



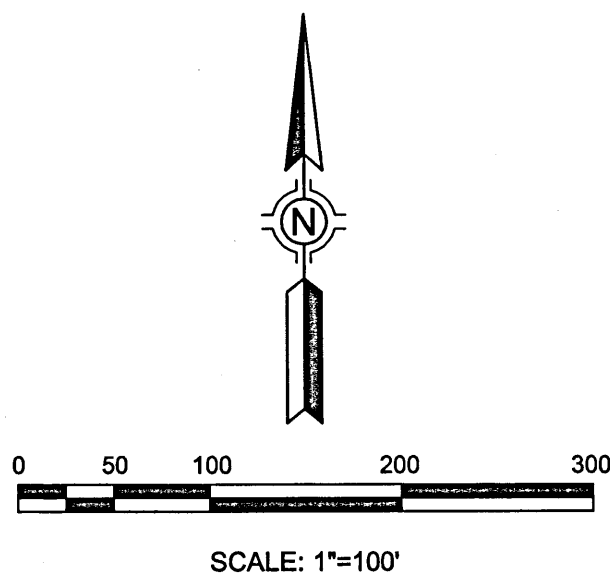
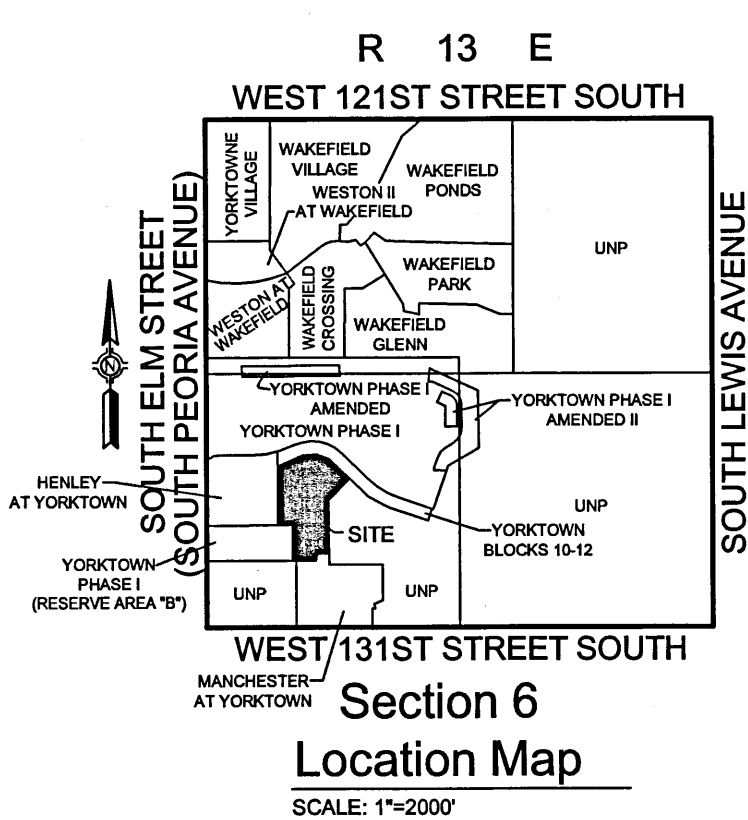
Birmingham at Yorktown

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 6,
TOWNSHIP 17 NORTH, RANGE 13 EAST, CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA

P.U.D. 61 Amended "A"

Owner: Yorktown Holding, L.L.C.
An Oklahoma Limited Liability Company
5711 East 71st Street
Tulsa, Oklahoma 74136
Phone: (918) 494-4004
Contact: Steve Murphy

Engineer/Surveyor:
Sisemore Weisz & Associates, Inc.
Certificate of Authorization No. 2421 Exp. June 30, 2015
6111 E. 32nd Place
Tulsa, Oklahoma 74135
Phone: (918) 665-3600
E-mail: gweisz@sw-assoc.com



STATE OF OKLAHOMA)
COUNTY OF TULSA) SS

I, Pat Key, Tulsa County Clerk, in and for the County
and State above named, do hereby certify that the
foregoing is a true and correct copy of a like instrument
now on file in my office.

