

**SECOND MODIFICATION AND AMENDMENT OF
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS
AND EASEMENTS FOR LOTS 1 THROUGH 17, INCLUSIVE,
OF THE COLLIER VIEW ESTATES TO THE CITY OF GREEN RIVER,
SWEETWATER COUNTY, WYOMING**

THIS MODIFICATION AND AMENDMENT made and entered into this 8 day of MAY, 2007, by Gene P. Smith and Pati L. Smith, Trustees of the Gene P. Smith and Pati L. Smith Revocable Trust, whose mailing address is 120 Collier Circle, Green River, Wyoming 82935; Gary L. Hodges and Betty J. Hodges, husband and wife, whose mailing address is 130 Collier Circle, Green River, Wyoming 82935, Johnny L. Mandros and Roberta M. Mandros, husband and wife, whose mailing address is 140 Collier Circle, Green River, Wyoming 82935; Albert Carollo on behalf of Albert-Carolyn Company, whose mailing address is 150 Collier Circle, Green River, Wyoming 82935; Trudy K. Remmick, Trustee of the Trudy K. Remmick Living Trust, whose mailing address is 165 Collier Circle, Green River, Wyoming 82935; Bradley Carpenter and Joan K. Carpenter, whose mailing address is 735 Ironwood Street, Green River, Wyoming 82935; Jeffrey A. Wilson and Kimberly J. Wilson, whose mailing address of 1460 N. Riverbend Drive, Green River, Wyoming 82935; Elizabeth R. Holloway, whose mailing address is 1303 Blue Sky Way, Central Point, Oregon 97502; and Mildred Collier, whose mailing address is P.O. Box 608, and physical address is 500 Ironwood, Green River, Wyoming 82935; hereinafter collectively referred to as the Undersigned; witnesseth as follows:

WHEREAS, that certain Declaration of Covenants, Conditions, Restrictions and Easements for Lots 1 Through 17, Inclusive, of the Collier View Estates to the City of Green River, Sweetwater County, Wyoming, dated June 17, 1997, hereinafter referred to as the Declaration, was duly recorded in the Office of the County Clerk and Ex-Officio Register of Deeds of Sweetwater County, Wyoming, on July 25, 1997, in Book 888, at Pages 315-318, concerning that certain real property and premises known and described as:

Lots One (1) through Seventeen (17), inclusive, of the Final Plat of the Collier View Estates to the City of Green River, a Replat of a Portion of Tract "A", HUTTON HEIGHTS 8TH Addition, City of Green River, Wyoming, located in the Southwest Quarter, Section 22, Resurvey Township 18 North, Range 107 West of the 6th P.M., Sweetwater County, as said Lots are laid down and described on the official Plat thereof, filed of record on April 14, 1997, in Book of Plats at Page 381, in the Office of the County Clerk and Ex-Officio Register of Deeds of Sweetwater County, Wyoming, together with all appurtenances situate thereon and appertaining thereto, subject, however, to all exceptions, reservations and restrictions of record; and

WHEREAS, pursuant to Paragraph 18, TERMS, of the above described Declaration, said Declaration may be changed, modified and amended, in whole or in part, by the written agreement of a majority of the record Owners of the above described property, all as more particularly described and provided for in said Declaration; and

WHEREAS, as of the date of this Amendment the record Owners of the above described property are as follows and the undersigned have joined in and agreed to this Modification and Amendment of the aforesaid Declaration; constituting a majority of the records owners:

<u>Record Owners</u>	<u>Property Owned</u>
Gene P. Smith and Pati Smith, Trustees of the Gene P. Smith and Pati L. Smith Revocable Trust	Lot Three (3)
Gary L. Hodges and Betty J. Hodges	Lot Four (4)
Johnny L. Mandros and Roberta M. Mandros	Lot Five (5)
Albert Carollo on behalf of Albert-Carolyn Company	Lots Six (6) and Seven (7)
Trudy K. Remmick, Trustee of the Trudy K. Remmick Living Trust	Lot Thirteen (13)
Bradley Carpenter and Joan K. Carpenter	Lot Nine (9)
Jeffrey A. Wilson and Kimberly J. Wilson	Lot Ten (10)
Elizabeth R. Holloway	Lot Eleven (11)
Mildred Collier	Lots One (1), Two (2), Eight (8), Twelve (12), Fourteen (14), Fifteen (15), Sixteen (16), and Seventeen (17)

