



Fremont County: Wyo. No. 810227  
Recorded

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OCT 6 1971 Book 74 of MISO Page 549  
11 o'clock A. M. James A. Farthing  
County Clerk

RESERVATIONS AND RESTRICTIVE COVENANTS

RUSSELL'S UNION PASS ROAD SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS:

John H. Russell, fee owner of the following described real property, to-wit:

Those certain parcels of land located in the SE $\frac{1}{4}$  of Section 22, Township 42 North, Range 108 West, 6th P. M., Fremont County, Wyoming, more particularly described as follows:

PARCEL 1: Commencing at the Southeast corner of said SE $\frac{1}{4}$ ; thence North along the East line of said SE $\frac{1}{4}$  709.50 feet to the point of beginning of this description; thence continue North 605.35 feet; thence S. 67° 59' W. 27.89 feet to a point of curvature; thence along a curve to the right to a point of tangency, said curve having a chord which bears S. 77° 56' 30" W. 110.60 feet; thence S. 87° 54' W. 388.88 feet to a point of curvature; thence along a curve to the left to a point of tangency, said curve having a chord which bears S. 75° 17' W. 82.30 feet; thence S. 62° 40' W. 269.70 feet to a point of curvature; thence along a curve to the right, to a point on the curve, said curve having a chord which bears S. 71° 47' W. 119.16 feet; thence South 377.46 feet; thence East 950.20 feet to the point of beginning of this description.

PARCEL 2: Commencing at the Southwest corner of said SE $\frac{1}{4}$ ; thence N. 0° 40' W. along the West line of said SE $\frac{1}{4}$  145.89 feet to the point of beginning of this description; thence continue N. 0° 40' W. 1098.34 feet; thence N. 43° 40' E. 236.25 feet; thence N. 79° 35' E. 112.23 feet; thence S. 73° 50' E. 149.95 feet; thence S. 79° 17' E. 92.30 feet to a point on a curve; thence along a curve to the left to a point of tangency, said curve having a chord which bears S. 11° 51' E. 96.05 feet; thence S. 44° 06' E. 340.61 feet; thence S. 36° 14' W. 492.90 feet; thence S. 0° 40' E. 466.70 feet; thence S. 86° 36' W. 467.23 feet to the point of beginning of this description.

PARCEL 3: Commencing at the Southeast corner of said SE $\frac{1}{4}$ ; thence North along the East line of said SE $\frac{1}{4}$  709.50 feet; thence West 950.20 feet; thence North 377.46 feet; thence N. 84° 30' W. 189.88 feet; thence N. 69° 53' W. 35.91 feet; thence North 74.54 feet to the point of beginning of this description; thence N. 69° 53' W. 45.18 feet to a point of curvature; thence along a curve to the left to a point of tangency, said curve having a chord which bears N. 83° 35' 30" W. 133.17 feet; thence S. 82° 42' W. 194.41 feet to a point of curvature; thence along a curve to the right to a point of tangency, said curve having a chord which bears N. 86° 09' W. 64.95 feet; thence N. 75° 00' W. 152.59 feet to a point of curvature; thence along a curve to the right, said curve having a chord which bears N. 61° 56' W. 42.62 feet; thence N. 48° 52' W. 210.92 feet; thence along a curve to the left to a point on the curve, said curve having a chord which bears N. 73° 28' W. 74.92 feet; thence N. 79° 17' W. 74.93 feet; thence N. 16° 07' E. 302.41 feet; thence N. 64°

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08° E. 163.70 feet; thence S. 89° 28' E. 286.31 feet; thence  
N. 80° 56' E. 1156.61 feet; thence N. 58° 26' E. 292.82 feet;  
thence South 780.84 feet to the point of beginning of this  
description.

and desiring to plat and dedicate the same as a legal subdivision, does hereby make the following declarations as to reservations, restrictions, limitations, and uses to which the lots and tracts constituting said legal subdivision may be put, contemplating the development of said lands as a residential area and the purchase of tracts therein for residential purposes, said lands constituting a legal subdivision in accordance with a plat thereof recorded in Drawer 3A, Page 25, in the office of the County Clerk and Ex-officio Register of Deeds in and for Fremont County, Wyoming. The within restrictions and reservations shall govern and control the ownership, use, occupancy and transfer of the lots and tracts contained in said legal subdivision under and upon the following terms and conditions:

1. **NAME AND PLAT:** The name of this subdivision shall be "Russell's Union Pass Road Subdivision," and this instrument shall be construed as a part of the plat of the subdivision, as though the same were set forth in full thereon.

