

ORIG 412 BOLL 9134

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

1976

RESTRICTIVE COVENANTS

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for East Baton Rouge Parish, Louisiana, and in the presence of the undersigned competent witnesses, personally came and appeared:

BUILDERS CENTER, INC., successor in title by merger with NORTH, INC., a Louisiana corporation authorized to do and doing business in the Parish of East Baton Rouge, State of Louisiana, represented herein by its duly authorized President, Sidney E. Cox, duly authorized by virtue of a resolution of its Board of Directors, which is attached hereto and made a part hereof;

and CLAUDIA SHARP TRAHAN, widow of Lee Trahan,

who after being duly sworn by me did declare as follows:

That Appearers are the owners of the following described property, to wit:

Commencing at the intersection of the North right-of-way line of Old Hammond Highway (80 foot right-of-way) and the West right-of-way line of Sharp Road (80 foot right-of-way) thence South 73° 20'55" West a distance of 800 feet to a point; thence South 73° 16' 51" West a distance of 158.95 feet to a point; thence South 73° 16' 51" West a distance of 867.32 feet to a point; thence North 0° 53' 07" West a distance of 330.71 feet to the POINT OF BEGINNING; thence North 0° 53' 07" West a distance of 11.74 feet; thence North 0° 43' 45" West a distance of 203.28 feet to a point; thence North 78° 59' 55" East a distance of 45.83 feet; thence North 1° 14' 15" West a distance of 512.0 feet to a point; thence North 88° 45' 45" East a distance of 780.0 feet; thence South 1° 14' 15" East a distance of 200.00 feet; thence South 88° 45' 45" West 48.67 feet; thence around a circular curve having a radius of 70 feet and an arc of 284.03 feet; thence South 88° 45' 45" West a distance of 398.74 feet; thence Southeast 1° 14' 15" a distance of 387.20 feet and corner; thence South 16° 14' 58" West a distance of 156.58 feet and corner; thence South 89° 16' 15" West 200.00 feet to POINT OF BEGINNING and containing 8.647 acres, all as shown outlined in red on a survey prepared by Joffrion & Associates, Inc., dated March 26, 1975 attached hereto, made a part hereof and paraphed for identification herewith.

That Appearers hereby establish certain building restrictions and conditions for the benefit of the property and for the benefit of the owners of Lots 284, 285, 286, 287, 288, 289, 310, 311, 312, 313, 314, 315, 326 and 327, Broadmoor Place Subdivision, Sixth and Seventh Filings, East Baton Rouge Parish, Louisiana, which lots are more fully shown on the annexed plat as abutting the property herein restricted, it being the intention of the Appearers to establish the following restrictions as servitudes and covenants running with the land as follows:

1. The above described property hereby designated as residential property and restricted to residential uses only and no building shall be erected, altered, placed or permitted to remain on the property other than single-family dwellings not to exceed two and one-half stories in height and a private garage for not more than three cars.

2. No building shall be erected, placed, or altered on any lot developed in the above described property, until the construction plans and specifications and a plan showing the location of the structure have been approved

by the Architectural Control Committee 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. Any building so erected, placed or altered shall be constructed exteriorly of brick, brick veneer or stone (masonite, asbestos siding, concrete block or prefabricated construction being specifically prohibited and not more than twenty (20%) per cent of the exterior, in the discretion of the Architectural Control Committee, may be trimmed in wood or other acceptable materials on single-story residences. One and one-half (1-1/2) or two (2) story residences must have eighty (80%) per cent of brick veneer, brick or stone on the first story, the remainder of the said one and one-half (1-1/2) or two (2) story residence, above the first story, may be of wood or other building material acceptable to the Architectural Control Committee. The Architectural Control Committee may waive any requirement of this paragraph should it choose to do so.

