

EDEN ISLES

Reservations, Restrictions and Conditions
EDEN ISLES UNIT THREE

1. ARCHITECTURAL CONTROL

No construction shall be permitted without written approval of the Eden Isles Architectural Committee.

Prior to commencement of construction of any kind or nature, detailed plans and specifications shall be submitted to the Eden Isles Architectural Committee requesting written approval therefor.

2. ARCHITECTURAL COMMITTEE

The Eden Isles Architectural Committee shall consist of five members appointed by the Dedicator of said Unit Three, its successors or assigns, and shall be for terms of one year and until their successors are annually selected at a meeting of the owners of lots in said Unit Three to be held at 11:00 A. M., on the second Monday each January, at a place in Eden Isles after written notice thereof has been mailed by the Chairman of the Committee, postage prepaid, to the lot owners designating the place of the meeting; three members will be appointed by the dedicator and two elected by the lot owners; such owners to have the right to one vote in such selection for each lot owned. Any plans submitted to the architectural committee which are not acted upon within 30 days shall be considered approved.

3. LAND USE & BUILDING TYPE

The established grade of lots shall not be raised or altered so as to adversely affect adjacent property owners. Each building will have a first floor elevation of not less than 8 feet, nor more than 10 feet, except that a carport or garage or recreation rooms can be built under a residential structure so long as the supports and area under the residence are screened by a masonry wall or other material acceptable to the architectural committee.

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Lots shall be used only for residential purposes. No building shall be erected, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height, with private garage or carport. A house or structure of any nature may not be moved onto any lot.

Only one main structure shall be constructed on any one lot and none to exceed two stories in height shall be permitted in said Unit Three. A private garage housing not more than 3 passenger cars shall be permitted, as well as other appurtenances and out-buildings incidental to the residential use of said lots. Each single-family residence must include a private garage or carport.

Boat docks may be constructed, but may only extend six feet into the rear easement provided for the canal. Boathouses and/or boat slips may be constructed but may not be built to extend into the rear easement provided for the canal. Boat houses must be constructed to conform to the restrictions and design of the main structure, and they must be finished on the exterior with siding, brick or other acceptable materials. No metal roofs will be acceptable. Boat houses will be subject to the approval of the architectural committee.

No residence shall be constructed on a lot smaller than shown on the Eden Isles Subdivision official plat, Unit Number Three.

A purchaser desiring to buy more than one lot may be permitted to erect one large residential structure on two or more lots, and the remaining fractional lots shall be subject to the restrictions applying to a single lot. No resubdivision creating any lot with a street frontage of less than 60 feet shall be permitted.

4. BUILDING SIZE AND LOCATION (MINIMUM SIZE AND SETBACKS)

The main residential building shall contain no less than 1,500 square feet, exclusive of carports, garages, patios, verandas, or any other auxiliary construction incidental to the main residence.

No part of any main building shall be constructed closer than 25 feet to the front property line, nor closer than 100 feet to the rear property line, nor closer to either side property line than 5 feet.

An attached carport may be constructed, and shall be considered part of the main building for the computation of set backs, and same minimum distances from the property line shall apply.

5. LANDSCAPING

Within ninety (90) days after the completion of construction of any improvements on any portion of a lot in Unit Three, all unused ground areas on said portion shall be planted with ground cover, plants, shrubberies and trees as shown on a landscaping plan to be submitted to and approved by the architectural committee (as provided in Paragraphs 1 and 2 hereof) before commencement of planting. The maturity of all proposed plants shall be shown on said landscaping plan. Said landscaping when completed shall thereafter be maintained and kept free of leaves, rubbish and debris by the owners of said property. A minimum of three trees per lot, each tree to be 10 feet or more in height, shall be planted as a part of said landscaping plan.

6. FENCES

No fence or wall shall be constructed or altered or allowed to remain on any lot in front of the minimum building setback line, unless approved by the Eden Isles Architectural Committee. Fences or walls must conform generally to the design and architecture of the dwelling to be enclosed, and plans showing location and details of fences or walls must be approved by the architectural committee prior to erection of said fence or wall.

7. SERVICES

All additional services not already provided, such as auxiliary telephone, electric power, sewers, drains, and waterpipes, shall be placed underground

from the property line to the building, except meters required to be above ground by utility companies.

