



LAKE FOREST BUSINESS PARK
4949 BULLARD AVENUE
SUITE 100
NEW ORLEANS, LOUISIANA 70128 (504) 241-4400

Phase IV

The attached Lake Bullard Subdivision land use and building construction restrictions are designed for the benefit and protection of all the Lake Bullard Subdivision property owners. We are convinced that, if all of us adhere to the requirements of the restrictions, our property values will be preserved and probably increase as time goes by. In order to insure compliance with these rules, regulations and restrictions, Lake Forest, Inc. has arranged the following procedure for construction plan approvals prior to construction.

Plans will be reviewed by our Engineering Department. Plans are to be submitted at our offices at 4949 Bullard Avenue - Suite 100 during normal working hours. The owner or builder or contractor should deliver two sets of plans for review by our engineering department. They will be inspected for compliance with the filed restrictions only. If there is compliance, the plan will be marked with approvals and the person who deposited the plans will be notified that their approved copy can be picked up. If the plans do not comply with the filed restrictions, the items of non-compliance will be noted and the person who deposited the plans will be notified that the plans can be picked up for necessary revisions.

If plans require revisions they will have to be re-submitted after the revisions are done. Lake Forest, Inc. will retain one set of final, approved plans for its files and future reference.

1. No lot shall be used except for one (1) single-family dwelling and accessory buildings and private garages and carports. No trailer, tent, shack, barn or other buildings of a temporary character shall be placed, erected or permitted to remain on any lot, nor can they be used as a residence temporary or permanent.
2. All buildings constructed or erected on any lot shall conform to the ordinances and statutes thereunto appertaining, except as herein more specifically limited.
3. Nothing herein contained shall prohibit the use and occupancy of any said lots for private recreational uses, such as tennis courts and swimming pools operated exclusively for private use and not for commercial purposes or community purposes.
4. Nothing herein contained shall prohibit the use and occupancy of any dwelling for the conduct of the following professional occupations: physician, surgeon, dentist, psychologist, lawyer, and clergyman. Provided no person shall engage in such professional activity, other than those who reside in the said dwelling; and provided further, that in no case shall more than fifteen (15%) percent of the floor area of any dwelling, exclusive of any accessory building and garage be used for any one or more of the said occupations; and provided further that no home occupation shall be permitted in any accessory building and garage; and provided further that no window or other display or sign may be used to advertise such occupancy other than a single sign not more than four (4") inches in width and eighteen (18") inches in length. The said sign must be attached to the main dwelling.
5. Nothing herein contained shall prohibit the exploration for or the production and capture of oil, gas or other minerals by the use of directional drilling methods only, and nothing herein contained shall prohibit or prevent the installation and maintenance of utilities.
6. Except as hereinabove provided, no sign of any kind shall be displayed to the public view on any lot except one (1) sign of not more than six (6) square feet advertising the property for sale or rent.
7. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.
8. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other wastes shall not be kept except in a sanitary container kept in such a manner as not to be visible from the street. All equipment for storage or disposal of such material shall be kept in a clean and sanitary condition. Incinerators shall be prohibited.
9. No noxious, offensive activity shall be carried on, on any lot described herein, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood or adjoining property owner.
10. No trucks, trailers, automobiles bearing advertisements or other commercial vehicles shall be stored or parked on the streets except when making delivery. The parking of trailers, boats, vehicles, except passenger automobiles in operating order, will not be allowed on the property unless inside enclosed garage or unless

LAKE BULLARD SUBDIVISION, PHASE IV

<u>Square Number</u>	<u>Lots</u>
J	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18
K	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32
L	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14
M	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19

The above described, enumerated and designated lots in Lake Bullard Subdivision, Phase IV are hereinafter collectively referred to as the "lots". The restrictions contained in this act shall be applicable to the lots, but said restrictions shall not be applicable to any other property or parcels which are shown on said subdivision plan.

