

SHIMON SUBDIVISION PLATTING CONDITIONS

- RIGHT-OF-WAY The right-of-way for ingress and egress for service and emergency vehicles is granted over, across, and through any and all private roads and drives now or hereafter established.
2. DRIVEWAYS Driveway grades in excess of 10% shall be prohibited and driveways with an 8-10% average grade shall be no greater than 30 feet in length.
3. EROSION CONTROL All soils exposed by excavation or construction shall be revegetated by the end of the first fall growing season following such construction including the construction of roads, driveways, and buildings to prevent soil erosion.
4. COUNTY, STATE AND OTHER REGULATIONS To the extent that applicable county or other governmental regulations, rules, codes, ordinances or laws are more restrictive than the paragraphs herein contained, such applicable regulations shall supersede and govern at all times.
5. ROADS AND SIGNAGE All signage, both construction and final, shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). All roads shall be constructed in compliance with the Park County Subdivision Regulations and any design specifications included herein.
6. 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.
7. REVISION AND/OR AMENDMENT The conditions, restrictions, stipulations, agreements and covenants herein shall not be waived, abandoned, terminated nor amended except by unanimous written consent of the then property owners, and consent of the then Board of County Commissioners.
8. ENFORCEMENT In case of any violation of the provisions hereon, the Board of County Commissioners may, in addition to other remedies at law, including an action for damages, have such violators enjoined or, in the case of the erection or maintenance of any building, structure or thing in violation of any of the provisions hereof, may have such building, structure, or thing removed by proper legal procedure.
9. SALE OF LOTS OR SUBDIVISION IMPROVEMENTS AGREEMENT No lots, parcels, or other units of land shall be conveyed until and unless: a) all roads, irrigation, and other required improvements have been completed and the Park Board of County Commissioners has authorized said conveyance by recorded letter of approval to convey land within the subdivision, or b) 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.
10. VACATION This subdivision may be vacated or partially vacated pursuant to applicable State law or County rules and regulations. In addition, if the improvements (roads, irrigation lines, bridges, etc.) are not completed within five (5) years as required pursuant to this subdivision approval, the Park Board of County Commissioners may vacate the subdivision provided thirty (30) days notice is given to the subdivider or then property owner. In lieu of vacation, the Board shall have the option of constructing any and all required improvements at the expense of the subdivider or then property owner.
11. FUTURE SUBDIVISION No further subdivision of the subject lots, parcels, or other units of land which would increase the number of lots, parcels, or other units of land within this subdivision will be permitted.
12. FEE-PAID MEMBERSHIP IN A PROPERTY OWNERS ASSOCIATION Fee-paid membership in a property owners' or homeowners' association, district, or other common entity shall be required of all lot purchasers. Further, there shall be provisions in the documents setting up said association, district, or other entity which shall require payment of fees in an amount which is adequate to accomplish the maintenance of common roads and facilities in a safe manner. Such association, district, or other common entity shall be empowered, authorized and required to perform such maintenance.
13. ROAD CONSTRUCTION AND ACCEPTANCE The County shall not accept the maintenance of any road and bridge within the boundaries of "Shimon 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 acceptance is filed with the Park Board of County Commissioners.
14. DRAINAGE Runoff from the site after construction shall not exceed the level of runoff which occurred prior to construction. Any runoff in excess of pre-construction levels shall be detoured on-site and infiltrated or evaporated.
15. DUST Dust shall be mitigated during and after construction. In all cases, best management practices established by the Department of Environmental Quality shall be used to reduce or eliminate any impact to adjacent properties from dust.
16. SEVERABILITY Invalidation of any of these restrictions or agreements by judgment or court order shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

PLANNING AND ZONING COMMISSION CERTIFICATE

This plot is recommended for approval by the Board of County Commissioners, Park County, Wyoming, on this 20th day of December, 1994, A.D.
James F. Bould
COUNTY CLERK CERTIFICATE

This plot was filed for the public record in the Office of the Clerk, Park County, Wyoming, at 2:40 P.M. on the 19th day of December, 1994, A.D., and is duly recorded in Book E, Page Number 776.
Marie F. Boudie
COUNTY COMMISSIONERS CERTIFICATE AND SUBDIVISION PERMIT (Roads are Private)

This plot is hereby approved and a subdivision permit issued by the Board of County Commissioners of Park County, Wyoming, this 15th day of December, 1994, A.D. for filing and recording with the Clerk of Park County, Wyoming, subject to the provisions that such approval in no way obligates the County of Park for the financing, construction, or maintenance of any road or other improvement or facility within or to be made a part of Shimon Subdivision.
DATED THIS 3rd DAY OF December, 1994, A.D.
William R. Madsen, Park County Commissioner
Attest: Marie F. Boudie, Park County Clerk

