

**AMENDMENT OF THE PLAT AND DEED OF DEDICATION
AND RESTRICTIVE COVENANTS OF
SHADOW TRAILS**

This Amendment of the Plat and Deed of Dedication and Restrictive Covenants of Shadow Trails (hereinafter, the "Amendment") is entered into this 21st day of Dec, 2017, and shall be effective as hereinafter provided.

WHEREAS, Shadow Trails Homeowners' Association, Inc., an Oklahoma Not For Profit Corporation (hereinafter, the "Owner"), is the owner of Reserve "E" within the subdivision commonly known as SHADOW TRAILS, a Subdivision in the City of Broken Arrow, Tulsa County, Oklahoma (hereinafter, the "Subdivision") by virtue of that certain Plat and Deed of Dedication and Restrictive Covenants recorded in the office of the Tulsa County Clerk as Plat No. 6637 on October 30, 2015; and

WHEREAS, Section I. Streets, Easements and Utilities, Subsection J. Reserve Area E, does not expressly provide for the construction, use, and maintenance of neighborhood recreational facilities such as pool, clubhouse, playground, and parking; and

WHEREAS, Section IV. Enforcement, Duration, Amendment and Severability, Paragraph C., Amendment, provides that the covenants contained within Section I, Streets, Easements and Utilities may be amended or terminated at any time by a written instrument signed and acknowledged by the owner of land to which the amendment or termination is to be applicable and approved by the Broken Arrow Planning Commission or its successors and the City of Broken Arrow; and

WHEREAS, Shadow Trails Homeowners' Association, Inc. is the owner of Reserve "E" within the subdivision and Richard L. Dodson is the President of Shadow Trails Homeowners' Association, Inc.; and

WHEREAS, it is in the best interest of the Owner to amend the Plat and Deed of Dedication and Restrictive Covenants for the Subdivision to allow for the construction, use, and maintenance of neighborhood recreational facilities such as pool, clubhouse, playground, and parking as hereinafter provided.

NOW, THEREFORE, the Owner hereby amends the Plat and Deed of Dedication and Restrictive Covenants of the Subdivision as follows:

1. **SECTION I. STREETS, EASEMENTS AND UTILITIES**, Subsection J. Reserve Area E Is hereby deleted in its entirety and replaced with the following:

RESERVE "E" SHALL BE LIMITED TO USE AS NEIGHBORHOOD FACILITIES SUCH AS POOL, CLUBHOUSE, PLAYGROUND, AND PARKING, OPEN SPACE, FENCING, AND LANDSCAPING, AND WAS RESERVED BY THE PLAT OF SHADOW TRAILS (PLAT NO. 6637) FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION, AND HAS SINCE BEEN CONVEYED TO THE SHADOW TRAILS HOMEOWNERS' ASSOCIATION, INC., AN OKLAHOMA NOT FOR PROFIT CORPORATION FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION. IN ADDITION, UNDERGROUND AND OVERHEAD UTILITY LINES SHALL BE ALLOWED TO CROSS RESERVE "E" TO GAIN ENTRANCE TO THE SUBDIVISION CONSISTENT WITH SECTION I., PUBLIC STREETS, EASEMENTS AND UTILITIES.

2. Except as expressly amended hereby, the Plat and Deed of Dedication and Restrictive Covenants shall remain in full force and effect.
3. This Amendment shall be effective from and after the date it is properly recorded, as provided within Section IV. Enforcement, Duration, Amendment and Severability, Paragraph C., Amendment of the Deed of Dedication and Restrictive Covenants of the Subdivision.

IN WITNESS WHEREOF, the undersigned executed this Amendment the year and day above written.

SHADOW TRAILS HOMEOWNERS'
ASSOCIATION, INC., an Oklahoma Not
For Profit Corporation

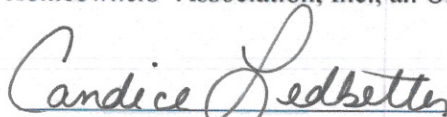
By: 
Richard L. Dodson, its President

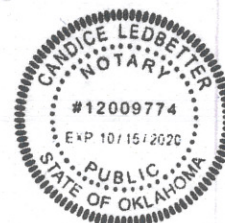
ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this 21st day of December, 2017, by Richard L. Dodson, President of Shadow Trails Homeowners' Association, Inc., an Oklahoma Not For Profit Corporation.

10.15.20
My Commission Expires


Notary Public



On this _____ day of _____, 201__, the Broken Arrow Planning Commission expressly acknowledges, consents, and approves of the foregoing Amendment.

Broken Arrow Planning Commission

By: _____
Name:
Its Chair

On this _____ day of _____, 201__, the Broken Arrow City Council expressly acknowledges, consents, and approves of the foregoing Amendment.

Broken Arrow City Council

By: _____
Name:
Its Chair

On this _____ day of _____, 201__, the City of Broken Arrow expressly acknowledges, consents, and approves of the foregoing Amendment.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

Assistant



City Attorney