

FIRST SUPPLEMENTARY  
AND AMENDING ACT TO ACT CREATING  
DEED RESTRICTIONS AND  
COVENANTS

651199

UNITED STATES OF AMERICA

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BY: AAK ENTERPRISES, INC.

FOR: ROSEDOWN SUBDIVISION

APR 17 1987  
NOTARY PUBLIC  
STATE OF LOUISIANA

BE IT KNOWN, on this 15th day of April, 1987.

BEFORE ME, James G. Coate, Jr., Notary Public, in and for the Parish of St. Tammany State of Louisiana, duly commissioned and qualified, and in the presence of the witness hereinafter named and undersigned, personally came and appeared:

AAK ENTERPRISES, INC., a Louisiana corporation organized under the laws of Louisiana, appearing herein through Albert A. Kramer, Jr., President, by virtue of a Resolution of the Board of Directors of said Association recorded in COB 1278 folio 689 of the official records of St. Tammany Parish, Louisiana;

who declares as follows:

I

Appearer did enter into an "Act Creating Deed Restrictions and Covenants of Rosedown Subdivision, Phase I" (hereinafter referred to as "Instrument"), dated September 24, 1986, recorded in COB 1278 folio 691 of the official records of St. Tammany Parish, Louisiana.

II

Section XII(B)(3)(B)(1) of the Instrument provided:

"No building, structure, or residence shall be located less than 40 feet from the front property line, 10' from the side property line and 30' from the rear property line or as shown on the official Plat of Rosedown Subdivision filed in the official records of St. Tammany Parish."

III

Appearer desires to, and does hereby amend the Instrument by changing Section XII(B)(3)(B)(1) to read as follows:

"No building, structure, or residence shall be located less than 30 feet from the front property line, 10' from the side property line and 30' from the rear property line or as shown on the official Plat of Rosedown Subdivision filed in the official records of St. Tammany Parish."

IV

Appearer desires to annex lots 74 through 156, inclusive, of Phases 2-A, 2-B and 2-C of Rosedown Subdivision, as shown on a Plat prepared by Kelly McHugh & Associates, Civil Engineers and Land Surveyors, dated June 10, 1986, drawing number 86-61-202.

V

Appearer desires to amend said Act Creating Deed Restrictions and Covenants, to reflect the annexation of the above lots in Phases 2-A, 2-B and 2-C of Rosedown Subdivision owned by Appearer and more particularly described in Exhibits "A", "B" and "C", to all of the provisions of this Instrument as hereinafter provided:

VI

Appearer desires to and does hereby amend the Instrument by changing Section XII(B)(3)(B)(1) by adding the lots described above as follows:

"The following front, rear and side setbacks apply to lots 11 through 73, inclusive, and lots 74 through 156, inclusive, to-wit:"

VII

124933

LEGAL DESCRIPTION FOR  
ROSEDOWN PHASE 2-A

A CERTAIN PARCEL OF GROUND situated in Section 40, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows, to-wit:

From the Northwest corner of Section 40, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, run South 67 degrees 00 minutes East a distance of 726.0 feet; thence run South 22 degrees 43 minutes 21 seconds West a distance of 1,246.64 feet to the Point of Beginning.

From the Point of Beginning, continue South 22 degrees 43 minutes 21 seconds West a distance of 1,198.66 feet; thence run North 67 degrees 16 minutes 39 seconds West a distance of 121.96 feet; thence run North 29 degrees 31 minutes 39 seconds West a distance of 324.49 feet; thence run North 22 degrees 43 minutes 02 seconds East a distance of 63.24 feet; thence run North 60 degrees 28 minutes 21 seconds East a distance of 100.0 feet; thence run North 29 degrees 31 minutes 39 seconds West a distance of 150.0 feet; thence along a curve concave to the right with a radius of 238.91 feet, an arc length of 60.65 feet and a chord which bears North 22 degrees 15 minutes 18 seconds West a distance of 60.49 feet; thence run South 60 degrees 28 minutes 21 seconds West 99.44 feet; thence along a curve concave to the left with a radius of 176.22 feet, an arc length of 46.20 feet and a chord which bears South 52 degrees 57 minutes 45 seconds West 46.06 feet; thence North 29 degrees 31 minutes 39 seconds West a distance of 55.26 feet; thence North 67 degrees 16 minutes 58 seconds West a distance of 120.0 feet; thence North 22 degrees 43 minutes 02 seconds East 692.93 feet; thence South 67 degrees 16 minutes 58 seconds East a distance of 162.06 feet; thence South 46 degrees 21 minutes 20 seconds East a distance of 60.0 feet; thence along a curve concave to the right with a radius of 122.74 feet, an arc length of 28.85 feet and a chord which bears North 50 degrees 22 minutes 39 seconds East a distance of 28.78 feet; thence run North 57 degrees 06 minutes 38 seconds East a distance of 160.82 feet; thence South 32 degrees 53 minutes 22 seconds East a distance of 39.05 feet; thence run South 67 degrees 16 minutes 39 seconds East a distance of 372.0 feet to the Point of Beginning.