WHEREAS, the Undersigned have consented and agreed to the modification and amendment of the aforesaid Declaration in the following particulars;

NOW, THEREFORE, for and in consideration of the covenants, conditions and restrictions contained in the aforesaid Declaration and subsequent First Modification and Amendment of Declaration of Covenants, Conditions, Restrictions, and Easements for Lots 1 through 17 Inclusive, of the Collier View Estates to the City of Green River, Sweetwater County, Wyoming dated June 16, 2005, (hereinafter "First Modification"), and for and in consideration of the premises, the Undersigned do hereby modify and amend the above- described Declaration, and later amended in the First Modification, as follows:

Paragraph 2. LAND USE AND BUILDING TYPE, contained in the Declaration Of Covenants, Conditions, Restrictions And Easements For Lots 1 Through 17 Of The Collier View Estates To The City Of Green River, Sweetwater County, Wyoming, dated June 17, 1997, which reads as follows, shall be deleted in its entirety and Paragraph 2 LAND USE AND BUILDING TYPE set forth in the First Modification dated June 16, 2005, which reads as follows, shall be deleted in its entirety:

"2. LAND USE AND BUILDING TYPE: No lot shall be used except for residential purposes. Residential purposes means that only a residence which is designed and intended for use and occupancy as a single-family residence and residence-related improvements such as driveways, lawn areas, and the like, may be erected or located on the lot. All homes are to be constructed on site with construction completed within one (1) year from the date of excavation of the foundation. For the purpose of these covenants, a single-family residence may not be a home that is first manufactured and then located on the lot. The use of such manufactured

homes, modular homes or mobile homes is expressly prohibited. On Lots 1 through 13, no building shall be erected, altered, placed, or permitted other than one, detached, single-family dwelling not to exceed one story in height and a private garage for not more than three cars. On Lots 14, 15, 16 and 17 only, no building shall be erected altered, placed, or permitted other than one, detached, single-family dwelling not to exceed two stories in height with a private garage for not more than three cars and with no basement, a crawlspace or a slab foundation is permitted. All construction shall be new construction."

And the following new Paragraph 2. LAND USE AND BUILDING TYPE shall be substituted therefor:

"2. LAND USE AND BUILDING TYPE: No lot shall be used except for residential purposes. Residential purposes means that only a residence which is designed and intended for use and occupancy as a single-family residence and residence-related improvements such as driveways, lawn areas, and the like, may be erected or located on the lot. All homes are to be constructed on site with construction completed within one (1) year from the date of excavation of the foundation. For the purpose of these covenants, a single-family residence may not be a home that is first manufactured and then located on the lot. The use of such manufactured homes, modular homes or mobile homes is expressly prohibited. On Lots 1 through 10, no building shall be erected, altered, placed, or permitted other than one, detached, single-family dwelling not to exceed one story in height and a private garage for not more than three cars. On Lots 11, 12, 13, 14, 15, 16 and 17 only, no building shall be erected altered, placed, or permitted other than one, detached, single-family dwelling not to exceed two stories in height with a private garage for not more than three cars and with no basement, a crawlspace or a slab foundation is permitted. With regard to Lot 12 only, a partial area basement shall be allowed with water proofing measures appropriate to site conditions. All construction shall be new construction."

Other than as expressly set forth herein, all of the other terms and provisions set forth in the above described Declaration and the subsequent First Modification shall be and remain in full force and effect as originally stated in said Declaration.

IN WITNESS WHEREOF, the Undersigned have caused these presents to be executed hereinbelow, in counterparts.

