

36200

W 2 1 17

Hodder Park II

PLAT OF
"HODDER PARK II"
 AN ADDITION TO THE CITY OF CASPER
 A SUBDIVISION OF PORTIONS OF THE
 SW1/4SW1/4, SECTION 1 & NW1/4NW1/4, SECTION 12
 TOWNSHIP 33 NORTH, RANGE 79 WEST
 SIXTH PRINCIPAL MERIDIAN
 NATRONA COUNTY, WYOMING

HODDER PARK II 1022-A
 Recorded: December 2, 1983
 Instrument number 362203

SCALE: 1"=80'

CERTIFICATE OF DEDICATION

BUTTREY FOOD STORES DIVISION, Jewel Companies, Inc., a New York Corporation, hereby certifies that it is the owner and proprietor of the foregoing subdivision located in and being portions of the SW1/4SW1/4, Section 1 and the NW1/4NW1/4, Section 12, Township 33 North, Range 79 West of the Sixth Principal Meridian, Natrona County, Wyoming and being more particularly described by metes and bounds as follows:

Commencing at the corner common to Sections 1, 2, 11 and 12 of said Township; thence along the line common to said Sections 1 and 12, S. 88° 58' E., 803.45 feet to a point; thence SOUTH, 324.81 feet to the southeasterly corner of Hodder Park, an Addition to the City of Casper, Wyoming and the southwesterly corner of the Parcel being described and the true Point of Beginning;

Thence from said Point of Beginning and along the westerly line of said Parcel and the easterly line of said Hodder Park, NORTH, 803.24 feet to the northwesterly corner of said Parcel and also a point in the south line of 80 feet wide Legion Lane; thence along the northerly line of said Parcel and the southerly line of said Legion Lane, N. 89° 17' E., 325.57 feet to the northeasterly corner of said Parcel; thence along the easterly line of said Parcel and the westerly line of MCG and KTHO sections to the City of Casper, Wyoming; 5.0° 01' E., 882.35 feet to a point and northwesterly corner of Red Barn-East, an addition to the City of Casper, Wyoming; thence continuing along the easterly line of said Parcel and the westerly line of said Red Barn-East, S. 0° 17' E., 205.88 feet to the southeasterly corner of said Parcel; the southeasterly corner of said Red Barn-East and a point in the northerly line of East Second Street; thence along the southerly line of said Parcel and the northerly line of said East Second Street, S. 89° 17' W., 326.79 feet to the Point of Beginning and containing 0.501 acres, more or less.

The subdivision of the foregoing described lands as shown on this Plat is with the free consent and in accordance with the desires of the above named owners and proprietors, the name of said subdivision shall be "HODDER PARK II", an Addition to the City of Casper, Wyoming; the line Drive as shown on this Plat is hereby dedicated to the use of the public.

BUTTREY FOOD STORES DIVISION, JEWEL COMPANIES, INC.
 a New York Corporation
 P.O. BOX 5008
 GREAT FALLS, MONTANA 59403

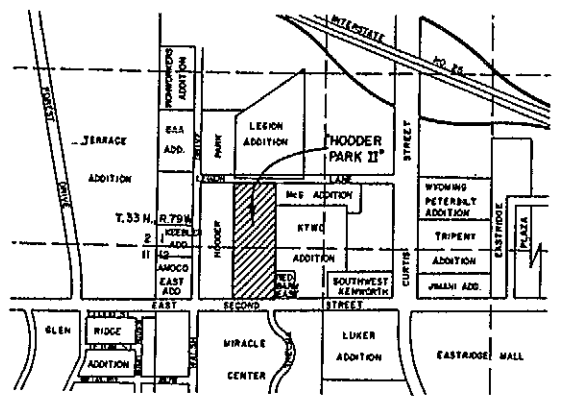
Lynn Plam
 ATTEST: VICE-PRESIDENT

Lyle T. Gorman
 LYLE T. GORMAN, VICE PRES., REAL ESTATE

ACKNOWLEDGEMENT

STATE OF MONTANA)
 COUNTY OF CASCADE) ss
 The foregoing instrument was acknowledged before me by Lyle T. Gorman on this _____ day of _____, 1983.

Witness my hand and notarial seal.
 My commission expires: _____
 NOTARY PUBLIC



CERTIFICATE OF SURVEYOR

STATE OF WYOMING)
 COUNTY OF NATRONA) ss
 I, Maynard Johnson of Casper, Wyoming hereby certify that this Plat was prepared from notes taken during an actual survey made by me during the month of December, 1982 and that this Plat correctly and accurately represents said survey. All corners are well and accurately identified and all dimensions are expressed in feet and decimals thereof and courses referred to the true meridian. All being true and correct to the best of my knowledge and belief.

Wyoming Registration No. 810 L.S. *Maynard Johnson*
 MAYNARD JOHNSON

Subscribed in my presence and sworn to before me by Maynard Johnson on this 12th day of August, 1983.

