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**DECLARATION OF
RESTRICTIVE COVENANT**

For 5201 Yellowstone Road, Cheyenne, Laramie County, Wyoming

Yellowstone Surgical Center Building, L.L.C., a Wyoming limited liability company, (hereafter referred to as the "Declarant"), now the owner of all the premises described in Schedule "A", which is attached hereto and incorporated herein, which is located in the City of Cheyenne, County of Laramie, State of Wyoming, for valuable consideration does hereby declare the following use restriction shall be a restrictive covenant running with the premises described in Schedule "A" and shall inure and be binding upon the parties hereto, their respective assigns, transferees and successors in interest. Any deed, instrument of transfer or lease of the premises described in Schedule "A" shall contain the following restrictive covenant, with the appropriate book and page numbers from the filing of this Declaration with the Laramie County, Wyoming Clerk and Recorder:

"The premises being conveyed by this instrument as described on Schedule "A" shall not be used in any manner for the operation of an ambulatory surgery center or like facility which provides or performs out-patient surgical procedures.

This restrictive use covenant shall run with the land and shall be binding on all persons who acquire a legal or equitable interest or title to the Premises described in Schedule A (or any part thereof), and their respective successors and assigns for a period of five (5) years from the date on which this Declaration is recorded in the office of the Laramie County, Wyoming Clerk and Recorder.

Enforcement of this covenant shall be by proceedings at law or in equity against any person or persons violating or attempting to violate such covenant".

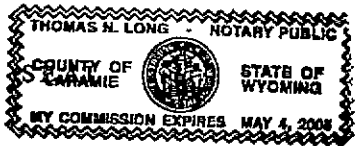
Grantor has executed this instrument of Declaration on the 21 day of November 2002.

YELLOWSTONE SURGICAL CENTER
BUILDING, L.L.C., a Wyoming limited
liability company

BY: Tahery Galloway
Managing Member

STATE OF WYOMING)
) SS
COUNTY OF LARAMIE)

The foregoing instrument was acknowledged before me by Take G. Pullos, Managing Member of Yellowstone Surgical Center Building, L.L.C., a Wyoming limited liability company, this 21st day of November, 2002. Witness my hand and official seal. My commission expires: 5/4/05.



Thomas H. Long

NOTARY PUBLIC

**DECLARATION OF
RESTRICTIVE COVENANT
SCHEDULE "A"**

Legal description of 5201 Yellowstone Road

The North 111 feet of Lot 5, the North 111 feet of the West 56.25 feet of Lot 6, and the South 4 feet of the West 205 feet of the original alley, Block 2, Yellowstone Addition, 2nd Filing, in the City of Cheyenne, Laramie County, Wyoming, being more particularly described as follows:

Beginning at a Survey Cap 5 feet north of the Southwest corner of Block 2;
thence North, along the west line of Block 2, a distance of 115.00 feet; thence S.
89°43'00" E., a distance of 205.00 feet; thence South parallel to the west line of
Block 2 a distance of 115.0 feet; thence N. 89°43'00" W., a distance of 205.00
feet to the point of beginning.