Each residence constructed will install, provide electric energy and maintain one (1) 100 watt mercury vapor lighting fixture on a 9 foot steel pole in a line 5 feet inside the front property line to correspond to an overall plan and pattern to provide an esthetical and security lighting system. Any pole lamp acceptable to the architectural committee may be used.

Energy sources for fixed improvements not provided by the developer will be a responsibility of the purchaser. Any storage or distribution of other energy must be approved by the Eden Isles Architectural Committee.

8. EASEMENTS

Easements for installation of utilities and drainage facilities are reserved as shown on the official plat of Eden Isles Subdivision, Unit Three of record.

Lots 30, 31, 102 and 103 are subject to a 100' wide Louisiana Power and Light Company utility easement as shown on the official plat of Eden Isles Subdivision, Unit 3 of record, filed as Plat File Number 1298-A. Construction of any structures whatever is prohibited within this easement which affects the 50 foot strips of land contiguous to and parallel with either side of the side lot lines separating Lot 30 from Lot 31 and Lot 102 from Lot 103.

Eden Isles shall have the right to require that all servitudes and easements be kept unfenced and cleared, and Eden Isles shall have access thereto for installation and maintenance of any and all utility services.

9. VEHICLES

No trucks, trailers, automobiles or other commercial vehicles bearing advertisements shall be parked or stored on residential property or on streets or roadways, except when making deliveries, except that if such vehicle is kept within a garage or fenced or screened service yard out of sight of public

areas it may be permitted.

No trucks, trailers, campers, vessels or other vehicles nor any private automobiles in non-operative conditions shall be parked or left on any lot or any public street for a period in excess of 48 hours, except that if such vehicle or trailer or vessel is kept with a garage or fenced or screened service yard out of sight of public areas it may be permitted.

Overnight parking on public streets will not be permitted. Sufficient off-street parking shall be provided by purchasers for residents and visitors or employees.

10. TRASH AND GARBAGE RECEPTACLES

Trash and garbage receptacles shall be covered at all times, except during collection or disposal, and maintained in a sanitary condition. All trash and garbage receptacles and any on site disposal shall be screened from view of public streets, canals or neighbors.

11. LIVESTOCK AND POULTRY

No livestock or poultry shall be kept on the premises.

12. TEMPORARY HOUSING

No temporary house, trailer, house-trailer, tent, garage, shack, barn, truck, or any temporary structure shall be used as a residence or commercial place of business on any lot at any time, either temporarily or permanently, or shall be placed or erected on said lots and no dwelling shall be occupied in any manner at anytime prior to its completion.

The work of constructing a building shall proceed diligently.

13. SIGNS AND NUISANCES

No advertising signs, billboards, unsightly objects or nuisances shall be erected, placed or permitted to remain on any lot, nor shall the lots be used in any way for any purpose which may endanger the health or unreasonably

disturb the holder of any other property. No illegal, obnoxious or offensive activity shall be permitted on any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood or community.

14. MAINTENANCE

For the purpose of keeping the subdivision in an orderly condition at all times, each lot owner shall maintain his lot in a presentable condition, keeping the grass and overgrowth trimmed neatly.

No unsightly boxes, cans, rags or other debris shall be stored or kept or allowed to accumulate on the property within view of other lot owners and the community in general.

15. SIGHT DISTANCE AT INTERSECTIONS

No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction at such sight lines.

16. TERMINATION

These covenants shall run with the land and shall be binding on all lots and the owners thereof in the said subdivision and on all persons claiming under them, until December 31, 2000, after which they shall be automatically extended for successive periods of 10 years, unless an instrument in writing

signed by a majority of the then owners of any lots in Unit Three of Eden Isles Subdivision is filed for record in the office of the Clerk of Court of St. Tammany Parish, Louisiana, modifying or terminating the same.

17. ENFORCEMENT

Enforcements of these restrictions may be by proceedings at law or equity, and against any person or persons violating or attempting to violate any provision herein contained either to restrain violation or to recover damages. Every owner of one or more lots in said subdivision shall be vested with the right to institute and prosecute proceedings to enforce the provisions contained herein.

18. SEVERABILITY

The invalidation of any one or more of these covenants by judgment or court decree shall in no wise affect the other covenants herein, which shall remain in full force and effect.

