



STATE OF WYOMING     )  
  ) ss.  
COUNTY OF SHERIDAN   )

**AMENDED DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR SHINING MOUNTAIN SUBDIVISION PHASE I**

THIS AMENDED DECLARATION OF PROTECTIVE COVENANTS, ("Amended Declaration") is made effective on the 1st day of September, 2018, by the undersigned seventy-five percent (75.00%) or more of the present record Lot owners ("Owners") of the Shining Mountain Subdivision Phase I ("Subdivision") pursuant to Paragraph 16 of the June 2, 2006 Declaration of Protective Covenants, Conditions and Restrictions of Shining Mountain Subdivision Phase I and recorded in the office of the Clerk and Recorder for Sheridan County, Wyoming at Book 474, Page 0642 as Instrument No. 542283 on June 2, 2006 ("Original Declaration").

**RECITALS**

WHEREAS, the undersigned Owners desire to amend the Original Declaration by adding a new 1.a. as set forth herein; and,

WHEREAS, some of the owners of Lots described on the original Declaration and its accompanying recorded Plat for the Subdivision have disagreed recently, or are likely to disagree, about the possible further subdivision of Lot 5 and about relative voting rights for each Lot under the Original Covenants for the Subdivision; and,

WHEREAS, the Owners, after notice to all Lot owners in the Subdivision at their record addresses, the Owners have agreed to resolve these pending issues between them pursuant to paragraph 16 of the Original Declaration as set forth herein.

**AMENDMENT**

NOW, THEREFORE, the undersigned Owners hereby jointly declare that the real property and such subdivision additions thereto as may hereafter be made, is and shall be held, transferred and occupied subject to the covenants, conditions, restrictions, easements and liens (collectively the Amended Covenants) set forth in this instrument and in the Original Covenants specifically as follows:

**A.** By virtue of this amendment, a new additional Paragraph 1.a. shall be amended into the Original Covenants stating:



**“1.a. Lot 5.** Lot 5 of the Subdivision designated on the existing recorded Plat may be subdivided into no more than two (2) distinct Lots with one of those two distinct Lots having a minimum size of Six Thousand Five Hundred square feet. Said Lots subdivided from the existing Lot 5 shall otherwise comply with all setback requirements on the existing recorded Subdivision Plat and all applicable City of Sheridan and Sheridan County zoning and development ordinances, rules, resolutions and restrictions. Within thirty (30) calendar days of the recording of this Amended Declaration, the owner(s) of Lot 5 shall formally request that the City of Sheridan amend or modify and finally approve any existing zoning ordinance(s) or resolutions approving any other proposed subdivision of Lot 5 so that City of Sheridan approval of subdivision of Lot 5 conforms to this Amended Declaration in all respects. The present record owner of Lot 5 shall be solely responsible for all cost associated with the application for and processing of this request to the City of Sheridan.”

**B.** The existing paragraph 16. concerning Amendment shall, by virtue of this amendment, be deleted in its entirety and amended and replaced with the following:

**“16. Amendment.** These covenants may be amended or altered upon the written approval of eighty percent (80.00%) of all of the Lot owners of the original Shining Mountain Subdivision with voting by Lot owners applied and counted specifically as follows:

Existing Shining Mountain Subdivision Phase I Lot No. 1 partial (now  
Shining Mountain No. 2 Sublot B – One (1) vote;  
Existing Shining Mountain Subdivision Phase I Lot No. 1 partial (now  
Lincoln Minor Subdivision Lot 1 – One (1) vote;  
Existing Shining Mountain Subdivision Phase I Lot No. 2 – One (1) vote;  
Existing Shining Mountain Subdivision Phase I Lot No. 3 – One (1) vote;  
Existing Shining Mountain Subdivision Phase I Lot No. 4 – One (1) vote;  
Existing Shining Mountain Subdivision Phase I Lot No. 5 – One (1) vote at  
this time and in the future unless subdivided according to this  
Amended Declaration into two Lots – if subdivided into two Lots  
according to this Amended Declaration then One (1) vote for each  
of those two new Lots for a total of two (2) possible votes; and,  
Existing Shining Mountain Subdivision Phase I Lot No. 6 – One (1) vote;

Total of seven (7) votes as of the execution of this Amended Declaration  
and up to eight (8) total votes if Lot 5 is further subdivided according to this  
Amended Declaration.

Any such amendments or alterations shall be binding on all of the Lots  
located within the subdivision as specifically set forth in this paragraph and  
shall be set forth in a properly and fully signed writing that is recorded with  
the Clerk and Recorder for Sheridan County, Wyoming.”



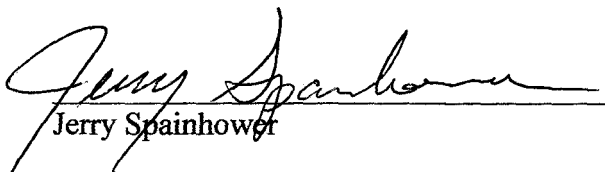
C. All other existing provisions set out in the Original Covenants that are not materially inconsistent with this Amended Declaration are in effect and shall remain in full force and effect as to all Lot owners.

