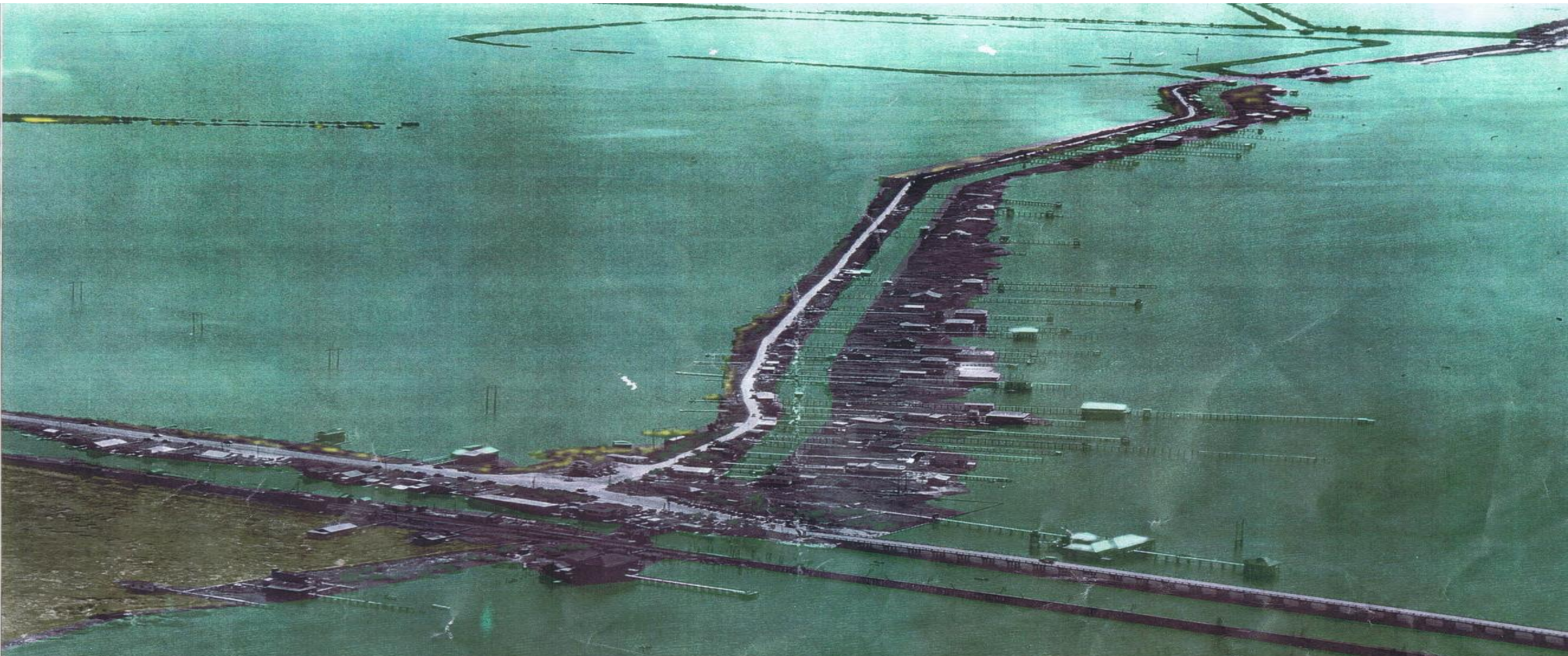


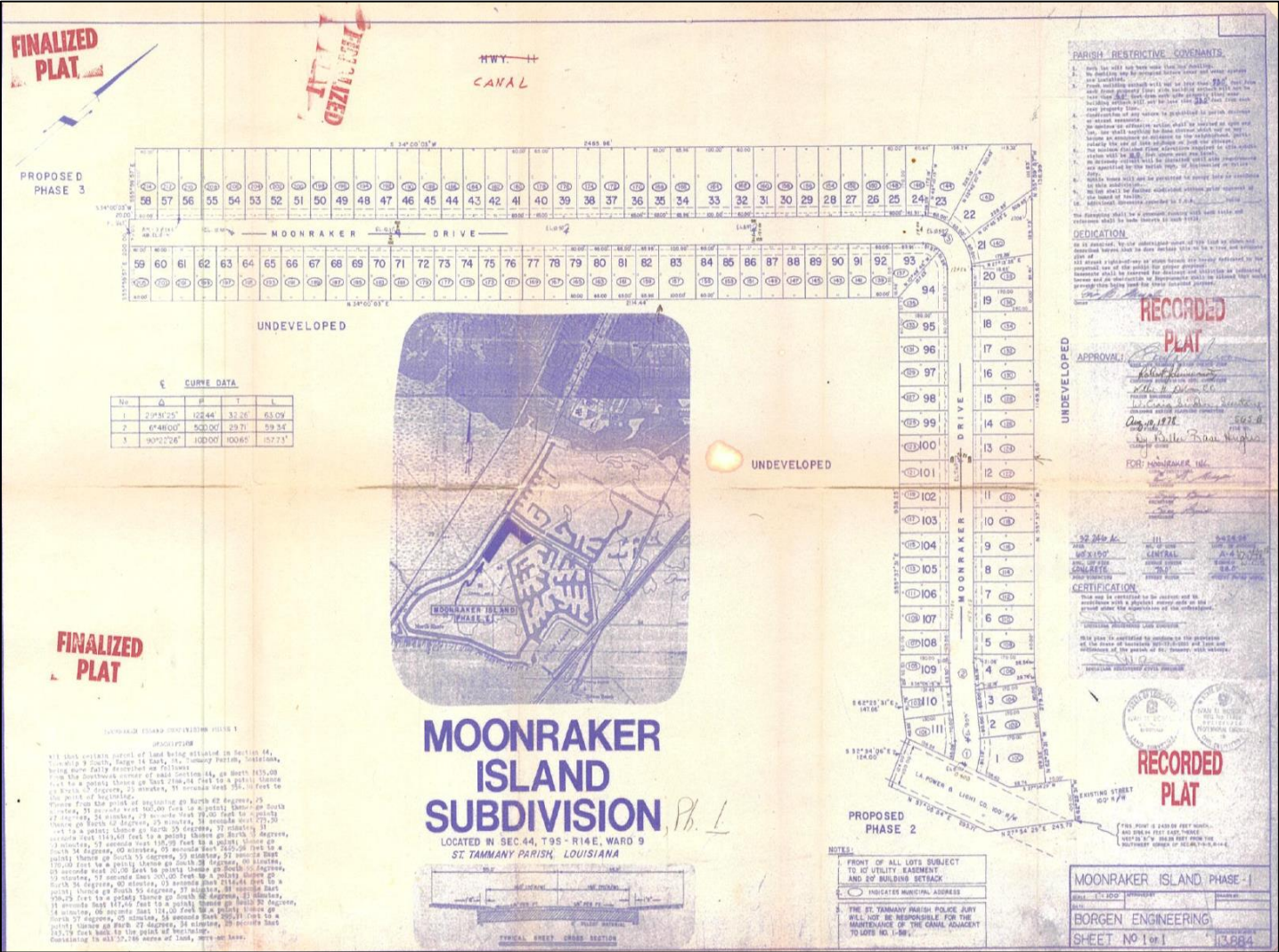
Moonraker Island History & Action Summary

Picture: Rat's Nest Road and "Le Grande Lagoon" from the southwest, taken in 1940, showing what is now Eden Isles and a portion of Moonraker lake. -Courtesy, "Eden Isles Archives"; <https://eihoa.org>



Brief History of Eden Isles and Moonraker Lake

Picture: Original Moonraker Phase 1 Plat, Approved for “Moonraker Inc” by St Tammany Parish Engineers, 10 Aug 1978.
**Is only the first 111 lots, or addresses 100-214*



Year	Action
1969	“Leisure Inc” began development of Eden Isles.
1974	(Nov) Eden Isles HOA adopted their by-laws.
1977	Leisure Inc defaults; taken over by Eden Isles Inc
1979	Federal Court ruled against “Save our Wetlands”.
1980	Moonraker Island developed as an independent Subdivision by Moonraker Inc, with its own HOA.
1981	Moonraker Island covenants established. Moonraker Lake use established for owners and guests only. Moonraker Lake was originally spring fed and land-locked.
1986	Scribner Equipment Co purchases Moonraker Lake from Moonraker Inc (84.4961 acres).
1987	Landmark Land Co buys Eden Isles Inc, which included 171 existing lots and approx. 4600 acres of undeveloped land along the interstate.
1988	Landmark Land Co gets approval to build Oak Harbor
