



Rules of The Association

Rule 3: Amendment of Covenants

1. **Intent:** It is the intent of this rule to provide guidance on the role of the Association in amending the Covenants of any of the Included Subdivisions.
2. **Authority:** The power to amend the Covenants can be located in the Deed of Dedication or under 11 O.S. 42(106.1) (A)¹.
3. **Role of the Association:** When any owner or group of owners undertakes to amend one or more of the covenants in their respective subdivisions, the role of the Association shall be as follows:
 - a. **Advisor:** The Association will advise the owner(s) about the requirements of writing an amendment, creating a ballot, identifying owners eligible to vote on the amendment, circulating the amendment and determining the outcome of the vote.
 - i. The President shall appoint a Member of the Board to be the principal advisor to the Owners (the Board Advisor)
 - ii. If agreed to by two-thirds (2/3) of the Board Members present at a Special Meeting called for the purpose of reviewing the amendment, the Board may consult with attorneys regarding the process for amending going forward.
 - iii. **List of Lot Owners:** If agreed to by two-thirds (2/3) of the Board Members present at a Special Meeting called for the purpose of reviewing the amendment, the Board may authorize the Board Advisor to obtain and convey to the Owners an Abstractor's Certificate of Owners of the lots in the target subdivision.
 1. Alternatively, the Board may authorize the Board Advisor to examine the records of the Rogers County Clerk to ascertain the legal owners of the lots in the target subdivision, if the Board Advisor consents to perform that function.
 - b. **Attestator:** If the effort to amend is successful, the President and the Secretary will sign the Affidavit of Ballot Tabulation and the Amendment.

¹ A. Any restrictive covenant on property contained in a residential addition may be amended if:

1. The restrictive covenant has been in existence for at least ten (10) years and the amendment is approved by the owners of at least seventy percent (70%) of the parcels contained in the addition or the amount specified in the restrictive covenant, whichever is less; or

2. The restrictive covenant has been in existence for at least fifteen (15) years and the amendment is approved by the owners of at least sixty percent (60%) of the parcels contained in the addition or the amount specified in the restrictive covenant, whichever is less.



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- i. This will require the list of voting owners to be reviewed by, and the completed ballots to be counted by, members of the Board.

BY MY SIGNATURE AFFIXED BELOW, I CONFIRM THAT THIS RULE WAS ORIGINALLY APPROVED AND ENACTED BY UNANIMOUS AGREEMENT OF THE BOARD OF DIRECTORS ON MAY 6, 2022.

A handwritten signature in blue ink, appearing to read 'Marc Speer', written over a horizontal line.

Marc Speer, President

A handwritten date '5-6-22' in blue ink, written over a horizontal line.

Date