GENE P. SMITH AND PATI L. SMITH
REVOCABLE TRUST:

By Gene P. Smith
Gene P. Smith, Trustee

By Pati L. Smith
Pati L. Smith, Trustee

Gary L. Hodges

Betty J. Hodges

Johnny L. Mandros

Roberta M. Mandros

TRUDY K. REMICK LIVING TRUST:

By _____
Trudy K. Remmick, Trustee

Elizabeth R. Holloway



Bradley Carpenter

Joan K. Carpenter

Jeffrey A. Wilson

Kimberly J. Wilson

ALBERT-CAROLYN COMPANY,

By _____
Albert Carollo

Mildred Collier

The State of Wyoming)
: ss.
County of Sweetwater)

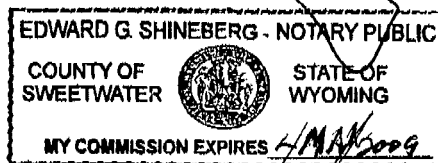
The foregoing instrument was acknowledged before me by Gene P. Smith and Pati L. Smith, Trustees of the Gene P. Smith and Pati L. Smith Revocable Trust this 8th day of MAY, 2007.

Witness my hand and official seal.

My commission expires:
4 MAY 2009

Edward G. Shineberg
Notary Public

The State of Wyoming)
: ss.
County of Sweetwater)



The foregoing instrument was acknowledged before me by Gary L. Hodges and Betty J. Hodges, husband and wife, this _____ day of _____, 2007.

Witness my hand and official seal.

My commission expires:

Notary Public

The State of Wyoming)
: ss.
County of Sweetwater)

The foregoing instrument was acknowledged before me by Johnny L. Mandros and Roberta M. Mandros, husband and wife, this _____ day of _____, 2007.

Witness my hand and official seal.

My commission expires:

Notary Public

homes, modular homes or mobile homes is expressly prohibited. On Lots 1 through 13, no building shall be erected, altered, placed, or permitted other than one, detached, single-family dwelling not to exceed one story in height and a private garage for not more than three cars. On Lots 14, 15, 16 and 17 only, no building shall be erected altered, placed, or permitted other than one, detached, single-family dwelling not to exceed two stories in height with a private garage for not more than three cars and with no basement, a crawlspace or a slab foundation is permitted. All construction shall be new construction."

And the following new Paragraph 2. LAND USE AND BUILDING TYPE shall be substituted therefor:

"2. LAND USE AND BUILDING TYPE: No lot shall be used except for residential purposes. Residential purposes means that only a residence which is designed and intended for use and occupancy as a single-family residence and residence-related improvements such as driveways, lawn areas, and the like, may be erected or located on the lot. All homes are to be constructed on site with construction completed within one (1) year from the date of excavation of the foundation. For the purpose of these covenants, a single-family residence may not be a home that is first manufactured and then located on the lot. The use of such manufactured homes, modular homes or mobile homes is expressly prohibited. On Lots 1 through 10, no building shall be erected, altered, placed, or permitted other than one, detached, single-family dwelling not to exceed one story in height and a private garage for not more than three cars. On Lots 11, 12, 13, 14, 15, 16 and 17 only, no building shall be erected altered, placed, or permitted other than one, detached, single-family dwelling not to exceed two stories in height with a private garage for not more than three cars and with no basement, a crawlspace or a slab foundation is permitted. With regard to Lot 12 only, a partial area basement shall be allowed with water proofing measures appropriate to site conditions. All construction shall be new construction."

Other than as expressly set forth herein, all of the other terms and provisions set forth in the above described Declaration and the subsequent First Modification shall be and remain in full force and effect as originally stated in said Declaration.

IN WITNESS WHEREOF, the Undersigned have caused these presents to be executed hereinbelow, in counterparts.

GENE P. SMITH AND PATI L. SMITH
REVOCABLE TRUST:

By _____
Gene P. Smith, Trustee

Gary L. Hodges
Gary L. Hodges

By _____
Pati L. Smith, Trustee

Betty J. Hodges
Betty J. Hodges

Johnny L. Mandros

Roberta M. Mandros

TRUDY K. REMICK LIVING TRUST:

By _____
Trudy K. Remmick, Trustee

Elizabeth R. Holloway



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Other than as expressly set forth herein, all of the other terms and provisions set forth in the above described Declaration and the subsequent First Modification shall be and remain in full force and effect as originally stated in said Declaration.