Dated the ____ day of ____ 20____
Pat Key, Tulsa County Clerk

Deputy

CERTIFICATE

I hereby certify that all real estate taxes involved in
this plat have been paid as reflected by the current tax
rolls. Security as required has been provided in the
amount of \$ 17,179.00 per trust receipt no.
13333 to be applied to 20 14 taxes. This
certificate is NOT to be construed as payment of
20 14 taxes in full but is given in order that this plat
may be filed on record. 20 14 taxes may exceed the
amount of the security deposit.

Dated 15-Apr-14
Dennis Seidman
Tulsa County Clerk
By: Deputy

NOTE: SEE SHEET 2 FOR CURVE & LINE TABLE.

Subdivision Statistics:

SUBDIVISION CONTAINS THIRTY-EIGHT (38) LOTS IN FOUR (4) BLOCKS - THIS PLAT
SUBDIVISION CONTAINS 12.632 TOTAL ACRES (550,247 SF) - THIS PLAT
RESERVE AREA "A" & U/E CONTAINS 0.411 ACRES (17,892 SF) - "HENLEY AT YORKTOWN" PLAT
RESERVE AREA "B" & U/E CONTAINS 0.064 ACRES (2,775 SF) - "HENLEY AT YORKTOWN" PLAT
RESERVE AREA "C" & U/E CONTAINS 0.010 ACRES (439 SF) - "HENLEY AT YORKTOWN" PLAT
RESERVE AREA "D" & U/E CONTAINS 1.773 ACRES (77,226 SF) - THIS PLAT
RESERVE AREA "E" & U/E CONTAINS 0.033 ACRES (1,449 SF) - "MANCHESTER AT YORKTOWN" PLAT
RESERVE AREA "F" & U/E CONTAINS 0.017 ACRES (744 SF) - "MANCHESTER AT YORKTOWN" PLAT
RESERVE AREA "G" & U/E CONTAINS 0.017 ACRES (746 SF) - "MANCHESTER AT YORKTOWN" PLAT

Legend:

U/E = UTILITY EASEMENT
B/L = BUILDING SETBACK LINE
S/D/E = STORM SEWER EASEMENT
S/S/E = SANITARY SEWER EASEMENT
F/E = FENCE EASEMENT
R/W = RIGHT-OF-WAY
ACC = ACCESS
LNA = LIMITS OF NO ACCESS
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
RES. = RESERVE
SWB = SOUTHWESTERN BELL
W/U/E = WATERLINE EASEMENT
R = RADIUS
CB = CHORD BEARING
CL = CHORD LENGTH

Basis of Bearing:

ASSUMED USING THE WEST LINE OF NW/4, SECTION 6 AS
N 1°08'40" W AND AS SHOWN PER THE RECORDED PLAT OF
YORKTOWN PHASE I.

Benchmark:

5/8" REBAR- 1-1/2" ALUMINUM CAP STAMPED "356", SET SE
OF THE INTERSECTION OF W. 121ST ST. S. & S. ELM STREET.
N 365965.22
E 2567293.76
1988 NAVD DATUM
ELEVATION=722.62

Monumentation:

3/8" IRON PINS TO BE SET AT ALL LOT CORNERS
UNLESS OTHERWISE NOTED.



Birmingham at Yorktown

Sheet 1 of 4
Date Prepared: October 1, 2013

Birmingham at Yorktown

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 6,
TOWNSHIP 17 NORTH, RANGE 13 EAST, CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA

P.U.D. 61 Amended "A"

Line Table		
LINE#	LENGTH	BEARING
L1	4.00'	N 88°36'36" E
L2	10.64'	N 77°18'00" E
L3	226.94'	S 8°08'51" E
L4	67.18'	N 7°26'11" W
L5	57.67'	S 88°36'36" W
L6	35.36'	N 43°36'47" E
L7	24.58'	S 88°51'20" W
L8	20.02'	N 88°36'47" E
L9	24.58'	N 88°51'20" E
L10	35.36'	S 46°23'13" E
L11	19.98'	N 88°36'47" E
L12	50.46'	S 1°08'40" E
L13	220.92'	N 8°08'51" W
L14	88.08'	N 36°42'06" E
L15	280.50'	N 88°51'20" E