Witness my hand and official seal of the County of Park this 3rd day of December, 1994, A.D.
Attest: James F. Bould, Park County Clerk

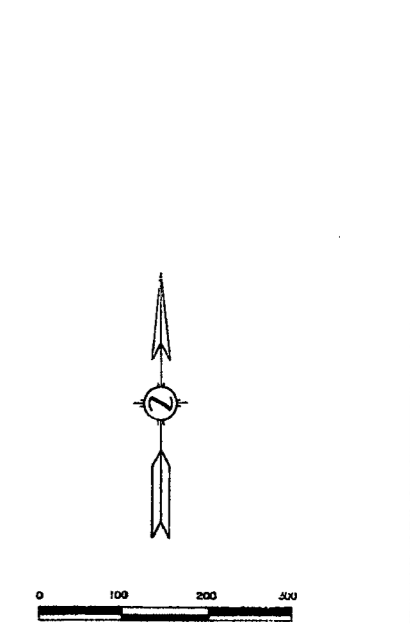
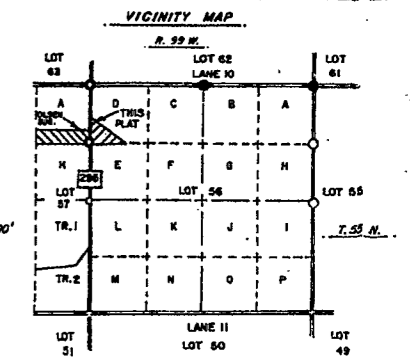
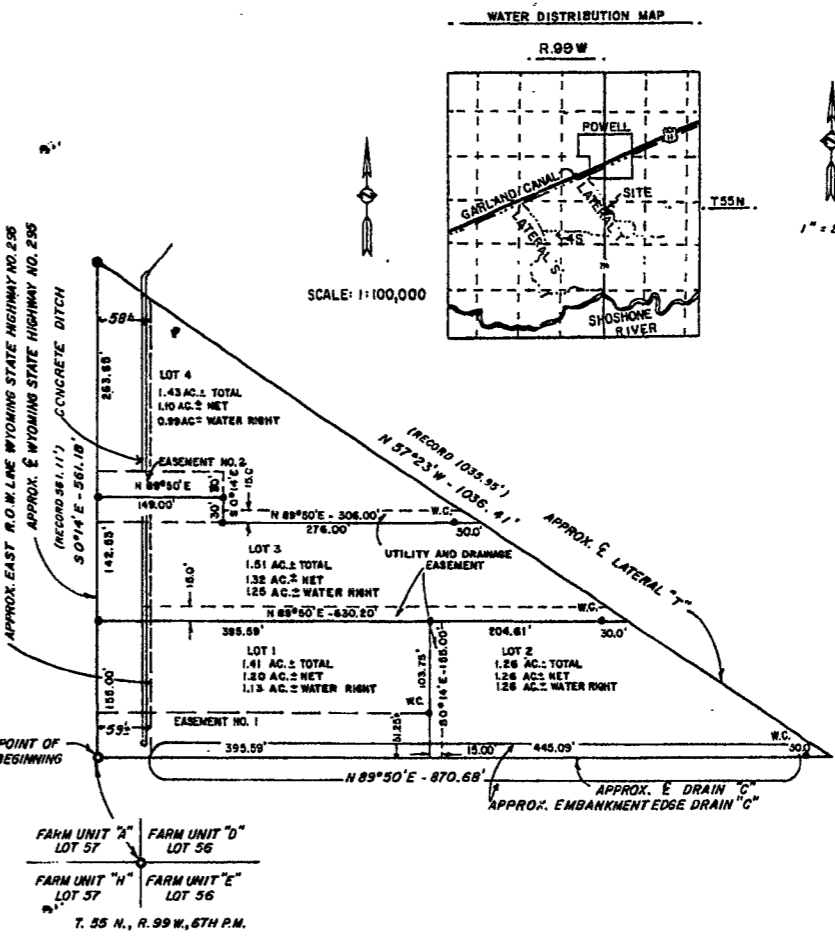
CITY OF POWELL APPROVAL
This Plat approved by the City Council of the City of Powell, Wyoming this 3rd day of Oct., 1994
Attest: Audrey [Signature], City Clerk
Seal of Powell Park County Wyoming

