

FOURTH AMENDMENT TO THE DEED OF DEDICATION  
OF  
TIMBERLING HOLLOW

WHEREAS, THE DEED OF Dedication (the "Dedication") for Timberling Hollow was recorded on December 3, 2003 in Book 7190 at Page 257 in the land records of the Tulsa County Clerk, as part of the Plat of Timberling Hollow, Plat No. 5744 (the "Plat").

WHEREAS, the Dedication contains certain covenants related to the use, occupancy and enjoyment of the following described real property:

All of Timberling Hollow, a subdivision in the City of Sand Springs, Tulsa County, State of Oklahoma, according to the recorded Plat thereof,

("Timberling Hollow").

WHEREAS, Section V(C) of the Dedication provides that the covenants within Section II, Private Building and Use Restrictions, may be amended or terminated at any time by a written instrument signed and acknowledged by the owners of more than 50 percent of the lots within the subdivision.

WHEREAS, the provisions of any instruments amending or terminating covenants shall be effective from and after the date they are properly recorded.

WHEREAS, the Owner/Developer of the subdivision, Jerry R. Gordon Development, Inc., previously executed an Amendment to the Deed of Dedication and Restrictive Covenants of Timberling Hollow, which was recorded on February 2, 2009 as Document No. 2009-008329 (the "First Amendment") when it was the owner of more than 50 percent of the lots of Timberling Hollow.

WHEREAS, certain homeowners constituting more than 50 percent of the lots of Timberling Hollow subsequently filed a Second Amendment to the Deed of Dedication, which was recorded December 16, 2011 as Document No. 2011110868 (the "Second Amendment").

WHEREAS, certain homeowners constituting more than 50 percent of the lots of Timberling Hollow subsequently filed a Third Amendment to the Dedication which was recorded on July 6, 2012 as Document No. 2012065520 (the "Third Amendment").

WHEREAS, the undersigned lot owners constitute more than 50 percent of the 158 lots of Timberling Hollow, and the undersigned lot owners desire to make this Fourth Amendment to the Dedication.

NOW, THEREFORE, pursuant to the provisions of the Dedication, as amended, the Dedication is hereby amended as follows:

1. Section II Private Building and Use Restrictions, subsection M, Interior Fences or Walls, is hereby stricken and replaced with the following provision:

M. INTERIOR FENCES, GATES, AND WALLS:

INTERIOR FENCES, GATES, AND WALLS SITUATED UPON RESIDENTIAL LOTS SHALL NOT EXCEED SIX (6) FEET IN HEIGHT. NO FENCE OR WALL SHALL BE ERECTED OR MAINTAINED NEARER TO THE STREETS WITHIN THE SUBDIVISION THAN THE BUILDING SETBACK LINES DEPICTED ON THE PLAT. FENCES, GATES, AND WALLS SHALL BE OF WOOD (PRIVACY, CEDAR), BRICK, STONE, WROUGHT IRON, ORNAMENTAL WROUGHT IRON, OR STUCCO. NO WIRE FENCES SHALL BE PERMITTED EXCEPT BLACK VINYL-COATED CYCLONE FENCING WITH POST AND RAILING MATERIALS TO BE LIMITED TO TOP-GRADE, TREATED, ROUND LANDSCAPING POST MATERIAL. FENCE WEBBING SHALL BE LIMITED TO BLACK VINYL-COATED CYCLONE FENCING MATERIAL.

TRADITIONAL FENCING, INCLUDING BUT NOT LIMITED TO, SPLIT RAIL, VINYL, AND CHAIN LINK TYPE FENCING (EXCEPT AS DESCRIBED IN THIS SECTION ABOVE) ARE PROHIBITED. CONSTRUCTION OF ALL FENCING SHALL BE OF FIRST-CLASS WORKMANSHIP AND UTILIZE ONLY NEW BUILDING CONSTRUCTION MATERIALS.

**ALL FENCING, GATES, AND WALLS MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE BEFORE CONSTRUCTION BEGINS.**

2. Except as expressly amended by the terms of this Fourth Amendment, the remaining terms and provisions of the Dedication, as amended by the Second and Third Amendments, remain in full force and effect, except for all of the provisions of the First Amendment, which was revoked in its entirety by the Second Amendment.

Pursuant to Section V(C) of the Dedication, as amended, the undersigned homeowners, constituting more than 50 percent of the lots of Timberling Hollow, hereby consent to and adopt the changes set forth herein above.

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