My commission expires: June 15, 1985
Harold R. Moore
 HAROLD R. MOORE
 NOTARY PUBLIC

APPROVALS

APPROVED: Community Planning Commission of Casper, Wyoming this 12th day of June, 1983 and forwarded to the City Council of Casper, Wyoming with recommendation that said Plat be approved.
L. Charles Davis
 SECRETARY

APPROVED: City Council of the City of Casper, Wyoming by Resolution No. 22-148, duly passed, adopted and approved on the 21st day of September, 1983.
Charles H. Kay
 MAYOR

Attest: *Calvin D. Dancy*
 CITY CLERK

APPROVED: Board of County Commissioners of Natrona County, Wyoming by Resolution duly passed on the 15th day of July, 1983.
Frank J. Schultz
 CHAIRMAN OF THE BOARD

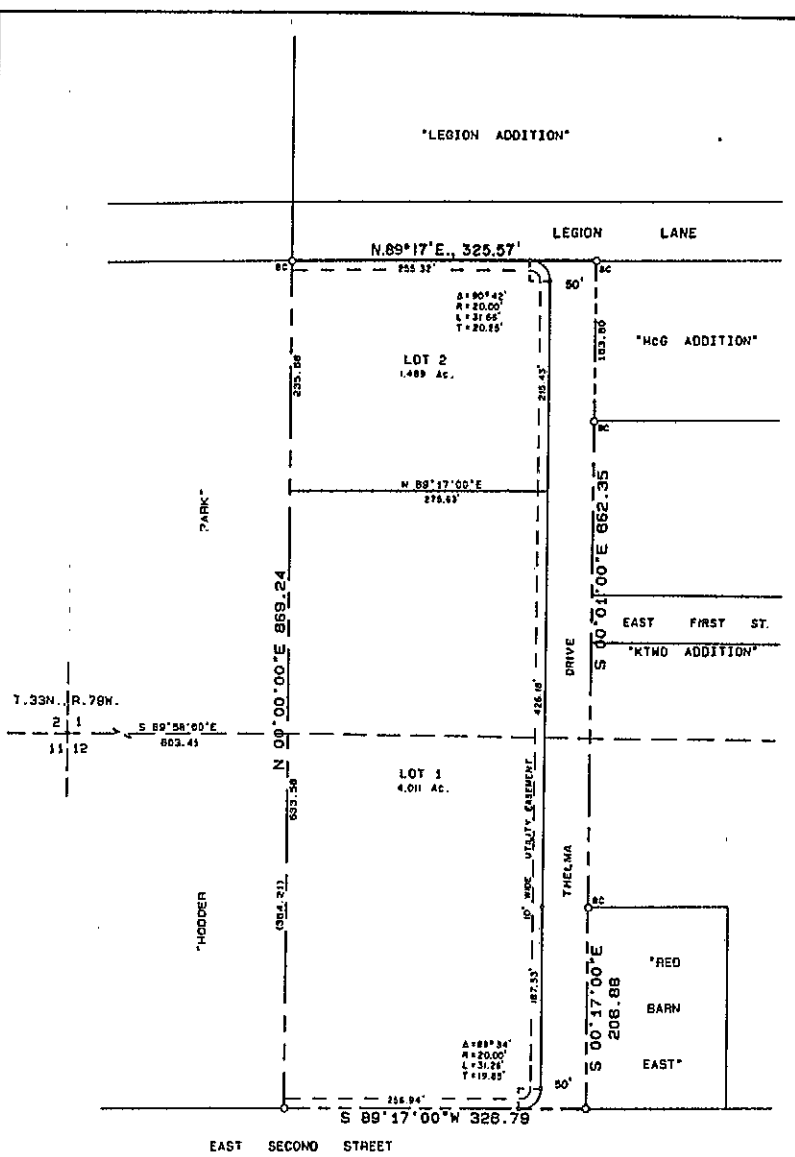
Attest: *John J. Johnson*
 COUNTY CLERK

INSPECTED AND APPROVED on the 25th day of October, 1983.
Joe J. Johnson
 CITY ENGINEER

INSPECTED AND APPROVED on the 27th day of Oct, 1983.
W. R. H. H. H.
 COUNTY SURVEYOR

INSPECTED AND APPROVED on the 25th day of Oct, 1983.
Neil Anderson
 COUNTY HEALTH OFFICER

Filed for Record in the Office of the County Clerk of Natrona County, Wyoming this 2nd day of Dec, 1983.
John J. Johnson
 COUNTY CLERK



LEGEND:
 Brass Cap Corner.....
 Original Corner.....
 Local Corner.....
 5/8" x 18" Rebar.....
 N.L.D. & J. Brass Cap of Aluminum Cap Set.....
 Subdivision Boundary.....
 Easement.....

