

ACT OF ADOPTION OF RESTRICTIONS  
FOR OAK ALLEY ESTATES SECOND FILING

INSTRUMENT # 00597703  
FILED AND RECORDED  
ASCENSION CLERK OF COURT  
2005 FEB 07 04:18:41 PM  
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STATE OF LOUISIANA

DEPUTY CLERK & RECORDER

PARISH OF EAST BATON ROUGE

CERTIFIED TRUE COPY BY

Before me, the undersigned authority, as Notary Public in and for Parish of East  
Baton Rouge, State of Louisiana, duly commissioned, qualified and ~~residing in said~~  
Parish and State, personally came and appeared:

SL1PPR102

AMERICA HOMELAND, LLC, (hereinafter "Developer") a Limited Liability  
Company domiciled in East Baton Rouge Parish, and doing business in Ascension  
Parish, herein represented by Kevin K. Nguyen, its duly authorized member,

who, after being duly sworn declares that Developer has heretofore established and was  
once the owner of all lots and parcels of ground, being Lots 1-54 comprising Oak Alley  
Estates, First Filing, hereafter "First Filing" which is shown and set out on a map entitled  
"Final Plat of Oak Alley Estates", being a subdivision of the Hudgens P. Decoteau tract  
and tract Y, located in Section 21, T9S, R2E, South Eastern Land District, East of the  
Mississippi River, Ascension Parish, Louisiana, a copy of which map is recorded as  
Entry Number 548933 official records of the Clerk and Recorder for Ascension Parish,  
Louisiana, and Developer has heretofore established certain building restrictions and  
conditions entitled Act of Restrictions for Oak Alley Estates, First Filing recorded at  
original number 549795 of the Conveyance Records of Ascension Parish, Louisiana, and  
Developer, wishing to establish restrictive covenants for the harmony and benefit of the  
subdivision known as Oak Alley Estates, Second Filing, hereafter "Second Filing", a  
residential subdivision located in Ascension Parish, Louisiana, comprising Lots 55-134  
as per map or plat thereof entitled "Final Plat, Oak Alley Estates, Second Filing", being a  
subdivision of Tract "X-1" of the Louis Decoteau Estate, located in Section 21, Township  
9 South, Range 2East, South Eastern Land District, East of the Mississippi River,  
Ascension Parish, Louisiana, recorded at instrument number 596439 of the Conveyance  
Records of Ascension Parish, Louisiana, adopted herein by reference, does hereby adopt  
and incorporate by reference the Act of Restrictions for First Filing recorded at original  
number 549795 of the Conveyance Records of Ascension Parish, Louisiana, as the  
restrictive covenants for Second Filing, and the lots and/or property affected thereby,  
except as those paragraphs numbered 6, 8, 12, 18, 26 and 31, of the restricted covenants  
recorded at instrument number 549795, are restated below to now read as follows:

6. No building shall be erected, placed or altered, on any lot until a complete set  
of construction plans, specifications with all exterior color selections (samples  
must be provided), and a plot plan showing the location of the structure to be  
so erected, placed, or altered has been submitted to and 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. All buildings must consist  
of at least sixty (60%) percent Masonry material such as Stucco and/or Brick.  
No imitation stone, imitation brick or vinyl siding will be allowed without  
Architectural Control Committee approval. Old brick or new brick is  
allowed. All windows and doors must be approved by the Architectural  
Control Committee. The Architectural Control Committee may impose other  
appropriate and reasonable standards for exterior finishes and materials which  
deem desirable or which in its discretion detracts from the value of the  
building or structure itself or the surrounding properties, the general  
appearance of the neighborhood or the value of the adjacent structures.

8. There shall be a minimum of Two Thousand (2000) square feet of living area  
in each residence, which shall be exclusive of open porches, garages, or  
storage areas attached to the garage. In the event the residential structure to

be erected shall contain more than one (1) story, a minimum of One Thousand Two Hundred (1,200) square feet of enclosed living area is required on the ground floor.

12. No building shall be located on any lot nearer to the front property line than the building line shown on the Final Plat described above, nor nearer to the side property lines than five (5) feet, nor nearer the rear property line than twenty (20) feet, with overhangs not encroaching across the setbacks unless acceptable to Parish authority. The Architectural Control Committee shall have the authority to vary front, side, or rear building lines requirements in cases where in its opinion, topographical features warrant such a variance or where lack of such variance would cause the destruction of one or more desirable trees, except that in no instance may the front, side, or rear building lines requirements be less restrictive than required by the zoning ordinance for the Parish of Ascension, State of Louisiana. For the purpose of this covenant, eaves, steps and open porches shall not be considered as part of a building, provided, however, that this shall not be constructed to allow any portion of a building on a lot to encroach upon another lot. Detached garages and accessory buildings shall not be erected closer to any sideline than ten (10) feet nor nearer than twenty (20) feet to the rear lot line. Any detached buildings must be constructed of the same quality material as that of the home and only after approval of the Architectural Control Committee. Lake Lot's rear building lines must be approved separately by the Architectural Control Committee.