19. Any building erected on any lot which has been completed shall be deemed to comply with each and all of the restrictions contained herein, and no action shall be brought to enforce said restrictions by reason of any violation occurring in the erection of said building after the same has been completed, anything contained herein to the contrary notwithstanding.

The architectural committee shall have the right to mitigate these restrictions and conditions when reasonably requested to do so, because of extenuating circumstances, but only if it deems that said mitigation and construction so allowed shall not be detrimental to the general appearance and safety of Eden Isles as a whole, and that the structure allowed thereby will be in harmony with surrounding structures.

The rear boundary of all lots located in the subdivision is located at the centerline of a canal, and the present owners of this property and all future property owners whose property adjoins these canals agree to utilize said canals in such a manner as to refrain from interfering with the peaceful use of said body of water by other property owners whose property also adjoins said canal. They furthermore agree to erect no obstruction in said canal or body of water and to deposit no trash, debris, nor rubbish therein, and to cooperate as much as possible in keeping said canal in a clean and sanitary condition and to do nothing which would obstruct the flow of boat traffic through said canal.

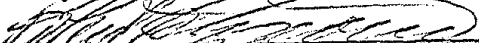
To enhance the value, desirability, attractiveness and safety of the entire Eden Isles Subdivision, the following restrictions shall run with the real property and apply specifically to the wharfage area, which is defined as that bulkheaded area at the rear of each lot which separates the land and water areas for the purpose of construction and use of a wharf or wharves, boat slip, or similar structures for the purposes of storage or other accommodation of purchaser's private boats which shall be used only for non-commercial, recreational purposes.

1. No boat shall be used as a residence, and no boat shall be lived in while in the wharfage area.
2. Nothing shall be done or kept in the wharfage area which would be a violation of the Eden Isles protective reservations, restrictions and conditions.
3. There shall be no construction, structural alteration or removal of any wharf, boat slip or other structure in the wharfage area without the prior written approval of the architectural committee of Eden Isles as established by the Eden Isles protective reservations, restrictions, and conditions. The architectural committee shall approve proposals or plans and specifi-

cations submitted for its approval only if it deems that the construction, alterations, or additions contemplated thereby in the location indicated will not be detrimental to the appearance of the wharfage area or Eden Isles as a whole, and that the appearance of any wharf, boat slip or other structure affected thereby will be in harmony with surrounding wharves, boat slips and other structures.

4. The architectural committee may issue rules or guidelines setting forth factors that it will take into consideration in reviewing submissions.
5. Each owner shall at all times keep the wharf, boat slip and all other structures within the wharfage area in a good state of repair and maintenance.
6. Boat slip, float, wharf or other structure construction within the wharfage area, including all deck surfaces, flotation materials, framing, hardware, gangways, lumber, electrical and plumbing installations, and pilings, lockers and flagpoles must be of first quality, first class appearance.

Filed for record May 6th., 1971
Truly recorded May 6th., 1971


Clerk of Court & Ex-Officio Recorder

Inst. #10205 for Amendment

Vol. 70

278559 /

See COB 692, p. 744

ACT OF AMENDMENT TO PROTECTIVE COVENANTS
AND BUILDING RESTRICTIONS (EDEN ISLES SUBDIVISION, UNIT THREE)

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BEFORE ME, the undersigned Notary Public, duly commission-
ed and qualified within and for the State and Parish aforesaid,
personally came and appeared:

LEISURE, INC., a corporation organized under the laws of
the State of Louisiana, appearing herein by and through T. Edwin
Patton, its Vice-President, duly authorized by resolution of the
Board of Directors of said corporation, dated July 8, 1970, a
certified copy whereof is recorded in COB 572 folio 344 of the
official records of St. Tammany Parish, Louisiana;

which declared as follows:

It has heretofore executed an act imposing protective
covenants and building restrictions and dedicating streets to the
public affecting "EDEN ISLES SUBDIVISION, UNIT THREE", St. Tammany
Parish, Louisiana, by act before Charles H. Ryan, Ouachita Parish
Notary Public, dated June 4, 1970, filed for record on June 15,
1970, and recorded in COB 572 folio 203 of the official records of
St. Tammany Parish, Louisiana. Leisure, Inc. is still the owner
of far more than 50% of the lots affected by the above mentioned
restrictions, and availing itself of the provisions of the last
paragraph of the act imposing the restrictions, it does hereby
and by these presents amend all of the restrictions previously
imposed by eliminating the restrictions heretofore imposed and by
substituting therefor the restrictions shown on Exhibit "A",
annexed hereto and made a part hereof, and paraphed by me, Notary,
for identification herewith.