The appearer, Lake Forest, Inc., did further declare that in order to establish a general plan governing building standards, uses and improvements for said subdivision it does hereby place the restrictions hereinafter set forth in this act on the above designated lots in Lake Bullard Subdivision, Phase IV, which restrictions shall run with the land and shall be binding and inure voluntarily or involuntarily to the future owners of the said lots or any portion thereof, and their heirs, successors, executors, administrators and assigns, which restrictions are as follows, to-wit:

RESTRICTIONS

The following restrictions shall run with the land and shall be binding on all parties and persons claiming under them for a period of twenty-five (25) years from the date hereof, after which time said restrictions shall be automatically extended for two (2) successive period of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded in the Conveyance Office for the Parish of Orleans agreeing to change any restrictions, in whole or in part, or to rescind said restrictions entirely:

the same is not visible to other property or other road or streets. Passenger vehicles and automobiles owned by a resident shall be stored or parked on the lot and not on the street.

11. Cooling towers and condensers shall be erected in the rear yard and shall not project into the side yard areas.
12. Except as hereinafter set forth, fences shall not be erected or placed between the front building line and the front property line. Hedges and shrubbery may be placed or grown in this area but same shall not exceed two (2') feet in height. Bamboo shall not be grown in this area. Side fences, when erected between the front building line and the rear property line, shall not exceed seven (7') feet in height and shall be of a neat and substantial construction. Hedges and shrubbery may be grown along the side or rear property line but same shall not exceed seven (7') feet in height. Bamboo shall not be grown on any side or rear property line.
13. No one-story, single family dwelling shall be erected, placed or permitted on any lot, other than a one-story single family dwelling having a minimum ground floor area of two thousand (2,000) square feet. For the purpose of this provision, the phrase "floor area" is defined to exclude an attached or detached carport or an attached or detached garage and shall also exclude patios or porches.
14. No two-story, single family dwelling shall be erected, placed or permitted on any lot other than a two-story, single family dwelling having a minimum ground floor area of one thousand two hundred (1,200) square feet and a minimum total floor area of two thousand three hundred (2,300) square feet. For the purpose of this provision, the phrase "floor area" is defined to exclude an attached or detached garage and shall also exclude patios and porches.
15. No building shall exceed thirty-five (35') feet in height. These restrictions will not preclude a split-level house being built on any one lot.
16. Enforcement of these restrictions shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain any violation or to recover any damages, and may be instituted by anyone in interest or his, her or their designated representative, and particularly by any person or persons owning any property that is subject to these restrictions. It is hereby expressly provided that these restrictions may be enforced as hereinabove provided by any person, firm or corporation who now or in the future owns any lot situated in Lake Bullard Subdivision, Phase IV.
17. Any notice required to be sent to any owner under the provision of this Agreement shall be deemed to have been properly sent when mailed, postpaid, to that last known address of the person who appears as owner in the records of the Orleans Parish Assessor's Office of Louisiana.
18. Deeds of Conveyance of all or any of said lots shall incorporate by reference all of the provisions contained in this document. However, whether or not recited in the Deeds of Conveyance, these restrictions shall be binding on every owner of every one of the lots.

19. Invalidation of any one of these restrictions by judgment or court order, shall in no wise affect any of the other provisions, which shall remain in full force and effect.
20. No building or part thereof, shall be located on any lot nearer than twenty (20') feet to the front lot line, or nearer than ten (10') feet to any side street line, or nearer than five (5') feet to any rear lot line, or nearer than five (5') feet to any interior side lot line except that detached accessory buildings, including detached garages and detached carports, may be located three (3') feet or more from any interior side lot line. Side yards shall be required as provided in the Comprehensive Zoning Ordinance of the City of New Orleans, and the minimum aggregate width of the side yards for each lot shall be twenty-five (25%) percent of the actual lot width, provided that the aggregate width of the side yards need not exceed fifteen (15') feet.

For the purpose of this covenant, eaves, steps, and open porches shall be considered as part of the building.