18. No fence shall be erected on said lot beyond the front wall of the improvements and all fencing material must be wood, wrought iron, brick or stucco, unless otherwise approved by the Architectural Control Committee who shall have the sole discretion in approving all fencing as to style, height, fencing material, gates, poles and the placement of the fence. Solid fences shall not be erected on any lake lots unless otherwise approved by the Architectural Control Committee. Iron fences to be designed according to Exhibit G. Metal poles on wooden fences shall not be visible except to the lot owner who installed the fence.

26. The Committee's approval or disapproval as required in these covenants shall be in writing. No construction shall commence until the plans and other documentation set forth herein have been approved in writing by said Committee or its representative. Two complete sets of construction plans, specifications with all exterior color selections, Exhibit F (i.e.-Color Samples), Exhibit E (plan review checklist) and the appropriate construction and tree payments shall be submitted to the Architectural Control Committee for approval prior to the commencement of construction and one will be retained on file by the Committee. In the event the Committee, or its representative fails to deliver a written approval or disapproval to the lot owner or his designee, within thirty (30) days after the plans and specifications, etc. have been submitted, as aforesaid, approval will not be required and the related covenants shall be deemed to have been fully complied with. To begin tolling the 30 day period for approval or disapproval, the lot owner or his designee must have submitted plans and specifications, etc. as aforesaid, in the entirety and received a receipt from the Architectural Control Committee on a form provided by the Architectural Control Committee that all submission requirements have been met. The decision of the Architectural Control Committee as to the approval or disapproval of plans and specifications, etc. as aforesaid shall be final and non-appealable. Exhibit E must be signed by the Architectural Control Committee.

31. Each lot owner shall automatically become a member of the Oak Alley Estates Subdivision Homeowners Association. The Oak Alley Estates Subdivision Homeowners Association may enforce the subdivision restrictions and the restrictions for other filings, represent the subdivision in

any public matters affecting the subdivision, promote subdivision activities, and provide for the maintenance of subdivision entrances, common areas, lakes and ponds. The Homeowners Association will collect yearly dues as fixed by the Board of Directors, which dues shall be payable in advance for one year and shall be pro rated at the time of acquisition of the lot. Until the Board of Directors sets a different amount, the yearly dues shall be \$100.00 for non-lake lots and \$150.00 for lake lots, payable by January 15 of each calendar year by the owner of the lot (Purchaser of any lot or home on a lot will have the then and current Homeowners' Association yearly dues pro-rated and pay that pro-rated share at the time of closing and title transfer. The Homeowners' Association will have the right to lien the property thirty (30) days after the appropriate dues are not paid by the property owner at closing and/or annual due date.) Developer shall be a member of the Homeowners Association and shall have one vote per lot owned. However, Developer shall be specifically exempted from payment of all dues and assessments pertaining to the lots owned by it. Furthermore, the powers and rights of the Homeowners Association shall remain vested in the Developer until such powers and rights are released to the Homeowners Association.

Developer does further declare that the Developer and Lot owners of Second Filing shall have the same rights and privileges of the Developer and Lot owners of First Filing, in and to Oak Alley Estates Home Association, Inc., when formed, except as may have been amended by this act.

THUS DONE AND SIGNED by Appearer at my office in Baton Rouge, Louisiana on February 7, 2005 in the presence of me, Notary, and the following witnesses who have signed in the presence of Appearer and me, Notary.

Witnesses:

Cecelia Romero

AMERICA HOMELAND, LLC  
By: Kevin K. Nguyen

M. Rodolfo  
M. Rodolfo

David M. Cohen

Notary Public

David M. Cohen  
LA. Bar Roll # 0437

EXHIBITS E, F and G ATTACHED HERETO.

# OAK ALLEY ESTATES

## EXHIBIT "E"

### PLAN REVIEW CHECKLIST

Lot # \_\_\_\_\_

Name \_\_\_\_\_

#### Site Plan:

1. Set back-front
2. Garage location in relation to lot
3. Rear/Side boundaries
4. Two (2) site plans
5. Other

#### Elevation:

1. Architectural Shingles
2. Brick
3. Windows
4. Wood Siding (40% or less)
5. Roof Pitches
6. Curb Appeal
7. Chimney, material and cap
8. Window/Door appeal
9. Paint all vent roof stack and garage doors
10. Other

#### Miscellaneous:

1. Post tension recommended
2. \$500.00 ACC Deposit
3. Square footage requirements met (1800 minimum Living Area)
4. Builder approved
5. Responsible for mud on street
6. Other

#### Submittals:

1. Landscape plans (two sets at black in)
2. Brick Sample-Name and Company
3. Exterior paint colors, samples included
4. Shingle colors, Brand and Year
5. Plaster colors-synthetic not allowed
6. Fences-pools-basketball goals, etc.
7. House plans (two sets)
8. Other

