

NEMITZ SIMPLE SUBDIVISION SS-66

SUBDIVISION PLATTING CONDITIONS

- 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 not so hereinafter established.
- DRIVEWAYS.** Driveway grades in excess of 3% shall be prohibited and driveways within 0-3% average grade shall be no greater than 20 feet in length. The minimum inside turning radius at any point of any driveway shall be 30 feet.
- EROSION CONTROL.** All work exposed by excavation of construction shall be revegetated by the end of the first full growing season. Erosion control construction shall be constructed to prevent soil erosion. All slope and bank shall shall be constructed to maintain a slope no greater than 1:1.5 and one-half units of horizontal length to one unit of vertical length.
- COUNTY, STATE AND OTHER REGULATIONS.** To the extent not applicable county or other governmental regulations, rules, or laws, and more restrictive than the paragraphs herein contained, such applicable regulations shall supersede and govern all of these.
- RECORD AND EGRESS.** All drainage, both construction and final, shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). All signs shall be constructed in accordance with the Park County Subdivision Regulations and any other applicable regulations.
- RESTRICTIONS RUN WITH THE LAND.** The restrictions herein set forth are binding upon all owners and respective successors-in-interest and run with the land.
- REVENUE AND/OR INDEMNITY.** The covenants, restrictions, conditions, agreements, and covenants herein shall not be waived, amended, terminated, nor assigned except by unanimous written consent of the project owners, and consent of the Board of County Commissioners.
- ENFORCEMENT.** In case of any violation of the provisions herein, the Board of County Commissioners may, in addition to other remedies at law, including an action for damages, have such violation enjoined or, in the case of the erection or construction of any building, structure, or thing in violation of any of the provisions herein, may have such building, structure, or thing removed by proper legal procedure. Inaction by the Board of County Commissioners to perfect and enforce their duties shall not be deemed a waiver of the right of enforcement of the same, even though such inaction may be of long duration.
- SALE OF LOTS OR SUBSEQUENT IMPROVEMENTS AGREEMENT.** No lots, parcels, or other units of land shall be conveyed until and unless all taxes, levies, and other required improvements have been completed and the Park County Board of County Commissioners has authorized said conveyance by recorded written consent of the Board of County Commissioners, or to a performance bond, letter of credit, or other sufficient financial commitment to assure that all of the facilities proposed shall be in fact completed as proposed.
- VACATION.** This subdivision may be vacated or partially vacated pursuant to applicable State law or County rules and regulations.
- FUTURE SUBDIVISION.** No further subdivision of Lot 1 and Lot 2 will be permitted.
- ROAD CONSTRUCTION AND ACCEPTANCE.** The County shall not accept the maintenance of any road and bridge within the boundaries of NEMITZ SS-66 SUBDIVISION until and unless the road or bridge meets all County road and bridge specifications and all requirements of the Statutes of the State of Wyoming in effect at the time a petition for road status is filed with the Park County Board of County Commissioners. The Board of County Commissioners shall have the authority to determine whether or not to accept maintenance. Nothing shall prevent the Board of County Commissioners to assume maintenance.
- EROSION CONTROL.** Erosion control measures shall not exceed the level of erosion control measures in effect prior to construction any runoff in excess of precipitation levels shall be retained on site and infiltrated or impounded.
- DEED.** Deed shall be recorded during and after construction. In all cases, best management practices established by the Department of Environmental Quality shall be used to reduce/revert any impact to adjacent properties from dust.
- SEVERABILITY.** If any provision of these restrictions is held to be invalid or unenforceable in any respect, the remainder of these provisions shall remain in full force and effect.
- ACCESS.** Access for Lot 1 and Lot 2 shall be onto Burbee Road, private easement.
- LOT SIZE AVERAGED.** Due to Lot size averaging in the past, these lots cannot be further divided.


PLANNING COMMISSION RECOMMENDATION

The Park County Planning and Zoning Commission has heard all objections to the proposed subdivision and hereby recommends this plat for approval.


CHAIRMAN: *[Signature]*
 ATTEST: *[Signature]*
 Acting Park County Planning and Zoning Commission Secretary.
 DATE: 8/19/07


CERTIFICATE OF DEDICATION

Know all persons by these presents: That Marvin Nemitz and Adele F. Nemitz are the owners of Lot 1 and Lot 2. Located within the E1/2NE1/4, LOT 58, Resurvey T.52N, R.101W., on file in the Office of the County Clerk, as described in book 2005, page 1341 and having a gross area of 24.74 acres more or less. Under the name and style of NEMITZ SS-66 SUBDIVISION have laid out, platted, and subdivided same as shown on this plat, and by these presents do hereby dedicate the access and utility easements for the use of the lot owners. It is understood that dedication of public right-of-way for streets and roads does not necessarily result in acceptance of roads constructed therein for maintenance by the County of Park, in witness whereof, the said owners Marvin Nemitz and Adele F. Nemitz have caused their names hereon to be subscribed this 19th day of August, 2007.

