

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A CHANGE IN COVENANTS FOR MOUNTVIEW PARK SUBDIVISION AND APPOINTMENT OF REPRESENTATIVE FOR MOUNTVIEW PARK, ALL OF BLOCK 17, LARAMIE COUNTY, WY.

WHEREAS, the Laramie County Board of Commissioners own the parcel at 2600 E. 18th Street also known as all of Block 17, Mountview Park Subdivision; and,

WHEREAS, BLUE Federal Credit Union wishes to amend the covenants to Block 5, Mountview Subdivision that will exempt Block 5 entirely from covenant restrictions; and,

WHEREAS, BLUE Federal Credit Union wishes the County to appoint Kim Alexander as the representative of the Mountview Park Subdivision for the sole purpose of recording any amendments to the covenants as attached to this resolution; and,

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, as follows:

The Laramie County Board of Commissioners consents to the amendment of the Mountview Park Subdivision covenants to exempt Block 5 entirely and to appoint Kim Alexander as the representative of the Mountview Park Subdivision for the sole purpose of recording any amendments to remove Block 5 from the covenants.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2019.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Linda Heath, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Mark T. Voss, Laramie County Attorney

LARAMIE COUNTY

FEB 25 2019

PLANNING & DEVELOPMENT OFFICE

February 22, 2019

LARAMIE COUNTY
309 W 20TH ST
CHEYENNE, WY 82001

Dear Mountview Park Subdivision Owner,

Thank you for taking a moment to review this information. The purpose of this letter is to showcase our future plans happening right in your neighborhood, and to let you know how you can help. At Blue Federal Credit Union (Blue), we are excited about our recent purchase of the Cole Shopping Center. We have incredible plans to revitalize this area (Block 5) of your community and neighborhood. Our plans for the area include construction of our beautiful new corporate headquarters, along with retail shops and eateries. We are planning for construction to begin in approximately 3 months.

Our goal is to bring back to life the center of Cheyenne with beautiful architecture, open spaces, retail shops and new restaurants. This area is an important location in Cheyenne, and we want to see it vibrant with use by the public again. A place families can freely visit and enjoy.

As such, our plans must be approved by the City of Cheyenne zoning and planning divisions to ensure all aspects of our building follow proper guidelines. As we prepared for these reviews, we found that many of the covenants are antiquated, unnecessary and refer to residential construction. These covenants were created in 1946 and enforcement has been rare. With your help, we are seeking to amend these existing covenants. We learned that there has not been a committee overseeing these covenants since 1953, and because of that, a **majority** of the lot owners must consent to any amendments.

Blue is proposing an amendment to the covenants that will exempt Block 5 entirely from covenant restrictions. Block 5 consists of the area bordered by Pershing Boulevard on the North, Converse Avenue on the West, Chestnut Drive on the South, and the alley/driveway behind the old Safeway building on the East.

The purpose of this letter is to request your vote to the above amendment to the covenants. We also welcome any feedback you have about your decision.

PROPOSED AMENDMENT:

1) Add "except Block 5," after said County..., and before "are now..."

See attachment hereto, proposed Amendment to Declaration of Protective Covenants.

Additionally, your vote is required in order that a lot owner may be designated to represent Mountview Park Subdivision with regard to recording the amendment should it pass. Therefore, Blue proposes to appoint Kim Alexander, Chief Financial Officer of Blue, as such representative for the sole purpose of recording any amendments to the covenants as set forth in this letter.

Please record your votes on the enclosed Ballot and return this ballot to Blue, C/O Kim Alexander, CFO, in the self-addressed, postage paid envelope included in the packet by March 15, 2019.

Again, we are excited to redevelop and beautify this once vibrant area of the community. We appreciate you taking the time to assist in this effort. We look forward to returning this area to a vital center of the city. Thank you for your time.



