correct legal description of the lands which constitute the aforesaid subdivision.

[3] Heretofore, on **December 2, 2005**, the Powder Horn Ranch, L.L.C., and the Powder Horn Ranch – 2, L.L.C., acting by and through the **Affiant**, caused that certain **EXTENSION OF THE POWDER HORN RESIDENTIAL DEVELOPMENT STATDARDS** document [a copy of which hereto is appended, is marked as **ATTACHMENT NO. 1**, and is incorporated herein by this express reference], as signed and acknowledged by the **Affiant**, to be recorded in **Book 469 of Deeds**, commencing at **Page 600**, with reference to the **Powder Horn Cottages At The Hub** subdivision in Sheridan County, State of Wyoming, which said document, however, contained an error in the description of lands that was stated in the “Exhibit A” that was appended to the said **EXTENSION OF THE POWDER HORN RESIDENTIAL DEVELOPMENT STATDARDS** document. The correct legal description of the lands affected by that said EXTENSION OF THE POWDER HORN RESIDENTIAL DEVELOPMENT STATDARDS document [i.e., ATTACHMENT NO. 1 hereto appended and incorporated herein by this reference] is the AFFECTED PROPERTY which herein above is described in this AFFIDAVIT.

[4] Heretofore, on **December 2, 2005**, the Powder Horn Ranch, L.L.C., and the Powder Horn Ranch – 2, L.L.C., acting by and through the **Affiant**, caused that certain **FOURTEENTH SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE POWDER HORN** document [a copy of which hereto is appended, is marked as **ATTACHMENT NO. 2**, and is incorporated herein by this express reference], as signed and acknowledged by the **Affiant**, to be recorded in **Book 469 of Deeds**, commencing at **Page 602**, with reference to the **Powder Horn Cottages At The Hub** subdivision in Sheridan County, State of Wyoming, which said document, however, contained an error in the description of lands that was stated in the “Exhibit A” that was appended to the said **FOURTEENTH SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE POWDER HORN** document. The correct

legal description of the lands affected by that said FOURTEENTH SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE POWDER HORN document [i.e., ATTACHMENT NO. 2 hereto appended and incorporated herein by this reference] is the AFFECTED PROPERTY which herein above is described in this AFFIDAVIT.

FURTHER AFFIANT SAITH NOT with regard to the above-stated matters; and, first properly being sworn, does sign below on the 25 day of April, 2006.

  
Homer Scott, Jr., Affiant

VERIFICATION & ACKNOWLEDGMENT

STATE OF WYOMING       )  
                                      )  
County Of Sheridan       )       ss.

This \_\_\_\_\_ day of April, 2006, the foregoing **CORRECTIVE AFFIDAVIT REGARDING DESCRIPTION / AS TO EXTENSION OF THE POWDER HORN / RESIDENTIAL DEVELOPMENT STANDARDS / AND / FOURTEENTH SUPPLEMENTARY DECLARATION OF / COVENANTS, CONDITIONS, AND RESTRICTIONS / FOR THE POWDER HORN** was sworn-to, signed, and acknowledged by **Homer Scott, Jr.**, who appears therein as the **Affiant**, and who personally is known to me; as witnesseth my hand and official seal.



  
Notary Public

My commission expires: 7-25-07

600

526562 NOTICE  
BOOK 469 PAGE 0600  
RECORDED 12/02/2005 AT 03:00 PM  
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

EXTENSION OF THE POWDER HORN

RESIDENTIAL DEVELOPMENT STANDARDS

The Design Review Committee having adopted The Powder Horn Residential Development Standards, Powder Horn Ranch, LLC, a Wyoming Limited Liability Company, and Powder Horn Ranch - 2, L.L.C., a Wyoming Limited Liability Company, adopt the following resolution:

Whereas, pursuant to the authority granted to the Design Review Committee in Article IX of the Declaration of Covenants, Conditions and Restrictions for the Powder Horn, Residential Development Standards were adopted on June 22, 2000, effective June 27, 2000, and recorded July 6, 2000, in Book 416, Pages 166 through and including page 198 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds.