21. No lines or hanging devices are allowed for the drying of clothes or other purposes, unless within an enclosure not visible to other property or from any street.
22. Nothing herein contained is intended to prohibit the resubdivision of any lot or lots subject to these restrictions. In the event that any lot or lots are resubdivided into one or more lots, the restrictions imposed by this act shall automatically encumber and apply to the newly created lot or lots and the said restrictions shall automatically cease to encumber and apply to the lot or lots so resubdivided. However, no lot shall contain less than six thousand six hundred (6,600) square feet.
23. Each dwelling placed or permitted on any lot must also have on that lot a detached or attached two (2) car garage or two (2) car carport.
24. No building, fence or structure shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the building, fence or structure have been approved by the "Architectural Control Committee" as to compliance with this act of restrictions. Approval shall be as provided herein. There is hereby created the "Architectural Control Committee", which committee shall be composed of three (3) natural persons of the full age of majority. The first members of said committee are the following:
 - (a) Donald E. Pate, 4949 Bullard Avenue, Suite 100, New Orleans, Louisiana 70128
 - (b) Donald R. Sampson, 4949 Bullard Avenue, Suite 100, New Orleans, Louisiana 70128
 - (c) Edwin J. Conran, 4949 Bullard Avenue, Suite 100, New Orleans, Louisiana 70128

A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee, nor its designated representatives, shall be entitled to any compensation for services performed

24. In addition to the covenants above and restrictions contained in Restrictions 1 through 23, the lots situated in Square D, and Lots 1 through 9, both inclusive, of Square C, and Lots 12 through 24, both inclusive, of Square C, shall have the following covenants and restrictions:
- A. No fence, wall, hedge or shrubbery, bamboo, building or accessory building (except docks or bulkheads) may be constructed on or within the rear thirty (30) feet of each lot.
 - B. Permitted fences, walls, hedges or shrubbery shall not be erected or placed in the rear yard, unless same is less than five (5) feet in height and unless said fences or walls are not of a completely solid construction.
 - C. All accessory buildings, including without limitation, carports and garages, must be attached to the main building. No detached accessory buildings, including without limitation, carports and garages, shall be erected, placed or permitted to remain on the lots subject to this restriction.
25. No building, fence or structure shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the building, fence or structure have been approved by the "Architectural Control Committee" as to compliance with this Act of Restrictions. Approval shall be as provided herein. There is hereby created the "Architectural Control Committee", which Committee shall be composed of three (3) natural persons of the full age of majority. The first members of said Committee are the following:
1. Howard F. Beck, 7300 Downman Road, New Orleans, Louisiana, 70126;
 2. Donald R. Sampson, 7300 Downman Road, New Orleans, Louisiana, 70126;
and
 3. Alvin J. Cirino, Jr., 7300 Downman Road, New Orleans, Louisiana, 70126.

A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor its designated representatives, shall be entitled to any compensation for services performed pursuant to this covenant. At any time, the then record owners of seventy-five (75%) percent of the lots, shall have the power through a written instrument, duly recorded in the Conveyance Office of Orleans Parish, to change the membership of the Committee. The Committee's approval or disapproval as required in this covenant shall be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it, approval of the Committee will not be required.

ARTICLE TWO

WHEREAS, Developer, Lake Forest, Inc., intends to create a residential community to be generally known as "Lake Bullard", which community shall be situated within the area bounded by Bullard Avenue, Berg Canal, Lake Forest Boulevard and Dwyer Road, in the Third Municipal District of the City of New Orleans;

WHEREAS, Developer intends that the said residential community shall include residential lots for sale by the Developer to the public and a lake (which lake shall hereinafter be described and referred to as "Common Properties", which "Common Properties" shall be for the non-exclusive use and benefit of the members of Lake Bullard Homeowners' Association, Inc., a Louisiana non-profit corporation, and which "Common Properties" shall be controlled, administered and directed by the said Association; and

WHEREAS, Developer desires to provide for the preservation of values and amenities in the said residential community and for the maintenance and operation of the "Common Properties"; and

WHEREAS, Developer has deemed it desirable for the efficient preservation of the values and amenities in the said residential community to create an association to which should be delegated and assigned, the powers and purposes of owning, operating, maintaining and administering the "Common Properties"; and administering and enforcing the restrictive covenants created in Articles One and Two hereof, and collecting and disbursing the assessments and fees hereinafter referred to; and

WHEREAS, there has been created a certain non-profit corporation under the name of Lake Bullard Homeowners' Association, Inc., by act passed before Omer F. Kuebel, Jr., Notary Public, dated November , 1982.