**BALLOT FOR AMENDMENT OF MOUNTVIEW PARK SUBDIVISION
AND
APPOINTMENT OF REPRESENTATIVE**

Property Address

LARAMIE COUNTY
2600 E 18TH ST
CHEYENNE, WY 82001

Owner Address

LARAMIE COUNTY
309 W 20TH ST
CHEYENNE, WY 82001

If you consent to the amendment as set forth in Attachment 1, please check this box:

CONSENT []

If you object to the amendment as set forth in Attachment 1, please check this box:

OBJECT []

If you consent to the appointment of Kim Alexander, Chief Financial Officer of Blue Federal Credit Union, as the representative of the Mountview Park Subdivision for the sole purpose of recording any amendments to the covenants as set forth in this letter, please check this box:

CONSENT []

If you object to the appointment of Kim Alexander, Chief Financial Officer of Blue Federal Credit Union, as the representative of the Mountview Park Subdivision for the sole purpose of recording any amendments to the covenants as set forth in this letter, please check this box:

OBJECT []

Additional comments, if any:

Please take note that all ballots returned will be counted and that ANY BALLOTS NOT RETURNED BY MARCH 15, 2019 WILL BE COUNTED AS A "CONSENT" VOTE FOR PURPOSES OF THE PROPOSED AMENDMENT AND THE PROPOSED REPRESENTATIVE.

AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, on June 22, 1946 and on June 25, 1946, HKD Homesite Company, a corporation, owned all lots and blocks lying within Mountview Park, an addition to the City of Cheyenne, County of Laramie, State of Wyoming, situated in said Laramie County; and

WHEREAS, on June 22, 1946, said HKD Homesite Company duly executed a Declaration of Protective Covenants covering said Mountview Park, which Declaration of Protective Covenants was filed for record at 11:26 a.m. on June 25, 1946 in the office of the County Clerk and Ex-officio register in Book 417 on pages 196, 197, 198, 199 and 200 in said office; and

WHEREAS, the first Paragraph of this Declaration of Protective Covenants provides as follows, to wit: "That all lots and blocks lying within Mountview Park, an addition to the City of Cheyenne, Laramie County, Wyoming, the same being a subdivision of a portion of the North Half (N ½) of Section Thirty-Three (33), Township 14 North, Range 66 West of the Sixth Principal Meridian, and situated in said Laramie County, as said addition appears on the official plat thereof which is on file and of record in the office of the Clerk of said County, are now owned and held subject to all the restrictions, conditions, covenants, charges and agreements contained in the within Declaration of Protective Covenants by HKD Homesite Company, a corporation, and said company does hereby covenant and agree that any subsequent grants of any of said lots and blocks shall be made subject to the following covenants and restrictions:"

WHEREAS, it is desired to amend said paragraph to read as follows, to wit: "That all lots and blocks lying within Mountview Park, an addition to the City of Cheyenne, Laramie County, Wyoming, the same being a subdivision of a portion of the North Half (N ½) of Section Thirty-Three (33), Township 14 North, Range 66 West of the Sixth Principal Meridian, and situated in said Laramie County, as said addition appears on the official plat thereof which is on file and of record in the office of the Clerk of said County, **except Block 5**, are now owned and held subject to all the restrictions, conditions, covenants, charges and agreements contained in the within Declaration of Protective Covenants by HKD Homesite Company, a corporation, and said company does hereby covenant and agree that any subsequent grants of any of said lots and blocks shall be made subject to the following covenants and restrictions:"

NOW THEREFORE, the first paragraph of said Declaration of Protective Covenants is hereby amended to read as follows, to wit:

"That all lots and blocks lying within Mountview Park, an addition to the City of Cheyenne, Laramie County, Wyoming, the same being a subdivision of a portion of the North Half (N ½) of Section Thirty-Three (33), Township 14 North, Range 66 West of the Sixth Principal Meridian, and situated in said Laramie County, as said addition appears on the official plat thereof which is on file and of record in the office of the Clerk of said County, **except Block 5**, are now owned and held subject to all the restrictions, conditions, covenants, charges and agreements contained in the within Declaration of Protective Covenants by HKD Homesite Company, a corporation, and said company does hereby covenant and agree that any subsequent grants of any of said lots and blocks shall be made subject to the following covenants and restrictions:"