



## DEVELOPMENT AGREEMENT AND RESTRICTIVE COVENANTS

The City of Cody, acting through its duly elected governing body, the City of Cody City Council, DOES HEREBY AGREE AND COVENANT that the property (described below), by City of Cody legislative action, shall be designated General Commercial (D-2) Zoning.

Gee Properties, LLC, as owner of the following described property: Lot 24, Lot 25, and the West 12 ½ feet of Lot 26, Brown's Second Addition within the City of Cody, according to the plat recorded in Book "C" of Plats, Page 7, records of Park County, Wyoming (more commonly known as 702 and 708 Platinum Avenue, Cody, Wyoming 82414 or "the property");

DOES HEREBY AGREE AND COVENANT that as a condition of the rezoning of the above described property to General Commercial (D-2), sets forth the following land use restrictions to run with the land:

*Any use of the above- described property that would be regulated by the City of Cody zoning ordinance shall be limited to professional office use, as defined herein, and accessory activities and uses customarily incidental thereto.*

*"Professional office" means an establishment for professional, executive and administrative offices, including those of accountants, lawyers, physicians, dentists, architects, engineers, insurance agents, real estate agents, and other occupations which are of similar character to those enumerated, but not including barbers, beauty parlors, cosmetologists, or other service establishments and building trade contractors.*

*For purposes of consistency with the terms used in the Cody zoning ordinance, the term professional office specifically includes counseling services, physician and surgeon offices, dentist offices, chiropractor offices, optician offices, osteopath offices, insurance offices, architect offices, engineering and surveying offices, accounting offices, government offices, attorney offices, corporate offices, real estate offices, financial offices, and similar professional offices.*

*The interpretation of any "similar professional office" shall be by the City of Cody Planning, Zoning and Adjustment Board.*

*Height restrictions and percentage of lot area covered by buildings shall be the same as set forth the in Residential B Zone, as determined by the City of Cody Planning, Zoning, and Adjustment Board.*

This agreement shall remain in effect, and be binding on all heirs and assignees in interest, until such time in the future, if ever, that the City of Cody rezones the property

to a zoning district other than General Business (D-2), or otherwise takes lawful action to remove this agreement.

Gee Properties, LLC, and the City of Cody are the parties to this agreement, and are responsible to ensure compliance with the provisions herein.

This agreement voluntarily offered and entered into this 20<sup>th</sup> day of June, 2012 by Gee Properties, LLC.

[Signature]  
Allen Gee, (title)  
Gee Properties, LLC

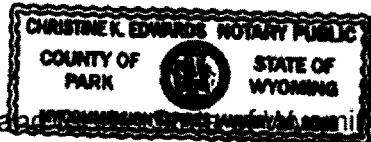
[Signature]  
Virginia Gee, (title)  
Gee Properties, LLC

STATE OF WYOMING )  
 ) ss.  
COUNTY OF PARK )

On this day personally appeared before me Alan Gee and Virginia Gee, to me known as the individual(s) described herein and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein stated.

Given under my hand and official seal this 20<sup>th</sup> day of June, 2012.

[Signature]



Notary Public and [Signature]

My Commission

Expires Jan. 26, 2016

Accepted by the City of Cody, this 8<sup>th</sup> day of August, 2012.

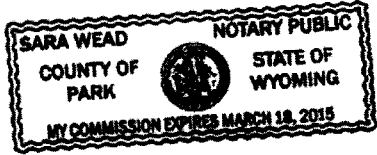
[Signature]  
Nancy Tia Brown, Mayor

STATE OF WYOMING )  
 ) ss.  
COUNTY OF PARK )

On this day personally appeared before me Nancy Tia Brown, to me known as the individual(s) described herein and who executed the within and foregoing instrument for the uses and purposes therein stated.

Given under my hand and official seal this 8<sup>th</sup> day of August,  
2012.

Deputy Sara Wead  
City Clerk and Notary Public and for the State of  
Wyoming.



My Commission Expires March 18, 2015