

05-16

**SIXTH ACT AMENDING AND MODIFYING  
THE DEED RESTRICTIONS AND  
COVENANTS FOR MARIGNY TRACE  
SUBDIVISION, ADDING PHASE 6-B TO  
THE EFFECTS THEREOF AND MAKING  
OTHER CERTAIN AMENDMENTS**

**STATE OF LOUISIANA**

**PARISH OF ST. TAMMANY**

**BY: MARIGNY TRACE DEVELOPMENT CO., INC.**

BE IT KNOWN, that on this 10<sup>th</sup> day of January, 2005;

BEFORE ME, the undersigned Notary Public, in and for the Parish and State aforesaid,

and in the presence of the undersigned competent witnesses, personally came and appeared:

**MARIGNY TRACE DEVELOPMENT CO., INC.**; a corporation organized under the laws of the State of Louisiana, domiciled in St. Tammany Parish, Louisiana; represented herein by its duly authorized agent, authorized by virtue of a resolution of the Board of Directors, previously filed with the Clerk of Court of St. Tammany Parish, Louisiana; the mailing address of which is 109 Chacahoula Lane, Mandeville, Louisiana, 70471;

**WHO AFTER BEING DULY SWORN**, did declare and say that Developer did amend and modify the master deed restrictions for Marigny Trace Subdivision, so as to add Phases 2, 3, 4, 5 and 6A to the effects of the restrictions and in other regards, and that the said Amendments/ Modifications were recorded with the Clerk of Court, St. Tammany Parish, Louisiana as COB Instrument No. 936564, 976261, 1046368, 1087744, 1088061, 1216182, 1292557 and 1412759.

**AND WHO DECLARED**, that Developer does hereby and by these presents amend and modify the said restrictions for Marigny Trace Subdivision previously filed as Instrument Nos.936564, 976261, 1046368, 1087744, 1088061, 1216182, 1292557 and 1412759, as follows, with regard to all lots in Marigny Trace Subdivision, Phase 6-B, (subject to any amendments to the original restrictions heretofore), and this Amendment and Modification shall be deemed to run with and bind all lots in Marigny Trace, Phase 6-B and shall inure to the benefit of and be enforceable by the Developer, its successors and assigns, and any person acquiring or owning an interest in the Property and improvements or any portion thereof.

St. Tammany Parish 13  
Instrmnt #: 1473119  
Registry #: 1465087 SLM  
01/12/2005 10:26:00 AM  
MB CB X MI UCC

Now therefore the following Amendment and Modification is adopted and applied to all lots in Marigny Trace Subdivision, Phase 6-B, Section 55, Township 8 South, Range 11 East, St. Tammany Parish, all as is more fully shown on the final subdivision plat of Kelly J. McHugh & Association, Inc. dated as thereafter revised, which phase contains 13 residential lots, and which was approved by the proper parish authorities and thereafter filed on October 11, 2004, with the Clerk of Court, St. Tammany Parish, Louisiana as Map File No. 3587.

**AND WHO DECLARED**, that Developer does hereby and by these presents amend and modify the said restrictions previously filed for Marigny Trace Subdivision in Instrument Nos. 936564, 976261, 1046368, 1087744, 1088061, 1216182, 1292557 and 1412759 so as to add to the effects of said restrictions to all lots in Marigny Trace Subdivision, Phase 6-B, subject to any amendments to the original restrictions heretofore made or which may be made hereafter. In so doing, all lots shown on the said referenced plat shall be held, conveyed, hypothecated, encumbered, sold, leased, rented, used, occupied, and owned subject to the said conditions, covenants, privileges, restrictions, and contractual rights and obligations set forth therein, all of which are declared to be in aid of a plan for the improvement of the said property shown on the said plat of subdivision described herein.

These Deed Restrictions and Covenants shall be deemed to run with the land and bind the land, and shall inure to the benefit of and be enforceable by the Developer, its successors and assigns, and any person acquiring or owning an interest in the Property and improvements or any portion thereof.

By reference to the other restrictions now in place, the original "base" restrictions are adopted and applied to Marigny Trace Subdivision, except as follows:

1. Minimum Building Requirements:

Section IX, 3 of the restrictions is amended to provide for and require a minimum square footage of 2400 square feet of living area. In all other respects, said section remains as originally written.

2. Parking:

The parking of trailers, boats, commercial vehicles, recreational vehicles or any vehicle inconsistent with the residential nature of the neighborhood, will not be allowed on a lot, unless it is parked inside an enclosed garage or within a fenced yard and the fence

enclosure has been approved by the Architectural Review Committee.

3. Minimum Slab Elevation:

The minimum requirement for the house slab elevation shall be 19.09 feet above mean sea level.

AND NOW, Developer requests that the Clerk of Court record this amendment to serve as may hereafter be required.

THUS DONE AND PASSED, in the presence of me, Notary, and that of the undersigned competent witnesses, after reading of the whole and for the purposes stated herein this 10<sup>th</sup> day of January, 2005, Mandeville, Louisiana.

WITNESSES:

*Delisiah Pagan*  
*Stephanie D. Campbell*

MARIGNY TRACE DEVELOPMENT CO,  
INC.

BY: *John J. Ploque*  
JOHN J. PLOQUE, III, PRESIDENT

*Frederick A. Earhart*

FREDERICK A. EARHART, NOTARY PUBLIC  
LA. BAR ROLL NO. 05243