

4.5.

ACT AMENDING AND MODIFYING  
THE DEED RESTRICTIONS AND  
COVENANTS FOR VERSAILLES  
SUBDIVISION AND ADDING  
PHASE 5C, VERSAILLES SUBDIVISION,  
TO THE EFFECTS THEREOF

STATE OF LOUISIANA  
PARISH OF ST. TAMMANY

BY: L.M. LAND DEVELOPMENT, L.L.C.  
FOR: VERSAILLES SUBDIVISION, PHASE 5C

St. Tammany Parish 21  
Instrmnt #: 1615442  
Registry #: 1717290 SHM  
4/16/2007 1:32:00 PM  
MB CB X MI UCC

BE IT KNOWN, that on this 13th day of April, 2007.

BEFORE ME, Martha L. Jumonville, Notary, in the Parish and State aforesaid, and in the presence of the undersigned competent witnesses, personally came and appeared:

L.M. LAND DEVELOPMENT, L.L.C., a limited liability company organized under the laws of the State of Louisiana, domiciled and doing business in St. Tammany Parish, Louisiana, herein represented by the undersigned manager, the mailing address of which is declared to be 845 Galvez Street, Mandeville, Louisiana 70448 (hereinafter referred to as "Developer")

WHICH DEVELOPER DECLARED, that it is the record owner of portions of ground located in Sections 16 & 17, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, containing a total of 44.463 acre of land ("The Property") on which 86 residential lots have been developed, known as VERSAILLES SUBDIVISION PHASE 5C. Although the plat does not designate the property to be "The Estates of Versailles", Developer declared that this phase is, in fact, part of "The Estates of Versailles". Said property is described in accordance with the plat and survey prepared by Kelly J. McHugh & Associates, Inc., dated December 12, 2006 revised through February 6, 2007, hereinafter referred to as the "plat". A full legal description of the property and the location of the said 86 lots are shown by reference to the said subdivision plat which has been approved by the Parish authorities, and duly filed with the Clerk of Court, St. Tammany Parish, as Map File No. 4431, all of which is incorporated hereby by reference.

03, 0278

AND WHICH DEVELOPER DECLARED, that it desires to submit these lots to certain deed restrictions and covenants in order to provide for the preservation of values and in the subdivision, and in order to accomplish this end it is necessary that these deed restrictions and covenants be placed of record.

AND TO THAT END, Developer does hereby and by these presents amend and modify the Deed Restrictions and Covenants previously filed with regard to the subdivision, recorded as Instrument No. 1476373, so as to add to the effects thereof all lots in Phase 5C of Versailles Subdivision, so that hereafter, said lots shall be held, conveyed, encumbered, sold, leased, rented, used, occupied and owned subject to the conditions, covenants, privileges, restrictions and contractual obligations and rights as set forth therein, all of which are declared to be in aid of a plan for the improvement of the Property. The said Deed Restrictions and Covenants shall be deemed to run with the land and bind the land, and shall insure to the benefit of and be enforceable by the Developer, its successors and assigns, and any person or entity acquiring or owning an interest in the Property or any portion thereof.

AND NOW DEVELOPER DECLARED, that by reference to the restrictions recorded as referenced above, all of the provisions thereof are adopted and applied to Phase 5C as stated.

AND NOW DEVELOPER DECLARED, that it adds this new phase of Versailles Subdivision to the effects of the restrictions under the authority reserved to Developer in Article V., 1, of the original Deed Restrictions and Covenants, recorded as Instrument Nos. 1476373 and 946948.

THUS DONE AND PASSED, in the presence of me, Notary, and that of the undersigned competent witnesses after reading the whole and for the purposed stated herein, in Covington, Louisiana, this 13<sup>th</sup> day of April, 2007.

