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RESTRICTIONS FOR
SHENANDOAH ESTATES, NINTH FILING, PART III
LOTS 2292 - 2304

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

BEFORE ME, the undersigned authority, personally came and appeared:

BECKY HARGER CONSTRUCTION CORPORATION, a Louisiana corporation with its principal business establishment in the Parish of East Baton Rouge, Louisiana, herein represented by Rebecca L. Harger, its President, duly authorized hereto,

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who after being duly sworn, declared that:

Becky Harger Construction Corporation is the owner of Shenandoah Estates, Ninth Filing, Part III, situated in the Parish of East Baton Rouge, Louisiana, all according to the official plan of Shenandoah Estates, Ninth Filing, Part III, Lots 2292 - 2304, inclusive, prepared by Edward E. Evans & Associates, Inc., Consulting Engineers, on file in the office of the Clerk and Recorder for the Parish of East Baton Rouge, Louisiana.

Appearer, on behalf of Becky Harger Construction Corporation establishes the following protective covenants and restrictions affecting lots in Shenandoah Estates, Ninth Filing, Part III, Lots 2292 - 2304, inclusive, which restrictions shall run with the land and shall be in favor of each and all of the lots in Shenandoah Estates, Ninth Filing, Part III, Lots 2292 - 2304, inclusive, and shall be binding upon the purchaser, owner or occupant of any of the property described above, their heirs, successors and assigns. The following restrictions are imposed.

1.1 All of the lots contained in this subdivision, Ninth Filing, Part III, Lots 2292 - 2304, inclusive, are hereby designated as residential lots, and no building shall be erected, altered, placed or permitted to remain on any residential lot other than one (1) detached single-family dwelling not to exceed two (2) stories in height and a private garage for not more than two automobiles.

1.2 No lot shall be used for duplex housing or apartment houses or home occupations such as beauty shops, doctor's offices, dress shops and related activities.

1.3 No school, church, assembly hall or fraternal group home shall be built or permitted on any lot in Shenandoah Estates, Ninth Filing, Part III, Lots 2292 - 2304, inclusive.

1.4 Nothing in these restrictions shall prohibit an owner of any two adjoining lots having frontage on the same street from erecting a residence on the two lots which shall be considered, for the purposes of these restrictions, as one building lot.

2. These restrictions prohibit any resubdivision of any lots from any dimensions other than those shown on the official recorded plat of Shenandoah Estates, Ninth Filing, Part III, Lots 2292 - 2304, inclusive, without the written consent of the Shenandoah Estates, Ninth Filing, Part III, Architectural Committee.

813 3.1 No residence or building of any kind and no improvement which extends above ground level and no fence will be erected, placed, altered, or permitted on any lot until the construction plans and specifications, elevations and a plan showing the location of the structure have been approved by the Shenandoah Estates, Ninth Filing, Part III Architectural Committee. All the roofs shall be designed so as to drain rain water away from adjoining lots located in Shenandoah Estates, Ninth Filing, Part III, Lots 2292 - 2304, inclusive. Approval or disapproval by the Committee shall be in writing. Construction shall be substantially in accordance with the plans and specifications approved by the Committee.

3.2 If the construction of the proposed house or other structure has not commenced within six (6) months after the Committee's approval, approval of the Committee shall be considered withdrawn and new approval for the proposed construction shall be obtained. However, the Committee may grant extensions of an approval from time to time for good cause. If the construction of the proposed structure is not commenced within six (6) months following the approval of the Committee for any reason beyond the control of the lot owner or his contractor, such as acts of God, strikes, national calamities, or related events, then the approval of the Committee shall be extended in proportion to the delay caused by the event.

3.3 In the event the Shenandoah Estates, Ninth Filing, Part III Architectural Committee fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it, approval will not be required by the Committee and the related restrictions shall be deemed to have been fully complied with.

4. The minimum area requirements for residential structures shall be as follows:

4.1 A single story residence shall contain no less than 800 square feet of living area.

4.2 A multi-story residence shall contain no less than 1,000 square feet of living area, with a minimum of 800 square feet of living area on the ground floor.

4.3 The determination of "living area" shall exclude open porches, screened porches, porches with removable storm windows, breezeways, patios, outside or unfinished storage or utility areas, garages and carports.

5. Building setback lines are imposed as shown on the official recorded plat of Shenandoah Estates, Ninth Filing, Part III, on file in the office of the Clerk and Recorder for the Parish of East Baton Rouge, Louisiana.

5.1 No building shall be located on one of the side property lines nearer than five (5) feet as shown on the building lines on the official plat of Shenandoah Estates, Ninth Filing, Part III, by Edward E. Evans & Associates, Inc., and attached hereto.

5.2 No building shall be nearer than twenty (20) feet to the rear property line.

5.3 A maximum building setback line shall not be greater than twenty-five (25) feet. For the purpose of these restrictions, caves, steps and open porches shall not be considered as part of the building. The minimum building setback line shall be twenty (20) feet.

5.4 No fence or wall shall be erected, placed or altered on any lot closer to the street than the building setback line.

6. The Shenandoah Estates, Ninth Filing, Part III Architectural Committee in its sole discretion, shall approve or disapprove proposed construction according to its policy of maintaining a minimum of five (5) feet variance on front lines of adjacent houses, and the Committee may require such variance. The Committee shall have the authority to vary the front and side building line requirements in cases where the Committee finds topographical features warrant such variance where such variance would prevent the destruction of one or more desirable trees; provided, however, in no such

instance may the front or side building line requirements be less than required by the applicable zoning ordinance unless waiver of those requirements is obtained.