Said parcel contains 15.358 Acres all as per plat by Kelly McHugh & Assoc., Inc. numbred 86-61-202 and dated 6-10-86, and last revised 11-20-86.

LEGAL DESCRIPTION  
FOR  
ROSEDOWN SUBDIVISION, PHASE 2-C

A certain parcel of ground situated in Section 40, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the Northwest corner of Section 40, Township 7 South, Range 11 East, run S67°00'E a distance of 726.0' to a point, thence S22°43'21"W a distance of 2445.3' to the P.O.B.

From the P.O.B. continue S22°43'21"W a distance of 732.45', thence N69°13'22"W a distance of 726.76', thence N22°43'02"E a distance of 1148.11', thence S67°16'58"E a distance 120.00', thence S29°31'39"E a distance of 55.26', thence along a curve concave to the right with a radius of 176.22', an arc length of 46.20' and a chord which bears N52°57'45"E-46.06' thence N60°28'21"E a distance of 99.44', thence along a curve concave to the left with a radius of 238.91', an arc length of 60.65' and a chord which bears S22°15'18"E-60.49', thence S29°31'39"E a distance of 150.0', thence S60°28'21"W a distance of 100.0' thence S22°43'02"W a distance of 63.24', thence S29°31'39"E a distance of 324.49', thence S67°16'39"E a distance of 121.96' to the P.O.B.

Said parcel contains 16.342 acres.

LEGAL DESCRIPTION  
FOR  
ROSEDOWN SUBDIVISION PHASE 2-B

A certain parcel of ground situated in Section 40, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the Northwest corner of Section 40, Township 7 South, Range 11 East, run S67°00'E a distance of 726.0' to a point, thence S22°43'21"W a distance of 874.3' to the P.O.B.

From the P.O.B. continue S22°43'21"W a distance of 372.34', thence N67°16'39"W a distance of 372.0', thence N32°53'22"W a distance of 39.05', thence S57°06'38"W a distance of 160.82', thence along a curve concave to the left with a radius of 122.74', an arc of 28.85' and a chord which bears S50°22'39"W a distance of 28.78', thence N46°21'20"W a distance of 60.0', thence N67°16'58"W a distance of 162.06', thence N22°43'02"E a distance of 462.4', thence S69°13'22"E a distance of 726.98' to the P.O.B.

Said parcel contains 6.714 acres.

"All driveways connecting to the street must have culvert or swale to ensure the proper flow of drainage. Culvert sizes must be approved in advance by the Architectural Control Committee. On lots 1 through 74, Inclusive, and lots 74 through 156, Inclusive, all driveways and aprons must be concrete and must connect from the concrete street. In the event there is no garage or carport, the driveways and aprons must be concrete and must connect to the concrete streets."

VIII

Appearer desires to and does hereby amend the Instrument by changing Section XII(B)(1)(c) to read as follows:

"Lot Numbers 11 through 30, Inclusive, 32, and lot numbers 52 through 73, Inclusive, and lot numbers 74 through 156, Inclusive:

No dwelling shall be constructed on lots 11 through 30, Inclusive, lot 32 and lot numbers 52 through 73, Inclusive, and lot numbers 74 through 156, Inclusive, having less than Two Thousand Three Hundred (2,300) square feet under beam."

IX

All other provisions of the Instrument shall remain in full force and effect.

X

Appearer is the owner/developer of more than 50% in land area of the property and has full authority to amend these restrictions as per Section XIII(2).

THUS DONE AND PASSED in my office in Mandeville, Louisiana on the day, month and year herein first above written, 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:

Marybert Palma  
Theresa L. Colby

AAK ENTERPRISES, INC.

BY: Albert A. Kramer, Jr.  
ALBERT A. KRAMER, JR.

James G. Coate, Jr.  
JAMES G. COATE, JR., NOTARY PUBLIC

rosedown.am

Filed for record April 16, 1987  
Truly recorded April 16, 1987  
Elaine H. Knight, Jr. Clerk  
Clerk of Court & Ex-Officio recorder