

**Original 6, Bundle 5998**

**RESTRICTIONS FOR WESTMINSTER PLACE SUBDIVISION, FIFTH FILING, PART I**

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

BE IT KNOWN that on this 14<sup>th</sup> day of October, 1965, before me, Frank S. Craig, Jr., a Notary Public duly commissioned and qualified in and for the Parish and State aforesaid, and in the presence of the undersigned competent witnesses, personally came and appeared:

EXECUTIVE DEVELOPMENT CORPORATION

Herein represented by James Hamilton Smith, President, duly authorized hereto, who declared that:

It is the owner of thirty-seven (37) lots or parcels of ground, bearing numbers Two Hundred Forty-three (243) through Two Hundred Sixty-one (261) and Two Hundred Sixty-seven (267) through Two Hundred Eighty-four (284), both inclusive, which constitute that certain tract or subdivision which is delineated on a map prepared by Edward E. Evans, Civil Engineer dated October 5, 1965, entitled "Final Plat of Westminster Place Subdivision, Fifth Filing, Part I, being a portion of the Eastland Property, located in Section 39, T-7-S, R-1-E, Greensburg Land District of Louisiana, East Baton Rouge Parish, Louisiana" a blueprint of which map is attached hereto and made part hereof and paraphrased "Ne Varietur" by me, Notary, for identification herewith, and that:

Appearer has established and he hereby establishes the following restrictions and conditions for the benefit of said property, which restrictions and conditions shall run with the land and shall inure to the benefit of, and shall be binding upon, all of the purchasers, future owners, or occupants of any portion thereof, their heirs and assigns, to wit:

- (1) All of the lots contained in this subdivision are hereby designated as residential lots, and no buildings shall be erected, altered, placed or permitted to remain on any lots other than one (1) detached single family dwelling not to exceed one and one-half stories in height and a private garage for not more than three (3) cars.
- (2) No building shall be erected, placed, or altered on any lot 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. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building set back line unless similarly approved.
- (3) The minimum requirements for residential structures are is set out as follows: (a) For single-story residence, One Thousand Five Hundred (1,500) square feet of living area

and One Thousand Eight Hundred Fifty (1850) square feet of horizontal roof area; In determining the "living area" open porches, carports (or garages) shall not be included, but the "horizontal roof area" may include porches, carport and/or garage roofs.

- (4) No building shall be located on any lot nearer to the front lot line than thirty (30) feet, nor nearer to the side property line than eight (8) feet. Garages and carports may be attached to the main dwelling but must not be nearer to the side property line than permitted for the main dwelling. For the purpose of this covenant, eaves steps and open porches shall not be considered as part of a building. A maximum building setback line of Forty (40) feet is hereby prescribed. Any accessory building less than Ten (10) feet from a main building shall be considered part of the main building and shall be provided with the side yards required for the main building.
- (5) Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.
- (6) No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
- (7) These covenants prohibit the resubdivision of lots from any dimensions other than those shown on the official recorded plat; provided, however, that this shall not prohibit the use of more than one (1) lot for one (1) residence.
- (8) No garage apartments are to be erected or to be used as a residence, except as a residence for domestic servants to the occupants of the main residential premises. The main residential premises must be completed and occupied prior to use of the garage apartment for any purpose.
- (9) No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.
- (10) No livestock shall be kept on said premises.
- (11) No building or structure shall be constructed using imitation brick, imitation stone concrete blocks, or asbestos on the exterior, nor shall more than fifteen percent (15%) of the exterior of the main dwelling be of wood. Residences shall be constructed with exteriors predominantly of masonry or masonry veneer. Residences proposed to be constructed with exteriors of materials other than the above are subject to disapproval by the Architectural Control Committee when such use of materials in their opinion is not reasonable harmonious with the surrounding structures.

- (12) An Architectural Control Committee composed of James Hamilton Smith, W.J. Brown, III and Edward E. Evans is hereby appointed. 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 shall have full authority to designate a successor. Neither the members of the committee, nor its designated representative, shall be entitled to any compensation for services performed in connection to the administration of this covenant. At any time, the then record owners of a majority of the lots shall have the power through a duly recorded written instrument to change the membership of the committee or to withdraw from the committee or restore to it any of its powers and duties.
- (13) The Committee's approval or disapproval as required in these covenants 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 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 related covenants shall be deemed to have been fully complied with.
- (14) Invalidation of any of these covenants by judgment of court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

THUS DONE, READ AND PASSED in my office in the city of Baton Rouge, Parish and State aforesaid, in the presence of the undersigned competent witnesses and Notary Public on this 14<sup>th</sup> day of October, 1965, after due reading of the whole.

