

**After recording return to:**  
**Caliber Development Company LLC**  
**14301 Caliber Drive, Suite 100**  
**Oklahoma City, Oklahoma 73134**

**FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS AND  
RESTRICTIONS OF THE GROVE ADDITION FOR PURPOSES OF  
ANNEXING ADDITIONAL COMMON AREAS**

**THIS FOURTH AMENDMENT TO DECLARATION** (“Fourth Amendment”), made November \_\_, 2009, by CALIBER DEVELOPMENT COMPANY LLC, a Delaware limited liability company (“Declarant”) hereby amends that certain Declaration of Covenants and Restrictions for The Grove Addition filed June 19, 2007, and recorded in Book 10517 at Page 908 in the office of the County Clerk of Oklahoma County, Oklahoma (the “Original Declaration”), as amended by that certain First Amendment and Annexation to the Declaration of Covenants and Restrictions of The Grove Addition filed January 16, 2008, and recorded in Book 10708 at Page 577 in the office of the County Clerk of Oklahoma County, Oklahoma (the “First Amendment to Declaration”), as amended by that certain Second Amendment and Correction to the Declaration of Covenants and Restrictions of The Grove Addition filed January 24, 2008, and recorded in Book 10714 at Page 203 in the office of the County Clerk of Oklahoma County, Oklahoma (the “Second Amendment to Declaration”), as amended by that certain Third Amendment to the Declaration of Covenants and Restrictions of the Grove Addition filed August 14, 2009, and recorded in Book 11174 at Page 1156 in the office of the County Clerk of Oklahoma County, Oklahoma (the “Third Amendment to Declaration”). The Original Declaration, as amended by the First Amendment to Declaration, the Second Amendment to Declaration, and the Third Amendment to Declaration shall be collectively referred to herein as the “Declaration” and covers the real property and improvements described on Exhibit 1 and Exhibit 2 attached hereto and made a part hereof. All terms capitalized and not otherwise defined herein shall have the meanings given them in the Declaration. By this Fourth Amendment, Declarant declares pursuant to Article X of the Declaration as follows:

1. The real property described as Pipeline Common Area “A” and Recreation Common Area “B” on that certain Final Plat of The Grove Recreation Center filed January 22, 2009, and recorded in Book 67 Plats, at Page 97 in the office of the County Clerk of Oklahoma County, Oklahoma, together with all improvements thereon (the “Annexed Common Area”) is hereby annexed to the Declaration and made subject to the provisions thereof.

2. The definition of Common Area in the Declaration is hereby amended to include the Annexed Common Area.

3. The Declaration, as amended hereby, is ratified and confirmed in all respects.

**[Signature page, acknowledgments, Exhibit 1, and Exhibit 2 attached.]**

CALIBER DEVELOPMENT COMPANY LLC,  
a Delaware limited liability company

By: \_\_\_\_\_  
Jade Noles, President

STATE OF OKLAHOMA    )  
  ) SS:  
COUNTY OF OKLAHOMA )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of November 2009 by Jade Noles, President of CALIBER DEVELOPMENT COMPANY LLC, a Delaware limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_  
Commission no. \_\_\_\_\_

(SEAL)

## Exhibit 1

### The Grove, Phase I

A part of the Northeast Quarter (NE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, City of Oklahoma City, County of Oklahoma, Oklahoma and being more particularly described as follows:

**Commencing** at the Northeast corner of said Northeast Quarter (NE/4); thence South  $00^{\circ}15'55''$  East along the east line of said Northeast Quarter a distance of 395.38 feet to the **POINT OF BEGINNING**; thence continuing South  $00^{\circ}15'55''$  East along the said east line a distance of 1002.12 feet; thence South  $89^{\circ}44'05''$  West a distance of 103.82 feet to a point on a curve to the right, said curve having a radius of 260.50 feet, a central angle of  $21^{\circ}09'15''$ , a chord bearing of North  $79^{\circ}41'17''$  West and a chord distance of 95.63 feet; thence along the arc of said curve a distance of 96.18 feet to a point on a compound curve to the left, said curve having a radius of 139.50 feet, a central angle of  $21^{\circ}09'15''$ , a chord bearing of North  $79^{\circ}41'17''$  West and a chord distance of 51.21 feet; thence along the arc of said curve a distance of 51.50 feet; thence South  $89^{\circ}44'05''$  West a distance of 166.45 feet; thence South  $44^{\circ}44'05''$  West a distance of 48.79 feet; thence South  $00^{\circ}15'55''$  East a distance of 3.74 feet; thence South  $89^{\circ}44'05''$  West a distance of 174.97 feet; thence North  $06^{\circ}06'52''$  West a distance of 228.93 feet; thence North  $23^{\circ}03'37''$  West a distance of 178.64 feet; thence North  $32^{\circ}46'37''$  West a distance of 109.86 feet; thence North  $02^{\circ}45'25''$  East a distance of 70.33 feet; thence North  $59^{\circ}32'25''$  West a distance of 97.44 feet to a point on a non-tangent curve to the left, said curve having a radius of 225.00 feet, a central angle of  $03^{\circ}26'36''$ , a chord bearing of South  $27^{\circ}27'53''$  West and a chord distance of 13.52 feet; thence along the arc of said curve a distance of 13.52 feet; thence North  $64^{\circ}15'25''$  West a distance of 50.00 feet; thence North  $58^{\circ}54'53''$  West a distance of 86.82 feet; thence North  $67^{\circ}48'49''$  West a distance of 135.75 feet; thence North  $76^{\circ}17'48''$  West a distance of 104.87 feet; thence North  $85^{\circ}13'34''$  West a distance of 115.90 feet to a point on a non-tangent curve to the left, said curve having a radius of 225.00 feet, a central angle of  $05^{\circ}28'45''$ , a chord bearing of South  $02^{\circ}11'06''$  East and a chord distance of 21.51 feet; thence along the arc of said curve a distance of 21.52 feet; thence South  $85^{\circ}04'31''$  West a distance of 50.00 feet; thence South  $87^{\circ}54'50''$  West a distance of 147.59 feet; thence North  $07^{\circ}04'29''$  West a distance of 50.58 feet; thence North  $05^{\circ}27'55''$  East a distance of 27.67 feet; thence North  $24^{\circ}27'28''$  East a distance of 69.30 feet to a point on a non-tangent curve to the right, said curve having a radius of 475.00 feet, a central angle of  $04^{\circ}36'37''$ , a chord bearing of North  $77^{\circ}34'44''$  East and a chord distance of 38.21 feet; thence along the arc of said curve a distance of 38.22 feet; thence North  $10^{\circ}06'58''$  West a distance of 50.00 feet; thence North  $12^{\circ}32'31''$  West a distance of 185.34 feet; thence North  $53^{\circ}29'02''$  West a distance of 132.39 feet; thence North  $37^{\circ}01'22''$  West a distance of 44.94 feet; thence North  $24^{\circ}13'32''$  West a distance of 61.31 feet; thence North  $05^{\circ}51'50''$  West a distance of 100.36 feet; thence North  $30^{\circ}52'51''$  West a distance of 31.75 feet to a point on the north line of the Northeast Quarter (NE/4); thence North  $89^{\circ}15'52''$  East along the said north line a distance of 1316.70 feet; thence South  $00^{\circ}43'48''$  East a distance of 392.33 feet; thence North  $89^{\circ}44'08''$  East a distance of 369.21 feet to the point of beginning containing 1,435,926.5569 square feet or 32.9643 acres more or less.

The foregoing is otherwise known and described as all of the real property described in the Plat filed May 31, 2007, and recorded in Book 65 Plats, at Page 42 in the office of the County Clerk of Oklahoma County, Oklahoma.

## Exhibit 2

### **The Grove, Phase II**

A part of the North Half (N/2) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, City of Oklahoma City, County of Oklahoma, Oklahoma and being more particularly described as follows:

**Commencing** at the Northeast corner of said North Half (N/2); thence South  $89^{\circ}15'52''$  West along the north line of the Northeast Quarter a distance of 1689.11 feet to the **POINT OF BEGINNING**; thence from said point of beginning South  $30^{\circ}52'51''$  East a distance of 31.75 feet; thence South  $05^{\circ}51'50''$  East a distance of 100.36 feet; thence South  $24^{\circ}13'32''$  East a distance of 61.31 feet; thence South  $37^{\circ}01'22''$  East a distance of 44.94 feet; thence South  $53^{\circ}29'02''$  East a distance of 132.39 feet; thence South  $12^{\circ}32'31''$  East a distance of 185.34 feet; thence South  $10^{\circ}06'58''$  East a distance of 50.00 feet to a point on a non-tangent curve to the left, said curve having a radius of 475.00 feet, a central angle of  $25^{\circ}48'22''$ , a chord bearing of South  $66^{\circ}58'51''$  West and a chord distance of 212.14 feet; thence along the arc of said curve a distance of 213.94 feet; thence South  $54^{\circ}04'40''$  West a distance of 216.17 feet; thence South  $35^{\circ}50'08''$  East a distance of 122.50 feet; thence South  $54^{\circ}04'40''$  West a distance of 279.89 feet; thence South  $46^{\circ}20'06''$  West a distance of 436.99 feet; thence South  $62^{\circ}13'32''$  West a distance of 268.67 feet; thence South  $10^{\circ}53'13''$  West a distance of 194.82 feet; thence North  $45^{\circ}22'28''$  West a distance of 79.70 feet; thence North  $45^{\circ}48'16''$  West a distance of 136.23 feet to a point on a non-tangent curve to the right, said curve having a radius of 110.00 feet, a central angle of  $82^{\circ}19'23''$ , a chord bearing of South  $72^{\circ}13'14''$  West and a chord distance of 144.80 feet; thence along the arc of said curve a distance of 158.05 feet to a point on a reverse curve to the left, said curve having a radius of 118.00 feet, a central angle of  $51^{\circ}09'24''$ , a chord bearing of South  $87^{\circ}48'14''$  West, and a chord distance of 101.89 feet; thence along the arc of said curve a distance of 105.36 feet; thence North  $27^{\circ}46'28''$  West a distance of 50.00 feet to a point on a non-tangent curve to the left, said curve having a radius of 118.00 feet, a central angle of  $51^{\circ}09'24''$ , a chord bearing of North  $36^{\circ}38'49''$  East and a chord distance of 101.89 feet; thence along the arc of said curve a distance of 105.36 feet to a point on a reverse curve to the right, said curve having a radius of 110.00 feet, a central angle of  $33^{\circ}56'27''$ , a chord bearing of North  $28^{\circ}02'21''$  East and a chord distance of 64.21 feet; thence along the arc of said curve a distance of 65.16 feet; thence North  $17^{\circ}42'37''$  East a distance of 41.53 feet; thence North  $16^{\circ}06'50''$  West a distance of 91.86 feet to a point on a curve to the right, said curve having a radius of 1030.00 feet, a central angle of  $12^{\circ}02'05''$ , a chord bearing of North  $10^{\circ}05'48''$  West and a chord distance of 215.95 feet; thence along the arc of said curve a distance of 216.35 feet; thence North  $47^{\circ}20'27''$  West a distance of 35.99 feet; thence North  $01^{\circ}17'52''$  West a distance of 50.00 feet; thence North  $44^{\circ}44'43''$  East a distance of 35.99 feet to a point on a non-tangent curve to the right, said curve having a radius of 1030.00 feet, a central angle of  $11^{\circ}01'04''$ , a chord bearing of North  $06^{\circ}59'34''$  East and a chord distance of 197.76 feet; thence along the arc of said curve a distance of 198.07 feet to a point on a reverse curve to the left, said curve having a radius of 295.00 feet, a central angle of  $37^{\circ}59'43''$ , a chord bearing of North  $06^{\circ}29'46''$  West and a chord distance of 192.06 feet; thence along the arc of said curve a distance of 195.63 feet; thence North  $25^{\circ}29'37''$  West a distance of 216.15 feet to a point on a curve to the right, said curve having a radius of 355.00 feet, a central angle of  $20^{\circ}47'06''$ , a chord bearing of North  $15^{\circ}06'04''$  West and a chord distance of 128.08 feet; thence along the arc of said curve a distance of 128.78 feet to a point on a reverse curve to the left, said curve having a radius of 100.00 feet, a central angle of  $17^{\circ}16'40''$ , a chord

bearing of North 13°20'51" West and a chord distance of 30.04 feet; thence along the arc of said curve a distance of 30.16 feet to a point on a compound curve to the right, said curve having a radius of 210.23 feet, a central angle of 21°01'04", a chord bearing of North 11°28'40" West and a chord distance of 76.69 feet; thence along the arc of said curve a distance of 77.12 feet; thence North 00°44'08" West a distance of 65.22 feet to a point on the north line of the Northwest Quarter (NW/4); thence North 89°16'35" East a distance of 447.80 feet to the Northwest corner of the Northeast Quarter (NE/4); thence North 89°15'52" East along the north line of the said Northeast Quarter (NE/4) a distance of 960.45 feet to the point of beginning containing 1,663,899.2779 square feet or 38.1979 acres more or less.

The foregoing is otherwise known and described as all of the real property described in the Plat filed May 7, 2008, and recorded in Book 66 Plats, at Page 73 in the office of the County Clerk of Oklahoma County, Oklahoma.