one Rock M.S. 35

PROTECTIVE COVENANTS FOR ONEROCKMINOR SUBDIVISION

The following declaration is made this March 23, 2021, in order to ensure the use and development of the following property for residential purposes; to preserve the natural beauty and its attractiveness; to preserve and enhance the values; and to provide for mutual benefit of the future owners of lots.

A further subdivision of Lot 1 of Rodriguez SS-186, within Lot 8 of Section 8 and Lot 6 of Section 5, Resurvey T.55N., R.100W., 6th P.M., Park County, Wyoming;

NOW THEREFORE, the undersigned do hereby make, publish, declare and impose upon all the above described property the following restrictions and limitations governing the use and development of all of the lots within the above described property, to-wit:

ARTICLE I - USE OF PROPERTY AND PERMITTED STRUCTURES

A. All lots contained in the above described property shall be used exclusively for single family residential purposes.

B. No obnoxious or offensive activities shall be carried on upon any lot, nor shall anything be done, placed or stored thereon which may be or become an annoyance or nuisance to the neighborhood. Any noise or odor which will, or might, disturb the peace, quiet, comfort or serenity of occupants of nearby lots will not be allowed.

C. No building shall be placed within 80 ft. of a front lot line, nor 25 ft. from either side or back lot line. Septic systems shall not be constructed within 50 ft. of flood irrigated land.

D. Construction of residences and other outbuildings shall be frame construction and the exterior of all structures shall be stone, wood, brick, stucco, vinyl or steel siding. Painting or staining shall bear or reflect natural light tone colors consistent with and blending with the natural environment. Modular homes on a permanent foundation are permitted. All structures must be on a permanent foundation.

E. All construction and alterations shall be pursued with reasonable diligence and shall be completed within one year from the date of commencement, which shall be the date excavation is initiated or thirty days following the placement of construction equipment or materials upon the residential site, whichever shall first occur.

F. Each land owner will be responsible for maintenance of their own driveway and approach in addition to lot maintenance.

G. Each owner or occupant of a lot shall regularly mow or otherwise destroy weeds which may grow upon such lot before weeds become unsightly. No owner or occupant shall allow or permit any noxious weeds to grow or ripen upon any lot.

ARTICLE II – ONE ROCK ROAD MAINTENANCE AND SNOW REMOVAL

A. The entire length of One Rock Road shall be constructed to "Local Access" standards as defined in "Table 5-3 Summary Minimum of Road Design Elements" in the Park County Wyoming 2015 Development Standards and Regulations, prior to permit approval by Park County for residential development of any Lot within One Rock MS-35.

B. The owners of each Lot shall mutually and reasonably agree to any and all maintenance, repair or snow removal costs of One Rock Road and shall maintain One Rock Road in said "Local Access" condition.

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2021-2097 Park County WY 3/23/2021 11:16 AM Fees: $21.00

ARTICLE III - PETS AND LIVESTOCK

A. The commercial raising or feeding of animals shall be prohibited, provided however, animals may be raised or fed for personal use as pets as hereinafter provided.

B. Residents shall have a limited privilege to keep and maintain in reasonable numbers domestic dogs and cats on their property. All pets must be confined to owner's lot and shall not be allowed to run freely beyond owner's lot. All pets shall be kept controlled and maintained so as not to become offensive, shall not be allowed to excessively bark or to become a nuisance to the neighbors.

C. Residents shall be permitted to keep and maintain horses or other livestock, excluding pigs, for domestic purposes on their lots. These animals may be kept only so long as vegetative cover concerning erosion is maintained.

D. The owners and occupants shall be permitted to keep and maintain suitable barns, sheds, stalls or corrals for any such animal kept for domestic purposes. All such structures shall be kept maintained so as not to be unsightly and not to cause noxious or offensive odors to the neighbors. All livestock corrals and related structures shall be setback at least twenty-five feet from property lines.

E. Livestock fencing shall be completed before any owner shall allow livestock to graze on their lot.

F. All manure from livestock must be taken care of so as not to create any unsightly or sanitary problems.

ARTICLE IV - UTILITIES AND SERVICES

A. No residence shall be occupied on any lot within the above described property until there is installed for the use of such residence a sanitary sewage disposal system which is in compliance with county standards.

B. No lot or any portion thereof shall be used or maintained as a dumping ground for rubbish, trash, garbage and all other waste shall not be kept or allowed to remain on any lot except in sanitary containers: All equipment for storage or disposal of such materials shall be the responsibility of the owner. It is the responsibility of the owner or occupant to remove any and all rubbish, trash or garbage at reasonable times so it shall not become offensive to the neighbors.