D. This Amended Declaration shall burden and benefit all Lots and shall be binding upon all successors and assigns of all Lots at all times pursuant to this Amended Declaration.

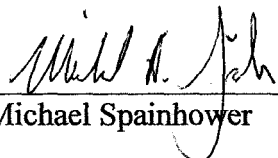
IN WITNESS WHEREOF, the following owners agree to and approve of this Amended Declaration:

**OWNERS:**

**Owners of Shining Mountain Subdivision Phase I Lot No. 1 partial (now Shining Mountain No. 2 Sublot B):**

  
 Jerry Spainhower

10/9/18  
 Date

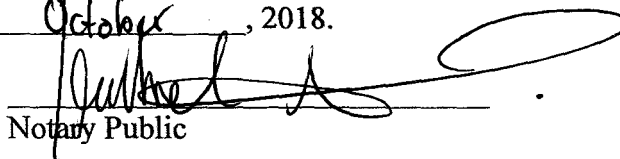
  
 Michael Spainhower

10/9/18  
 Date

STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by Jerry Spainhower this 09 day of October, 2018.



  
 Notary Public

My Commission Expires: February 01, 2020



STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Michael Spainhower** this 9 day of October, 2018.



*[Signature]*  
 Notary Public

My Commission Expires: February 01, 2020

**Owners of Shining Mountain Subdivision Phase I Lot No. 1 partial (now Lincoln Minor Subdivision Lot 1):**

Jeff D George / Lustingorge <sup>POA</sup> 10/4/18  
 Jeff D. George 10/10/18 Date

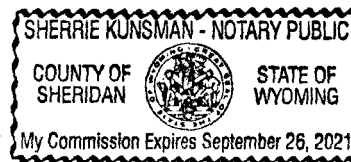
Reeda R George / Lustingorge <sup>POA</sup> 10/4/18  
 Reeda R. George 10/10/18 Date

STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Jeff D. George** this 10 day of Oct, 2018.

*[Signature]*  
 Notary Public

My Commission Expires: 9-26-2021



**LIMITED POWER OF ATTORNEY**

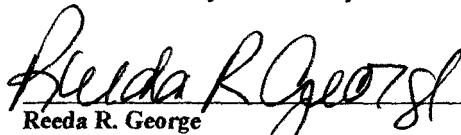
KNOW ALL MEN BY THESE PRESENTS: That we, **Jeff D. George and Reeda R. George, husband and wife**, as individuals, and as the members of **SBNL, LLC**, a Wyoming limited liability company, to which we intend to transfer the real property described below, have made, constituted and appointed, and by these presents each of us do make, constitute and appoint, **Leslie George**, our true and lawful attorney-in-fact to act for us and in our name, place and stead, and do hereby give and grant unto said attorney-in-fact full power to execute on our behalf all documents relating to the lease, possession, occupancy and tenant management of the real property located at **882 Lincoln Dr., Suites A, B, C, and D, Sheridan, Wyoming**, legally described as:

**Lot A of Shining Mountain No. 2 Subdivision, a subdivision in the City of Sheridan, Sheridan County, Wyoming, filed in Drawer S, Plat Number 123 in the Office of the Sheridan County Clerk;**

including, but not limited to listing contracts, extensions of listing contracts, lease agreements, amendments, and those other documents normally associated with the rental and management of leased real property, hereby giving and granting unto **Leslie George**, said attorney-in-fact, full power and authority to do and perform all and every act and thing whatsoever, requisite and necessary to be done as fully to all intents and purposes, as I might or could do if personally present.

This Limited Power of Attorney shall not become ineffective by our disability.

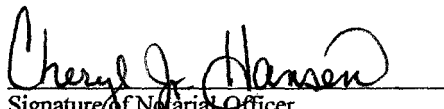
  
Jeff D. George

  
Reeda R. George

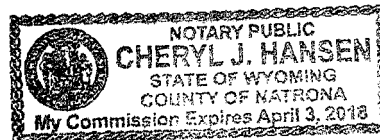
State of Wyoming )  
 )ss  
County of Natrona )

The foregoing instrument was signed and sworn to before me by **Jeff D. George**, this 23<sup>rd</sup> day of March, 2015.

Witness my hand and official seal.

  
Signature of Notarial Officer  
Title: Notary Public

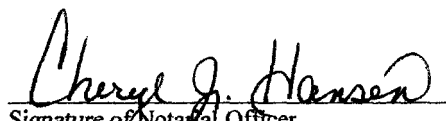
My Commission Expires April 3, 2018



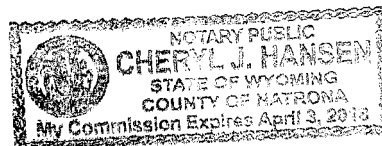
State of Wyoming )  
 )ss  
County of Natrona )

The foregoing instrument was signed and sworn to before me by **Reeda R. George**, this 23<sup>rd</sup> day of March, 2015.

Witness my hand and official seal.

