



DECLARATION OF ANNEXATION OF GROS VENTRE NORTH, THIRD FILING TO GROS VENTRE NORTH SUBDIVISION AND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE GROS VENTRE NORTH SUBDIVISION, THIRD FILING

THIS DECLARATION is made as of the 10th day of July, 1990 by WEST JACKSON PROPERTIES, a Wyoming general partnership ("Declarant") of Jackson, Wyoming, for itself, its successors, grantees and assigns for the purposes of including certain additional land within the Gros Ventre North Subdivision and of subjecting such additional land to the covenants and conditions applicable to the Gros Ventre North Subdivision and to the additional limitations and restrictions as herein provided.

Declarant owns in fee simple the land described in Exhibit A hereto and made a part hereof (the "Additional Land").

The Additional Land has been duly platted as the Gros Ventre North Subdivision, Third Filing a subdivision of Teton County, Wyoming according to Plat No. 691 recorded July 10, 1990 in the Office of the County Clerk and Ex Officio Register of Deeds for Teton County.

The Additional Land is adjacent to the Gros Ventre North Subdivision, a subdivision of Teton County, Wyoming according to Plat No. 410, recorded June 3, 1980 in the Office of County Clerk and Ex Officio Register of Deeds for Teton County, Wyoming, and Plat No. 623, recorded April 4, 1987 in said Office of the County Clerk. Portions of the Additional Land formerly were Lots 24-27 and 35 of the Gros Ventre North Subdivision. The Gros Ventre North Subdivision and the Gros Ventre North Subdivision, Second Filing (collectively "Gros Ventre North Subdivision"), are subject to that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for the Gros Ventre North Subdivision dated August 25, 1989 and recorded on October 12, 1989 in Book 216 of Photo, page 722 - 772 in said Office of the County Clerk (the "Restated Declaration").

The Restated Declaration specifically reserves the right to West Jackson Properties, their successors and assigns, to include from time to time additional land within the Gros Ventre North Subdivision as additional filings by filing with said Office of the County Clerk for Teton County a plat describing such additional land and either a supplemental Declaration of Restricted Covenants or a Declaration referring to the Restated Declaration and subjecting such additional land to the covenants and conditions thereof. The Restated Declaration specifically notes the intent of Declarant to add the Additional Land to the Gros Ventre North Subdivision and to subject such Additional Land to the Restated Declaration.

Declarant desires by this Declaration to annex the Additional Land to the Gros Ventre North Subdivision.

NOW THEREFORE, Declarant does hereby declare (i) that the Additional Land, also known as the Gros Ventre North Subdivision, Third Filing, according to Plat No. 691 is hereby annexed to and made a part of the Gros Ventre North Subdivision, according to Plat No. 410 and Plat No. 623 and (ii) that the Additional Land described in Exhibit A attached hereto and any part thereof shall be owned, sold, conveyed, encumbered, leased, used, occupied and developed subject to the covenants, conditions and restrictions stated in the Restated Declaration, which are sometimes referred to hereafter as the "Covenants". The Covenants shall run with the property and any lot thereof and shall be binding upon all parties having or acquiring any legal or equitable interest in or title to the property or any part thereof, and shall inure to the benefit of every owner of every part of the property.

Recorded 7-12 1990 at 9:20 A. M. In Book 226 of Photo Page 708-714 No. 299435 \$16.00 PD V. Jolynn Coonce County Clerk BY Edna M. Coonce DEP.

RELEASED INDEXED ABSTRACTED

Declarant further declares that the Additional Land described in Exhibit A attached hereto and any part thereof shall be owned, sold, conveyed, encumbered, leased, used, occupied and developed subject to the following additional covenants, conditions and restrictions, which are sometimes referred to hereafter as the "Additional Covenants". Likewise, the Additional Covenants shall run with the property and any lot thereof and shall be binding upon all parties having or acquiring any legal or equitable interest in or title to the property or any part thereof, and shall inure to the benefit of every owner of every part of the property.

1. Buildings - Maximum Height. Section 3 of the Restated Declaration provides, in part, that no building shall exceed twenty-seven (27) feet or two (2) stories in height measured at any cross-section of the building from original grade in the highest point of the building, not including chimneys or other minor projections. Notwithstanding the foregoing, building heights are further restricted on Lots 78 - 86 as follows.

