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TO THE PUBLIC

DATE: October 11, 2004

GRANTOR: Town of Albin

DECLARATION OF PROTECTIVE COVENANTS

The undersigned, being the owner in fee simple of the following described property situate in Laramie County, Wyoming, to-wit:

^{Second of}
Jacobsen Addition, ~~Third Filing~~, Block 1, Lots 1-4, Block 2, Lots 1-12, being a subdivision located in the Town of Albin

does hereby make this Declaration of Protective Covenants applicable to all of the described property.

I. Single Family Residence

1. **One Family Residences Designated in Filing:** All lots designated for family residences, single or duplex residences and shall be used for that purpose and no other.

2. **Dwelling Quality and Size:** No dwelling shall have fewer than 800 square feet without a basement or 800 square feet with a basement. Tri-level and bi-level houses shall have not less than 800 square feet on the upper two levels with a minimum total footage of 1,000 square feet. A two-story house shall have not less than 800 square feet on the first floor and not less than 1000 square feet finished area. The square footage shall be determined by measurement of the framing dimensions of the living quarters only. No storage areas or garages shall be considered in determining square footage.

3. **Allowed Dwelling:** Newly Built and Modular houses will only be allowed. *No manufactured homes are allowed.*

4. Minimum Lot Size and Building Locations:

- a. No residential structure shall be erected or placed on any tract having less than 6,000 square feet or has front footage of less than 30 feet at setback line.
- b. No structure shall be located closer to the front lot line than 30 feet, nor closer to the rear lot line than 6 feet.
- c. No structure shall be located closer than 6 feet from the side lot lines.
- d. For the purposes of this covenant, eaves, steps, and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

II. General Requirements for all Lots in the Subdivision

1. **Architectural Control:** No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Albin Town Governing Body as to quality of workmanship and materials, harmony of external design with existing structures and location with respect to topography and finish grade elevations. All construction shall be new and no buildings or building may be removed from another location and transported to any site within this subdivision. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building set-back line. Approval shall be as provided.

2. **Easements:** Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority

or utility company is responsible.

3. Nuisances: No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

4. Temporary Structures: No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

5. Parking and Non-operative vehicles and facilities: Parking of trailer-campers, truck-campers, bus-campers, boats, and otherwise large vehicles such as stock trucks and trailers shall not be parked on public streets in front of a residence for more than 72 hours.

Vehicles which are not in running condition or are in a state of disrepair shall not be parked on the street or in view of any residence.

6. Oil and Mining Operations: No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

7. Livestock and Poultry: No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose, and not more than three animals may be kept or maintained at any time.

8. Garbage and Refuse Disposal: No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers.

9. Curb & Gutter Requirements: Developer will include curb and gutter meeting the Wyoming Public Works Standard Specifications.

10. Sight Distance at Intersections: No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight-line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

11. Specific Reservations, Restriction and Limitations, for Construction, Planning, Development and Use.

- a. Ground cover shall be promptly placed to reduce dust levels.
- b. No overhead phone or electrical wires shall be allowed.
- c. Purchaser shall maintain property so as not to detract from other property owners.

12. A majority of the Albin Town Governing Body may designate a representative to act for it. In the event of death or resignation of any member of the Governing Body, the remaining members shall have full authority to designate a successor. None of the members of the Governing Body, nor its designated representative, shall be entitled to any compensation for services performed pursuant to this covenant.

13. Procedure: The Governing Body's approval or disapproval as required in these covenants shall be in writing. In the event the Governing Body, or its designated representative, fails to approve within 30 days after plans and specification have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