**Original 6, Bundle 6379**

**AMENDMENT TO RESTRICTIONS FOR WESTMINSTER PLACE SUBDIVISION, FIFTH FILING, PART I**

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

BE IT KNOWN BY THESE PRESENT that we, the undersigned, are all of the owners of record of all of the lots comprising that subdivision of the Parish of East Baton Rouge, State of Louisiana, known as Westminster Place Subdivision, Fifth Filing, Part I, as shown on the official map of Westminster Place Subdivision, Fifth Filing, Part I, made by Edward E. Evans, Civil Engineer, dated October 5, 1965, a copy of which is on file and of record in the Office of the Clerk and Recorder for the Parish of East Baton Rouge, being respectively the owners of the lots shown together with our signatures.

That there are certain restrictions governing the use of the property in Westminster Place Subdivision, Fifth Filing, Part I, which restrictions are of record in the Office of Clerk and Recorder for the Parish of East Baton Rouge, as Original Six (6), Bundle Five Thousand Nine Hundred Ninety-eight (5998).

That appearers do by these presents hereby amend and correct the restrictions of record as aforesaid in the following respects:

Restriction No. 1 is hereby repealed and deleted from the restrictions of record as Original Six (6), Bundle Five Thousand Nine Hundred Ninety-eight (5998), and in its place and stead there shall be a new restriction No. 1 which shall read as follows:

- (1) All of the lots contained in this subdivision are hereby designated as residential lots, and no buildings shall be erected, altered, placed or permitted to remain on any lots other than one (1) detached single family dwelling not to exceed two stories in height and a private garage for not more than three (3) cars.

Restriction No. 4 is hereby repealed and deleted from the restrictions of record as Original Six (6), Bundle Five Thousand Nine Hundred Ninety-eight (5998), and in its place and stead there shall be a new restriction No. 4 which shall read as follows:

- (4) No building shall be located on any lot nearer to the front lot line than Thirty (30) feet. No building shall be located on any lot nearer to the side property lines than Eight (8) feet, except garages and carports located more than Ten (10) feet from and to the rear of the main dwelling. Any accessory building less than Ten (10) feet from a main building shall be considered part of the main building and shall be provided with the side yards required for the main building. Garages and carports may be attached to the main building; their location to the side property lines shall be controlled by the foregoing rules, depending on whether they are located more or less than Ten (10) feet from the main building.

For the purpose of this covenant, eaves, steps and open porches shall not be considered as part of a building.

A maximum building setback line of Forty (40) feet is hereby prescribed.

Restriction No. 7 is hereby repealed and deleted from the restrictions of record as Original Six (6), Bundle Five Thousand Nine Hundred Ninety-eight (5998), and in its place and stead there shall be a new restriction No. 7 which shall read as follows:

- (7) These covenants shall not prohibit the resubdivision of lots into lots of different dimensions from those shown on the official recorded plat; provided, however, that any such subdivision shall have the approval of the planning commission of the Parish of East Baton Rouge and that any such resubdivided lots shall not have a front foot measurement along the street of less than Seventy-five (75) feet. This provision shall not prohibit the use of more than One (1) lot as originally subdivided or as resubdivided as a single residential site.

Restriction No. 11 is hereby repealed and deleted from the restrictions of record as Original Six (6), Bundle Five Thousand Nine Hundred Ninety-eight (5998), and in its place and stead there shall be a new restriction No. 11 which shall read as follows:

- (11) No building or structure shall be constructed using imitation brick, imitation stone concrete blocks, asbestos siding, or aluminum siding on the exterior, nor shall more than fifty percent (50%) of the exterior of the main dwelling be of wood. Residences proposed to be constructed with exteriors of materials other than masonry or masonry veneer, or wood to the extent permitted above, are subject to disapproval by the Architectural Control Committee when such use of materials in their opinion is not reasonable harmonious with the structures on other property covered by these restrictions.

In all other respects the restrictions of record are and shall remain the same.