NOW, THEREFORE, in consideration of the benefits accruing to the Lake Bullard Homeowners' Association, Inc. (hereinafter referred to as the "Association") and to the future owner or owners of the hereinafter designated lots in Lake Bullard Subdivision, Phase 1 or Lake Bullard Subdivision, Phase 2, and any additions thereto, the said Developer does hereby place the following restrictive covenants,

privileges and servitudes on all of the lots, above enumerated on Page 2 hereof, in Lake Bullard Subdivision, Phase 1 or in Lake Bullard Subdivision, Phase 2, which restrictive covenants, privileges and servitudes shall run with the land and shall be binding and enure voluntarily or involuntarily to the future owners of any of the said lots or any portion thereof and their heirs, successors, executors, administrators, transferees and assigns, which restrictions, privileges and servitudes are as follows, to-wit:

- A. Every person or entity who is a record title owner of any lot bounded on the lake within Lake Bullard Subdivision, Phase 1 or Lake Bullard Subdivision, Phase 2, and more particularly, each lot in Square D, Lots 1 through 9, both inclusive, of Square C, and Lots 12 through 24, both inclusive, of Square C, shall ipso facto be a member of the "Association". Each member shall be entitled to the privileges and subject to the obligations as are more fully set out in Articles II, III, IV, V, VI, VII and VIII, of the Articles of Incorporation of the said "Association", which Articles of Incorporation are as follows:

"ARTICLE II

The corporation does not contemplate pecuniary gain or profit, direct or indirect, to its members. It is and shall be a non-profit corporation. The purpose for which it is formed is to promote the health, safety and welfare of the residents of Lake Bullard Subdivision, Phase 1 and Lake Bullard Subdivision, Phase 2, which subdivisions are shown on plans registered in COB 781, folio 235, Orleans Parish, Louisiana.

This corporation is also formed for the purpose of promoting the health, safety and welfare of the residents of other subdivisions or additions to "The Properties", as hereinafter defined, which may hereafter be brought within the jurisdiction of this corporation by annexation as provided in Article VI herein. The subdivisions above described as Lake Bullard Subdivision, Phase 1 and Lake Bullard Subdivision, Phase 2, together with any future annexations in conformity with Article VI herein, are herein:

referred to as "The Properties". In furtherance of the above purposes, the corporation shall have the power to:

- (a) Own, acquire, build, operate and maintain recreation parks, lakes, playgrounds, open spaces, landscaped areas, easement areas and other common facilities, including buildings, structures and personal property incident thereto, hereinafter referred to as "Common Properties", all of which shall be operated for the use and benefit of the members of the Association;
- (b) Supplement municipal services;
- (c) Fix assessments (or charges) to be levied against "The Properties", or any part thereof, as provided herein;
- (d) Enforce any and all covenants, restrictions and agreements applicable to "The Properties", or any part thereof;
- (e) Pay taxes, if any, and insurance on the "Common Properties"; and
- (f) Insofar as permitted by law, to do any other things that, in the opinion of the Board of Directors, will promote the common benefit and enjoyment of the residents of "The Properties" or any part thereof.

ARTICLE III

MEMBERSHIP

This corporation is and shall be organized on a membership basis and no shares or certificates of stock shall be issued. Every person or entity who is a record title owner of any lot bounded on the lake within "The Properties", and more particularly, each lot in Square D, Lots 1 through 9, both inclusive, of Square C, and Lots 12 through 24, both inclusive, of Square C, shall be a member of the corporation.

