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③ I

**AMENDMENT TO THE DECLARATION
 FOR THE ADDITION COMPRISING SOMERS POINTE TO
 THE CITY OF OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA**

THIS AMENDMENT is made this 18 day of May, 2012,
 by Terra Verde Development, L.L.C., an Oklahoma limited liability company ("Declarant").

Section 1 - Purpose of Amendment.

Declarant is the Declarant of the Additions comprising Somers Pointe which is a platted addition more particularly described within Exhibit "A" hereto. The Declarant intends by the Recording of this Amendment to amend and alter certain provisions of the Declaration filed at Book 2987, Page 544 within the Canadian County Clerk's office for the section(s) comprising Somers Pointe, a residential community including any amendments and supplements thereto (Original Declaration). The Declarant executes and adopts this Amendment pursuant to its authority granted and reserved within the Original Declaration.

Section 2 - Amendment.

Section 5.4.5. "Tree Requirement" of the Initial Design Review Guidelines, filed as Exhibit "F" to the Original Declaration, is deleted in its entirety and replaced with the following:

5. **Tree Requirement.** To the extent one exists, each Lot Owner shall comply with the landscaping plan promulgated by the [Architectural Review Committee][Design Review Committee][Declarant][Association Board]. In any event, each Lot shall have located within the front yard two live trees having no less than a 2" caliper measured six inches from the ground. Corner Lots shall have located within their front yard three live trees having no less than a 2" caliper measured six inches from the ground. All landscaping shall be regularly and reasonably maintained and improved. Any tree, whether indigenous or planted, that must be removed or fails to thrive shall be immediately replaced by the Lot Owner.

Section 3 - Additional Declarations.

All other terms and provisions, including but not limited to covenants, conditions, restrictions, definitions, and exhibits found within the Original Declaration and any amendments and supplemental declarations thereto are hereby incorporated by reference as if each were fully

set out within this Amendment. All such terms and provisions, unless expressly and specifically modified by this Amendment, shall remain in effect as first Recorded in the Original Declaration as amended and supplemented, Declarant hereby reaffirming the same.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Amendment on the signature block below the date and year first written above.

TERRA VERDE DEVELOPMENT, L.L.C., - DECLARANT
An Oklahoma limited liability company

By: *Vernon McKown*
Duly authorized Member/Manager *VERNON MCKOWN*

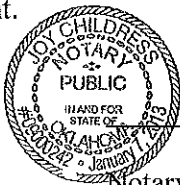
ACKNOWLEDGEMENT

State of Oklahoma }
 } ss
County of Canadian }

Before me, the undersigned Notary Public in and for the above county and state, on the date written above, personally appeared *Vernon McKown*, known to me to be the identical person who executed his name to the foregoing Amendment, who is the duly authorized agent for the Declarant for the execution of such Amendment, who acknowledged to me that he did so as his free and voluntary act on behalf of the Declarant for the uses and purposes set forth in the Amendment.

Subscribed and sworn to before me

My commission expires: *11/7/2013*
My commission number is: *09000242*



Notary Public: *Joy Childress*

Exhibit "A"

ALL OF SOMERS POINTE PHASE 1 ADDITION TO THE CITY OF OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THERETO;

AND

ALL OF SOMERS POINTE PHASE 2 ADDITION TO THE CITY OF OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THERETO;

AND

ALL OF SOMERS POINTE PHASE 3 ADDITION TO THE CITY OF OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THERETO;

AND

ALL OF SOMERS POINTE PHASE 4 ADDITION TO THE CITY OF OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THERETO;

AND

ALL OF SOMERS POINTE PHASE 5 ADDITION TO THE CITY OF OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THERETO;

AND

ALL OF SOMERS POINTE PHASE 6 ADDITION TO THE CITY OF OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THERETO.