C. Installation of water, sewer or utility lines, including power and telephone lines for the respective lots shall be at the expense and liability of the lot owner. All newly installed utility wires, cables, gas pipes and lines shall be installed underground.

D. All lots within the above described lands are subject to rights-of-way and easements for the repair, replacement, installation and maintenance of all existing roads, water lines, pipelines, irrigation ditches and pipelines, drainage ditches, power lines, telephone lines and any other utilities including all such easements and rights-of-way shown on said plat.

E. Driveways shall have a minimum width of 30' inside turning radius at any point of the driveway per Park County Fire District's request. All driveway access points will meet minimum requirements of current county specifications.

ARTICLE V - IRRIGATION

A. All irrigation within the subdivision Lots 1-4 shall be by sprinklers.

B. All lots are subject to easements and rights-of-way for the installation, maintenance, repair and replacement of irrigation and drainage systems to include pumps, drainage ditches, water lines and underground water pipelines.

C. All lot owners are responsible for the upkeep and replacement of irrigation pipes and valves on their property as may be deemed necessary.

D. Any and all assessments made by the Heart Mountain Irrigation District shall be the individual responsibility of each lot owner and full timely payment thereof shall be prerequisite to the delivery of water to each lot.

E. The owner or occupant of each lot shall cooperate with the owners of all other lots within the above described property to effectively and efficiently distribute water flowing in and through their respective irrigation system to insure optimum beneficial application to said lands under and by the virtue if the water right of the State of Wyoming.

ARTICLE VI - RELEASE OF LIABILITY

A. By virtue of purchasing any lot, either by deed or contract for deed, each buyer, their heirs and assignees, hereby accept the condition of their property "as is" and release and forever hold harmless the undersigned from any liability, including but not limited to, liability for further construction of any road, utility lines, or fencing.

ARTICLE VII - ENFORCEMENT PROVISIONS

A. Any and all provisions of these PROTECTIVE COVENANTS FOR ONE ROCK MINOR SUBDIVISION may be annulled, amended or modified by the filing in the office of the County Clerk, Park County, Wyoming, an instrument setting forth such annulment, amendment or modification executed, agreed upon, and signed by the owner or owners of record of 4 lots within the above described property.

B. In the event any one or more of these covenants herein contained is rendered invalid or unenforceable/enforceable by judgment or decree of any court of competent jurisdiction, the other covenants herein contained shall, nonetheless, remain in full force and effect for and during the full term hereof.

C. Any owner herein authorized or established may enforce compliance with the provisions hereof by commencing an action for injunction for damages or foreclosure or for all such remedies or will as any other legal or equitable remedies authorized under the laws of the State of Wyoming against any owner or occupant of any lot who violates any of the covenants herein contained. The owner of any lot who violates or breeches any covenant herein established shall pay all costs including reasonable attorney's fees, incurred by any person or persons who shall, commence the legal proceeding to enforce any of the provisions hereof named.

IN WITNESS WHEREOF, the parties have executed these protective covenants this 23 day of March 2021.

Steve Sweet

Steve Sweet

Linda Sweet

Linda Sweet

STATE OF WYOMING)
) ss.
COUNTY OF PARK)

The foregoing protective covenants were acknowledged before me this 23 day of March, 2021, by Steve and Linda Sweet.

Witness my hand and official seal:

Lisa R. Baker

Signature Notary

Lisa R. Baker

Printed name Notary

My commission expires: 7-19-21

LISA R. BAKER - NOTARY PUBLIC
County of Park
State of Wyoming
My Commission Expires 7-19-21

2021-2097 Park County WY 3/23/2021 11:16 AM Fees: $21.00
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NO PROPOSED CENTRALIZED SEWAGE DISPOSAL SYSTEM. NO PROPOSED CENTRAL WATER SUPPLY SYSTEM. NO PUBLIC MAINTENANCE OF STREETS OR ROADS.

