

ACT OF RESTRICTIONS

PELICAN POINT GOLF COMMUNITY
13th FILING, PART I (THE OAKS)
& PART II (THE GROVE)

STATE OF LOUISIANA

PARISH OF ASCENSION

INSTRUMENT # 00690417
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ASCENSION CLERK OF COURT
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DEPUTY CLERK

Before me, the undersigned authority, as Notary in and for the Parish of Ascension, State of Louisiana duly commissioned, qualified and residing in said parish and state, personally came and appeared:

Pelican Point Properties, LLC, a Maryland Limited Liability Company, duly registered and authorized to transact business in the State of Louisiana, having its local offices located at 6300 Championship Court, Suite 201, Gonzales, LA 70737; represented herein by DOUGLAS A. DIEZ, its manager, duly authorized; herein referred to as "Developer"

which declares that it is the owner of a certain tract or parcel of ground situated in Section 6 & Section 7, Township 10 South, Range 3 East, Southeastern Land District, East of Mississippi River, Parcel of Pelican Point Golf Community, Ascension Parish, Louisiana, said tract has been developed by Developer into **PELICAN POINT GOLF COMMUNITY, 13TH FILING, PART I, THE OAKS and PART II, THE GROVE** (sometimes referred to **Cypress Point at Pelican Point**) herein referred to as "PPGC, 13th Filing," and the final plat thereof is recorded as Instrument No. 688237, of the official records of said parish and state, and which final plat is made a part hereof by reference, which filing contains 46 lots as designated on said final plat. Developer hereby establishes certain building restrictions and conditions for the benefit of said property and properties, or any part thereof, it being the intention of the Developer to establish these restrictions and conditions as servitudes and covenants running with the land, and encumbering these restrictions and conditions as lots which comprise PPGC, 13th Filing, said restrictions being set out as follows:

1. All of the lots contained in PPGC, 13th Filing are hereby designated as residential lots and restricted to residential use only unless specifically noted by developer. No building shall be erected, altered, placed or permitted to remain on any of said lots other than one (1) detached single family dwelling not to exceed 2 ½ stories in height and a private garage for not more than four (4) automobiles and not less than two (2) automobiles. A lot cannot be used to connect to an adjoining property not owned by Pelican Point Properties, LLC.
2. All driveways must be completed upon completion of the home. Driveways shall be constructed no closer than one foot (1') from the side property line. Driveways must be constructed of concrete and have a minimum width of eleven feet (11'), have a depth of four inches (4"). No driveway shall be permitted adjacent to another except where the configuration of lots dictates it necessary and then must be approved by the Developer's Architectural Control Committee.
3. There shall be a minimum of Two Thousand (2000) square feet living for all lots. No carports will be allowed. Garages must include automatic doors with a minimum of 8' height metal, and these shall remain closed. In certain unusually odd shaped lots, the committee may approve front load garages. Additional autos, trucks, boats, trailers, etc.

may not be stored on any residential lot except in an HOA-Architectural Control Committee approved enclosed structure.

4. No buildings shall be located on any lot nearer to the front property line than the building line dictated by the D-ACC, nor nearer to the side property lines than five feet (5'). For the purpose of covenant, eaves, steps and open porches shall not be considered as part of the building, provided, however, that this shall not be construed to allow any portion of a building on a lot to encroach upon another lot. Detached accessory buildings, if approved by the HOA-Architectural Control Committee shall not be erected closer to any sideline than five feet (5') nor nearer than fifteen feet (15') to the rear lot line or front line.
5. No building shall be erected, placed or altered on any lot until two (2) complete sets of construction plans (one to be kept by the D-ACC), specifications, and a plot plan showing the location of the structure to be so erected, placed or altered has been submitted to and approved by the Developer's Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures and as to location with respect to topography and finish grade elevation. It is advised that "preliminary" plans consisting of floor plans and elevations be submitted prior to final plans, so that any D-ACC modifications may be included in final submitted plans. The D-ACC may impose other appropriate and reasonable standards for exterior finish and materials which it may deem undesirable or which in its discretion detracts from the value of the building or structure itself or the surrounding properties, the general appearance of the neighborhood or the value of the adjacent structures. Any future alterations and/or improvements to the property must be submitted to and approved by the Pelican Point HOA-ACC (including but not limited to fences, landscaping, gardens, etc.).