ARTICLE IV

VOTING RIGHTS

A member shall be entitled to one (1) vote for each lot bounded on the lake within "The Properties", of which he is the record title owner. When more than one (1) person or entity owns or has an interest in any lot bounded on the lake within "The Properties", all such persons shall be members, and the vote for such lot shall be exercised as they among themselves

determine, but in no event shall more than (1) vote be cast with respect to any such lot. In the event of any future annexations in conformity with Article VI herein, the owners of lots therein which are bounded on the lake will also be members of this corporation.

ARTICLE V

BOARD OF DIRECTORS

The affairs of the corporation shall be managed by the Board of Directors. The Board of Directors shall consist of at least five (5) directors to be elected annually at the annual meeting of the membership, who need not be members of this corporation.

The names and addresses of the original directors are as follows:

Howard F. Beck	7300 Downman Road	New Orleans, LA, 70126
Edward Kacer	7300 Downman Road	New Orleans, LA, 70126
Edwin J. Conran	7300 Downman Road	New Orleans, LA, 70126
Donald R. Sampson	7300 Downman Road	New Orleans, LA, 70126
Mary Lynn Carter	7300 Downman Road	New Orleans, LA, 70126,

and they shall hold office until the first annual meeting of the members. Directors may vote at any directors' meeting by proxy given to any other members of the Board of Directors. A majority of the Directors in person or by proxy shall constitute a quorum, and such a quorum shall be necessary to consider any question that may come before any meeting of the directors. If such a quorum is not present at a duly assembled meeting, a majority of those present may adjourn the meeting from time to time, but may not transact any other business until such a quorum is secured. A quorum being present, the affirmative vote of a majority of the directors present shall be necessary to decide any questions. The Board of Directors shall have the power to make, amend or repeal by-laws of the corporation at any regular or special meeting which need not be called for the express purpose of making, amending or repealing

by-laws and which meeting may be called, convened and conducted without any notice to the Board members for the purpose of the meeting, subject always to the power of the voting members to change the action of the directors. The Board of Directors may increase the number of directors of this corporation.

ARTICLE VI

ADDITIONS TO PROPERTY AND MEMBERSHIP

The Developer, Lake Forest, Inc., intends to acquire and/or subdivide, and develop additional lands in one or more development phases, situated within the area bounded by Lake Forest Boulevard, Dwyer Road, Bullard Avenue and the Berg Canal, in the Third Municipal District of the City of New Orleans, State of Louisiana, and the Developer intends that portions of the said additional lands shall be used for residential lots for sale to the public and that other portions may be used as "Common Properties" and the ownership thereof transferred to this corporation. If and when the Developer does so, Developer shall always have the right and power, although it is not obligated to do so, to make any one or more or all of said additional subdivisions or development phases an addition to "The Properties" described in Article II; and, in the event of such election, every person or entity who is a record title owner of any residential lot bounded on the lake within "The Properties" in such additional subdivision(s) or development phase(s) shall likewise be a member of this corporation and as such, be governed by this corporation and entitled to the rights and privileges of membership and subject to the obligations of membership, including the payment of fees and assessments. Such election shall be made by written notice from the Developer to this corporation.

ARTICLE VII

ASSESSMENTS

The members shall not be subject to dues or assessments before January 1, 1985. Thereafter, the members and the lot upon which said member's membership is based shall be subject to and liable for dues and/or assessments, which must be assessed by a two-thirds (2/3) vote of the membership, for the purpose of operating, maintaining and improving the "Common Properties" and otherwise carrying out the purposes of this corporation.

In addition thereto, after January 1, 1985, by a two-thirds

(2/3) in number of total votes of members of the corporation entitled to vote at that time, a special assessment may be levied against the members' lots, and in the event of such assessment, written notice shall be sent to all members of the corporation at least thirty (30) days in advance of the meeting on which such a matter will be considered.