Line Table (Cont.)		
LINE#	LENGTH	BEARING
L16	49.76'	N 43°43'48" E
L17	165.62'	N 1°08'40" W
L18	99.87'	N 13°08'40" W
L19	145.22'	N 1°08'40" W
L20	146.74'	S 1°08'40" E
L21	99.87'	S 13°08'40" E
L22	157.85'	S 1°08'40" E
L23	37.33'	S 43°43'48" W
L24	281.61'	S 88°51'20" W
L25	101.61'	S 36°42'06" W
L26	112.11'	S 88°36'36" W
L27	49.76'	S 7°26'11" E
L28	1.36'	N 7°26'11" W
* L29	28.34'	N 6°01'01" E
* L30	23.17'	S 66°01'01" W

Curve Table					
CURVE#	LENGTH (L)	RADIUS (R)	DELTA (Δ)	CHORD LENGTH (CL)	CHORD BEARING (CB)
C1	39.16'	25.00'	89°45'15"	35.28'	N 43°43'58" E
C2	14.80'	75.00'	11°18'36"	14.78'	N 82°57'18" E
C3	14.80'	75.00'	11°18'36"	14.78'	N 82°57'18" E
* C4	39.27'	25.00'	90°00'00"	35.36'	S 1°54'15" E
* C5	35.88'	25.00'	82°13'26"	32.88'	S 47°30'04" W
* C6	99.98'	471.50'	12°08'59"	99.80'	S 12°27'50" W
C7	52.83'	175.00'	17°17'48"	52.63'	S 67°22'02" W
C8	44.75'	125.00'	20°30'37"	44.51'	S 68°58'27" W
C9	39.38'	25.00'	90°14'45"	35.43'	N 46°16'02" W
C10	13.71'	25.00'	31°25'26"	13.54'	S 14°34'04" W
C11	133.60'	50.00'	153°05'26"	97.26'	S 46°15'56" E
C12	13.71'	25.00'	31°25'26"	13.54'	N 72°54'04" E
C13	13.71'	25.00'	31°25'26"	13.54'	S 75°40'30" E
C14	133.17'	50.00'	152°36'18"	97.16'	N 43°44'04" E
C15	13.71'	25.00'	31°25'26"	13.54'	N 16°51'23" W
C16	25.10'	103.00'	13°57'46"	25.04'	N 5°50'13" E
C17	28.97'	25.00'	66°23'29"	27.38'	N 46°00'51" E
C18	16.72'	5.32'	180°00'00"	10.65'	N 82°33'49" E
C19	2.79'	1.00'	159°44'43"	1.97'	N 87°18'32" W
C20	37.71'	25.00'	86°25'20"	34.23'	S 50°38'51" E
C21	12.41'	113.00'	6°17'31"	12.40'	S 4°17'25" E
C22	45.28'	1050.86'	2°28'07"	45.27'	N 87°22'32" E
C23	39.16'	25.00'	89°45'15"	35.28'	S 43°43'58" W
C24	39.38'	25.00'	90°14'34"	35.43'	S 46°15'56" E
C25	39.16'	25.00'	89°45'26"	35.28'	N 43°44'04" E
C26	49.78'	140.80'	20°15'17"	49.52'	S 2°41'28" W
C27	39.16'	25.00'	89°45'26"	35.28'	N 43°44'04" E
C28	39.43'	25.00'	90°22'41"	35.47'	S 46°11'53" E
C29	39.10'	25.00'	89°37'19"	35.24'	S 43°48'07" W
* C30	144.80'	421.50'	19°40'59"	144.09'	S 8°41'50" W
C31	161.98'	471.50'	19°40'59"	161.18'	S 8°41'50" W
* C32	39.27'	25.00'	90°00'00"	35.36'	S 88°05'45" W
* C33	225.32'	185.00'	69°46'57"	211.65'	N 81°47'43" W
* C34	90.97'	1301.86'	4°00'13"	90.95'	S 65°18'55" W
* C35	149.36'	125.00'	68°27'41"	140.63'	S 33°05'11" W
* C36	19.05'	125.00'	8°44'02"	19.04'	S 3°13'22" W
* C37	18.02'	25.00'	41°17'18"	17.63'	S 28°14'01" W