OWNER'S CERTIFICATE OF DEDICATION
This certifies that Ralph Shimon is the owner of a parcel of land located in Farm Unit D, Lot 56, T.55 N., R.99 W., 6th P.M., Park County, Wyoming, more particularly described as follows:
That part of Farm Unit "D" according to the Farm Unit Plat or Tract D of Lot 56, T.55 N., R.99 W., 6 P.M., Park County, Wyoming described as follows:
Beginning at the corner common to Farm Unit "D" of Lot 56, Farm Unit "B" of Lot 56, Farm Unit "A" of Lot 57, and Farm Unit "H" of Lot 57, and corner being the intersection of the centerline of Wyoming State Highway No. 295 (recorded as 124) and Drain "C"; thence, N 89°50'E, 870.68 feet to a point, said point being the intersection of the centerline of Drain "C" and Lateral "T"; thence, N 57°23'W along the centerline of Lateral "T" for a distance of 1,036.41 feet (recorded as 1,035.95 feet) to a point, said point being the intersection of the projected centerline of Lateral "T" and the centerline of Wyoming State Highway No. 295 (recorded as 124); thence, S 0°14'W along the centerline of Wyoming Highway No. 295 (recorded as 124) for a distance of 261.18 feet (recorded as 261.11 feet) to the point of beginning of this description containing 5.61 acres more or less of which 4.61 acres are in public, town, or lot and approximately 1.00 acre are in public or private asset rights-of-way, easements and sites, and subject to all easements, rights-of-way and restrictions of record and further subject to two utility, drainage, private property owners, or emergency services access easements described as follows:
Easement No. 1: Beginning at the corner common to Farm Unit "D" of Lot 56, Farm Unit "B" of Lot 56, Farm Unit "A" of Lot 57, and Farm Unit "H" of Lot 57, and corner being the intersection of the centerline of Wyoming State Highway No. 295 (recorded as 124) and Drain "C"; thence, N 89°50'E, 296.50 feet; thence, N 0°14'W, 51.25 feet S 89°50'W, 395.95 feet; thence, S 0°14'W, 51.25 feet to the point of beginning of this easement.
Easement No. 2: Commencing at the corner common to Farm Unit "D" of Lot 56, Farm Unit "B" of Lot 56, Farm Unit "A" of Lot 57, and Farm Unit "H" of Lot 57, and corner being the intersection of the centerline of Wyoming State Highway No. 295 (recorded as 124) and Drain "C"; thence, N 89°50'E along said centerline, 267.53 feet to the POINT OF BEGINNING of this easement; thence from said point of beginning, continue N 0°14'W along said centerline, 62.00 feet; thence, N 89°50'E, 149.00 feet; thence, S 0°14'W, 68.00 feet; S 89°50'W, 149.00 feet to the intersection of the west line of Farm Unit "D" the point of beginning of this easement;
that I owned the lands so shown on the attached map to be surveyed, divided, and platted into lots, easements, rights-of-way, and other lands designed to public use in accordance with the plat, books to be known as Shimon Subdivision, and I hereby release and relinquish all rights of homestead, and that I hereby certify the act of surveyor, Howard M. Johnson in plating Shimon Subdivision, Park County, Wyoming, and is with the five consent and in accordance with the desires of the undersigned owner or his legal representative.
Ralph Shimon
Attest: Ralph Shimon

AGREEMENT AND APPROVAL
In consideration of the Park Board of County Commissioners' determination of this division of land as a "subdivision" and "subdivided land" as used herein:
I, the undersigned, do hereby waive all claims against Park County for damage or loss to our persons and/or property which may be caused by such circumstances, and I do 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 I've have submitted in connection with this request.
I do hereby further acknowledge and state under oath that I've (and/or the legal owners) of the property described herein:
I do hereby further agree that sheets 1 through 1 of this plat when recorded in the Office of the Park County Clerk and Recorder establishes vested property rights.
I do hereby agree to abide by the conditions and stipulations contained herein.
Ralph Shimon
Notary Public

CERTIFICATE OF SURVEYOR
I, Howard M. Johnson, a Professional Engineer and Land Surveyor, registered in the State of Wyoming by Registration Number 2434 hereby certify that during June and July, 1994, the Shimon Subdivision shown hereon was surveyed under my direction, and certify that the land surveyed is correctly described in the owners Certificate of Dedication and that the subdivision thereof is correctly shown on this plat, and was made from an accurate survey of said property by me or under my supervision, correctly shows the location and dimensions of the lots, easements, and streets, of said subdivision in compliance with the Park County Subdivision Regulations; and that all elements of the survey close to an accuracy of one part in fifty thousand or better in witness whereof I have set my hand and seal this 27th day of October, 1994, A.D.
Howard M. Johnson
Notary Public