ACC Representative \_\_\_\_\_

ACC Representative \_\_\_\_\_

Owner's Signature \_\_\_\_\_

ACC Representative \_\_\_\_\_

Builder's Signature \_\_\_\_\_

**OAK ALLEY ESTATES**

LOT # \_\_\_\_\_

**EXHIBIT "F"**

**COLOR/BRICK/SHINGLE SUBMITTALS**

Plaster/Stucco Color \_\_\_\_\_

Siding Color \_\_\_\_\_

Window Color \_\_\_\_\_

Trim Color \_\_\_\_\_

Door Color \_\_\_\_\_

Shutter Color \_\_\_\_\_

Name of Brick \_\_\_\_\_

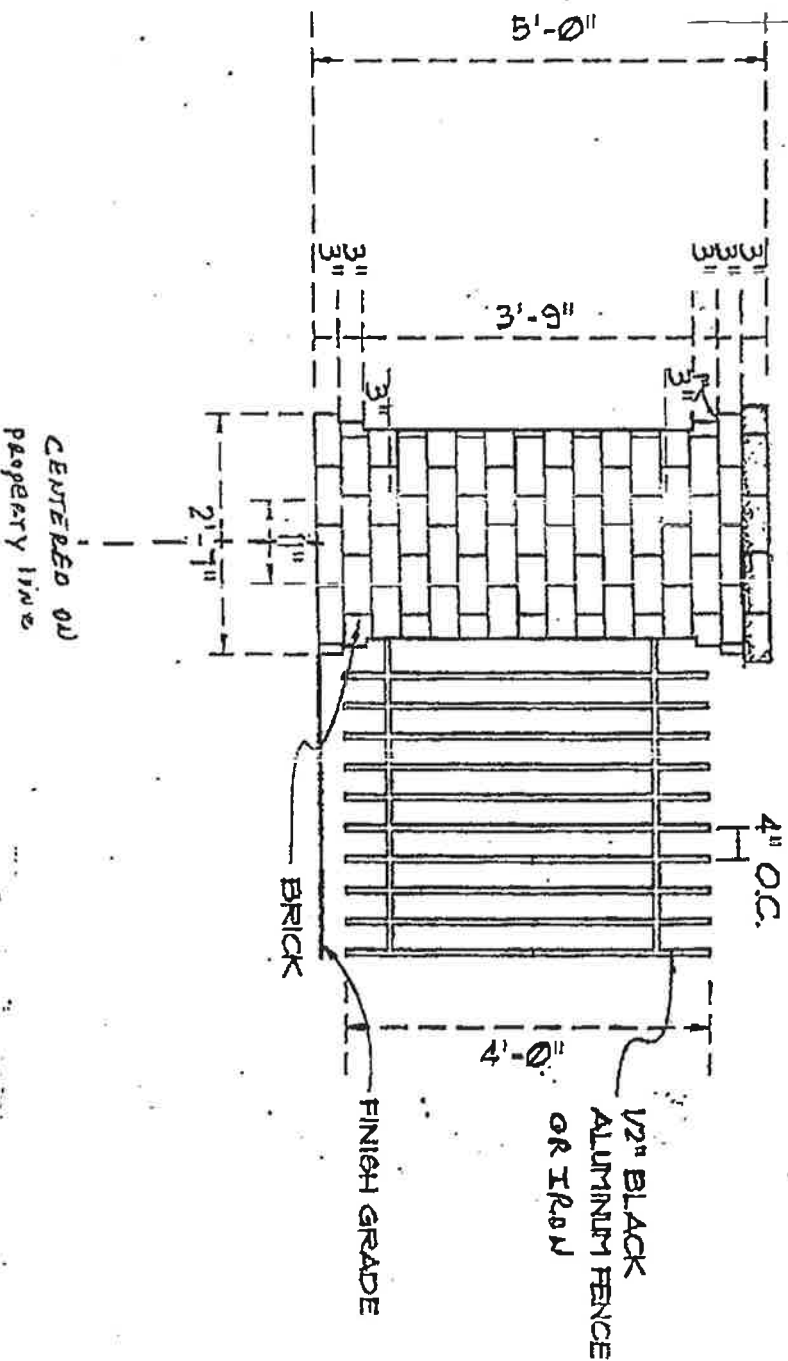
Color of Shingles \_\_\_\_\_

Brand of Shingles \_\_\_\_\_

Warranty of Shingles \_\_\_\_\_

- \* Colors- Please list name and paste color chip next to each category.
- \* Garage Door must be painted to match stucco or trim.

EXHIBIT "G"



CENTERED ON  
PROPERTY LINE

TYPE COLOR BRICK AS  
APPROVED BY ACC.

BRICK COLUMN

END OF DOCUMENT-ARCC