Similar to other filings in Pelican Point Golf Community known as the Commons, Royal Palms, Breeze Point, Sundance, River Winds, the Gardens, Royal Lakes, and the Greens, the ACC for this section will consist of members selected by the developer. This ACC be called the D-ACC. Upon the completion and sale of a home (not a homesite), the D-ACC will turn over the jurisdiction of each homeowner to the Pelican Point HOA-ACC. At this time, the PP-HOA-ACC governs—not before this time, unless otherwise stated in these restrictions. If for any reason, the Developer sells a homesite to a builder, the HOA-ACC will have the jurisdiction over the builder(s) and the builder will be subject to the building escrow and fee in force.

6. Lawn and landscape standards for PPGC, 13th Filing will be high and the requirement that specified trees, shrubs and turf be correctly installed, nurtured and maintained (including the making of necessary replacements) will be stringently enforced. Landscaping which is of good quality and design is critical to a pleasant environment and contributes to establishing and enhancing real estate values. All landscaping must be installed prior to occupancy with the exception of certain large trees, which are required but difficult to transplant during the months of April through October. Special escrows as herein defined must be established by way of depositing funds with the D-ACC to assure compliance with this requirement when planting is seasonally deferred. Two complete sets of landscape plans must be submitted to the D-ACC within sixty (60) days of starting construction on every house. The design and nursery stock must conform to General Landscaping Policy as herein outlined and the plans must show location of plants, beds, species, size, and quantity of plant material.

MINIMUM REQUIREMENT

One tree must be planted for each 2000 square foot area of each lot (rounded upward to an even multiple of 2000). One half of these trees (rounded upward) are to be of not less than 2 ½" caliper measured 12" above the ground and must be of the following species:

Live Oak	Tulip Tree
Nuttal Oak	Bald Cypress
White Oak	Willow Oak
Southern Red Oak	Southern Magnolia
Palm Trees	

The D-ACC will specify what species will be planted along the front of the lots as street trees and will specify as well their number and placement. Up to two large trees over the minimum large tree requirement may be required by the D-ACC for corner lots. This requirement will be in addition to the required number of trees per "minimum requirement". The remaining required trees may include the above species as well as the following species:

For Medium Size Trees (2" caliper measure 12" above the ground, multicaned trees must measure 1 ¼" caliper 12" above ground)

Drake Elm	Sweetbay Magnolia
Bradford Pear	Red Maple
American Holly	Weeping Willow
Savannah Holly	

For Small Trees (1" caliper measured 12" above the ground)

Crepe Myrtle	Yaupon Holly	Chinese Redbud
Wax Myrtle	Sweet Olive	Chinese Parasol Tree
Windmill Palm	Japanese Maple	Cherry Laurel
Oriental Magnolia	Southern Crabapple	Parsley Hawthorn
Purple Leaf Plum	Sasanqua	Camellia

Small and medium trees are to be used in equal quantities to make up the required total number required under "minimum requirements". Coniferous evergreen trees may be used along rear property lines as a screen except along lakes or the golf course, but do not count as fulfilling any of the tree requirement.

Landscaping for each improved lot must include a minimum of 40 shrubs of 3-gallon container size. At least one half of the required number must be planted forward of the front wall of the structure. In the event that more than one lot is used on which to build a house, these requirements are to be multiplied by the number of lots used.

All air conditioners, gas meters, electrical meters, etc. are to be screened by evergreen landscaping.

All turf must be certified Centipede sod. The entire front and side yard and 20 feet (20') past the rear of the house must be sodded. The balance of the rear yard may be seeded.

If planting large trees is to be postponed due to seasonal considerations as above, the

Owner must post with the D-ACC an escrow of Five Hundred and Fifty Dollars (\$550) for each large tree required, which money will be refunded to the Owner after the trees have been planted during the appropriate winter months. In the event that the Owner fails to comply with the landscaping requirements (time being of the essence) then the D-ACC without notice may plant the lot as it deems fit in its sole discretion and charge the Owner a 60% design and administration fee over and above the cost of all plant material. Any such charge unpaid for 30 days will constitute a lien upon the property, will be referred for collection and subject to a 25% collection fee.

MAINTENANCE AND REPLACEMENT:

Any plant that dies shall be promptly replaced. Large trees that die shall only be replaced during the months of November through March. Dead plant material must be removed immediately. Compliance with all landscaping issues falls under the auspices of the Architectural Control Committee, which has full authority to compel plant replacement, proper cutting and maintenance of lawns and plants, on all terms and subject to the fees above specified.

