

RESTRICTIVE COVENANTS

STATE OF LOUISIANA

ORMOND COUNTRY CLUB ESTATES
A PORTION OF SECTION ELEVEN

PARISH OF ORLEANS

ST. CHARLES PARISH
GOLF COURSE LOTS

(1)

* * * * *

BE IT KNOWN, that on this 11 day of September, in the year of Our Lord One Thousand Nine Hundred and Seventy Eight;

BEFORE ME, MATTHEW F. BELIN, Notary Public, duly commissioned and qualified in and for the Parish of Orleans, State of Louisiana, in the presence of the witnesses hereinafter named and undersigned:

PERSONALLY CAME AND APPEARED:

DORVIN DEVELOPMENTS, INC., a Louisiana corporation domiciled in the Parish of Jefferson, created by act before Lawrence W. Wiedemann, Notary Public, dated April 19, 1977, recorded in Charter Book 33, folio 562, Jefferson Parish, Louisiana, and in the office of the Secretary of State in record of Charters Book 318, office of the Secretary of State; represented herein by Edwin C. Dorvin, Jr., its President, duly authorized,

who declared that it is the owner of the hereinafter described property, to-wit:

THOSE CERTAIN LOTS OF GROUND IN ORMOND COUNTRY CLUB ESTATES, Situated in a portion of Section Eleven thereof, all in accord with a survey thereof by J. J. Krebs & Sons, Inc., C.E., dated June 22, 1978, approved and adopted by the St. Charles Parish Police Jury, Ordinance 66-3-390, registered in C.O.B. 211, folio 595, St. Charles Parish; said lots are designated as:

SECTION ELEVEN

Square 36, Lots 1450 through 1460

Being a portion of the same property which was acquired by Dorvin Developments, Inc. from Johnson-Loggins, Inc. of Louisiana and Bank of St. Charles & Trust Company by acts of sale before Paul E. Hurley, Notary Public, dated May 18, 1977, registered in C.O.B. 189, folio 354, and C.O.B. 189, folio 366, St. Charles Parish, Louisiana.

And the said corporation does by these presents hereby create and impose on said property, the following restrictions, to-wit:

1). LAND USE AND BUILDING TYPE: No lot shall be used except for residential purposes and specifically prohibits any use of private homes, such as by professional men, who operate dentist, doctor's offices, nurseries, clinics or law offices. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling not to exceed three (3) stories in height and a private garage for not more than four (4) cars. Accessory buildings, such as carports, utility sheds, storage sheds, and green-houses, etc., must be of substantially the same construction as that of the main dwelling. ②

2). DWELLING COST, QUALITY AND SIZE: No dwelling shall be permitted at a cost of less than \$100,000.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to ensure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at a minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of one story open porches and garages, shall not be less than 3,500 square feet for a one story dwelling, nor less than 2,500 square feet for a dwelling of more than one story; in no event, however, shall the combined square footage of a dwelling of more than one story be less than 3,500 square feet.

3). BUILDING LOCATION: No building shall be located on any lot nearer than 40 feet to the front lot line, or nearer than 10 feet to any side street line. No building shall be located nearer than 10 feet to an interior lot line, except that a 5 foot side yard shall be required for a garage or other permitted accessory building located in the rear one-half (1/2) of any lot. No dwelling or accessory building shall be located on any interior lot nearer than 20 feet to the rear lot line without the express written permission of the Architectural Control Committee. For the purpose of this covenant, eaves, steps, carports, utility rooms, and open porches shall not be considered as part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot, but in no case nearer than forty (40') feet to the front lot line.

No residence shall be built on less than one (1) lot as shown on map of ORMOND COUNTRY CLUB ESTATES, Section Eleven attached to Ordinance No. 66-3-390, recorded in C.O.B. 211, folio 595, St. Charles Parish, Louisiana, except, however, that when any purchaser wishes to buy more than one site in order to erect a larger permitted residential building, this may be done provided that said lots or fractional lots are treated as one and the restrictions applying to a single lots are adhered to and

no resubdivision of lots shall be done which would leave remaining on the square a lot of an area or width below the average standard for said square, as indicated on the aforementioned map of ORMOND COUNTRY CLUB ESTATES, Section 11, and there is no violation of Paragraph No. 4 following hereafter.

Bay or dormer and other projecting windows, stairways, landings or other structural parts shall not project beyond the front and side building lines. (3)

Cornices, spouting, chimneys, brackets, pilasters, grill work, trellises, and other similar projections and any projections for purely ornamental purposes may project beyond the front and side building lines, however, not exceeding two (2') feet.

4). LOT AREA AND WIDTH: No building shall be erected or placed on any rectangular shaped lot having a width of less than 100 feet at the minimum building setback lines nor shall any dwelling be erected or placed on any lot having an area of less than 20,000 square feet.

