

SUPPLEMENTARY DELCARATION  
OF TRANSFER AND DEDICATION  
AND RESTRICTIONS OF THE  
LANDINGS OF CROSS GATES  
SUBDIVISION, PHASES  
1, 2, 3 AND 4

UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF ST. TAMMANY

BE IT KNOWN, that on this 11 day of May, 2006 before me, the undersigned Notary Public, duly commissioned and qualified within and for the state and parish aforesaid, personally came and appeared:

**CROSS GATES, INC.**, a corporation organized and operating under the laws of the State of Louisiana, domiciled therein, herein represented by LOUIS G. MIRAMON, JR., (hereafter referred to as "Declarant") duly authorized by virtue of a resolution recorded in COB 810, folio 267, records of St. Tammany Parish, Louisiana,

who declared that:

1. Said corporation is the owner of certain property located in Section 38, Township 8 South, Range 15 East, St. Tammany Parish, Louisiana, being designated as THE LANDINGS OF CROSS GATES SUBDIVISION, PHASES 1, 2, 3 AND 4, in accordance with plats of survey by J.V. Burkes, III, C.E.,
  - Plat No. 981646 - Phase 1, Lots 1-25 and Lots 94-110
  - Plat No. 2768 - Phase 2, Lots 26-32, Lots 75-93, Lot 111 and Lots 136-148
  - Plat No. 3727 - Phase 3, Lots 33-41, Lots 112-120 and Lot 156
  - Plat No. 3788 - Phase 4, Lots 68-74, Lots 121-135 and Lots 149-155
2. It has heretofore executed an act imposing protective covenants and building restrictions to the public affecting The Landings of Cross Gates Subdivision, Phase 1 by act dated March 26, 1999, filed for record on March 30, 1999 and recorded in COB as Instrument No. 1141397 and as amended by act dated August 12, 1999, filed for record on August 16, 1999 as Instrument No. 1162262 and as to Phase 2 by act dated March 19, 2003 and recorded on May 14, 2003 as Instrument No. 1365563, as to Phase 3 by act dated April 25, 2005 and recorded on April 7, 2005 as Instrument No. 1487985, and as to Phase 4 by act dated November 16, 2005 and recorded on November 28, 2005 as Instrument No. 1524903.

St. Tammany Parish 56  
Instrmnt #: 1553426  
Registry #: 1608849 LCM  
05/19/2006 8:30:00 AM  
MB CB X MI UCC

3. Whereas in all of the plats referred to above and filed in the office of the Clerk of Court, all street right of ways as shown on the respective plats were made private and were not dedicated to the perpetual use of the public. Nevertheless, no provisions were made on the transfer of said streets, and additionally drives, courts, cul de sacs, parks, playgrounds, ponds and common recreational areas all as shown on the plat maps referred to hereinabove.

NOW THEREFORE, Declarant hereby declares that all of the streets, drives, courts, cul de sacs, parks, playgrounds, ponds and common recreational areas, if any, in The Landings of Cross Gates Subdivision, Phases 1, 2, 3, and 4 as shown on the plat maps referred to hereinabove are hereby transferred to in ownership and fee title to same shall remain in The Landings Homeowners Association, Inc. (hereinafter referred to as "Association"), its successors, transferees or assigns. Said ownership and fee title to said streets, drives, courts and cul de sacs, parks, playgrounds, ponds and common recreational areas were not intended to be dedicated in any manner to the Parish of St. Tammany, State of Louisiana, the public in general or to public use.

There is hereby granted and established by designation in favor of each and every present and future owner of a lot in the subdivision and each and every present and future owner of a lot in The Landings of Cross Gates Subdivision, Phases 1, 2, 3 and 4 and all future phases and each and every present owner and future owner of the property and any additional property included in the development, their heirs and assigns, a non-exclusive perpetual servitude of passage and of ingress and egress on, over and across all of the streets, including all drives and courts and the street rights-of-way located in the subdivision as shown on the plan and plats of the subdivision. The servitude in favor of each such lot or grantee shall be a separate and distinct servitude. Said servitude in favor of each lot or grantee shall be a predial servitude which shall be exercisable by the owner of such lot or grantee and his agents, employees, contractors, licensees, invitees and guests. Each and every such servitude of passage and of ingress and egress shall permit and allow the grantee thereof (i.e. the owner of the lot) and his agents, employees, contractors, licensees, invitees and guests, the non-exclusive use and right of passage, together with others of said streets, sidewalks, courts and cul de sacs, if the latter are required within the said street rights-of-way for access to and ingress to and egress from every lot and/or common area, which said use shall be determined by law, these

subdivision restrictions and rules and regulations as promulgated by the association from time to time.

In no event shall any such lot or owner of a lot or grantee be deprived of egress from or ingress to his lot over the said streets in the subdivision. The aforesaid servitudes established in this section shall not be subject to termination or amendment by or upon any termination or amendment of this declaration.

This servitude herein established in this section shall encumber and include without limitation all of the streets, drives, courts and cul de sacs shown on the plan of subdivision and in the various plats referred to hereinabove.

Any person who shall cease to be a lot owner and an association member shall lose his servitude rights under this section.

In addition, Declarant reserves the right for itself, its successors and assigns to use and enjoy the said streets rights-of-way in addition to and together with all of said grantees. It is understood that other servitudes such as servitudes for utilities have been granted which effect the said street rights-of-way. The grantees of the servitude hereinabove establish or cooperate with such other servitude grantees in the use and enjoyment of the servitude areas, streets and streets rights-of-way.

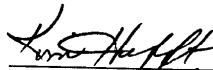

An owner of a lot in the subdivision and his respective agents, employees, contractors, licensees, invitees and guests shall at no time obstruct or in any way interfere with free passage on, over or across the said streets and street rights-of-way and that portion of the rights-of-way on which sidewalks, bike paths, walking paths, jogging paths, if any may have been constructed.

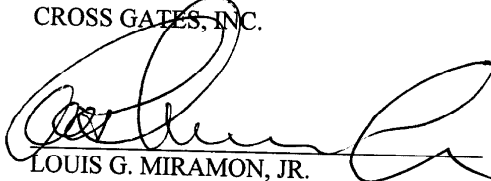
However, the Declarant or its successors and assigns, the Association or its successors and assigns and/or any utility company, entity or governmental agency in carrying out its rights, duties or obligations to install, maintain, repair or replace the improved streets or any utility within the subdivision or streets may reasonably, temporarily, obstruct or interfere with the said use of passage, and of ingress or egress, on, over or across said streets and street rights-of-way. The association shall also have the right to protect and preserve the private nature of the said streets in the subdivision by reasonable means, including without limitation, by reasonable rules and regulations, by gate houses, security gates, checkpoints, guardrails and similar devices located in the street right-of-way or


otherwise.

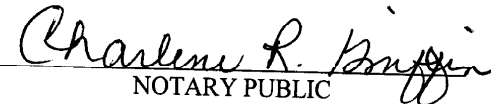
THUS DONE AND PASSED in Slidell, Louisiana, on the day, month and year first above written and in the presence of the undersigned competent witnesses who have hereunto signed their names with the Declarant and me, Notary Public, after reading of the whole.

CROSS GATES, INC.

  
Witness 

  
LOUIS G. MIRAMON, JR.

  
Witness Tina Wightman

  
NOTARY PUBLIC

**Charlene R. Griffin**  
**Notary Public - ID# 10150**  
**Parish of St. Tammany**  
**State of Louisiana**  
**Commission Expires With Life**