1993	Clipper Inc applies for permit to develop property at the end of Moonraker Drive.

Moonraker Lake Action Summary

Pictures: Top Left: Entrance to Moonraker Drive, and what would become Clipper Estates. Bottom Left: Eden Iles towards Moonraker Lake. Right: Addendum to Moonraker Island Covenances making use of Moonraker Lake for Moonraker Island residences and their guests only.



Tammany Parish Clerk Of Court Inst#462724

ADDENDUM TO 462724 ✓

RESERVATIONS, RESTRICTIONS AND CONDITIONS
MOONRAKER ISLAND
PHASE III

19. MOONRAKER LAKE

Moonraker Lake is for the exclusive use of Moonraker Island residents and their guests. In order for residents and guests to enjoy the lake, and in order to protect the rights of everyone concerned, the following rules shall apply:

- Swimming and boating shall be at each individual's own risk. No life guard or life saving equipment shall be provided by the developer.
- Boats shall be wind driven, paddle driven or oar driven. No power boats of any type shall be permitted in the lake.
- Users of the lake shall, at all times, take into consideration the rights of others and shall do nothing to jeopardize the peaceful use of the lake by all residents and their guests.
- No trash or debris of any type shall be dumped into the lake.
- When not in use boats shall be properly moored, and shall not be permitted to drift unattended.

