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STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

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

**FOR**

**THE PRESERVE AT HARVESTON**

**THIS SECOND AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE PRESERVE AT HARVESTON (“Second Amendment”)** is made and entered into this 17<sup>th</sup> day of November, 2014, by Longwood Development I Corporation, a Louisiana corporation, herein represented by its duly authorized Secretary, John H. Fetzer, 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 First Amendment to the Declaration of Protective Covenants and Restrictions for The Preserve at Harveston (“First Amendment”) dated June 12, 2014 was recorded with the East Baton Rouge Parish Clerk of Court and Recorder of Mortgages at Original 099, Bundle 12586 said records on June 19, 2014 (hereinafter referred to as “First Amendment”);

**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 IV, Paragraph 3 (d) is hereby amended, supplemented and restated so that henceforth

these provisions shall read as follows:

(d) In the event that a Designated Utility and/or the Developer installs pipe, cable, wire or other equipment and facilities that slightly encroach over the boundaries of a public and/or private utility servitude onto a Lot or Common Property, Developer hereby creates additional public and/or private utility servitude (whichever is applicable) to cover the encroachment. The determination of whether or not the encroachment is "slight" is in the sole and uncontrolled discretion of Developer.

2.

Article IV, Paragraph 3 is hereby amended and supplemented so that the following provision is added as subparagraph (e):

(e) The dedication of the private utility servitude(s) as set forth on the Final Plat(s) of The Preserve at Harveston shall be in favor of the Association and the owner or owners (collectively "Beneficiaries") of any Lot in the community served by a Designated Utility within a private utility servitude and the Beneficiaries shall have the right to access, repair, maintain, replace and reestablish the private utilities within any portion or part of the private utility servitude. In the event the private utility encroaches slightly onto Lots or common areas, the right of the Beneficiaries to access the Lots or common areas to exercise the rights dedicated herein and by virtue of the Final Plat(s) of The Preserve at Harveston are hereby affirmed, ratified and acknowledged.


This Second Amendment to the Declaration has been signed in the Parish of East Baton Rouge, State of Louisiana on the 17<sup>th</sup> day of November, 2014, in the presence of the undersigned competent witnesses and me, Notary Public, after due reading of the whole.

WITNESSES:


DEVELOPER:

  
Name: Kimberly Jackson

Longwood Development I Corporation

By:   
John H. Fetzer, III,  
Duly Authorized Secretary

  
Joyce Juneau

  
\_\_\_\_\_  
Notary Public

Name: \_\_\_\_\_  
Bar Roll/Notary #: \_\_\_\_\_

Randy Paul Rousel  
Bar Roll No. 14387  
Notary Public, State of Louisiana  
My Commission is for Life.