

**SECOND AMENDMENT TO THE DECLARATION
OF UNIT OWNERSHIP ESTATE FOR COLONY COVE**

THIS SECOND AMENDMENT TO THE DECLARATION OF UNIT OWNERSHIP ESTATES FOR COLONY COVE (the "Second Amendment") is entered into effective as of the 25th day of July, 2015 (the "Effective Date"), by and among Colony Cove on Grand Lake, LLC ("Declarant") and the undersigned property owners ("Owners").

WHEREAS, the original Declaration of Colony Cove was filed with the County Clerk of Mayes County, Oklahoma on the 18th day of March, 2003 and recorded in Book 968 at Pages 143-193 (the "Original Declaration") and was amended by the First Amendment to Declaration filed the 30th day of April, 2003 in Book 972 at Page 208 (collectively the "Declaration"); and

WHEREAS, Article 15.1 provides that the Declaration may be amended by a document signed by Owners owning 51% of the Townhome Unit Ownership Interests; and

WHEREAS, Article 15.1 further provides that the interest in the Common Elements designated by the Declaration may be enlarged by such amendment; and

WHEREAS, pursuant to Article 1.1 (q), "Ownership Interests" is defined as the proportionate undivided interests in the Common Elements and that the "Ownership Interest" for each Townhome Unit is 1/69th; and

WHEREAS, Articles 2.1 and 2.2 and Exhibit "B" attached to the Declaration provide for 69 Townhome Unit sites; and

WHEREAS, the Declarant has determined that it will not be possible to construct Units 49 and 62; and

WHEREAS, the Declarant and Owners desire to amend the Declaration to vacate those Units from the Declaration and thereby increase the "Ownership Interest" in the Common Elements of the remaining 67 units to 1/67th; and

WHEREAS, the Affidavit of the President of The Colony Coves Owners Association, Inc. verifying that Owners having more than 51% of the Townhome Unit Ownership Interests in the Colony Cove Development have executed this Second Amendment is attached as Exhibit "A".

NOW, THEREFORE the Declarant and the Owners amend the Declaration as follows:

1. Abandonment and Vacation of Townhome Units 49 and 62. The Declaration and all exhibits attached thereto are hereby amended for the purpose of vacating Townhome Units 49 and 62. The sites upon which Townhome Units 49 and 62 were to be built shall hereafter be considered a part of the Common Elements.

2. Increase of Interest in Common Elements. The Declaration and all exhibits attached thereto are amended for the purpose of increasing the "Ownership Interests" of each remaining Townhome Unit to 1/67th.

1-1996-666645 07/29/2015 3:09 pm
Book 1289 Page(s) 1096-1105
Fee: \$ 31.00 Doc: \$ 0.00
Brittany True-Howard - Mayes County
State of Oklahoma

26.00 GRA (m)

IN WITNESS WHEREOF, this Second Amendment to the Declaration of Unit Ownership Estate for Colony Cove is executed effective as of the Effective Date.

“Declarant”

Colony Cove on Grand Lake, LLC

By: *Hugh Hollowell*
Hugh Hollowell, Manager

STATE OF OKLAHOMA)
COUNTY OF *Mayes*)

ss.

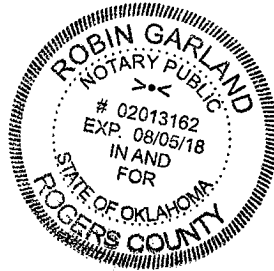
This instrument was acknowledged before me on the 27 day of July, 2015, by Hugh Hollowell as the Manager of Colony Cove on Grand Lake, LLC.

Robin Garland
Notary Public

My Commission Expires:

8-5-2018

Commission No.: _____



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