

FIFTH AMENDMENT TO
DECLARATION OF CONDOMINIUM
FOR
EAGLES' REST CONDOMINIUMS

RELEASED	
INDEXED	✓
ABSTRACTED	✓
SCANNED	✓

This instrument ("Fifth Amendment") is made by not less than 75% of the owners within the Eagles' Rest Condominiums Project.

WHEREAS, there is recorded a Compilation Of Declaration Of Condominium For Eagles' Rest encompassing the original covenants and four amendments, which compilation was recorded in the office of the Teton County Clerk on April 11, 1990 in Book 223, pages 230-269 (Covenants); and

WHEREAS, Paragraph 48 of the Covenants provides that the same may be amended by the written consent of 75% of the owners; and

WHEREAS, the owners desire to amend the Covenants to provide for more specified use of the limited common areas;

NOW THEREFORE, the owners and Board Of Directors hereby declare that all of the units within the Eagles' Rest Condominiums shall be owned, sold, conveyed, encumbered, leased, used, occupied and developed subject to the following provisions, covenants, conditions and restrictions, all of which are for the purpose of preserving and maintaining the natural character and value of the property. The original Covenants, subsequent amendments, and this Fifth Amendment shall run with the property and any lot thereof, and shall be binding on all parties having or acquiring any legal or equitable interest in or to the property, and shall inure to the benefit of all of the owners of the property or any part thereof.

GRANTOR: EAGLES' REST CONDOMINIUM OWNERS'
GRANTEE: THE PUBLIC
Doc 0738161 bk 707 pg 1067-1083 Filed At 15:38 ON 09/12/08
Sherry L. Dalgie Teton County Clerk fees: 62.00
By Mary Smith Deputy

1) Paragraph 4, Limited Common Elements, is supplemented with the following additional paragraph, namely;

Any owner may enclose or otherwise construct upon the limited common element appurtenant to his/her condominium unit provided the Management Committee has formally approved the same, and upon issuance of building permits as required by the Teton Village Architectural Committee, Teton County Planning Office, and any other agencies requiring approval. All construction shall be in accordance with the terms and conditions set forth by the Management Committee as well as these Covenants.

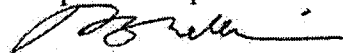
2) Paragraph 12 b, Outside Activities, is deleted in its entirety and replaced with the following:

Unless authorized in writing by the Management Committee, there shall be no structures placed on the General Common Elements or Limited Common Elements. No outside clothes lines or other outside clothes lines or other outside drying or airing facilities shall be permitted whatsoever. Radio or television antennas, wireless internet, or satellite dishes of more than three feet in diameter may be installed only with approval by the Management Committee. There shall be nothing placed or hung on exterior fires whatsoever, except barbecue fires contained within portable barbecue receptacles designed for such fires. There shall be no outside recreational or playground equipment permitted. There shall be absolutely no outside storage permitted. All firewood shall be stored in the garage and there shall be no outside cutting or splitting of logs allowed.

3) All terms and conditions contained within the original Covenants and the four amendments not in conflict herewith are deemed to survive and be of full force and effect.

IN WITNESS WHEREOF, This Fifth Amendment To Declaration Of Condominium For Eagles' Rest Condominiums is executed this 12th day of September, 2008 by the President of the Association who does state that the foregoing instrument is signed by 75% of the owners whose signatures are attached hereto.

Eagles' Rest Condominium Owner's
Association, Inc., a Wyoming
non-profit corporation:

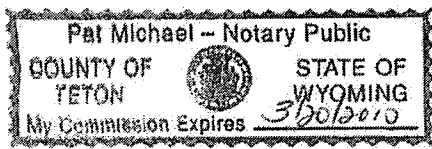


Morris Mellion, President

STATE OF WYOMING)
COUNTY OF TETON)

The foregoing instrument was acknowledged before me this 12th day of September, 2008 by Morris Mellion as President of Eagles' Rest Condominium Owners, Association, Inc.

WITNESS my hand and official seal.



Pat Michael
Notary Public
My Commission expires: 3/30/2010