IN WITNESS WHEREOF, the Undersigned have caused these presents to be executed hereinbelow, in counterparts.

GENE P. SMITH AND PATI L. SMITH
REVOCABLE TRUST:

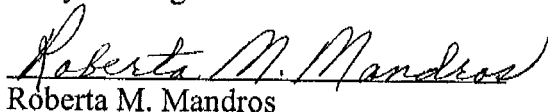
By _____
Gene P. Smith, Trustee

By _____
Pati L. Smith, Trustee

Gary L. Hodges

Betty J. Hodges


Johnny L. Mandros


Roberta M. Mandros

TRUDY K. REMICK LIVING TRUST:

By _____
Trudy K. Remmick, Trustee

Elizabeth R. Holloway



Bradley Carpenter

Joan K. Carpenter

Jeffrey A. Wilson

Kimberly J. Wilson

ALBERT-CAROLYN COMPANY,

By _____
Albert Carollo

Mildred Collier

The State of Wyoming)
: ss.
County of Sweetwater)

The foregoing instrument was acknowledged before me by Gene P. Smith and Pati L. Smith, Trustees of the Gene P. Smith and Pati L. Smith Revocable Trust this _____ day of _____, 2007.

Witness my hand and official seal.

My commission expires:

Notary Public

The State of Wyoming)
: ss.
County of Sweetwater)

The foregoing instrument was acknowledged before me by Gary L. Hodges and Betty J. Hodges, husband and wife, this _____ day of _____, 2007.

Witness my hand and official seal.

My commission expires:

Notary Public

The State of Wyoming)
: ss.
County of Sweetwater)

The foregoing instrument was acknowledged before me by Johnny L. Mandros and Roberta M. Mandros, husband and wife, this 4 day of May, 2007.

Witness my hand and official seal.

My commission expires:

11/18/2010

Notary Public



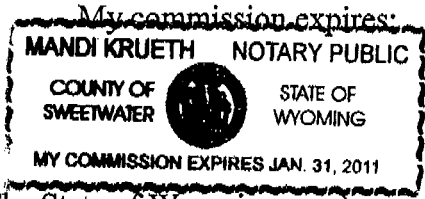


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STEVEN DALE DAVIS, CLERK of SWEETWATER COUNTY, WY Page 10 of 12

The State of Wyoming)
: SS.
County of Sweetwater)

The foregoing instrument was acknowledged before me by Albert Carollo on behalf of Albert-Carolyn Company, this 4th day of May, 2007.

Witness my hand and official seal.



Mandi Krueth
Notary Public

The State of Wyoming)
: SS.
County of Sweetwater)

The foregoing instrument was acknowledged before me by Trudy K. Remmick, Trustee of the Trudy K. Remmick Living Trust this _____ day of _____, 2007.

Witness my hand and official seal.

My commission expires:

Notary Public

The State of Wyoming)
: SS.
County of Sweetwater)

The foregoing instrument was acknowledged before me by Bradley Carpenter and Joan K. Carpenter, husband and wife, this _____ day of _____, 2007.

Witness my hand and official seal.

My commission expires:

Notary Public

The State of Wyoming)
: SS.
County of Sweetwater)

The foregoing instrument was acknowledged before me by Jeffrey A. Wilson and Kimberly J. Wilson, husband and wife, this _____ day of _____, 2007.

Witness my hand and official seal.

My commission expires:

Notary Public

The State of _____)
: ss.
County of _____)

The foregoing instrument was acknowledged before me by Elizabeth R. Holloway
this _____ day of _____, 2007.

Witness my hand and official seal.

My commission expires:

Notary Public

The State of Wyoming)
: ss.
County of Sweetwater)

The foregoing instrument was acknowledged before me by Mildred Collier this
4 day of May, 2007.

Witness my hand and official seal.

My commission expires: 3/8/11



Jeanette Jauregui
Notary Public