7.1 Servitudes and rights of way for the installation and maintenance of utility and drainage facilities, as shown on the official recorded plat of Shenandoah Estates, Ninth Filing, Part III, are dedicated to the perpetual use of the public for such purposes.

7.2 Only underground electric service at 120/240 volts, single phase, 3 wire will be available and the locked rotor current of any motor connected to this service will be limited in accordance with the standard service practices of the utility company serving the subdivision.

7.3 Electric rates for residential use in this subdivision will be the appropriate rate approved for filing by the Louisiana Public Service Commission.

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8. All buildings and structures on any lot shall be constructed thereon and no building or structure may be moved onto any lot in the subdivision.

9. No structure of a temporary character and no 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 building or structure shall be constructed of imitation brick, imitation stone, pressboard or asbestos on the exterior. All the exterior walls will be masonry, wood or a combination of the two. All buildings shall be constructed so that there are no openings facing the common lot line. The Architectural Committee may impose other appropriate and reasonable standards for exterior finishes and materials as it deems appropriate to maintain the value of adjacent dwellings in the subdivision.

11.1 The Shenandoah Estates, Ninth Filing, Part III Architectural Committee is hereby established and shall be composed of three members. The first three members of said Committee shall be:

William T. Harger, Baton Rouge, Louisiana

Mary B. Harger, Baton Rouge, Louisiana

Rebecca L. Harger, Baton Rouge, Louisiana

Said Committee is hereby granted the responsibility and authority at its

sole discretion to approve the architecture and design of the buildings as to compliance with these restrictions.

11.2 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.

11.3 Neither the members of the Committee nor its designated representative shall be entitled to any compensation for the services performed in connection with the administration of these restrictions.

11.4 The lot owners in the Shenandoah Estates, Ninth Filing, Part III, Lots 2292 - 2304, inclusive, shall have the right at any time by unanimous agreement to change the membership of the Committee or to amend any of its powers and duties by executing and recording in the office of the Clerk and Recorder for the Parish of East Baton Rouge, Louisiana, an appropriate written instrument.

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12. No noxious or offensive activities shall be conducted upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

13. No sign of any kind shall be displayed to the public view on any lot or in the streets of the subdivision, except one sign of no more than five (5) square feet advertising the property for sale or rent, or a customary sign used by the builder or real estate broker to advertise the property during the construction or sale period, provided however, this restriction shall not apply to the developer of the subdivision.

14. No oil drilling, oil development operations, oil refinery, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structures designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

15. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot; provided, however, dogs, cats or other household pets are permitted; provided, further, that such permissible animals are not kept, bred or maintained for any commercial purposes, or in such numbers

or conditions as may be offensive to other property owners in the subdivision.

16. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Upon completion of a residence, all debris shall be removed from the premises immediately. Garden compost may be kept in quantities required by one household only, provided it is not visible from the street and is kept free from obnoxious odors and insects.

17. Lot owners shall keep their respective lots mowed and free of noxious weeds. If an owner fails to discharge this obligation, the Shenandoah Estates, Ninth Filing, Part III Architectural Committee may cause the lots to be mowed, and the owners of such lots shall be obligated to pay this expense together with reasonable costs of collection.

8:7 18. No boats, vehicles, campers or trailers of any kind or parts or appurtenances thereof shall be kept, stored, repaired or maintained on any street or on any lot nearer to the street than the minimum building setback line.

19. Building materials and equipment shall not be placed or stored on any lot except during actual course of construction of a residence or other building.

20. No lot shall be used for farming or gardening purposes; provided, however, flowers and shrubbery may be grown for noncommercial purposes.

21. For the purpose solely of performing exterior maintenance and repairs on the improvements along the side of his property on which the improvements extend to the property line, each lot owner is granted a five (5) foot private servitude by the owner of the lot adjacent to the said side with the said property line five (5) feet to the interior of and running the full depth from front to rear of the said adjacent lot, all as is shown on the final plat, and pursuant thereto, each lot owner shall have the right, after reasonable notice to the said owner of the adjacent property to enter upon the said private servitude at reasonable hours on any day except Sunday. In the case of an emergency, the lot owner shall have the unrestricted right to enter upon the adjacent property at any time in order to remedy the cause of the emergency.

22. These restrictions shall run with the land and shall be binding on all persons claiming under them for a period of twentyfive years from the date these restrictions are recorded and shall be extended automatically for successive periods of ten years unless an instrument amending these restrictions in whole or in part and signed by a majority of the lot owners in the subdivision shall be recorded in the office of the Clerk of Court for the Parish of East Baton Rouge, Louisiana.

23. Invalidation of any of the restrictions by judgment of a court of competent jurisdiction shall in no way affect any other restriction which shall remain in effect.

24. These restrictions shall be enforced against any person violating or attempting to violate any restriction by legal proceedings to restrain the violation or to recover damages.

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THUS DONE READ AND SIGNED at my office in Baton Rouge, Louisiana, in the presence of the two undersigned competent witnesses, who have signed their names, together with appearer, and me, Notary, on the 25th day of February, 1981.

WITNESSES:

Nancy D. Kroenke
NANCY D. KROENKE

Sandra L. Correll
SANDRA L. CORRELL

BECKY HARGER CONSTRUCTION CORPORATION

BY: Rebecca L. Harger, Pres.
Rebecca L. Harger, President

Roland C. Kizer, Jr.
ROLAND C. KIZER, JR., NOTARY PUBLIC

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