



ETNA VILLAGE ESTATES

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

THIS FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ETNA VILLAGE ESTATES SUBDIVISION ("Amendment") is made effective this 18th day of May 2026 by TGH Industries, 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") dated effective September 13, 2007, recorded on October 15, 2007 as **No. 934052 in Book 675, at Page 512** of the real estate records of Lincoln County, Wyoming, related to certain real property located in Lincoln County, Wyoming, establishing certain covenants, conditions, restrictions, and encumbrances governing the Property and the use and development thereof; and

WHEREAS, the Declaration was subsequently expanded to encompass additional property, known as Etna Village Estates Subdivision Phase II (Second Filing), as provided for in the Declaration recorded on December 22, 2022 as **No. 1028375, in Book 1079, Page 1 of CCR's**, and subsequently recorded on August 22, 2023 as **No. 1031232 in Book 1092, Page 771 of CCR's**; and

WHEREAS, Article XI - AMENDMENTS of the Declaration 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;

and

WHEREAS, the Etna Village Estates Subdivision contains a total of 125 building lots of which 81 are privately owned by Owners unaffiliated with Declarant, thus Declarant maintains the ability to make this Amendment unilaterally; and

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:

Modification of Article IX, Section 9.10 Right to Appoint Members of the Board and Architectural Review Committee. As allowed by Article IX, Section 9.11, Termination of Rights, Declarant hereby relinquishes and surrenders Declarant's right to appoint members to the Board and Architectural Review Committee as allowed in Section 9.10. Effective **18 June, 2026**, Declarant and his appointees (Jonathan Baker, Brittany Baker, Thomas Wilson) will resign from their positions on the Association Board and Architectural Review Committee and the Declarant will relinquish and surrender Declarant's rights to appoint members to the Etna Village Estates Homeowners Association and Architectural Review Committee. Not less than 2 weeks prior to such date, a special election will be held among voting members of the Association to elect new members of the Association Board in accordance with Article 2 section 2.4 of the Declaration. Notwithstanding this relinquishment and surrender of this specific right, the remaining unrelinquished rights granted and retained by the Declarant in the Declaration including but not limited to the rights specified in Article IX shall remain fully valid and effective for the remainder of the term thereof as provided for in the Declaration.

Addition to Section 2.4, The Board of Directors. The following language is hereby added to Section 2.4 of the Declaration, immediately following the first paragraph of such Section:

Only members of the Association who are in Good Standing and in full compliance with all provisions of the Declaration, the Association Bylaws, Rules, Regulations, and Policies, and any other applicable law, rule, or regulation are eligible to serve on the Association Board. To be a member in Good Standing, the member's account must be completely paid up with no outstanding violations, citations, assessments, fines, or unpaid special assessments. Further, such Board candidate must not have any unresolved violations of the Declaration, or any of the foregoing governing documents or applicable law, rule, or regulation. Finally, Board candidates must disclose any potential conflicts of interest, and financial conflicts of interest, such as contracts with the Association, which will disqualify such candidate from a seat on the Board.

Signature Page Follows

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

DECLARANT:
TGH INDUSTRIES, LLC

BY: *Jonathan Baker*
NAME: Jonathan Baker
TITLE: President

STATE OF WYOMING)
) SS.
COUNTY OF LINCOLN)

ACKNOWLEDGED before me on this, the 18th day of May, ²⁰²⁶~~2024~~, by Jonathan Baker, the Member/Manager and authorized representative of TGH Industries, LLC, a Wyoming limited liability company, who signed the foregoing instrument on behalf of TGH Industries, LLC by authority of its Members.

WITNESS my hand and official seal.

Olivia Brock
NOTARY PUBLIC

My Commission expires: 12-05-2029