  
Signature of Notarial Officer  
Title: Notary Public

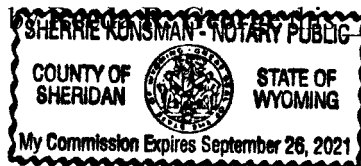
My Commission Expires April 3, 2018





STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by Sherrie Kinsman this 29 day of October, 2018.



[Signature]  
 Notary Public

My Commission Expires: 9-26-2021

**Owners of Shining Mountain Subdivision Phase I Lot No. 2**

Leo Oneyear and Diana Moraites jointly d/b/a LD Investments

[Signature]  
 Leo Oneyear  
[Signature]  
 Diana Moraites

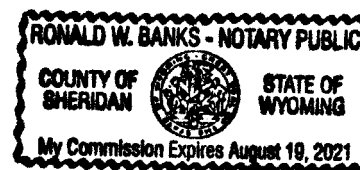
9-26-18  
 Date  
9/26/18  
 Date

STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Leo Oneyear d/b/a LD Investments** this 26 day of September, 2018.

[Signature]  
 Notary Public

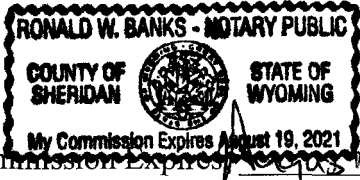
My Commission Expires: August 19, 2021





STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Diana Moraites d/b/a LD Investments** this 25 day of September, 2018.



R W Banks  
 Notary Public

My Commission Expires August 19, 2021.

**Owners of Shining Mountain Subdivision Phase I Lot Nos. 3 and 4 – Gordon and Eunice Peterson, husband and wife**

Gordon Peterson  
 Gordon Peterson

9/25/18  
 Date

Eunice A. Peterson  
 Eunice Peterson

9/25/18  
 Date

STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Gordon Peterson** this 25<sup>th</sup> day of September, 2018.

Justin M. McDonald  
 Notary Public

My Commission Expires: May 2, 2020.

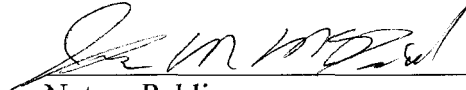




2018-746183 10/30/2018 1:31 PM PAGE: 8 OF 10  
 BOOK: 577 PAGE: 471 FEES: \$39.00 MFP AMENDED COVENANT  
 EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Eunice Peterson** this 25<sup>th</sup> day of September, 2018.


  
 Notary Public

My Commission Expires: May 2, 2020




**Owners of Shining Mountain Subdivision Phase I Lot No. 5:**

**SMC, LLC, a Wyoming limited liability company**

  
 Jason Miller, Member and Manager

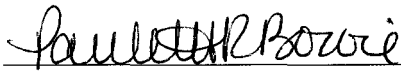
10/17/18  
 Date

  
 Steven Miller, Member and Manager

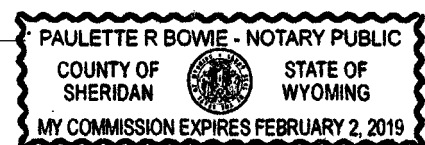
10-22-18  
 Date

STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Jason Miller** as a Member and Manager of **SMC, LLC, a Wyoming limited liability company** this 17<sup>th</sup> day of October, 2018.

  
 Notary Public

My Commission Expires: 2-2-19

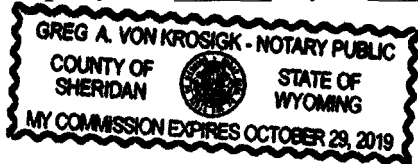






STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Steven Miller** as a Member and Manager of **SMC, LLC, a Wyoming limited liability company** this 22nd day of October, 2018.



Notary Public

My Commission Expires: 10/29/19

**Owners of Shining Mountain Subdivision Phase I Lot No. 6:**

Joon Kee Kim

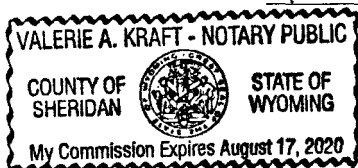
10-11-18  
 Date

Sun OK Kim

10-11-18  
 Date

STATE OF WYOMING )  
 ) ss.  
 County of Sheridan )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Joon Kee Kim** this 11th day of October, 2018.



Notary Public

My Commission Expires: August 17, 2020



**2018-746183** 10/30/2018 1:31 PM PAGE: 10 OF 10  
BOOK: 577 PAGE: 473 FEES: \$39.00 MFP AMENDED COVENANT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

STATE OF WYOMING     )  
                                      ) ss.  
County of Sheridan     )

The foregoing Amended Declaration of Protective Covenants, Conditions and Restrictions for Shining Mountain Subdivision Phase I was executed, acknowledged and sworn to before me by **Sun OK Kim** this 11<sup>th</sup> day of October, 2018.



Valerie A. Kraft  
Notary Public

My Commission Expires: August 17, 2020.

**NO. 2018-746183 AMENDED COVENANTS**  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
GORDON PETERSON 822 LINCOLN DRIVE  
SHERIDAN WY 82801