2. **EXTENT OF RESTRICTIONS:** Reservations, restrictions, and limitations herein set forth shall be construed as conditions attached to the grant of each lot and tract in said legal subdivision, and as covenants running with the land; they shall be a part of every deed, grant, conveyance, or encumbrance on the lots and tracts herein concerned, or any part thereof, the same as if they were set out in full in each deed, and every such deed, grant, conveyance and encumbrance shall be subject to the terms and conditions hereof, whether or not so expressly stated; they are created for the benefit of the entire legal subdivision and each lot and tract therein contained, and shall be enforceable, in law or in equity, in accordance with their several terms and provisions, by the owners of the lots and tracts therein, individually or collectively, against the person or persons violating any of the conditions of this instrument, and either to prevent him from so doing or to recover damages for such violation, or both.

3. **NUMBER OF LOTS AND TRACTS:** Lots and tracts contained in this legal subdivision are eight (8) in number. No more than one residential unit may be built on a two-acre lot or tract or major portion thereof.

4. **USE:** The use of the lots and tracts herein shall be limited to private residential purposes, and no lot or tract shall contain more than one residential unit for each two acres or major portion thereof, with out-buildings; use and occupancy of the respective residential units shall be limited to one family; no commercial or business use of any of the lots or tracts or residential units shall be permitted, nor shall any commercial or business activity be conducted within the legal subdivision; no unlicensed or inoperable motor vehicles shall be stored or parked within the legal subdivision. Livestock for pleasure purposes, such as saddle horses, and domestic pets, shall be permitted; the raising, maintenance, keeping, or harboring of any kind of barnyard fowl, sheep, goats, cattle, swine, or other similar animals not ordinarily raised for pleasure purposes only, is prohibited.

5. **FENCING:** Any and all road frontal fences placed upon the premises shall be of wooden construction, such as cross-buck and rail

or wooden post and rail. Fence rows shall be kept clean and clear of weeds, trash, and debris by each owner of each separate lot or tract.

6. NUISANCE: No conditions which constitute or create a nuisance or an unreasonable annoyance to the other property owners in the legal subdivision shall be created or permitted to exist; where livestock is kept for pleasure purposes, it must be so restrained that no interference will be caused to other adjoining property; buildings for the care or shelter of such animals shall not be placed within seventy-five feet of the residence of another owner.

7. BUILDING AND CONSTRUCTION: Basement dwelling houses only, or basements existing as unfinished construction, or roofed over to be used as a dwelling place, shall not be permitted; in the event such condition should develop and continue for a period of one year after commencement of construction thereof, it may, at the end of the said one-year period be abated as a nuisance. No building may be placed, erected, or constructed closer than twenty feet to any lot or tract boundary line; provided, however, that outbuildings or garages may be placed closer to the tract or lot boundary line upon consent of the owner whose lot or tract is next adjacent. Residential units shall be modern with respect to plumbing and sewage facilities and open cesspools or outhouses are not permitted. Mobile homes, trailers, or campers shall not be permitted upon the premises for use as a permanent residential unit other than for use for a period not exceeding one hundred twenty days during construction of permanent quarters; provided, however, each such unit may be permitted upon any lot or tract on a temporary basis not exceeding, at any one time, three weeks; and under any circumstances such mobile units, trailers, campers, or tents shall be located upon each and every lot and tract in an inconspicuous place, so as not to detract from the environmental and esthetic appearance of the legal subdivision.

8. RIGHTS-OF-WAY AND EASEMENTS: Each lot or tract in the legal subdivision shall possess and shall be burdened by the following rights and easements, held, possessed, and enforceable by all lots and tracts and owners, jointly and severally: the right to the free and uninterrupted passage of that amount of water to which each lot or tract is entitled over, through, and across adjacent lots over which such passage may be necessary from time to time; easements and rights-of-way as may be reasonably necessary for the installation, maintenance and repair of water and gas mains and lines, and for telephone and electric poles, lines, or other installations as the same may now or in the future be installed or erected; provided, nevertheless, that no such easement or right-of-way shall hinder, damage, or obstruct residential buildings constructed or in the process of construction at the time of such installation; provided, further, that the use of such easements and exercise of rights thereunder shall be conducted with due care in regard to the surface, and in the event the surface shall be damaged in installation, maintenance, or repair, it shall, upon completion of the work, be restored as near as may be reasonable to its original condition.

9. INVALIDATION AND AMENDMENT: Invalidation of any of the covenants, restrictions, and limitations contained in this instrument, by judgment or court order, shall in no wise affect any of the other provisions hereof, which shall remain in full force and effect. The rights, duties, obligations, and restrictions herein created are for the benefit of all of the land in said legal subdivision, and they are and shall be irrevocable and perpetual until and unless revoked, abrogated, modified, or

