

**FOURTH AMENDMENT AND
MODIFICATION TO RESTRICTIVE
COVENANTS AND DEDICATION OF
SERVITUDES AND EASEMENTS
(Adding Phase Four)**

UNITED STATES OF AMERICA

STATE OF LOUISIANA

FOR: ARBOR WALK SUBDIVISION

BY: LONESOME DEVELOPMENT, L.L.C.,

PARISH OF ST. TAMMANY

BE IT KNOWN, that on this ____ day of April, 2006.

BEFORE ME, LELAND R. GALLASPY, a Notary Public, duly commissioned and qualified, in and for the State and Parish aforesaid, therein residing, and in the presence of the witnesses hereinafter named and undersigned:

PERSONALLY CAME AND APPEARED:

LONESOME DEVELOPMENT, L.L.C. (TIN 72-1361390), a limited liability company, organized pursuant to articles of organization filed with the Louisiana Secretary of State, herein represented by its duly authorized Members/Manager, being HST COMPANY, LLC (herein represented by T. R. Henning, Manager), its mailing address being P.O. Box 67, Mandeville, Louisiana 70470; hereinafter sometimes referred to as “Developer”;

Who declared as follows:

Pursuant to Article XII, Section 12.02, Amendments by the Developer, of the “Restrictive Covenants and Dedication of Servitudes and Easements” for Arbor Walk Subdivision recorded on July 11, 2002 with the St. Tammany Parish Clerk of Court as Instrument No. 1312174, as amended by the (i) “First Amendment and Modification to Restrictive Covenants and Dedication of Servitudes and Easements” recorded on August 22, 2003 at Instrument No. 1387481, (ii) “Second Amendment and Modification to Restrictive Covenants and Dedication of Servitudes and Easements” recorded on December 14, 2004 as Instrument No. 1468395, and (iii) “Third Amendment and Modification to Restrictive Covenants and Dedication of Servitudes and Easements” recorded on May 11, 2005 as Instrument No. 1493726 (said restrictive covenants and the amendment thereto shall be collectively referred to hereinafter as the “Restrictive Covenants”), the undersigned, as the Developer of Arbor Walk Subdivision, does hereby amend the Restrictive Covenants in the following particulars:

I.

Developer does amend Exhibit A of the Restrictive Covenants to add additional property to the Restrictive Covenants as authorized therein. The parcel of property to be added comprises all of Arbor Walk Subdivision, Phase Four, more particularly described in “Exhibit A: Phase Four” attached hereto and as more fully shown on the Final Subdivision Plan for Arbor Walk, Phase Four by Randall W. Brown & Associates, Inc., Survey No. 05721 and recorded on March 10, 2006 with the St. Tammany Parish Clerk of Court as Map File No. 4171 of the official records of St. Tammany Parish, Louisiana.

II.

Developer hereby amends Article I, Definitions, Sections 4, 15, 16, 25 and 27 of the Restrictive Covenants to provide as follows:

4. **Lot** - shall mean and refer to any unimproved portion of the Property upon which it is intended that a Dwelling shall be constructed, as such Lots are shown on the Subdivision Plat of the official records of St. Tammany Parish, Louisiana. The term "Lot" shall also mean and include the Garden Home Sites depicted on the Subdivision Plat as (i) Site 1 through Site 19, inclusive, located within Site 20 in Phase One of the Subdivision (including any and all re-designations of said sites in resubdivision plats), (ii) Site 1 through Site 31, inclusive, located within Site 32 in Phase Three of the Subdivision (including any and all re-designations of said sites in resubdivision plats), and (iii) Site 1 through Site 39, inclusive, located within Site 40 in Phase Four of the Subdivision (including any and all re-designations of said sites in resubdivision plats). A parcel of land shall be deemed unimproved and the considered to be a Lot rather than a Dwelling, until the improvements constructed thereon are sufficiently complete to reasonably permit habitation thereof. Upon such completion, such parcel and the improvements thereon shall collectively be considered to be a Dwelling for purposes of these Restrictive Covenants.

* * *

15. **Garden Home Common Area** – shall mean the immovable property designated as (i) "Site 20" in Phase One of the Subdivision (including any and all re-designations of said site in resubdivision plats), (ii) "Site 32" in Phase Two of the Subdivision (including any and all re-designations of said site in resubdivision plats), and (iii) "Site 40" in Phase Four of the Subdivision on the Subdivision Plat (including any and all re-designations of said site in resubdivision plats), excluding any streets, street lighting, water, sewer, and gas mains located in said sites.

16. **Garden Home Site** – shall mean the immovable property sites identified in the Subdivision Plat as (i) Site 1 through Site 19, inclusive, located within Site 20 in Phase One of the Subdivision (including any and all re-designations of said sites in resubdivision plats), (ii) Site 1 through Site 31, inclusive, located within Site 32 in Phase Three of the Subdivision (including any and all re-designations of said sites in resubdivision plats), and (iii) Site 1 through Site 39, inclusive, located within Site 40 in Phase Four of the Subdivision (including any and all re-designations of said sites in resubdivision plats).

* * *

25. **Streets** - shall mean the streets in the Subdivision, including but not limited to Arbor Walk, Glendurgan Way, Pencarrow Circle, Upton Grey Court, Bellingrath Place, Kensington Drive, Claymont Ct., Cormaic Ct. and Longue View Place. Ownership and fee title to said streets shall remain in the Association, its successors, transferees or assigns. Said ownership and fee title to said streets is not conveyed or transferred herein or hereby. Nothing in this Act or on said plans is intended to dedicate in any manner said streets to the Parish of St. Tammany, State of Louisiana, the public in general or to public use.

* * *

27. **Subdivision Plat** - shall mean and refer to (i) the final subdivision plat for Phase One of the Subdivision prepared by Randall W. Brown & Associates, Inc. and dated April 22, 2002, recorded as Clerk of Court Map File No. 2393 of the official records of St. Tammany Parish, Louisiana (including any and all subsequent resubdivision plats for Phase One); (ii) the Final Subdivision Plan for Arbor Walk, Phase Two by Randall W. Brown & Associates, Inc., Survey No. 03440, dated May 12, 2003, revised August 15, 2003, recorded as Clerk of Court Map File No. 3124 of the official records of St. Tammany Parish, Louisiana; (iii) the Final Subdivision Plan for Arbor Walk, Phase Three by Randall W. Brown & Associates, Inc., dated November 13, 2003, revised June 28, 2004, and recorded as Clerk of Court Map File No. 3568 of the official records of St. Tammany Parish, Louisiana (including any and all resubdivision plats for Phase Three); and (iv) the Final Subdivision Plan for Arbor Walk, Phase Four by Randall W. Brown & Associates, Inc., recorded on March 10, 2006 with the St. Tammany Parish Clerk of Court as Map File No. 4171 of the official records of St. Tammany Parish, Louisiana (including any and all resubdivision plats for Phase Four).

In all other respects the Restrictive Covenants except as amended hereby, shall remain the same.

THUS DONE AND PASSED, in my office in Covington, Louisiana, on the day, month and year herein first above written, in the presence of the undersigned witnesses and me, Notary, after reading of the whole.

WITNESSES:

LONESOME DEVELOPMENT, L.L.C.

BY: HST COMPANY, LLC (Member)

BY: _____
T. R. HENNING, MANAGER

LELAND R. GALLASPY
NOTARY PUBLIC
BAR ROLL NO. 21601