Curve Table (Cont.)					
CURVE#	LENGTH (L)	RADIUS (R)	DELTA (Δ)	CHORD LENGTH (CL)	CHORD BEARING (CB)
* C38	130.19'	50.00'	149°11'15"	96.41'	S 25°42'57" E
* C39	13.75'	25.00'	31°30'37"	13.58'	S 84°33'16" E
* C40	154.50'	400.50'	22°06'08"	153.54'	S 79°51'02" E
* C41	39.16'	25.00'	89°45'26"	35.28'	N 46°01'23" W
* C42	39.38'	25.00'	90°14'34"	35.43'	S 43°58'37" W
* C43	139.89'	350.50'	22°52'05"	138.97'	S 79°28'03" E
* C44	35.83'	25.00'	82°06'56"	32.84'	N 26°58'32" W
* C45	46.51'	175.00'	15°13'35"	46.37'	N 6°28'08" E
* C46	89.62'	75.00'	68°27'41"	84.38'	N 33°05'11" E
* C47	94.46'	1351.86'	4°00'13"	94.44'	N 65°18'55" E
* C48	164.42'	135.00'	69°46'57"	154.45'	S 81°47'43" E
* C49	39.27'	25.00'	90°00'00"	35.36'	S 1°54'15" E
* C50	250.94'	325.00'	44°14'25"	244.76'	S 20°58'33" W
C51	93.62'	296.00'	18°07'20"	93.23'	S 10°12'19" E
* C52	39.27'	25.00'	90°00'00"	35.36'	S 88°05'45" W
* C53	212.34'	275.00'	44°14'25"	207.10'	S 20°58'33" W
* C54	39.38'	25.00'	90°14'34"	35.43'	S 46°15'56" E
C55	96.33'	421.50'	13°05'42"	96.12'	S 11°59'29" W
C56	42.25'	25.00'	96°49'51"	37.40'	S 42°58'18" E
C57	13.65'	25.00'	31°17'02"	13.48'	N 72°58'16" E
C58	133.47'	50.00'	152°56'44"	97.23'	S 46°11'53" E
C59	13.65'	25.00'	31°17'02"	13.48'	S 14°37'59" W
C60	43.53'	25.00'	99°45'42"	38.24'	N 50°53'24" W
C61	40.94'	25.00'	93°49'21"	36.51'	S 41°42'06" W
C62	37.85'	533.50'	4°03'55"	37.84'	S 3°10'37" E
C63	47.25'	30.00'	90°14'34"	42.52'	N 46°15'56" W
C64	18.85'	6.00'	180°00'00"	12.00'	N 88°51'20" E
C65	39.08'	499.50'	4°28'57"	39.07'	N 3°23'08" W
C66	18.85'	6.00'	180°00'00"	12.00'	S 84°22'24" W
C67	38.14'	487.50'	4°28'57"	38.13'	S 3°23'08" E
C68	47.00'	30.00'	89°45'26"	42.34'	N 43°44'04" E
C69	143.44'	453.50'	18°07'20"	142.84'	N 10°12'19" W
C70	28.43'	25.00'	65°08'59"	26.92'	N 58°48'44" W
C71	107.74'	246.00'	25°05'35"	106.88'	N 13°41'27" W

* DENOTES BIRMINGHAM AT YORKTOWN PLAT

Birmingham at Yorktown

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 6,
TOWNSHIP 17 NORTH, RANGE 13 EAST, CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA

P.U.D. 61 Amended "A"

