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STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

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**FIRST AMENDMENT TO THE DECLARATION OF
PROTECTIVE COVENANTS AND RESTRICTIONS**

FOR

THE PRESERVE AT HARVESTON

THIS FIRST AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE PRESERVE AT HARVESTON ("First Amendment") is made and entered into this 12th day of June, 2014, by Longwood Development I Corporation, a Louisiana corporation, herein represented by its duly authorized Secretary, John H. Fetzer, III and its duly authorized President, Milford Wampold III, which corporation is hereinafter referred to as "Developer".

WITNESSETH:

WHEREAS, the Declaration of Protective Covenants and Restrictions for The Preserve at Harveston ("Declaration") dated May 29, 2013 was recorded with the East Baton Rouge Parish Clerk of Court and Recorder of Mortgages at Original 077, Bundle 12502 said records on May 30, 2013 (hereinafter referred to as "Declaration");

WHEREAS, the Developer may unilaterally at any time amend the Declaration in order to further or execute the Developer's uniform plan for the improvement, development, sale, use, maintenance and enjoyment of the Property or to preserve and enhance the value of the Property;

WHEREAS, the Developer wishes to amend and supplement certain provisions of the Declaration under the provisions of Paragraph 7 of Article VII of the Declaration;

Therefore, Developer does hereby amend and supplement the Declaration in the following particulars, to wit:

1.

Article V, Paragraph 4 (d) is hereby amended, supplemented and restated so that henceforth these provisions shall read as follows:

"(d) Two (2) complete copies of each Submittal shall be submitted by the Owner to the Architectural Control Committee for The Preserve at Harveston c/o John Fetzer at 7543-

A North Jefferson Place Circle, Baton Rouge, Louisiana 70809 as long as there is a Class B Member in existence. One copy of each Submittal shall be retained by the Architectural Control Committee. The other copy of each Submittal shall be returned to the Owner with the Architectural Control Committee's comments. Preliminary plans must receive approval of the Architectural Control Committee before the Owner may submit the Final Plan Submittal. For as long as there is a Class B Membership, the Submittals shall be submitted by email to johnfetzer@bellsouth.net."

2.

Article VI, Paragraph 8 of the Declaration is hereby amended and supplemented so that the following provision is added as a preamble immediately before subparagraph (a):

"8. Architectural Control and Exterior Appearance. The Architectural Control Committee has compiled a statement of Standard Specifications that sets forth materials, construction techniques, specifications and other regulations that must be utilized/adhered to in the construction of all Structures in the Community. The Standard Specifications as amended from time to time by the Architectural Control Committee is hereby incorporated into the Declaration. The following are items that are representative of the regulations contained in the Standard Specifications:"

3.

Article VI, Paragraph 8 (m) of the Declaration is hereby amended and supplemented so that the same shall henceforth read as follows:

"8. Architectural Control and Exterior Appearance.

(m) Uncovered galvanized metal fireplace flues and chimneys are not permitted. Any metal chimney flue must be screened from view with brick or stucco. The top of the chimney must be covered by a chimney cap made of stucco, brick, copper or a dark galvanized metal. An exposed spark arrestor on a manufactured fireplace flue is not acceptable."

4.

Article VI, Paragraph 12 of the Declaration is hereby amended and supplemented so that the same shall henceforth read as follows:

"12. Commercial Operation Prohibited. No commercial business or noxious, offensive trade or activity shall be conducted on any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the Community; this shall not be interpreted to restrict a Builder from erecting temporary warehouses and/or offices on any Lots for the construction of Houses or Townhouses on other Lots, subject to approval of the Architectural Control Committee."

5.

Article VI, Paragraph 18 of the Declaration is hereby amended and supplemented so that the same shall henceforth read as follows:

“18. Mailboxes. A cluster mailbox or mailboxes servicing all Owners of Lots will be provided at a location(s) to be specified by the Developer. No other mailboxes shall be permitted, except on a temporary basis as approved by the Architectural Control Committee.”

6.

Article VI, Paragraph 21 of the Declaration is hereby amended and supplemented so that the same shall henceforth read as follows:

“21. Fences. The materials used, the design, style, color and location of all fencing on any Lot shall be approved by the Architectural Control Committee prior to erection and/or construction. For new construction of Structures that include fencing the submittal of the design, style, color and location of fencing shall be made with the Exterior Material and Color Submittal (Article V, Section 4, b, 3). Fences shall conform to the following:

(a) No fencing or gates shall be erected and/or located on the Lots except (1) pine, cedar and/or cypress picket fences not exceeding four (4') feet in height constructed of rough cut boards, posts and rails (#2 treated material); (2) pine, cedar and/or cypress shadowbox fencing not exceeding eight (8') feet in height constructed of rough cut boards, posts and rails (#2 treated material) (shadowbox fencing shall be constructed in accordance with the drawings and specifications set forth in the Standard Specifications) and (3) wrought iron or simulated wrought iron fencing made of aluminum not exceeding eight (8') feet in height. Use of chain link fencing is prohibited.