The developer and/or the Moonraker Island Architectural Committee assumes no responsibility for the life and safety of anyone using the lake either properly or improperly, and by acceptance of these Reservations, Restrictions and Conditions each property owner accepts this disclaimer for himself and his guests.

The Moonraker Island Architectural Committee shall have the power to make, alter, waive and revise these rules as it may, from time to time, deem appropriate.

WITNESSES: *[Signature]* *[Signature]*

MOONRAKER, INC. (DEDICATOR-OWNER)
BY: *[Signature]*
Ervin B. Breazeale - President

STATE OF LOUISIANA
PARISH OF ST. TAMMANY

Subscribed and sworn to before me, Notary, this 14th day of May, 1981.

[Signature]
Notary Public

ST. TAMMANY PARISH
STATE OF LOUISIANA
JUDY KEO RUSSELL
FILED FOR RECORD
BY CLERK OF COURT
MAY 14 11 15 AM '81
JOS. M. L. FOLIO
NOTARY PUBLIC

9

Year	Action
1994	Clipper Estates is developed; Developer opened up the spring-fed lake to have access to Lake Ponchartrain.
1994	Moonraker Island tries to reactivate HOA (MIHOA) – not ultimately successful.
1997	Marks Lake Inc purchased 84.4961 acres in Moonraker Island Subdivision (The undeveloped land around and largely the bottom of Moonraker Lake) from Scribner Equipment Co.
1999	Marks Lake Inc subdivided a portion into 17 lots (Lots 305-321) called Phase 3.A.A
2004	Marks Lake Inc rezoned and extended the original 17 lots into Moonraker Lake.
2004	Marks Lake Inc acquired six lots in Moonraker Island Phase 3D (lots 551-556), which extended into the lake; attempts to dredge and fill 9.80 acres to develop the lots.
2005	Moonraker Island Phase III Architectural Committee, Inc files <i>prelim/perm</i> injunction against Marks Lake Inc –wins.
2007	Marks Lake Inc appeals; Summary judgement issued in favor of Moonraker Island, “with prejudice”.

Problems Framed & Questions Raised

Picture: Summary judgement from 22nd Judicial District Court, St Tammany Parish. (19 Sept 2007)

22ND JUDICIAL DISTRICT COURT FOR THE PARISH OF ST. TAMMANY
STATE OF LOUISIANA
No. 2005-10740
DIV. "F"
MOONRAKER ISLAND PHASE III ARCHITECTURAL COMMITTEE, INC. AND
MICHELLE VIRGETS ADAIR
VERSUS
MARKS' LAKE, INC.
FILED *October 12, 2007* *Joe Zull*
DEPUTY CLERK
JUDGMENT
Plaintiffs' Motion for Summary Judgment came before this Court on September 19, 2007:
Plaintiff, Moonraker Island Phase III Architectural Committee, Inc., was represented at the hearing by:
Thomas J. Adair, Jr.
600 Oak Harbor Blvd, Suite 202
Slidell, LA 70458
Plaintiff, Michelle Virgets Adair, was represented at the hearing by:
Brent D. Burley
BURLEY LAW FIRM, L.L.C.
43480 Weber City Road
Gonzales, Louisiana 70737
Defendant, Mark's Lake, Inc., was represented at the hearing by:
Maria G. Marks
SHONEKAS, WINSBERG, EVANS & MCGOEY, L.L.C.
650 Poydras Street, Suite 2105
New Orleans, LA 70130
The Court, based on the pleadings, evidence, law and argument of counsel, finds as follows:
IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiffs' Motion for Summary Judgment is granted, and the Defendant, Mark's Lake, Inc., its agents, employees, representatives, assigns, and all other persons, firms, corporations acting or claiming to act on its behalf, are hereby permanently enjoined and/or restrained from dredging and/or filling any portion of Moonraker Lake;
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant's Reconvventional Demand is dismissed with prejudice;
Page 1 of 2

ST TAMMANY PARISH
STATE OF LOUISIANA
FILED FOR RECORD
OCT 12 2007
A 12-4-07
CLERK OF COURT

Problem Framing:

- Scribner Equipment Co should not have been able to purchase the lake bottom in 1986, nor should they have been able to sell it to Marks Lake Inc in 1997.
- Clipper's Developer should not have been allowed to open Moonraker Lake to the Ponchartrain in 1994.

Questions:

- What legal complications are there to the situation with Clipper's developer opening up the lake to the canal system and Lake Ponchartrain in 1994?
- Do we have the other parts of the plat showing all of the phases of Moonraker Island.

References

- 1) Moonraker V Marks Lake, 992 So. 2s 592
(<https://casetext.com>)
- 2) Moonraker Island Subdivision Ph 1 Plat
- 3) 22nd Judicial District Court Summary Judgment No. 2005-10740
- 4) Moonraker Inc Addendum to “Reservations Restrictions and Conditions” of Moonraker Island.
- 5) Eden Isles History and Archives (<https://eihoa.org>).