Deed of Dedication BIRMINGHAM AT YORKTOWN

L. COMMERCIAL STRUCTURES:

NO BUILDING OR STRUCTURE SHALL BE PLACED, ERECTED OR USED AT ANY TIME FOR ANY BUSINESS, PROFESSIONAL, TRADE OR COMMERCIAL PURPOSE ON ANY PORTION OF ANY RESIDENTIAL LOT; PROVIDED, HOWEVER, THAT OWNER, AS THE DEVELOPER OF THE SUBDIVISION MAY MAINTAIN A SALES OFFICE IN THE SUBDIVISION FOR THE SALE OF THE SUBDIVISION LOTS AND BUILDING CONTRACTORS MAY MAINTAIN SALES OFFICES, CONSTRUCTION TRAILERS, AND MODEL HOMES IN THE SUBDIVISION FOR THE CONSTRUCTION, SALE AND DISPLAY OF HOMES LOCATED, OR TO BE LOCATED, IN THE SUBDIVISION SUBJECT TO THE CITY OF JENKS ZONING CODE REQUIREMENTS.

M. TRASH RECEPTACLES:

TRASH RECEPTACLES CANNOT BE LEFT CURBSIDE FOR MORE THAN A 24 HOUR PERIOD OF TIME. ALL TRASH RECEPTACLES SHALL BE KEPT INSIDE OF A GARAGE OR SCREENED FROM VIEW FROM ALL STREETS WITHIN THE SUBDIVISION.

N. BUILDING REQUIREMENTS AND AMENDMENTS:

ANY MODIFICATIONS OR AMENDMENTS TO THE BUILDING AND/OR ARCHITECTURAL REQUIREMENTS LISTED UNDER THIS SECTION (SECTION III. PRIVATE BUILDING AND USE RESTRICTIONS) SHALL ONLY BE ALLOWED WITH ARCHITECTURAL COMMITTEE APPROVAL AS DESCRIBED UNDER SECTION III.A HEREOF.

SECTION IV. HOMEOWNERS ASSOCIATION

A. FORMATION OF MASTER AND NEIGHBORHOOD HOMEOWNERS ASSOCIATIONS

THE OWNERS OF BIRMINGHAM AT YORKTOWN FORMED A MASTER HOMEOWNERS ASSOCIATION (YORKTOWN MASTER HOMEOWNERS ASSOCIATION) WHICH IS THE PRINCIPLE HOMEOWNERS ASSOCIATION AFFECTING AND INCLUDING EACH OWNER OF A LOT OF RECORD WITHIN ALL OF THE CURRENT AND FUTURE OF LAND AND ARE AS SHOWN WITHIN THE APPROVED YORKTOWN PLANNED UNIT DEVELOPMENT (PUD NO. 61). ADDITIONALLY, ALL OF THE CURRENT AND FUTURE YORKTOWN NEIGHBORHOOD COMMUNITIES SHALL ALSO BE MEMBERS OF A YORKTOWN NEIGHBORHOOD HOMEOWNERS ASSOCIATION CONSISTING OF DEFINED LOTS AND BLOCKS REPRESENTING THE INDIVIDUAL NEIGHBORHOODS WITHIN THE OVERALL YORKTOWN DEVELOPMENT COMMUNITY. THE YORKTOWN MASTER AND NEIGHBORHOOD HOMEOWNERS ASSOCIATIONS HAVE / SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND ARE TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS OF THE OVERALL YORKTOWN COMMUNITY, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE YORKTOWN COMMUNITY.

