

AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS OF CHERRY HILLS HOMEOWNERS ASSOCIATION TO THE PUBLIC

The Amended Declaration of Protective Covenants of Cherry Hills Homeowners Association, recorded on May 21, 2007, Rec. #475515, Book 2008, Pages 753-772, (Covenants), were amended by a vote of approval by the Lot Owners in excess of 65% as authorized and required in Section VI. B of the Covenants. Amendments to the Covenants are as follows:

Article II. C. Construction Requirements is amended in its entirety to read:

C. Construction Requirements: No structures other than one (1) single family dwelling, with an attached garage for no more than four (4) cars and no more than two (2) detached garages/outbuildings meeting these standards or a single family dwelling without an attached garage and detached garages/outbuildings meeting these standards shall be constructed or erected on any property. All construction shall be new and must comply with all applicable building codes, rules, regulations and requirements, all applicable zoning laws and the minimum building standards as set forth in this Declaration. No structure may be moved from any location outside the subdivision onto any lot within the subdivision except as provided in Chapter II. D. Once begun, construction of any home or improvement or alteration approved by the Committee shall be diligently prosecuted to completion. All homes and other improvements on any tract shall be substantially completed within one (1) year after commencement of construction unless a longer period is approved by the Committee. All dwellings and improvements shall be of sufficient quality of workmanship and material so as to be in harmony with existing structures. The external design of structures shall comply with the minimum requirements of these covenants and the following codes and regulations as they may be amended or replaced:

- a. International Building Code
- b. International Plumbing Code
- c. International Mechanical Code

Article II. D. Outbuildings is amended in its entirety to read:

1. The maximum size of any detached outbuilding, not to include chicken coops and garden sheds, will be a total of three thousand six hundred (3,600) square feet allowable for either one building or the combination of two outbuildings. If two buildings, they are not required to be equal in size so long as the total between them does not exceed the maximum 3,600 square feet limit. The location of any outbuilding shall be subject to the approval of the Architectural Control Committee prior to construction, the intent being that all structures on a property shall appear to constitute an integrated unit. Construction of any outbuilding may not precede but must be contemporaneous with or subsequent to the construction of the primary dwelling residence.
2. In addition, one (1) garden shed/storage unit and one (1) chicken coop will be permitted on each property. The size of any garden shed/storage unit shall be no more than two hundred (200) square feet of floor space and may be constructed on site or constructed off site and moved onto any property. The method of construction, exterior design and site plan for a garden shed/storage unit must be approved by the Architectural Control Committee. A chicken

coop must be built to proper standards addressed in Section III.G. Animals, and shall also be subject to the approval process by the Architectural Control Committee.

Article II. F. Driveways Is amended in its entirety to read:

1. Individual lot access approaches and driveways which connect the primary dwelling to any public road, shall be constructed with a minimum of three inch (3") depth of Grading W type road base gravel, cement or paved surface. Individual access driveway approaches, defined as that portion of the access driveway which exists within the public road right-of-way, shall include the installation of a properly sized drainage culvert. The access and approach and driveway shall be constructed as part of the first lot improvement before any other construction is started. Where necessary for proper drainage, adequate sized culverts will be placed at all points where egress or ingress is established across the normal drainage system created and utilized for the subdivision. All drainage ditches and culverts must remain open at all times for unrestricted drainage through the subdivision.

Article II. L. Fencing. Is amended in its entirety to read:

2. Fencing shall consist of concrete block, redwood, cedar, or other materials generally sold for and considered as good and substantial fence products and fencing shall be erected in a proper workmanlike manner to provide stability and non-objectionable appearance. Solid walls or fences shall not be constructed or maintained as to block the appearance of the house from the entry via the road. No solid walls or solid fences shall be nearer than fifty (50) feet to any lot line. Wind screen and barbed wire fencing are not permitted. Temporary snow fencing will be allowed from 1 October through 1 June each year. Snow fencing shall not be placed in any area on a property which will cause drifting onto subdivision streets or neighbor's property.

Article III. G. Animals. Is amended in its entirety to read:

1. Keeping of pets and animals is a privilege of all residents of Cherry Hills Subdivision and at the same time, a responsibility not to be taken lightly. The following rules have been put in place to protect the quiet enjoyment of all residents of the subdivision and are taken seriously by the Homeowners' Association.

A. Maintenance of Pets. Pets may be kept on all lots provided they are not maintained or kept for commercial purposes. All such domestic pets will be under the control of the owner at all times and shall not be allowed to run free off the owner's lot. All lot owners shall ensure that their pets shall not be a nuisance to any other resident. Except for FFA or similar projects, no livestock of any kind other than domestic pets shall be permitted to run free on the owner's lot or be maintained thereon. Pet kennels or dog runs may be permitted by the Architectural Control Committee as well as special FFA or similar projects provided that facilities and proper trainer exists so that the animal will not constitute a nuisance or annoyance to the neighbors or the subdivision.