SUBDIVISION PLATTING CONDITIONS

1. RIGHT-OF-WAY: THE RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR SERVICE AND EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON, AND THROUGH ANY AND ALL PRIVATE ROADS AND DRIVES NOW OR HEREINAFTER ESTABLISHED.
2. MINERAL ESTATE: THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO THE FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE.
3. AGRICULTURE: THIS PROPERTY IS IN AN AREA OF HISTORIC AGRICULTURAL USE. THIS USE IS PRESERVED BY THE WYOMING RIGHT TO FARM AND RANCH ACT OF 1991 (W.S. 11-44-101). HISTORIC AGRICULTURAL USE MAY CAUSE NOISES, ODORS, DUST, FUMES, AND OTHER FACTORS THAT ARE CONSEQUENCES OF ACCEPTED AGRICULTURAL PRACTICES.
4. IRRIGATION: THIS SUBDIVISION SHALL BE SUBJECT TO ALL CONDITIONS SET FORTH ON THAT WATER DISTRIBUTION PLAN FOR THE HOLD. W3-33 AND WATER USERS ASSOCIATION ON RECORD WITH THE HEART MOUNTAIN IRRIGATION DISTRICT.
5. THE SELLER DOES NOT WARRANT TO THE PURCHASER THAT THERE ARE ANY RIGHTS TO THE NATURAL FLOW OF ANY STREAM WITHIN OR ADJACENT TO THE PROPOSED SUBDIVISION. WYOMING LAW DOES NOT RECOGNIZE ANY RIPARIAN RIGHTS TO THE CONTINUED NATURAL FLOW OF A STREAM OR RIVER FOR PERSONS LIVING ON THE BANKS OF THE STREAM OR RIVER.
6. FUTURE USE OF THE LOTS IS FOR RESIDENTIAL PURPOSES.
7. A WATER QUALITY ANALYSIS, DATED JANUARY 27, 2021, CONDUCTED ON A WATER SAMPLE COLLECTED FROM A NEIGHBORING WELL, REVEALED THE PRESENCE OF COLIFORM AND DETECTED NITROGEN IN EXCESS OF THE MAXIMUM CONTAMINANT LEVEL.

CERTIFICATE OF VACATION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE OWNERS AND PROPRIETOR OF LOT 1 OF RODRIQUEZ SS-180 AS FILED IN PLAT CABINET H AT PAGE 50 IN THE OFFICE OF THE PARK COUNTY CLERK, AS INDICATED BY THAT DEED RECORDED IN THE OFFICE OF THE PARK COUNTY CLERK AS DOCUMENT #2016-3535.

DO HEREBY VACATE SAID RODRIQUEZ SS-180, AND DEDICATE THE SAME LANDS AS ONE ROCK MS-35, BEING MORE PARTICULARLY DESCRIBED AS ALL OF LOT 8 OF SECTION 5 AND LOT 6 OF SECTION 5, RESURVEY TOWNSHIP 55 NORTH, RANGE 100 WEST, 6TH P.M., PARK COUNTY, STATE OF WYOMING, LYING EAST OF THE CENTERLINE OF STATE HIGHWAY 294, SAID PARCEL OF LAND CONTAINS 23.93 ACRES.

SUBJECT TO ALL PATENTS, EASEMENTS, RIGHTS-OF-WAYS, RESERVATIONS, ZONING RESTRICTIONS, COVENANTS AND ANY OTHER MATTER OF PUBLIC RECORD OR OTHERWISE ESTABLISHED, A.L.T.A. ALBERTA 3 AND SUBSURFACE ALBERTA 3.

THE OWNERS AND PROPRIETORS HAVE BY THESE PRESENTS LAID OUT AND SURVEYED ONE ROCK MS-35, AND WITH THE SPECIFIC INTENT TO DO SO, DO HEREBY DEDICATE EASEMENTS AS LAID OUT ON THIS PLAT FOR THE USE OF LOT OWNERS WITHIN SAID ONE ROCK MS-35.

THE ABOVE SUBDIVISION AS APPEARS ON THIS PLAT, IS WITH THE FREE CONSENT, AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

AUTHORIZED ACKNOWLEDGMENTS:

IN CONSIDERATION OF THE BOARD OF PARK COUNTY COMMISSIONERS' DETERMINATION OF THIS DIVISION OF LAND AS A "SUBDIVISION" AND "SUBDIVIDED LAND" AS NOTED HEREIN:

WE HEREBY WAIVE ALL CLAIMS AGAINST PARK COUNTY FOR DAMAGE OR LOSS TO MY PERSON AND/OR PROPERTY WHICH MAY BE CAUSED BY SUCH DETERMINATION, AND WE HEREBY AGREE TO HOLD HARMLESS, INDEMNIFY, AND DEFEND PARK COUNTY IN ANY ACTION WHICH MAY ARISE IN CONNECTION WITH ANY AND ALL ERRORS, OMISSIONS OR MISTAKES IN THIS LAND SURVEY PLAT AND/OR OTHER INFORMATION WHICH WE HAVE SUBMITTED IN CONNECTION WITH THIS REQUEST.