B. MEMBERSHIP

ANY OWNER OF A LOT IN THE OVERALL YORKTOWN COMMUNITY SHALL AUTOMATICALLY BECOME A MEMBER OF THE NEIGHBORHOOD HOMEOWNERS ASSOCIATION FOR THAT RESPECTIVE NEIGHBORHOOD COMMUNITY IN WHICH SUCH LOT BELONGS. EACH NEIGHBORHOOD COMMUNITY SHALL LIKEWISE AUTOMATICALLY BECOME MEMBERS OF THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION (YMHHA). MEMBERSHIP OF THE NEIGHBORHOOD HOMEOWNERS ASSOCIATION SHALL BE LIMITED TO THE RECORD OWNER, WHETHER ONE OR MORE PERSONS OR ENTITIES, OF A FEE SIMPLE TITLE TO A LOT SITUATED WITHIN ALL OF THE CURRENT AND FUTURE YORKTOWN NEIGHBORHOODS COMPRISING THE OVERALL YORKTOWN COMMUNITY. IN ADDITION, OWNERS OF LOTS OF RECORD WITHIN THE PRESENTLY PLATTED AND DEVELOPED NEIGHBORHOOD COMMUNITY OF "WESTON AT WAKEFIELD" AND "WESTON II AT WAKEFIELD" SHALL BE ALLOWED TO PARTICIPATE IN THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION AND HAVE PRIVILEGES AND RIGHTS TO THE FULL USE & ENJOYMENT OF THE COMMUNITY POOL AND IMPROVEMENTS LOCATED WITHIN RESERVE AREA "G" OF YORKTOWN PHASE I, AND OTHER CERTAIN YORKTOWN COMMUNITY COMMON AREAS AS TO BE SET FORTH BY THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION. SUCH LOT OWNERS SHALL BE ENTITLED TO THESE PRIVILEGES ON AN INDIVIDUAL BASIS, YEARLY, BY PAYING THE ANNUAL YMHHA DUES (EQUAL TO AMOUNT PAID BY YORKTOWN RESIDENTS). THE FOREGOING IS NOT INTENDED TO INCLUDE PERSONS OR ENTITIES THAT HOLD AN INTEREST MERELY AS SECURITY FOR THE PERFORMANCE OF AN OBLIGATION, OTHER THAN CONTRACT SELLERS. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM OWNERSHIP OF ANY LOT SITUATED WITHIN THE YORKTOWN COMMUNITY OR SUCH NEIGHBORHOOD COMMUNITIES THAT MAY BE ANNEXED OR MERGED INTO THE JURISDICTION OF THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION. OWNERSHIP OF A LOT SHALL BE THE SOLE QUALIFICATION OF MEMBERSHIP WITH RESPECT TO THOSE PROPERTY OWNERS IN YORKTOWN.

C. ASSESSMENT

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN THE OVERALL YORKTOWN COMMUNITY SHALL BE SUBJECT TO ASSESSMENT BY THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION THROUGH THEIR COMMUNITY MEMBERSHIP FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE PRIMARY COMMON AREAS OF THE YORKTOWN PHASE I SUBDIVISION, WHICH CONSIST OF RESERVE AREAS "A", "B", "C" & U/E, "F" & U/E, "G", "H" & U/E, "I" & U/E, "L" & U/E, "M" & U/E, "O", "P" & U/E, AND "Q" & U/E OF YORKTOWN PHASE I; RESERVE AREAS "A" & U/E AND "B" & U/E, HENLEY AT YORKTOWN; RESERVE AREA "D" & U/E, BIRMINGHAM AT YORKTOWN; AND RESERVE AREAS "E" & U/E, "F" & U/E, AND "G" & U/E, MANCHESTER AT YORKTOWN. EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN THE PRESENTLY PLATTED AND DEVELOPED NEIGHBORHOOD COMMUNITY OF "WESTON AT WAKEFIELD" AND "WESTON II AT WAKEFIELD" AND WITHIN OTHER LAND AREAS LOCATED OUTSIDE OF THE YORKTOWN COMMUNITY THAT MAY BE ANNEXED OR MERGED INTO THE JURISDICTION OF THE ASSOCIATION, WHO ELECT IN WRITING TO JOIN THE ASSOCIATION, AND HAVE SUCH PRIVILEGES AND RIGHTS TO THE FULL USE & ENJOYMENT OF THE COMMUNITY POOL AND IMPROVEMENTS LOCATED WITHIN RESERVE AREA "G" OF YORKTOWN PHASE I, AND OTHER CERTAIN YORKTOWN COMMUNITY COMMON AREAS AS SET FORTH OR TO BE SET FORTH BY THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION, SHALL BE SUBJECT TO THE OVERALL YORKTOWN COMMUNITY.

