

307

A G R E E M E N T

Between

THE STATE OF WYOMING

And

Fred L. Magna and John Anselmi

THIS AGREEMENT made and entered into this 9 day of June, 1949, by and between Fred L. Magna and John Anselmi, herinafter designated as Party of the First Part and the State of Wyoming, acting by and through its State Highway Commission, herinafter designated Party of the Second Part

WITNESSETH:

It is mutually agreed by and between the Parties hereto as follows:

WHEREAS, the Party of the First Part is owner in absolute fee simple of a piece or parcel of land described as follows:

All that part of the $\frac{1}{2} \text{ NW}_1 \text{ NW}_1$ Section 29, T. 38 N., R. 113 W. in Sublette County, Wyoming, lying to the east of the present highway U.S. 187.

WHEREAS, the Party of the Second Part now has a constructed and completed State Highway with a legal right of way of 100 feet or more in width over and across the above described lands and over which they desire to reconstruct and maintain a public highway; and

WHEREAS, any buildings, billboards, signs or other obstructions which might be placed adjacent or close to the present right of way would be considered a hazard to the public traveling over this highway by limiting sight distance at points of access to the highway.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars, lawful money of the United States, to the Party of the First Part, in hand and paid by the Party of the Second Part, the receipt of which is hereby confessed and acknowledged.

The Party of the First Part with the intent to bind himself, his heirs, executors, administrators and assigns and all persons who may subsequently become the owner or owners of the above described real property, hereby for himself, his heirs, executors, administrators and assigns, and all persons who may subsequently become the owner or owners of the above described real property, covenants with the said Party of the Second Part, his heirs and assigns as follows:

1. That neither the said Party of the First Part nor his heirs or assigns, or any persons subsequently becoming the owner or owners of the above described real property will ever erect or construct any buildings, billboards, signs or any obstructions whatsoever upon the above described real property within 100 feet on either side of the center line of the present roadway.