

**Amendment to Declaration of Covenants, Conditions and
Restrictions for College View Commercial Park**

THIS AMENDMENT is entered into this 2nd day of May, 2006, by Western Wyoming Community College District, State of Wyoming, as the owner of 100% of the lots in College View Commercial Park, a subdivision of the City of Rock Springs, Sweetwater County, Wyoming.

The undersigned, as Declarant, executed a Declaration of Covenants, Conditions and Restrictions for College View Commercial Park on December 21, 2005, which Declaration was recorded in the Office of the County Clerk of Sweetwater County, Wyoming on February 14, 2006, in Book 1050 at Page 81 et seq.;

The undersigned was, at the time of the execution of said Declaration, and is now, the owner of 100% of the lots in College View Commercial Park, and now desires to amend said Declaration in the manner hereinafter set forth.

NOW THEREFORE, the undersigned does hereby modify and amend said Declaration as follows:

- 1. Sections 3.2, 3.3 and 5.2 are hereby amended in their entirety as follows:

"3.2 Public Utilities

Public utilities shall be placed within easements so granted for such uses in the College View Commercial Park. With respect to any underground utilities required by this Declaration, Declarant reserves the right to approve above-ground utility lines across the subject property or any portion thereof on a temporary basis for the purpose of construction.

3.3 Utility Lines and Antennas

No sewer, drainage, or utility lines shall be constructed, placed, or maintained anywhere in or upon any portion of the subject property, unless the same shall be contained in conduits or cables constructed, placed, or maintained underground or concealed in or under buildings or other structures, except that overhead primary utility lines may be installed within the easements provided for same on the recorded Plat of College View Commercial Park. All telephone connections and installations of secondary electrical wires to buildings shall be made underground from the nearest available power source. No transformer shall be located on any power pole nor hung on the outside of any building, but the same shall be pad-mounted on the surface in industry-approved cabinets. Any design variances therefrom for such installations shall require the prior written approval of the Committee. Nothing contained herein shall be deemed to forbid the erection or use of temporary power. Towers and other related permanent

communication or other devices pertinent to the conduct of the owner's business or operations shall be subject to the approval of the Committee.

5.2 Basis for Approval

Approval shall be based upon the compatibility of the proposed plans with the overall objectives of the Declarant, as may be set forth in a design policy approved by the Committee and the Board of Trustees. Approval shall also be based upon acceptance of the plans by the appropriate governmental regulatory bodies. Among other things, plans must address adequacy of site dimensions, adequacy of structural design, conformity and harmony of external design with neighboring structures, effect of location and use of proposed improvements upon neighboring lots, proper facing of main elevation with respect to nearby streets, adequacy of screening of mechanical, air conditioning, or other roof-top installations, and conformity of the plans and specifications to the purpose and the intent of this Declaration. No plans will be approved which do not provide for the underground installation of power, electrical, telephone, and other utility lines from the easements provided for same on the recorded Plat of College View Commercial Park to buildings, and the pad-mounting of all transformer and terminal equipment. Except as otherwise provided in this Declaration, the Committee shall have the right to disapprove any plans and specifications submitted hereunder on any reasonable grounds including, but not limited to, the following:


- 5.2.1 Failure to comply with any of the restrictions set forth in this Declaration;
- 5.2.2 Failure to include information in such plans and specifications as may have been reasonably requested by the Committee;
- 5.2.3 Objection to the exterior design, the appearance of materials, or materials employed in any proposed structure;
- 5.2.4 Objection on the ground of incompatibility of any structure or use with existing structures or uses upon other lots, or other property in the vicinity of the subject property;
- 5.2.5 Objection to the location of any proposed structure with reference to other lots or other property in the vicinity;
- 5.2.6 Objection to the grading or landscaping plan for any lot;
- 5.2.7 Objection to the lighting plan; or
- 5.2.8 Any other matter which, in the judgment of the Committee, would render the proposed improvements or use inharmonious with the general plan for improvement of the subject property or with improvements located upon other lots or other property in the vicinity within said development."

2. Except as herein specifically modified and amended, all of the terms and provisions of said Declaration shall remain in full force and effect.


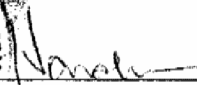
3. This Amendment, as selected by the signatures below, has been approved and adopted by the Board of Trustees of Western Wyoming Community College District.

Western Wyoming Community College District

By:



Doug Galvin, Board President

Shannon Hosaker, Board Secretary



RECORDED 6/14/2006 AT 11:00 AM REC# 1474563 BK# 1061 PG# 1007
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