7. No construction project will be allowed to drag on. New homes must be constructed within a nine-month period. Construction hours are Monday through Saturday 7:00 a.m.-6:00 p.m. (7 p.m. daylight savings time) only. No Sunday construction work except for emergencies, and must be approved in advance with the HOA representative.
8. These covenants prohibit the subdivision of lots from any dimensions other than those shown on the official recorded plat, provided, however, that this covenant shall not prohibit the use of more than one (1) lot for one (1) residence. Notwithstanding this prohibition to the subdivision of lots, any lot or lots may be subdivided only with the express written consent and permission of the Developer's Architectural Control Committee.
9. PPGC, 13th Filing will be served by underground electric distribution system.
10. PPGC, 13th Filing will be served by a community sewer system in accordance with Parish and State regulations. Individual sewer systems are not permitted on any lot or lots. A sewer fee of \$2000.00 will be collected by the D-ACC before plans will be approved. A monthly user fee will be set up by the Public Service Commission.
11. Water will be made available to each lot owner by arrangements with the Water Works company in ordinance with its rates and requirements; and requirements of the Ascension Parish Health Unit and the State Board of Health.
12. Gas service will be made available to each lot owner desiring gas service by arrangements with the designated Natural Gas Company in ordinance with its rates and requirements; and requirements of the Ascension Parish Health Unit and State Board of Health.
13. The minimum roof pitch shall be 8/12 unless otherwise approved by the D-ACC.
14. All residences shall be constructed with the ceilings not less than nine feet (9') high on the first floor, unless otherwise approved by the D-ACC.

15. Fireplace flues and chimneys shall be covered with the same materials as used on the exterior of the residence (brick and stucco acceptable). Fireplaces shall have copper or bronze chimney caps unless approved by the D-ACC.
16. No fence shall be erected on said lot beyond the front of house. All fencing material must be wood, wrought iron, aluminum, brick or stucco, unless otherwise approved by the D-ACC. Only 4' black aluminum or wrought iron or similar fencing will be constructed across the property line of each lot facing the golf course as designed by the D-ACC. The above materials may be used in the side fencing. Side yard fences on golf course and lake lots shall slope down from six feet (6') to four feet (4') in height within ten feet (10') for the last forty feet (40'), the last twenty-five feet (25') to be wrought iron or similar fencing so as not to block views of neighboring homes. Where perimeter fences will be visible from adjoining roads, the "good side" of the fence shall face the exterior of the yard to provide a clean appearance. No shadow boxing of fences on perimeter lots allowed. One brick column as designated by the ACC shall be placed on each lot corner on all lots if a fence is installed.
17. All swimming pools and necessary fencing shall be submitted to the ACC for approval. All swimming pools shall be minimum of fifteen feet (15') off of the rear property line on lots adjacent to the golf course.
18. All exterior exposed posts and columns shall be a minimum of eight (8") in diameter.
19. The members of the D-ACC for PPGC, 13th Filing are as follows: Douglas Diez, Phil Ratcliffe, Dustin Craig, Ron Ferris, Olivier Doin, Beau Diez and LeMoyne Myers. The developer has the right to terminate or add new members.
20. Architectural shingles as approved by the D-ACC, shall be used on each house in lieu of standard 215# fiberglass shingles. Slate and tile roofs will also be acceptable. Any other type of roof must be approved by the D-ACC. No steel or aluminum roofs will be allowed.
21. The exterior of all homes shall consist of old brick or "new" old brick with a sack finish as approved by the D-ACC, and/or real stucco/plaster. Siding as approved by the Architectural Control Committee is only allowed under covered porches and must not comprise of more than 20% of the home's exterior. No more than six (6) homes will have "new" old brick, and these should be spread throughout the entire section.
22. Dimensional vinyl (including brick mold), wood clad, and wood windows are to be used across the front of each home, and must be approved by the D-ACC. Other windows may be approved for side and rear areas of home.
23. All homes must be pre-wired for security systems.
24. Only black cast aluminum mailboxes as seen in other filings of Pelican Point Golf Community are allowed. Brass home address numerals must be on mailboxes only. Numbers on homes approved but no other locations.
25. Only one framed sign approximately 30" x 48" will be allowed during construction, and immediately after construction if house is a "spec" house. The sign shall include such information as the real estate company/agent, builder, architect, designers, plumbing