RESOLVED: Now therefore, that the said Powder Horn Residential Development Standards, be, and hereby are, extended to all areas of the Powder Horn Ranch development including those areas legally described on Exhibit "A" attached and incorporated herein by this reference

IN WITNESS WHEREOF Powder Horn Ranch, LLC and Powder Horn Ranch - 2, L.L.C. have caused this Extension of the Powder Horn Residential Development Standards for The Powder Horn to be executed this 30<sup>th</sup> day of November, 2005.

POWDER HORN RANCH, LLC

By: Homer Scott Jr.  
Manager

POWDER HORN RANCH - 2, L.L.C.

By: Homer Scott Jr.  
Manager

STATE OF WYOMING     )  
                                      ) ss.  
County of Sheridan     )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of November, 2005, by Homer Scott, Jr., Manager of Powder Horn Ranch, LLC, and Manager of Powder Horn Ranch - 2, L.L.C.



WITNESS my hand and official seal.

599

Carolyn A. Byrd  
Notary Public

My commission expires: 7-25-07

ATTACHMENT NO. 1 Page 1 of 1

602

600

STATE OF WYOMING     )  
                                  ) ss.  
COUNTY OF SHERIDAN   )

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

THIS FOURTEENTH SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this 30<sup>th</sup> day of November, 2005, by Powder Horn Ranch, LLC, a Wyoming Limited Liability Company, (hereinafter referred to as "Declarant"), and Powder Horn Ranch - 2, L.L.C., a Wyoming Limited Liability Company.

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 recorded a Fifth Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on March 3, 1998, in Book 391, Page 27 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a Sixth Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on July 22, 1998, in Book 394, Page 518 of the Records of the

ATTACHMENT NO. 2 Page 1 of 3

Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a Seventh Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on April 11, 2000, in Book 413, Page 667 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded an Eighth Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on December 8, 2000, in Book 419, Page 516 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a Ninth Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on July 24, 2002, in Book 435, Page 681 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a Tenth Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on August 7, 2003, in Book 445, Page 609 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded an Eleventh Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on April 19, 2004, in Book 452, Page 411 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a Twelfth Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on July 26, 2005, in Book 455, Page 162 of the Records of the Sheridan County Clerk and Ex-Officio Register of Deeds; and

WHEREAS Declarant recorded a Thirteenth Supplementary Declaration Of Covenants, Conditions And Restrictions for The Powder Horn on September 30, 2005, in Book 467 Page 582 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 and Powder Horn Ranch - 2, L.L.C. desire to add to the scheme of these covenants the property described on Exhibit A to this Fourteenth Supplementary Declaration of Covenants, Conditions and Restrictions for the Powder Horn ("the Additional Property"), which property represents The Powder Horn Cottages at the Hub

WHEREAS, Declarant and Powder Horn Ranch - 2, L.L.C., desire to submit the Additional Property described on Exhibit A, 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

ATTACHMENT NO. 2 Page 2 of 3



the Declaration.

NOW, THEREFORE, the Declarant and Powder Horn Ranch - 2, L.L.C., declare the Additional Property (The Powder Horn Cottages at the Hub, 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").

IN WITNESS WHEREOF the Declarant and Powder Horn Ranch - 2, L.L.C. have caused this Fourteenth Supplementary Declaration Of Covenants, Conditions and Restrictions For The Powder Horn to be executed.

POWDER HORN RANCH, LLC

By: Homer Scott Jr.

Manager

POWDER HORN RANCH - 2, L.L.C.

By: Homer Scott Jr.

Manager

STATE OF WYOMING )

) ss.

County of Sheridan )

The foregoing instrument was acknowledged before me this 30th day of November, 2005, by Homer Scott, Jr., Manager of Powder Horn Ranch, LLC, and Manager of Powder Horn Ranch - 2, L.L.C.

WITNESS my hand and official seal.

Carolyn A. Byrd  
Notary Public

My commission expires: 7-25-07