(b) Approved fencing shall be finished in accordance with the following:

- i) Picket fences and gates shall be finished as follows:
 - a) Initially treated with Cedar Shield then painted White or White Washed
- ii) Shadow box fences and gates shall be finished as follows:
 - a) Initially treated with Cedar Shield to prevent cracking and surface deterioration by the UV rays of the sun, then stained uniformly with two (2) coats (last coat rolled) of Benjamin Moore Exterior Oil Based Semi-Transparent Stain – Spanish Moss, Product No. 328
- iii) Wrought iron fences and gates shall be painted with:
 - a) Benjamin Moore DTM latex or oil based paint - Black, Bronzestone or Black Forest Green

(c) All pets must be maintained in a fenced area which shall be screened from view with landscaping and/or approved fencing materials so that the pets cannot be seen from any street right-of-way in the community.

(d) For Front Load Lots no fence shall be constructed any closer to the street right of way than twenty (20') feet back of the front build-to line.

(e) Fences located between a Structure (House or Townhouse) and the side property line (i.e., fences wholly or partially within the five (5) side yard on a Lot) may contain a pedestrian or "walk" gate. The pedestrian or walk gate shall adhere to design specifications set forth in the Standard Specifications. If a pedestrian or walk gate is not included, then any fence located in the side yard shall be partially screened from view of the street right of way with landscaping approved by the Architectural Control Committee.

(f) No posts or poles or other structural member of any fence shall be placed or located so that it can be viewed from the street right-of-way, from another Lot or from Common Property (for instance a Trail or an Alley) (all posts and structural members shall be on the inside of the enclosed and/or fenced area).

(g) An Application for approval of fences shall be submitted to the Architectural Control Committee and approved by the Architectural Control Committee prior to any fences being erected, constructed, placed on or permitted to remain on any Lot, nor shall any existing fence be modified unless an Application for change/modification thereof shall first have been submitted to and approved by the Architectural Control Committee. Such Application shall be of such form and shall contain such information as is required under Section 4 of Article V of this Declaration.

(h) Due to strategic and distinct location of Lots 73 through 78 within the Community, a shadowbox fence not exceeding eight (8') feet in height shall be constructed by Developer on a portion of the Common Area adjacent to the rear property lines of these lots. The fence shall be treated and stained as set forth herein. Landscaping shall be installed to partially screen this fence from view from the Bluebonnet Boulevard right of way. Responsibility for repair, maintenance and replacement of this fence shall be by the Association. All maintenance of the fence and landscaping shall be the obligation of the Association."

7.

Article VI, Paragraph 25 (c) of the Declaration is hereby amended and supplemented so that the same shall henceforth read as follows:

"25. Accessory Structures.

(c) The garage constructed on all Front Loaded Lots shall be located a minimum of

eighteen (18") feet back of the front build-to line."

8.

Article VI, Paragraph 25 (e) of the Declaration is hereby amended and supplemented so that Paragraph 25 (e) is added which shall read as follows:

"25. Accessory Structures.

(e) For rear load corner lots (rear load lots that front on a public street or green space (such as a pond) with one sideline of said lot also adjacent to a public street having a rear five (5") foot build-to-line, the garage shall be constructed within 6" of the build-to-line as shown in the applicable section of the Design Guidelines to limit view "down" the alley from the public street adjacent to the lots sideline. Notwithstanding the above, the Owner may substitute a brick wall with brick columns or a shadowbox fence with brick columns for the placement of the garage within 6" of the build-to-line required herein to serve as a substitute visual barrier. Drawings and specifications for these fences are set forth in the Standard Specifications."

This First Amendment to the Declaration has been signed in the Parish of East Baton Rouge, State of Louisiana on the 12th day of June, 2014, in the presence of the undersigned competent witnesses and me, Notary Public, after due reading of the whole.

WITNESSES:

[Signature]
Name: Tina Vance

[Signature]
Name: Campbell B. Fetzer

DEVELOPER:

Longwood Development I Corporation

By: [Signature]
John H. Fetzer, III,
Duly Authorized Secretary

By: [Signature]
Milford Wampold III
Duly Authorized President

[Signature]

Notary Public
Name: E. Hardy Swyers
Bar Roll/Notary #: 12616

E. HARDY SWYERS
Notary Public, Parish of East Baton Rouge, State of LA,
My Commission is issued for life.