B. FFA/Similar Types of Projects. If an owner or an owner's family is engaging in an FFA project outside the scope of these rules, specific approval in advance from the HOA Board must

be obtained or FFA or similar projects by the individual student in advance of the initiation of the project.

C. Horses. If an owner desires to maintain a horse or at most two (2) horses on any lot, the owner must first receive written approval from the HOA Board. Such approval may not be given unless the owner demonstrates that adequate stable facilities and adequate non-grazing feeding arrangements will be used. Stable and corrals, if any, shall be maintained in compliance with all lawful sanitary regulations. Operation of commercial riding stables and commercial boarding stables shall not be allowed.

D. Chickens. If chickens are to be maintained on a property, the following rules must be followed:

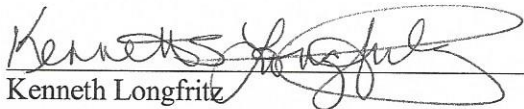
- a. It shall be unlawful to keep, possess, or maintain live roosters (male chickens) anywhere in the subdivision. Only live hens (female chickens) may be kept, and all references herein to chickens or poultry shall mean hens only.
- b. For the purposes of this section, the term "eligible property" is defined as any property that contains no more than one detached single family residential dwelling unit that is occupied as a personal residence by at least one adult who shall be responsible for compliance with the provisions of this chapter.
- c. It shall be unlawful to keep, possess or maintain more than twelve (12) chickens on any eligible property within the subdivision, regardless of FFA, 4H or any like- projects.
- d. Free range chickens will not be permitted. Chickens must be confined within a covered, predator-resistant coop, including predator-resistant roofing and flooring. The coop must be adequately ventilated and easily accessed, cleaned, and maintained. The coop must provide at least three square feet of space for each hen. The coop must comply with all applicable Laramie County Building Codes. No coop shall have enclosed floor space exceeding sixty (60) square feet, and no portion of any coop or pen shall exceed a height of seven feet from the ground surface at any point.
- e. The coop and pen must be cleaned and maintained such that the coop and pen do not become a nuisance or attract excessive insects or vermin. Chicken waste, including un-harvested eggs, will be disposed of according to Cheyenne-Laramie County Health Department requirements. Should chicken waste odor become a nuisance to neighbors, complaints should be submitted in writing the HOA Board. Chicken owners will be given one written warning from the HOA Board to eliminate the odor. Any subsequent complaints from neighbors will require removal of all chickens and the coop from the offending property.
- f. Chickens shall be provided with sufficient potable liquid water at all times. Chickens feed shall be stored in secured containers to prevent access by mice, rats, and other vermin.
- g. During daylight hours, each chicken must have access to the coop and to a pen surrounding the coop that shall be totally enclosed to prevent escape and to

protect them from predators. Chickens must be enclosed within the coop each day from sundown to sunrise on the following day. Chickens' wings shall be clipped to prevent them from escaping the pen.

- h. It is unlawful for any chickens to be at large in the subdivision. Animal Control will be notified of any chickens found at large and the owner will be subject to applicable nuisance laws, which could lead to removal of the resident's privileges to maintain chickens on their property.
- i. It shall be unlawful to possess, keep or maintain live chickens in a dwelling unit (residence) of any kind.
- j. The carcass of a dead chicken must be disposed of in accordance with Cheyenne-Laramie County Public Health requirements.

All other provisions of the Amended Declaration of Protective Covenants of Cherry Hills Homeowners Association, recorded on May 21, 2007, Rec. #475515, Book 2008, Pages 753-772 shall remain the same and in full force and effect.

Signed this 14th day of November, 2017.

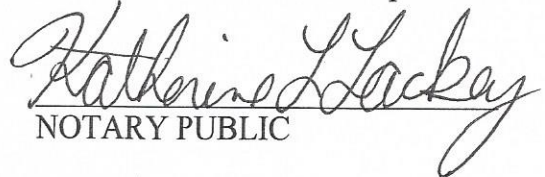

Kenneth Longfritz
President of the Cherry Hills Homeowners Association
On behalf of the Cherry Hills Homeowners Association

STATE OF WYOMING)
)
COUNTY OF LARAMIE)

On this 14 day of November, 2017, Kenneth Longfritz, a person known to me personally, appeared before me, first being duly sworn, who stated that he is the duly elected President of Cherry Hills Homeowners Association, and acting by authority of its Board of Directors and Kenneth Longfritz acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and official seal.

My Commission expires: 4-17-19


NOTARY PUBLIC