5). VEHICLES: No trucks, trailers, automobiles, or other commercial vehicles bearing advertisements are to be stored or parked on residential property or on streets, except when making deliveries. Passenger vehicles, owned by a resident, shall be stored on the residence ground and not on the street.

6). NUISANCES: No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

7). TEMPORARY STRUCTURES: No structure of a temporary character, trailer, basement, tent, shack, tool shed, barn or other building shall be used on any lot at any time.

8). SIGNS: No signs of any kind shall be displayed to the public view on any lot except one sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a building to advertise the property during the construction and sales period.

9). OIL AND MINING OPERATIONS: No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot. No derrick or other structure designated for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

10). LIVESTOCK AND POULTRY: No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.

11). GARBAGE AND REFUSE DISPOSAL: No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. (4)

12). WATER SUPPLY: No individual water supply system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of appropriate parish or municipal authorities. Approval of such system as installed shall be obtained from such authority.

13). SEWAGE DISPOSAL: No individual sewage-disposal system shall be permitted on any lot unless such system is designated, located and constructed and equipped in accordance with the requirements, standards and recommendations of appropriate parish or municipal authorities. Approval of such system as installed shall be obtained from such authority.

14). SIGHT DISTANCE AT INTERSECTIONS: No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two and six feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area placed by the street property lines and a line connecting them at points twenty-five feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within ten feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distance of such intersection unless the foliage line is maintained at a sufficient height to prevent obstruction of such sight lines; provided, further, that on corner lots, no fence shall be located nearer than the building setback line to the side street lot line; no fence shall be located closer than 40 feet to the front property line on the street side of the lot.

15). TERM: These covenants are to run with the land and shall be binding on all parties and all persons, claiming under them for a period of 25 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by the then owners of 51% of the total land affected by these restrictions has been recorded, agreeing to change said covenants in whole or in part.

These covenants cannot be modified or amended prior to the aforementioned 25 years unless an instrument signed by the then owners of 75% of the total land affected by

these restrictions has been recorded, agreeing to modify or amend said covenants in whole or in part.

16). ENFORCEMENT: Enforcement shall be by Proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages. (5)

17). ARCHITECTURAL CONTROL COMMITTEE: All plans for residences to be built on the herein described property must be first submitted to the Architectural Control Committee of DORVIN DEVELOPMENTS, INC., comprised of Arthur P. Raymond, III and Edwin C. Dorvin, Jr., for approval prior to the beginning of construction. None of the members of said Committee shall be entitled to any compensation for services performed pursuant to this covenant. The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee fails to approve or disapprove within 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 this covenant as to approval of the Architectural Control Committee shall be deemed to have been fully complied with.

18). SEVERABILITY: Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

19). SWIMMING POOLS: Swimming pools, if and when erected, are to be approved by the Architectural Control Committee, be of substantial and neat construction, and will only be permitted provided they are entirely surrounded by a fence not less than 72 inches in height and shall conform to all fence requirements contained herein. No part of the completed installation shall be built closer than ten (10') feet to either side property line, closer than forty (40') feet to the front property line, or closer than ten (10') feet to the rear property line. The finished top-side or surface deck, shall not be constructed higher in elevation than 2 feet above the established site grade of the residence. Equipment such as diving boards, etc., shall not be higher than 5 feet above the site grade of the residence.

20). FENCES: There shall be no front yard fences nor side yard fences erected between the front building line and the front property line built of chain link, Cedar, solid brick, wood, or any other material which limit visibility. Side yard fences, when erected between the rear property line and rear building line and rear yard fences shall be of neat and substantial construction, but a front yard fence may be constructed of ornamental iron or any other material which will enhance the esthetics of the neighborhood. Front yard fences must not limit visibility across the front of the lot.

Plans showing locations and details of fences must be submitted first for approval to the Architectural Control Committee before they are erected.

21). ELECTRIC POWER: All electric power services shall be placed underground from the property line to the building. Electric power for residential purposes shall be furnished by single phase service. Payment for that portion of the cost of underground electric distribution facilities that is in excess of the cost of overhead electric distribution facilities, the cost of street lighting where applicable, and the furnishing of electric power shall be borne by the customer receiving such service in accordance with applicable rate schedules and riders on file with the Louisiana Public Service Commission.

THUS DONE AND PASSED, in duplicate original, in my office in New Orleans, Louisiana, on the day, month, and year hereinabove first 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:

Katherine C. Barraco
Anne Ward

DORVIN DEVELOPMENTS, INC.

Edwin C. Dorvin, Jr.
EDWIN C. DORVIN, JR.
PRESIDENT

Matthew F. Belis

NOTARY PUBLIC

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