WITNESSES:

Anna Dupuy  
ANNA DUPUY  
Sandra Mackay  
SANDRA MACKAY

I.M. LAND DEVELOPMENT, L.L.C.  
BY [Signature]  
GARY M. INTRAVIA, MANAGER

[Signature]  
NOTARY PUBLIC  
MARTHA L. JUMONVILLE, BAR #7592

PHASE 5-C - ST. TAMMANY PARISH PLAT MAP 4431  
RESTRICTIVE COVENANTS LISTED ON MAP

MINIMUM RESTRICTIVE COVENANTS

1. EACH LOT WILL NOT HAVE MORE THAN ONE DWELLING.
2. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED BEFORE THE SEWERAGE AND WATER SYSTEMS ARE INSTALLED AND OPERABLE OR OTHERWISE CONNECTED TO A COMMUNITY (CENTRAL) SEWERAGE AND/OR WATER SYSTEM(S), ALL AS APPROVED BY ST. TAMMANY PARISH DEPARTMENT OF ENVIRONMENTAL SERVICES. WHENEVER A SUBDIVISION IS SERVED BY A COMMUNITY (CENTRAL) WATER SYSTEM (SUPPLY), NO PRIVATE WATER SUPPLY MAY BE DRILLED OR OTHERWISE CONSTRUCTED ON ANY LOT FOR THE PURPOSE OF SUPPLYING POTABLE WATER TO ANY BUILDING OR STRUCTURE, EXCEPT FOR THE PURPOSE OF IRRIGATION, AND IN NO EVENT SHALL THERE BE A PHYSICAL CONNECTION BETWEEN ANY SUCH SOURCE AND ANY ELEMENT OF THE COMMUNITY (CENTRAL) WATER SYSTEM (SUPPLY).
3. BUILDING SETBACKS ARE: FRONT - 30', SIDE - 10', REAR: LOTS 254, 256, & 257 -25', ALL OTHER LOTS 30', SIDE STREET - 20'.
4. CONSTRUCTION OF ANY NATURE, INCLUDING FENCES, IS PROHIBITED IN PARISH DRAINAGE OR STREET EASEMENTS.
5. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THERE ON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD, PARTICULARLY THE USE OF LOTS AS DUMPS OR JUNK CAR STORAGE.
6. THE MINIMUM ELEVATION FOR THE LOWEST FLOOR OF ALL RESIDENCES SHALL BE DETERMINED FROM THE LATEST FEMA FLOOD INSURANCE RATE MAPS. THIS PROPERTY LOCATED IN FLOOD ZONES A11 B & C. F.I.R.M. PANEL NO. 225205 0240 E REVISED 8-16-95 AND F.I.R.M. PANEL NO. 225205 0230 C, REVISED 10-17-89.
7. NO MOBILE HOMES WILL BE PERMITTED IN THIS SUBDIVISION.
8. NO LOT WILL BE FURTHER RESUBDIVIDED WITHOUT THE PRIOR APPROVAL OF THE PLANNING COMMISSION.
9. DRIVEWAYS ON CORNER LOTS SHALL NOT BE LOCATED ANY CLOSER THAN SIXTY (60') FEET FROM THE CORNER OF THE PROPERTY WHERE THE SAID TWO STREET RIGHTS OF WAY INTERSECT.
10. NO DRIVEWAY CULVERTS ARE REQUIRED.
11. THERE IS HEREIN AND HEREBY DEDICATED AND ESTABLISHED A DRAINAGE SERVITUDE IN FAVOR OF ALL LOTS IN THE SUBDIVISION TEN (10') FEET WIDE ALONG THE INTERIOR SIDE AND REAR BOUNDARY LINES OF EACH LOT, ALTHOUGH NOT DEPICTED UPON THIS RECORDED SUBDIVISION PLAT, WHICH SERVITUDE 1) RESTRICTS ANY PLACEMENT OF FILL; OR 2) INSTALLATION OF SURFACESWALES OR SUBSURFACE DRAINAGE BY OR AT THE EXPENSE OF OWNER AS DETERMINED NECESSARY BY THE DEVELOPER OR BY ACC FROM TIME TO TIME TO FACILITATE SURFACE RUNOFF IN ACCORDANCE WITH THE APPROVED DRAINAGE PLAN OR TO ACCOMMODATE UNANTICIPATED RUNOFF BECAUSE OF EITHER NATURAL OR MAN-MADE ADVERSE TOPOGRAPHIC FEATURES OR OTHER UNFORSEEN CAUSES.

DEDICATION:

ALL STREET RIGHTS-OF-WAY AS SHOWN HEREON ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER USE. EASEMENTS SHALL BE RESERVED FOR DRAINAGE & UTILITIES AS INDICATED HEREON AND NO OBSTRUCTION OR IMPROVEMENTS SHALL BE ALLOWED THAT WOULD PREVENT THEM FROM BEING USED FOR THEIR INTENDED PURPOSE.

OWNER

DATE