WE HEREBY FURTHER ACKNOWLEDGE AND STATE UNDER OATH THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED HEREIN.

WE HEREBY FURTHER AGREE THAT THIS PLAT, WHEN RECORDED IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER, ESTABLISHES VESTED PROPERTY RIGHTS.

WE HEREBY AGREE TO ABIDE BY THE CONDITIONS AND STIPULATIONS CONTAINED HEREIN.

IN WITNESS WHEREOF, THE SAID OWNERS OF THE ONE ROCK MS-35 HAVE CAUSED THEIR NAME HEREON TO BE SUBSCRIBED THIS 22nd DAY OF March, 2021.

STEVE J. SWEET

LINDA S. SWEET

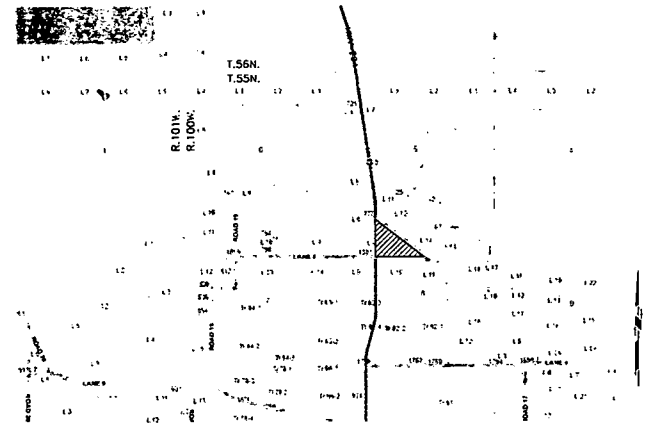
STATE OF WYOMING }
COUNTY OF PARK } SS

THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME BY STEVE J. SWEET AND LINDA S. SWEET,
THIS 22nd DAY OF March 20 21

WITNESS MY HAND AND OFFICIAL SEAL. Kim Z DeAtley NOTARY PUBLIC

MY COMMISSION EXPIRES: 7/6/2025

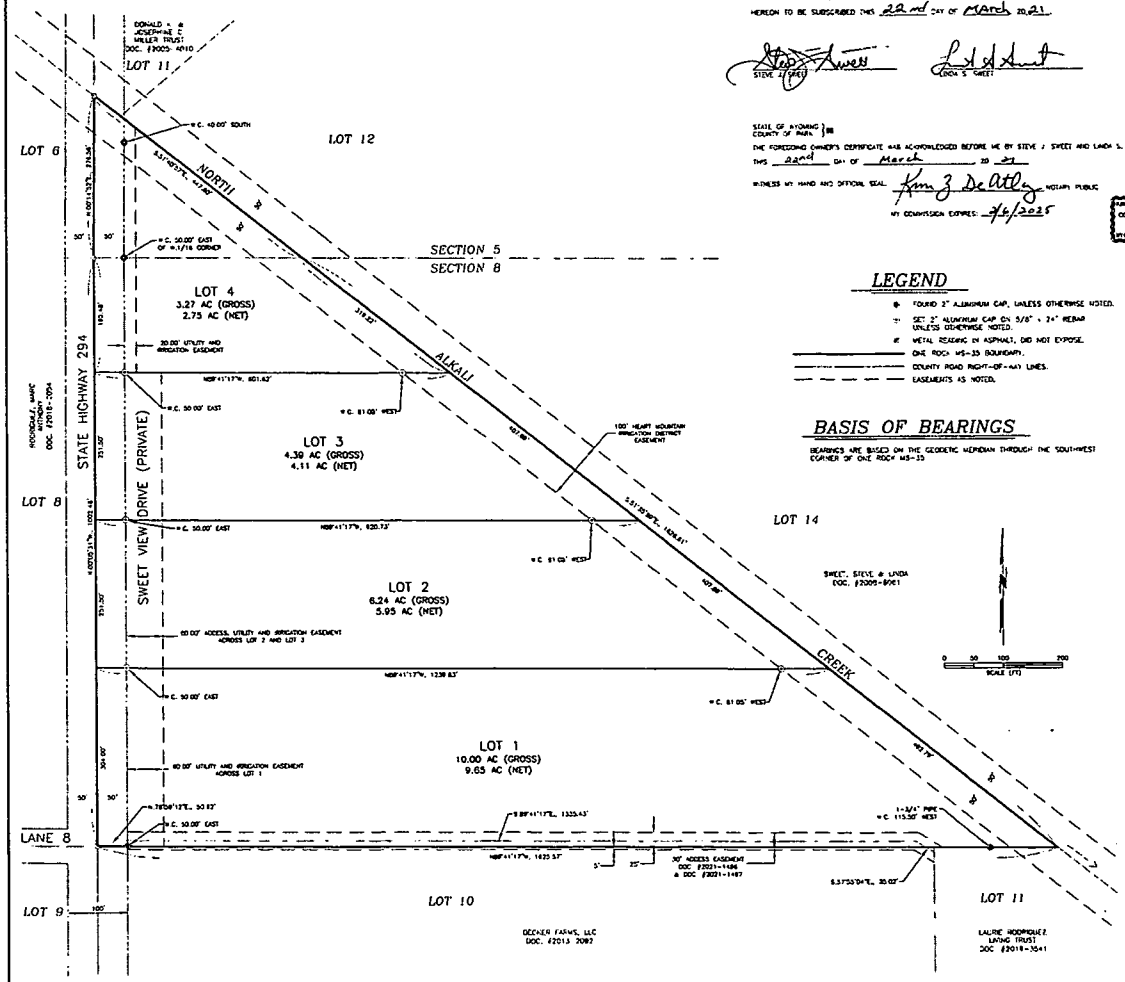
KIM Z. DEATLEY NOTARY PUBLIC COUNTY OF PARK STATE OF WYOMING MY COMMISSION EXPIRES FEBRUARY 6, 2025