[Signature] Marvin Nemitz
[Signature] Adele F. Nemitz
 Adele F. Nemitz
 DATE: August 9, 2007
 STATE OF WYOMING } SS
 COUNTY OF PARK }
 The foregoing approval was acknowledged before me by Marvin Nemitz and Adele Nemitz on this 10th day of August, 2007.
 Witness my hand and official seal

 MY COMMISSION EXPIRES: 11/20/07
 NOTARY PUBLIC

CITY OF CODY APPROVALS

CITY PLANNING AND ZONING BOARD:
 RECOMMENDED FOR APPROVAL THIS 13th DAY OF FEBRUARY, 2007 BY THE CITY PLANNING AND ZONING BOARD OF CODY, WYOMING.
 BY CHAIRMAN: *[Signature]* Steve Miller
 CITY COUNSEL:
 APPROVED THIS 20th DAY OF SEPTEMBER, 2007 BY THE CITY COUNSEL OF CODY, WYOMING.
 BY MAYOR: *[Signature]* Roger Sedam
 CITY CLERK: *[Signature]* Jenni Rosenkrance


STATE OF WYOMING } SS
 COUNTY OF PARK }
 THE FOREGOING APPROVAL WAS ACKNOWLEDGED BEFORE ME BY G. ROGER SEDAM, MAYOR AND JENNI ROSENKRANCE, CITY CLERK ON THIS 10th DAY OF August, 2007.
 WITNESS MY HAND AND OFFICIAL SEAL

 NOTARY PUBLIC: *[Signature]*
 MY COMMISSION EXPIRES: September 9, 2010

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 13 day of March, 2007 A.D., in Witness whereof, I have hereunto set my hand this 13 day of March, 2007.

[Signature]
 Chairman - Mark Coffey
 COUNTY COMMISSIONERS
 ATTEST: *[Signature]*
 Park County Clerk and Recorder

Date: 8/17/07

AGREEMENT AND APPROVAL

In consideration of the Park County Board of County Commissioners' determination of the division of land as a "subdivision" and "subdivided land" as used herein.

We hereby waive all claims against Park County for damages or loss to our persons 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 the 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 was recorded in the Office of the Park County Clerk and Recorder substantially in accordance with the conditions and stipulations contained herein.

In witness whereof, the said owners - Marvin Nemitz and Adele F. Nemitz - have caused their names to be subscribed this 19th day of August, 2007.


[Signature] Marvin Nemitz
[Signature] Adele F. Nemitz
 STATE OF WYOMING } SS
 COUNTY OF PARK }
 The foregoing certificate was acknowledged before me by Marvin Nemitz and Adele F. Nemitz on this 19th day of August, 2007.
 Witness my hand and official seal

 NOTARY PUBLIC

CERTIFICATE OF SURVEYOR

I, Paul R. Campbell of Cody, Wyoming, being a registered land surveyor in the State of Wyoming, hereby certify that this plat and survey of NEMITZ SIMPLE SUBDIVISION SS-66 was made by me and under my supervision and that both are accurate to the best of my knowledge and in compliance with all State and County statutory provisions and regulations.

[Signature]
 PAUL R. CAMPBELL
 WYOMING REGISTRATION NO. 2571 L.S.


STATE OF WYOMING } SS
 COUNTY OF PARK }
 The foregoing certificate was acknowledged before me by Paul R. Campbell on this 10th day of August, 2007.
 WITNESS MY HAND AND OFFICIAL SEAL

 NOTARY PUBLIC

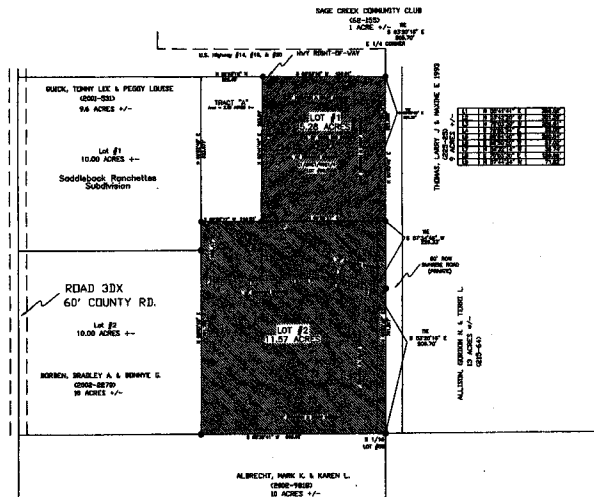
RECORDER'S ACCEPTANCE

This plat was accepted for filing in the office of the Park County Clerk and Recorder on this 10th day of August, 2007 and filed for record in Book 2007 at Page 1341 in Plot Cabinet 2 at page 36
[Signature]
 Park County Clerk and Recorder
 Deputy County Clerk

FINAL PLAT SHOWING

Nemitz Simple Subdivision SS-66
 Located within the E1/2NE1/4, LOT 58
 Resurvey T.52N., R.101W.,
 6th P.M., Park County, Wyoming

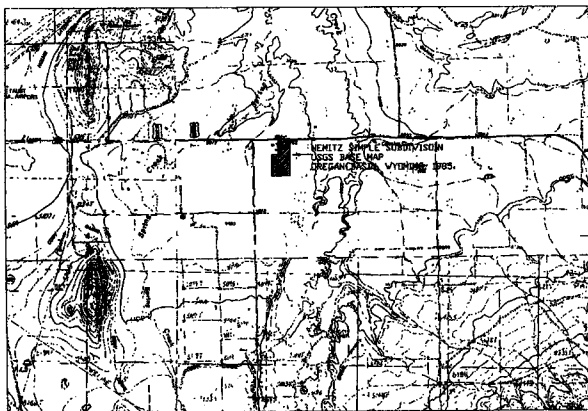
[Signature] CAMPBELL & ASSOCIATES
 CODY, WYOMING
 LAND SURVEYING
 JUNE, 2007
 WY 07-10



Scale 1" = 200'

LEGEND

- = Found Aluminum Cap
- = Set 2" Aluminum Cap
- = Found Brass Cap



VICINITY MAP
 1" = 2000'