

DECLARATION AND COVENANTS

THIS DECLARATION AND COVENANT, made and entered into by and between the undersigned, incident with the platting of the 45-M Subdivision, to which this Declaration and Covenant is attached as Exhibit (1), and

WHEREAS, the undersigned individuals are among others, signatories to said Plat, and are purchasing the lands contained in said 45-M Subdivision from Al Hodson and Janet Hodson, also signatories on said Plat, and

WHEREAS, the undersigned have formed themselves into a partnership known as the Blue Sky Estates and have prepared heretofore for filing in escrow with other documents incident to their Contract for the purchase of said lands from Al Hodson and Janet Hodson, certain Deeds conveying the lots contained in said 45-M Subdivision from each of the undersigned as individuals to Blue Sky Estates, a partnership, and

WHEREAS, it is the purpose and intention of the undersigned that all property contained in said 45-M Subdivision shall be held for ownership by said Blue Sky Estates, a partnership, for conveyance to subsequent owners or successors in interest.

WHEREAS, said Blue Sky Estates did purchase the following described real property from Kenneth Pawley and Irene Pawley, to-wit:

A parcel of land in Lot 44-20, T. 52 N., R. 102 W., 6th P.M., Park County, Wyoming, according to the Government Resurvey; said parcel being graphically illustrated on Exhibit A attached hereto and a part hereof and being more particularly described thereon and as follows:

Beginning at the Southeast Corner of said Lot 44-20; thence N. 00°36'00"W. for a distance of 682.18 feet, more or less to the southeast corner of a parcel described in Book 380, page 585, recorded November 1, 1973 in the office of the County Clerk, Park County, Wyoming; thence S.89°33'50"W. for a distance of 262.90 feet to the easterly right of way fence of Wyoming Secondary Highway No. 1501; thence along said right of way fence as follows: S.26°22'53"W. for 99.41 feet; thence S.32°00'33"W. for 138.70 feet; thence S.44°16'05"W. for 90.61 feet; thence S.47°37'49"W. for 65.88 feet; thence leaving said right of way fence: S.66°46'09"E. for a distance of 640.18 feet more or less to the point of beginning, containing 5.64 acres, more or less.

which foregoing described real property is situate between Wyoming Secondary Highway No. 1501 and the lands contained in said 45-M Subdivision, and

WHEREAS, said Blue Sky Estates did subsequently sell said real property hereinabove described to Loren D. Douglas and Madelyn J. Douglas, husband and wife, subject to a perpetual easement and right-of-way running with the land for ingress and egress and utilities over and across said property, said easement being 60 feet in width, and

WHEREAS, it is the desire of the undersigned and Blue Sky Estates, a partnership, to dedicate the easement above-described, which connects said Wyoming Secondary Highway No. 1501 to the lands contained in said 45-M Subdivision, and all the right, title, interest, use, access, and all and other incidental rights and interest in and to said easement to the joint use and benefit of the owners and each of them, their heirs, successors, and assigns of the lots described in said 45-M Subdivision, together with the owner or owners and their successors and assigns of the following described lands, to-wit:

Township 52 N., Range 102 W., 6th Principal Meridian,
Park County, Wyoming, Lot 45 N, Lot 45-0, Lot 42-C,
Lot 42-D,

NOW THEREFORE, for good and valuable consideration, the parties hereto declare, covenant and dedicate to the owners, their successors, heirs, assigns, executors and representatives of the Lots or portions thereof, contained in said 45-M Subdivision, and Lots 45-N, 45-0, 42-C, and 42-D, all in Township 52 N., Range 102 W., 6th Principal Meridian, Park County, Wyoming, all of the undersigned's rights to that certain easement described in that Warranty Deed recorded on May 6, 1977, in MF Book 14, at Page 56 and 57, Instrument No. 16410, of the Records of the Park County Clerk and Registrar of Deeds, Park County, Wyoming, providing for ingress and egress and installation of utilities from Wyoming Secondary Highway No. 1501 over and across the parcel of land above-described and contained in said Lot 44-20,

to their respective lands contained within said 45-M Subdivision, Lot 45-N, Lot 45-O, Lot 42-C, and Lot 42-D, all in Township 52 N., Range 102 W., 6th Principal Meridian, Park County, Wyoming.

The undersigned declare and covenant individually and as a partnership, that it is their desire and intention and the purpose of this document to grant and convey unto the owners, individually and collectively, of said 45-M Subdivision, Lot 45-N, Lot 45-O, Lot 42-C, and Lot 42-D, as described above, all of their right, title and interest in and to that certain easement reserved in that certain Warranty Deed recorded on May 6, 1977, in MF Book 14, at Page 56 and 57 (Instrument No. 166410) of the records of the Park County Clerk and Register of Deeds, Park County, Wyoming.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 7th day of June, 1977.

BLUE SKY ESTATES, A PARTNERSHIP
BY ALL OF ITS PARTNERS

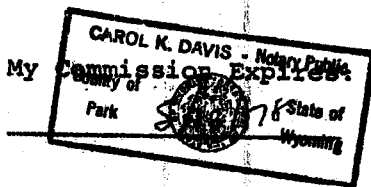
Stephen L. Simonton
George L. Simonton
James O. Ratliff
Vern Wagler

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James O. Ratliff
James O. Ratliff
Vern Wagler
Vern Wagler

STATE OF WYOMING)
) SS
COUNTY OF PARK)

The foregoing instrument was subscribed and sworn to before me by Stephen L. Simonton, George L. Simonton, James O. Ratliff, and Vern Wagler this 7 day of June, 1977.

Carol K. Davis
Notary Public



State of Wyoming)
County of Park) SS
This instrument was filed for record
on the 8 day of June
19 77 at 2:25 P.M. and
day of the month of June Book 15
to page 265
THOMAS S. JIMM, Register of Deeds
By Edgar Kandler, Deputy
No. 162087

notary public record