

551436 ACT OF RESTRICTIONS, 31 AM 8:24

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PHASE BY

[Signature]
DY. CLERK

ROYAL PALM ESTATES

STATE OF LOUISIANA

PARISH OF ASCENSION

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;

Which declares that it is owner of a certain tract or parcel of ground situated in Sections 6 and 7, Township 10 South, Range 3 East SED, Ascension Parish, Louisiana, containing 594.079 acres, said tract is currently being developed by Developer into Pelican Point Golf Community, which will contain 41 residential lots to be designated on the final plat of the Eighth Filing of Pelican Point Golf Community. 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 Developer to establish these restrictions and conditions as servitudes and covenants running with the land, and encumbering existing and future residential lots which comprise said filings of Pelican Point Golf Community, said restrictions being set out as follows, to-wit:

1. All of the lots contained in said subdivision 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 the 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. Driveways must have a minimum width of eleven feet (11'), have a depth of four inches (4") and flare to a minimum of fifteen feet (15"), but not more than eighteen feet (18"). No brick aprons are required. 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 of living area for all Royal Palm lots. No carports will be allowed. No garages on the fairways may be entered from the rear (golf course fairway side). Garages may face directly to the street. Garages must include automatic doors with a minimum of 8' height metal, and these shall remain closed. Additional autos, trucks, boats, trailers, etc. may not be stored on any residential lot except in an acceptable enclosed structure approved by the D-ACC.
4. No buildings shall be located on any lot nearer to the front property line than the building line dictated neither 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 garages and accessory

buildings, if approved by the D-ACC shall not be erected closer to any sideline than five feet (5') nor nearer than twenty-five feet (25') to the rear or front lot 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 in writing by the D-ACC 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 site plan, 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 in writing by the Pelican Point HOA-Architectural Control Committee (including but not limited to fences, landscaping, gardens, etc.).

Like the Commons, River Winds, Sundance, and the Greens, the Architectural Control Committee for this section will consist of members selected by the Developer, as the Developer plans to build out this entire section. This Architectural Control Committee will be called the D-ACC. Upon the sale of a home, the D-ACC will turn over the jurisdiction of each homeowner to the Pelican Point HOA Architectural Control Committee. Once this happens, the Pelican Point HOA-Architectural Control Committee governs—Not before this time, unless otherwise stated in these restrictions.

6. All exterior colors including roof are to be submitted to the D-ACC for approval, no later than the "black in" stage of construction.
7. Lawn and landscape standards at Royal Palm Estates 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 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 escrow 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 1/2" caliper measured 12" above the ground and must be of the following species:

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

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 1/4" caliper 12" above ground)

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

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	Palm Species

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. The remainder of shrubs is to be installed in the rear yard. 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 25 feet past the rear of 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 HOA-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

8. 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. only. No Sunday construction work except for emergencies, and must be approved in advance with the HOA representative.

9. 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 D-ACC.

10. Royal Palm Estates will be served by underground electric distribution system.
11. The Royal Palm Estates 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 impact and connection fee of \$1000.00 will be collected by the D-ACC. A monthly user fee will be set up by the Public Service Commission.
12. Water will be made available to each lot owner by arrangements with the Water Works company in accordance with its rates and requirements; and requirements of the Ascension Parish Health Unit and the State Board of Health.
13. Gas service will be made available to each lot owner desiring gas service by arrangements with the designated Natural Gas Company in accordance with its rates and requirements, and requirements of the Ascension Parish Health Unit and State Board of Health.
14. To maintain design integrity the roof pitch shall be approved by the D-ACC.
15. All residences shall be constructed with ceilings not less than nine feet (9') high on the first floor and not less than eight feet (8') on the second floor, unless otherwise approved by the D-ACC.
16. Fireplace flues and chimneys shall be covered with the same materials as used on the exterior of the residence (stucco acceptable). Fireplaces shall have copper or bronze chimney caps unless approved by the D-ACC.
17. No fence shall be erected on said lot beyond the front of house. However, front wrought iron landscape fencing will be considered by the D-ACC. 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 forty feet (40') must 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 to neighboring streets. 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.
18. 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.
19. All exterior exposed posts and columns shall be a minimum of eight (8") in diameter.
20. The members of the D-ACC for Royal Palm Estates are as follows: Douglas Diez, Phil Ratcliffe, Brad Hughes, Ryan Miles, Ron Ferris, Tony Matassa, and LeMoyne Myers. The Developer has the right to add or terminate members. Interested homeowners are welcome to participate.
21. 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. English ridge caps are required. All roof penetrations are to be to the rear, or least conspicuous location when possible, and all are to be painted the color of the roof (not black).