Anything hereinabove to the contrary notwithstanding, the owner of any lot shall not be liable for dues or assessments, regular or special, which in the aggregate exceed \$1.00 per month, unless and until a dwelling is constructed on that lot. This provision shall not be amended, changed, altered or modified without the consent in writing of the owners of any such vacant lots at the time of such amendment, change, alteration, or modification.

If any member shall fail to pay such fees or assessments when due, the Board of Directors may, in addition to the personal action against such member, cause to be recorded against the lot upon which such membership is based, a lien and encumbrance which upon recordation shall take precedence over any subsequently recorded lien and encumbrance bearing against any such lot and which shall for all purposes be considered a special privilege and lien against such lot.

ARTICLE VIII

PROPERTY RIGHTS

Each member shall be entitled to the use and enjoyment of the "Common Properties", subject to the Act of Restrictions applicable to "The Properties", these Articles of Incorporation, the by-laws and the rules and regulations adopted by the Board of Directors and subject to any servitudes and/or license agreements encumbering the "Common Properties". Such right of use and enjoyment shall be appurtenant to the right of membership. The "Common Properties" are more particularly described in the Act of Restrictions applicable to the "Common Properties".

Any member may delegate his rights of use and enjoyment in the "Common Properties" to the members of his family who reside upon "The Properties" or to any of his tenants who reside thereon, subject to the reasonable rules and regulations adopted by the

Board of Directors. Such member shall notify the Secretary in writing of the name of any such person and of the relationship of the member to such person. The rights and privileges of such persons are subject to suspension to the same extent as those of the member."

- B. Upon failure to pay any fee or assessment referred to or provided for in Article VII of the Articles of Incorporation of the "Association" for a period of sixty (60) days after the same shall have become due, the owner of the said lot (member of the "Association"), and his family and assigns, may be excluded from all use of the "Common Properties"; and further, the said owner shall be personally liable for such fees and assessments and his lot shall be subject to a lien and encumbrance as provided for in the said Article VII of the Articles of Incorporation of the said "Association".
- C. Any notice required to be sent to any lot owner under the provisions of the Articles of Incorporation of the "Association" shall be deemed to have been properly sent when mailed, postpaid, to the last known address of the person who appears as the owner of the lot in record of the Orleans Parish Assessor's Office.
- D. Deeds of Conveyance of all or any of the lots shall incorporate by reference all of the provisions contained in this document. However, whether or not recited in the Deeds of Conveyance, these restrictions shall be binding on every owner of every lot in said subdivision.
- E. Invalidation of any one of these covenants in this Article Two by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.
- F. Enforcement of these restrictive covenants in this Article Two shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain any violation or to recover any damages, and may be instituted by anyone in interest, or his, her or their designated representative, and particularly by any person or persons owning any property that is subject to these covenants and by Lake Bullard Homeowners' Association, Inc..
- G. The restrictions, privileges and servitudes created in this Article Two shall be binding for a period of twenty-five (25) years from the date hereof and thereafter as long as the "Association" exists.

ARTICLE THREE

The Developer will convey the "Common Properties" to the Association not later than March 1, 1983, subject to all restrictions, servitudes, liens, encumbrances and mineral reservations existing as of said date.



The area containing the "Common Properties" is more fully

shown as the "Lake" on the annexed subdivision plan of Lake Bullard Subdivision, Phase 2, subject to revision, if any, when the shoreline is established by survey.

In consideration of the conveyance of the "Common Properties" to the "Association", the "Association" shall be bound and obligated to the Developer and the members of this "Association" to maintain and operate the "Common Properties" in a clean, safe and sanitary condition.

THUS DONE AND PASSED, in my office in the City of New Orleans, State of Louisiana, on the day and date first above written, in the presence of the undersigned competent witnesses, who have hereunto signed their names with said appearer and me, Notary, after due reading of the whole.

WITNESSES:

LAKE FOREST, INC.

BY: 
HOWARD F. BECK, PRESIDENT

OMER F. KUEBEL, JR., NOTARY PUBLIC