STATE OF WYOMING )
COUNTY OF FREMONT )
The foregoing certificate was acknowledged by Howard M. Johnson before me this 27th day of October, 1994, A.D.
WITNESS MY HAND AND OFFICIAL SEAL
My commission expires: 12-28-96
Notary Public



- LEGEND
EXISTING 3" BRASS CAP
EXISTING 1.5" BRASS CAP
EXISTING RAILROAD SPIKE
EXISTING 2" ALUMINUM CAP
2" ALUMINUM CAP SET ON 5/8" X 24" REBAR, PELS 2454 INSCRIBED
1 1/2" ALUMINUM CAP SET ON 5/8" X 24" REBAR, PELS 2454 INSCRIBED
PROPERTY OR LOT LINE
ACCESS EASEMENT LINE
UTILITY EASEMENT LINE

- NOTES:
1. NO PUBLIC MAINTENANCE OF ROADS.
2. NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM.
3. NO PROPOSED DOMESTIC WATER SOURCE.
4. LANDS WITHIN THE PLATTED AREA ARE ZONED COMMERCIAL/RETAIL.
5. WATER WELLS IN THE ADJACENT AREAS HAVE BEEN DRILLED TO A DEPTH RANGING FROM 10 TO 127 FEET WHERE USABLE WATER WAS FOUND.
6. THE SHOSHONE IRRIGATION DISTRICT SHALL BE GRANTED AN EASEMENT IN THE NORTHERLY PORTION OF LOTS 2, 3, AND 4 AND THE SOUTHERLY PORTION OF LOTS 1 AND 2 OF ADEQUATE WIDTH FOR THE RIGHT TO CONSTRUCT, MAINTAIN AND REPAIR IMPROVEMENTS THEREON AND THEREAFTER FOR AN EXISTING LATERAL "T" AND DRAIN "C" AND APPURTENANCES AND WITH THE FURTHER RIGHT IN SAID SHOSHONE IRRIGATION DISTRICT ITS SUCCESSORS AND ASSIGNS TO TRANSFER THIS EASEMENT BY ASSIGNMENT, GRANT OR OTHERWISE.
7. THE APPROPRIATED SURFACE WATER RIGHT FOR THIS SUBDIVISION IS UNDER PERMIT NO. 21111D UNDER THE GARLAND CANAL FACILITY FOR 38.5 ACRES WITH A PRIORITY DATE OF MAY 22, 1899. THERE ARE 4.63 ACRES OF THE REFERENCED WATER RIGHT WITHIN THIS SUBDIVISION. THE WESTERLY 79.72 FEET OF LOTS 1, 2, AND 4 ARE CONSIDERED UNIRRIGABLE AND DO NOT HAVE AN APPROPRIATED WATER RIGHT.
8. IRRIGATION WATER IN THIS SUBDIVISION IS TO BE RESTRICTED TO SPINDLES ONLY WITH THE IRRIGABLE ACRES AND PUMP INTAKES FOR EACH LOT LOCATED AS FOLLOWS:
LOT IRRIGABLE ACRES PUMP INTAKE
1 1.13 AC. ± CONCRETE DITCH
2 1.25 AC. ± DRAIN "C"
3 1.25 AC. ± CONCRETE DITCH
4 0.99 AC. ± CONCRETE DITCH
9. THE IRRIGATION WATER SOURCE IS THE SHOSHONE RIVER BEING DIVERTED AT THE CORBIETT DAM DIVERSION STRUCTURE OF THE GARLAND CANAL. SAID HEAD GATE OF THE FACILITY BEING LOCATED S 15°30', 1580 FEET DISTANCE FROM THE N.W. COR., SEC. 7, T.53 N., R.103 W., WITH THE HEAD GATE BEING IN LOT 16, SEC. 7, T.53 N., R.100 W., 6TH P.M., PARK COUNTY, RESERVEVEY. IRRIGATION WATER IS CONVEYED DOWN THE GARLAND CANAL TO LATERAL "S" TO SUBLATERAL "4S". LATERAL "4S" EXTENDS EASTERLY TO THE EAST SIDE OF WYOMING STATE HIGHWAY 295. IRRIGATION WATER IS THEN CONVEYED BY A BURIED PIPE LINE AND OPEN CONCRETE DITCH NORTH ALONG THE EAST SIDE OF THE REFERENCED HIGHWAY RIGHT-OF-WAY TO THE PROPERTY BEING PLATTED. PLEASE SEE THE WATER DISTRIBUTION MAP FOR ADDITIONAL DETAILS.

PLAT SHOWING
SHIMON SUBDIVISION
IN FARM UNIT D LOT 56, T.55 N., R.99 W.
OF THE 6TH P.M. - RESURVEY
PARK COUNTY, WYOMING