- a. On Lots 83-86, where minimal skylining of the structure is desired, the maximum building elevations, not including chimneys or other minor projections, as stated on Plat No. 691, shall be 20 feet above the highest natural elevation within the building envelopes prescribed for each such Lot, respectively.
- b. On Lots 78-82, where overly massive buildings might unnecessarily affect the view from neighboring lots, building heights are further restricted to twenty-five (25) feet for Lots 78-81 and to twenty (20) feet for Lot 82, measured at any cross-section of the building from original grade in the highest point of the building, not including chimneys or other minor projections. Site specific designs could justify higher building heights, but not to exceed twenty-seven (27) feet and may be approved by the Site Committee.

Moreover, building heights are subject to any more severe restrictions of Teton County.

2. Signs and Lights. Section 12 of the Restated Declaration provides, in part, that any exterior light must be so arranged that the source of illumination cannot be seen from neighboring properties and so as to reflect the light away from neighboring properties and away from the vision of passing motorists. This provision of the Restated Declaration as applied to Gros Ventre North, Third Filing, may not be amended without the written consent and approval of the Board of Commissioners of Teton County.

IN WITNESS WHEREOF, this Declaration for the Gros Ventre North Subdivision, Third Filing is executed as of this 10th day of July, 1990.

WEST JACKSON PROPERTIES, a Wyoming limited partnership

By its General Partner

SOMERSET WYOMING PROPERTIES LIMITED PARTNERSHIP, a Wyoming limited partnership

By: Michael Hammer
Michael Hammer, General Partner

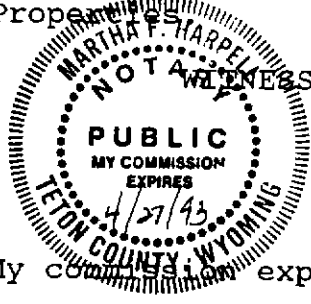
By: WYCAP CORPORATION, a Delaware Corporation

By: Michael Hammer
President

STATE OF WYOMING)
) SS
COUNTY OF TETON)

On this 10th day of July, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL HAMMER, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person that executed the within instrument as a General Partner of Somerset Wyoming Properties Limited Partnership, a Wyoming limited partnership, the partnership therein named, and acknowledged to me that the partnership executed it as general partner of West Jackson Properties

Witness my hand and official sea.



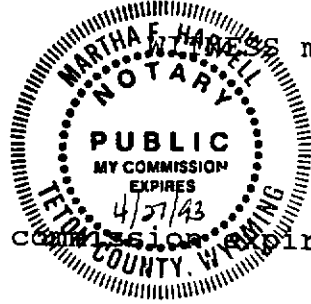
Martha F. Harpell
Notary Public

My commission expires: April 27, 1993.

STATE OF WYOMING)
) SS
COUNTY OF TETON)

On this 10th day of July, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL HAMMER, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person that executed the within instrument as President of Wycap Corporation, a Delaware corporation, as General Partner of Somerset Wyoming Properties Limited Partnership, a Wyoming limited partnership, the partnership therein named, and acknowledged to me that the partnership executed it as general partner of West Jackson Properties.

Witness my hand and official sea.



Martha F. Harpell
Notary Public

My commission expires: April 27, 1993.

EXHIBIT A

The Additional Land is the property described in the Engineer's Certificate to Plat No. 691, Gros Ventre North, Third Filing, recorded July 10, 1990, in the Office of the County Clerk and Ex-Officio Register of Deeds for Teton County, Wyoming, more particularly described as follows:

EXHIBIT A
DESCRIPTION
FOR

GROS VENTRE NORTH THIRD FILING

TO WIT:

The GROS VENTRE NORTH THIRD FILING, a subdivision of record in the Office of the Clerk of Teton County, Wyoming being a parcel of land identical with Lots 24, 25, 26, 27, and 35 of the Gros Ventre North Subdivision (of record in said Office as Plat No. 410) which are located within the NE1/4SE1/4 of Section 18, the W1/2W1/2 of Section 17, and the NW1/4NW1/4 of Section 20, TOGETHER WITH all of the SE1/4SE1/4 of Section 18 and the NE1/4NE1/4 of Section 19, all within T41N, R116W, 6th P.M., Teton County, Wyoming;

said parcel is secondarily described as follows:

BEGINNING at the southeast corner of said NE1/4NE1/4 of Section 19, being the N1/16 corner common to said Sections 19 and 20;

thence along the south line of said NE1/4NE1/4, N89°55'06"W, 1317.37 feet to the southwest corner of said NE1/4NE1/4, being the NE1/16 corner of said Section 19;

thence along the west line of said NE1/4NE1/4, N00°15'31" E, 1326.70 feet to the northwest corner of said NE1/4NE1/4, identical with the southwest corner of said SE1/4SE1/4 of Section 18, being the E1/16 corner common to said Sections 18 and 19;

thence along the west line of said SE1/4SE1/4, N00°19'37"W, 1326.24 feet to the northwest corner of said SE1/4SE1/4, being the SE1/16 corner of said Section 18;

thence along the north line of said SE1/4SE1/4 of Section 18, S89°53'30"E, 77.81 feet to the intersection with a north-south fence line;

thence along said fence line as follows:

proceeding N01°27'00"E, 236.69 feet to a point;

thence N01°41'00"E, 126.70 feet to the intersection with the south line of Lot 23 of said Gros Ventre North Subdivision;

thence departing said fence line and proceeding along the

Gros Ventre North Third Filing

southerly lines of Lots 23, 22, 21, and 20 of said Gros Ventre North Subdivision through the following courses and distances:

proceeding N89°17'07"E, 119.49 feet to a point;
thence N74°35'29"E, 181.42 feet to a point;
thence N53°08'36"E, 325.06 feet to a point;
thence N87°38'48"E, 125.46 feet to a point;
thence N52°43'29"E, 678.41 feet to a point;
thence N73°50'37"E, 374.70 feet to a point;
thence N29°22'30"E, 411.28 feet to the eastern most corner of said Lot 20;

thence departing said southerly lines and proceeding along the southwesterly line of Lots 18 and 19 of said Gros Ventre North Subdivision, S63°33'32"E, 540.25 feet to the north corner of Lot 28 of said Gros Ventre North Subdivision;

thence along the westerly lines of Lots 28, 29, and 30 of said Gros Ventre North Subdivision through the following courses and distances:

proceeding S59°55'52"W, 116.86 feet to a point;
thence S60°41'03"W, 311.66 feet to a point;
thence S30°42'27"W, 919.63 feet to a point;
thence S03°53'07"W, 106.43 feet to a point;
thence S53°01'48"W, 233.43 feet to the westernmost corner of said Lot 30, identical with the northwest corner of Lot 31 of said Gros Ventre North Subdivision and the S1/16 corner common to said Sections 17 and 18;

thence departing said westerly lines and proceeding along the west line of said Lot 31, coincident with the east line of said SE1/4SE1/4 of Section 18, S00°14'44"E, 540.86 feet to the southwest corner of said Lot 31;

thence along the boundaries of Lots 31, 34, 36, and 37 of said Gros Ventre North Subdivision through the following courses and distances:

proceeding S66°41'16"E, 601.00 feet to a point;
thence S23°03'15"W, 715.79 feet to a point;
the S60°11'35"W, 309.88 feet to the northeast corner of said

Lot 37 which lies on said east line of said NE1/4NE1/4 of said Section 19;

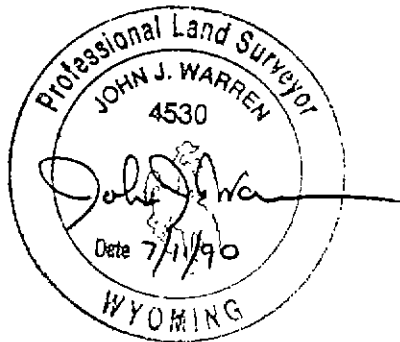
thence continuing along the west boundary of said Lot 37 which is coincident with the east line of said NE1/4NE1/4, S00°08'00"W, 1060.95 feet to the CORNER OF BEGINNING;

the BASE BEARING for this survey is S00°08'00"W along the east line of said NE1/4NE1/4 of Section 19;

ENCOMPASSING an area of 119.01 acres, more or less;

ALL as shown on said Plat of Gros Ventre North Third Filing;

SUBJECT TO easements, rights-of-way, covenants, conditions, restrictions, and encumbrances of sight and/or record, including, but not limited to, those shown on said Plat of Gros Ventre North Third Filing.



John J. Warren
Wyoming Professional Land Surveyor No. 4530

July 11, 1990

WP51/DES/GVNTHIRD.DES