Plat Closure Ratio in excess of 1:10,000
 SURVEY & PLAT BY
 WORTHINGTON, LENHART, CARPENTER & JOHNSON, INC.
 832 SOUTH DAVID STREET, CASPER, WYOMING 82601
 N.D. NO.: 8519 DATE: 12-26-82

When Recorded Mail To:
 Craig R. Gasser
 PO Box 785
 Salt Lake City, Utah 84110

MARY ANN COLLINS
 NATRONA COUNTY CLERK
 CASPER, WYOMING

DECLARATION OF RESTRICTION

This DECLARATION OF RESTRICTION, (this "Declaration") is made this 9th day of August, 1991 by GFI-Casper Investments Limited Partnership, a Utah Limited Partnership, (hereinafter collectively referred to as "Declarant") for the benefit of the GFI Property (as defined herein); and GFI-Casper Investments Limited Partnership, a Utah Limited Partnership ("GFI"); which is the owner of the GFI Property, with reference to the following facts:

A. Declarant is the fee interest owner of certain real property located in the City of Casper, County of Natrona, State of Wyoming, more particularly described on Exhibit "A" attached hereto (the "Restricted Property").

B. GFI is the fee interest owner of certain real property located in the City of Casper, County of Natrona, State of Wyoming, which real property lies contiguous to the Restricted Property (the "GFI Property").

C. To ensure that the separation required by the applicable fire and building codes of the City of Casper are, at all times maintained, and to allow GFI to construct and maintain its improvements on the GFI Property, Declarant has agreed to place a restriction prohibiting the construction and/or maintenance of certain types of improvements on the Restricted Property.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Declarant, intending to be legally bound, does hereby agree as follows:

1. **Building Restriction.** No improvement, building, or structure of any kind shall be constructed and/or maintained on or over the Restricted Property which would in any way cause the GFI Property and the structures thereon to be in violation of the building separation provisions of the applicable building and fire codes. Should either Declarant or its successors and assigns violate the foregoing restriction, then GFI or its respective successors and assigns, may, as their sole and exclusive remedies, seek and shall be entitled to injunctive relief and/or specific performance to ensure that the violating improvement, building or structure is removed and that this restriction is fully and strictly enforced.

2. **Covenant Running with the Land.** The Restricted Property shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved subject to and in accordance

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 FIRST AMERICAN TITLE INSURANCE CO., INC.
 120 N. Center Street • Casper, WY 82601 • (307) 237-8486



Restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent such restrictions violate 42 USC 3604(c).

with the restriction set forth in this Declaration, which is declared to be in furtherance of and for the improvement of the GFI Property and for purposes of enhancing its value, use, desirability and safety. The restriction created hereby is imposed as an equitable servitude upon the Restricted Property in favor of the GFI Property, and shall be a covenant running with the land, binding upon and inuring to the benefit of Declarant and GFI, and their respective successors and assigns, and all other persons having or acquiring any right, title or interest, including leasehold interest, in all or any portion of the Restricted Property or the GFI Property, and their respective successors and assigns.

IN WITNESS WHEREOF, the undersigned have duly executed this Declaration as of the day and year first above written.

DECLARANT: GFI-Casper Investments Limited Partnership, a Utah Limited Partnership.

BY: WGA-Casper, Inc., a Utah Corporation, General Partner

BY: *G. Walter Gasser*
G. Walter Gasser
Its: General Partner

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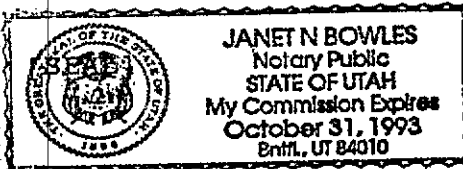


Restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent such restrictions violate 42 USC 3604(c).

STATE OF Utah)
 : SS.
COUNTY OF Davis)

On the 9th day of December, 1991, personally appeared before me G. Walter Gasser, the signer of the within instrument, who duly acknowledged to me that he executed the same.

Janet N Bowles
NOTARY PUBLIC



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Restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent such restrictions violate 42 USC 3604(c).

A Parcel located in and being portions of Lots 8, 9 and 10, Hodder Park and a portion of Lot 2, Hodder Park II, Additions to the City of Casper, Wyoming and being more particularly described by metes and bounds as follows:

Commencing at the northwesterly corner of Lot 2, Hodder Park; thence along the easterly line of 55 feet wide Walsh Drive N.0°06'E., 545.83 feet to the southwesterly corner of the Parcel being described and the true Point of Beginning; thence from said Point of Beginning and along the westerly line of said Parcel and the easterly line of said Walsh Drive, N.0°06'E., 25.00 feet to the northwesterly corner of said Parcel; thence along the northerly line of said Parcel, N.89°17'E., 546.92 feet to the northeasterly corner of said Parcel and a point in the westerly line of 50 feet wide Thelma Drive; thence along the easterly line of said Parcel and the westerly line of said Thelma Drive, S.0°01'E., 25.00 feet to the southeasterly corner of said Parcel; thence along the southerly line of said Parcel, S.89°17'W., 546.98 feet to the Point of Beginning and containing 15,109 square feet or 0.347 acres, more or less and as shown on the plat attached and made a part hereof.

Exhibit "A"

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