LOCATION MAP

SCALE: 1" = 2000'

ONE ROCK MS-35



LEGEND

- FOUND 2" ALUMINUM CAP, UNLESS OTHERWISE NOTED.
- SET 2" ALUMINUM CAP ON 5/8" x 24" REBAR UNLESS OTHERWISE NOTED.
- METAL READING IN ASPHALT, DID NOT EXPOSE.
- ONE ROCK MS-35 BOUNDARY.
- COUNTY ROAD RIGHT-OF-WAY LINES.
- EASEMENTS AS NOTED.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE GEODETIC MERIDIAN THROUGH THE SOUTHWEST CORNER OF ONE ROCK MS-35

CERTIFICATE OF SURVEYOR

STATE OF WYOMING }
COUNTY OF PARK } SS

I, LYLE J. CASCIATO OF ENGINEERING ASSOCIATES, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY AS FOLLOWS:

BETWEEN MARCH AND DECEMBER OF 2020, ONE ROCK MS-35 AS SHOWN HEREON WAS SURVEYED BY OTHERS UNDER MY DIRECTION. THE LAND SURVEYED IS CORRECTLY DESCRIBED IN THE OWNER'S CERTIFICATE OF DEDICATION AND THE SUBDIVISION THEREOF IS CORRECTLY SHOWN ON THIS PLAT WHICH IS DRAWN TO THE SCALE INDICATED. I AM FAMILIAR WITH THE PARK COUNTY SUBDIVISION REGULATIONS AND BELIEVE THIS SUBDIVISION COMPLIES WITH THEM TO THE BEST OF MY KNOWLEDGE.

3/22/21

LYLE J. CASCIATO LS 12800
03/22/21

BOARD OF COUNTY COMMISSIONERS APPROVAL & SUBDIVISION PERMIT

THIS PLAT IS HEREBY APPROVED AND THE SUBDIVISION PERMIT GRANTED BY THE BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY, WYOMING THIS 23rd DAY OF March, 2021.

Maggie Overfield

Colleen Renny
COUNTY CLERK

DATE 3/23/2021

RECORDER'S ACCEPTANCE

THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER ON THIS 23rd DAY OF March, 2021 AND FILED FOR RECORD AT 11:10 am UNDER DOCUMENT NUMBER 2021-2094 OF PLAT CABINET P AT PAGE 91

Colleen Renny
EX-OFFICIO CLERK AND RECORDER

BY DEPUTY COUNTY CLERK

- PLAT OF -

ONE ROCK MS-35

- LOCATED IN -

LOT 8 OF SECTION 8 AND LOT 6 OF SECTION 5, RESURVEY T.55N., R.100W., 6th P.M., PARK COUNTY, WYOMING

OWNERS: STEVE J. AND LINDA S. SWEET
67 SNAKEY KNOB LOOP
POWELL, WY 82435

PREPARED BY: ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
902 13TH STREET
CODY, WYOMING 82414

03/22/21

SHEET 1 OF 1