MAY 6 1971

NOTARY PUBLIC
STATE OF LOUISIANA
FOLIO 610
MAY 6 9 00 AM '71

THUS DONE AND PASSED in my office in Slidell, Louisiana,
on this 1st day of April, 1971, in the presence of the undersigned
competent witnesses, who hereunto sign their names with the said
appearer and me, Notary, after due reading of the whole.

WITNESSES:

LEISURE, INC.

Gwen W. Dettwiller
Gwen W. Dettwiller

BY: T. Edwin Patton
T. Edwin Patton

Delphine A. Cuppay
Delphine A. Cuppay

Stephen A. Duczer
Stephen A. Duczer - Notary Public

JCC 4 ST. TAMMANY PARISH

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ACT OF AMENDMENT TO PROTECTIVE
COVENANTS AND BUILDING RESTRICTIONS
(EDEN ISLES SUBDIVISION, UNIT THREE)

ST. TAMMANY PARISH
STATE OF LOUISIANA
ROBERT W. ZBORIS
FILED FOR RECORD
NOV 16 9 00 AM '72
COB 572 FOLIO 744
MOB
BY CLERK COURT

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, personally came and appeared:

LEISURE, INC., a corporation organized under the laws of the State of Louisiana, appearing herein by and through T. Edwin Patton, its President, duly authorized by resolution of the Board of Directors of said corporation, dated July 9, 1970, a certified copy whereof is recorded at COB 572, folio 344 of the official records of St. Tammany Parish, Louisiana,

which declared as follows:

It has heretofore executed an act imposing protective covenants and building restrictions and dedicating streets to the public affecting "EDEN ISLES SUBDIVISION, UNIT THREE", St. Tammany Parish, Louisiana, by act before Charles H. Ryan, Ouachia Parish Notary Public, dated June 4, 1970, filed for record on June 15, 1970, and recorded in COB 572, folio 203 of the official records of St. Tammany Parish, Louisiana, which said act was amended by act before Stephen A. Duczer, St. Tammany Parish Notary Public, dated April 1st, 1971, filed for record May 6, 1971 and recorded in COB 610, folio 264 of the official records of St. Tammany Parish, Louisiana. Leisure, Inc., is still the owner of far more than 50% of the lots affected by the above mentioned restrictions, and availing itself of the provisions of the last paragraph of the act imposing the restrictions, it does hereby and by these presents further amend a portion of the restrictions as follows:

The fourth paragraph of Section 3, LAND USE & BUILDING TYPE, which reads as follows:

"Boat docks may be constructed, but may only extend six feet into the rear easement provided for the canal. Boathouses and/or boat slips may be constructed but may not be built to extend into the rear easement provided for the canal. Boat houses must be constructed to conform to the restrictions and design of the main structure, and they must be finished on the exterior with siding, brick or other acceptable materials. No metal roofs will be acceptable. Boat houses will be subject to approval of the architectural committee.

is hereby amended to read as follows:

Boat docks may be constructed, but may only extend ten feet into the rear easement provided for the canal. Boathouses and/or boat slips may be constructed but may not be built to extend into the rear easement provided for the canal. Boat houses must be constructed to conform to the restrictions and design of the main structure, and they must be finished on the exterior with siding, brick or other acceptable materials. No metal roofs will be acceptable. Boat houses will be subject to approval of the architectural committee.

THUS DONE AND SIGNED before me, Notary, in the presence of the undersigned competent witnesses at my office in Slidell, Louisiana, on this 10th day of November, 1972.

WITNESSES:

Joyce O. Brockwell
Joyce O. Brockwell

Debra A. Duczer
Debra A. Duczer

LEISURE, (INC.)

BY: T. Edwin Patton
T. Edwin Patton, President

Stephen A. Duczer Notary Public

Filed for record Nov. 16th., 1972
Truly recorded Nov. 16th., 1972

Mary S. Haynes
Clerk of Court & Ex-Officio Recorder