

ETNA VILLAGE ESTATES
FIRST AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
ETNA VILLAGE ESTATES SUBDIVISION

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ETNA VILLAGE ESTATES SUBDIVISION ("Amendment") is made effective this 4th day of December, 2018 by DREAM VENTURE II, LLC, a Wyoming limited liability company ("Declarant").

WHEREAS, the Declarant entered into and executed that certain Declaration of Covenants, Conditions and Restrictions for Etna Village Estates Subdivision ("Declaration") related to certain real property ("Property") located in Lincoln County, Wyoming dated September 13, 2007 which Declaration was filed of record in the real estate records of Lincoln County, Wyoming on October 15, 2007 as 934052 in Book 675, at Pages 512, establishing certain covenants, conditions, restrictions, and encumbrances governing the Property and the use and development thereof;

WHEREAS, Article XI "Amendments" provides: "In addition to specific amendment rights granted elsewhere in this Declaration, until conveyance of eighty percent (80%) of the Lots to an Owner unaffiliated with Declarant or three (3) years from the date this instrument is recorded in the Land Records of Lincoln County, Wyoming, whichever period is longer, Declarant may unilaterally amend or repeal this Declaration for any purpose;

WHEREAS, the Etna Village Estates Subdivision contains a total of 110 building lots of which 19 are privately owned by Owners unaffiliated with Declarant, thus Declarant maintains the ability to make this Amendment unilaterally;

WHEREAS, Declarant desires to amend the Declaration as set forth herein.

NOW THEREFORE, in consideration of the covenants and agreements herein set forth, the Declaration is hereby amended as follows:

1. **Modification of the Minimum Setback for Fences.** Notwithstanding any provision in the Declaration to the contrary (including specifically, but not limited to, Section 5.1 G addressing Building Setbacks; Section 5.1 F (iv) addressing Fences; and Section 5.1 F (i) addressing minimum setbacks), as of the date of this Amendment, the Declaration and all covenants, conditions, restrictions, and encumbrances set forth therein shall be amended to require no setback (in other words, a zero (0) foot setback) for fences which are allowed under the Declaration.



2. **General Ratification.** Except as otherwise expressly amended herein, the remaining provisions of the Declaration are hereby restated and the terms and provisions therein are ratified and affirmed.

IN WITNESS WHEREOF, the undersigned Declarant has executed this First Amendment to the Declaration of Covenants, Conditions and Restrictions for Etna Village Estates Subdivision as of the date first written above.

DECLARANT:

DREAM VENTURE II, LLC

BY: [Signature]
NAME: Timothy Hennysen
ITS: MEMBER/manager

STATE OF WYOMING)
) SS.
COUNTY OF LINCOLN)

ACKNOWLEDGED before me on this, the 4 day of December, 2018, by Timothy Hennysen, the Member/Manager and authorized representative of Dream Venture II, LLC, a Wyoming limited liability company, who signed the foregoing instrument on behalf of the Company by authority of its Members.

WITNESS my hand and official seal.



[Signature]
NOTARY PUBLIC

My Commission expires: 8-27-19