3. The minimum requirement for residential structures is set out as follows:

There shall be a minimum of sixteen hundred fifty (1650) square feet of living area in each house, which shall be exclusive of open porches, garages, carports or storage areas attached to the garage or carport. In the event that the building to be erected shall contain more than one story, then in that event a minimum of eight hundred twenty-five (825) feet of enclosed living area is required on the first or ground floor.

4. No building shall be located on any subdivided lot nearer to the front property line of the lot than thirty (30) feet, nor to the side property line than eight (8) feet. Carports may be attached to the main dwelling. Eaves, steps and open porches shall not be considered as part of a building nor shall this restriction include the garage or carport. A maximum building setback of sixty (60) feet from the front line of any subdivided lot is hereby established.

5. No noxious or offensive activity shall be carried on upon the property nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

6. No lot shall be subdivided or re-subdivided except as approved by the City Parish Planning Commission; this does not prohibit the use of more than one lot to form a single residential site.

7. No animals except usual domestic pets shall be kept on said premises.

8. No fence shall be erected on any subdivided lot beyond the front building setback line of the lot, nor shall a fence be erected on a lot that does not have a house constructed on it unless this lot is to be used in conjunction with the residence adjoining it on the other side.

9. No structure of a temporary character, trailer, basements, tent, shack, garage, barn, or other outbuilding shall be used on the property or any subdivided lot at any time as a residence, either temporarily or permanently. No structure in addition to the main dwelling, either of temporary or permanent construction, may be constructed without first having been approved by the Architectural Control Committee, and any such buildings must conform in every respect, including materials, with the exterior construction of the residence constructed on the lot.

10. An Architectural Control Committee composed of three persons to be appointed by the Broadmoor Residents Association, Inc., is hereby constituted. A majority of the committee may designate a representative to act for it. In the event of the death or resignation of any member of the committee the remaining members shall have full authority to designate a successor who is also a member

of the Broadmoor Residents Association, Inc. Neither the members of the committee nor its representatives shall be entitled to any compensation for services performed pursuant to this covenant. The Architectural Control Committee herein provided for shall serve until ninety (90%) per cent of all lots developed in the above described property shall have been sold. In addition to the Architectural Control Committee in the event of any dispute or controversy involving the interpretation of these restrictions shall be final, binding and non-appealable.

11. The committee's approval or disapproval as required in these covenants shall be in writing. No construction shall be started until the plans have been approved in writing by the said committee. 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, in writing, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the relative covenants shall be deemed to have been fully complied with.

12. No person shall provide or install a method of sewerage treatment other than connection to a sanitary sewer system until the design for that method of treatment and disposal has been approved by the East Baton Rouge Parish Health Unit. Plans for such system may be obtained from said Health Unit.

129 13. These restrictive covenants shall run with the land and be binding upon all parties and all persons claiming under them for a period of twenty-five (25) years from the date that these restrictive covenants are recorded or until an instrument signed by seventy-five (75%) per cent of the owners of Lots 284, 285, 286, 287, 288, 289, 310, 311, 312, 313, 314, 315, 326 and 327, Broadmoor Place Subdivision, Sixth and Seventh Filings, shall be recorded agreeing to change these covenants in whole or in part. At any time after the expiration of twenty-five (25) years from the date that these covenants shall be recorded the said covenants may be modified in whole or in part by written agreement between the owners of the majority of the lots which may be subdivided from the property herein restricted without the approval, consent or concurrence of any of the owners of other lots in Broadmoor Place Subdivision, Sixth and Seventh Filings, in whose favor these restrictions run.

14. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants either to restrain violation or to recover damage.

15. Invalidity of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

THUS DONE AND SIGNED in my office in Baton Rouge, Louisiana, in the presence of the undersigned competent witnesses, this 20th day of January, 1976.

WITNESSES:

BUILDERS CENTER, INC.

Carl W. R. Lewis

By: Sidney E. Coke
Sidney E. Coke, President

Carolyn A. Gilbert

Claudia Sharp Trahan
Claudia Sharp Trahan

Robert L. Hight
NOTARY PUBLIC

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