D. REQUIRED MOWING OF VACANT LOTS

THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MOW ANY VACANT LOT WITHIN THE OVERALL YORKTOWN DEVELOPMENT COMMUNITY AFTER COMPLETION OF A 10 DAY NOTICE PERIOD TO THE LOT OWNER BY THE CITY OF JENKS CODE ENFORCEMENT DEPARTMENT THAT EFFECTIVELY STATES THAT SAID LOT IS IN VIOLATION OF SECTION 13-1-13, ABATEMENT OF WEEDS AND TRASH OF THE JENKS CITY CODE. THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION SHALL HAVE THE RIGHT TO ADD COSTS OF SAID MOWING TO SAID LOT OWNERS HOMEOWNERS ASSOCIATION DUES TO BE COLLECTED IN ACCORDANCE WITH SUBSECTION IV.C OF THIS SECTION.

SECTION V. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS, THEIR SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. STREETS, EASEMENTS AND UTILITIES, AND SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I AND II WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE OWNERS OF THE LOTS WITHIN YORKTOWN AND THE CITY OF JENKS AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA. IF THE UNDERSIGNED OWNER, OR ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOTS WITHIN YORKTOWN SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF JENKS, ANY OWNER OF A LOT OR A PROPERTY OWNERS ASSOCIATION FORMED FOR THIS SUBDIVISION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT IN ANY JUDICIAL ACTION BROUGHT BY A PROPERTY OWNERS ASSOCIATION OR AN OWNER OF A LOT WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEYS FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL AND SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. STREETS, EASEMENTS AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE JENKS PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF JENKS, OKLAHOMA. THE COVENANTS WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL OWNERSHIP IN YORKTOWN PHASE I, YORKTOWN PHASE I AMENDED, YORKTOWN PHASE I AMENDED II, YORKTOWN BLOCKS 10 - 12, AND OTHER PLATTED YORKTOWN COMMUNITIES, AS APPLICABLE, AND APPROVAL BY THE CITY OF JENKS PLANNING COMMISSION AND JENKS CITY COUNCIL. THE COVENANTS WITHIN SECTION III. PRIVATE BUILDING AND USE RESTRICTIONS, AND SECTION IV. HOMEOWNERS ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL OWNERS WITHIN THAT NEIGHBORHOOD COMMUNITY THAT DESIRES THE CHANGE. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF: YORKTOWN HOLDING, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS 3rd DAY OF October, 2013.

YORKTOWN HOLDING, L.L.C.
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY [Signature]
MANAGER

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss.

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS 3rd DAY OF October, 2013, PERSONALLY APPEARED Shawn McElath TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME, AS ITS MANAGER, THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSE THEREIN SET FORTH.

Shawn McElath
NOTARY PUBLIC

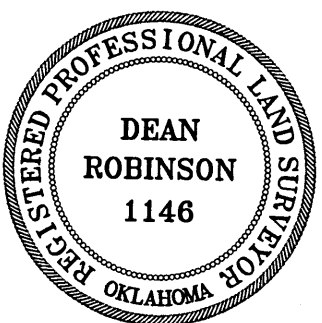


MY COMMISSION EXPIRES:
AUGUST 12, 2017

COMMISSION NUMBER:
13007397

CERTIFICATE OF SURVEY

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, INC., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "BIRMINGHAM AT YORKTOWN", A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

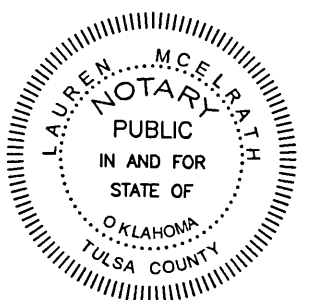


Dean Robinson
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1146

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss.

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, ON THIS 2nd DAY OF October, 2013, PERSONALLY APPEARED DEAN ROBINSON, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

Shawn McElath
NOTARY PUBLIC



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