

**THIRD AMENDMENT AND  
MODIFICATION TO RESTRICTIVE  
COVENANTS AND DEDICATION OF  
SERVITUDES AND EASEMENTS  
(Adding Phase Two-A)**

**UNITED STATES OF AMERICA**

**FOR: ARBOR WALK SUBDIVISION**

**STATE OF LOUISIANA**

**BY: LONESOME DEVELOPMENT, L.L.C.,  
YAR CONSTRUCTION CO. INC.,  
CRAFTMASTER, L.L.C.,  
PRICKETT PROPERTIES, LLC,  
JOAN LYNN EBELING SAIA WIFE OF/AND  
VINCENT L. SAIA, JR., AND  
H.R. CONSTRUCTION CO., INC.**

**PARISH OF ST. TAMMANY**

**BE IT KNOWN**, that on this 10th day of May, 2005.

**BEFORE ME, GINA V. BROUSSARD**, 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 Manager, Don A. McMath, its mailing address being P.O. Box 67, Mandeville, Louisiana 70470; hereinafter sometimes referred to as "Developer";

**YAR CONSTRUCTION CO. INC. (TIN XX-XXX8678)**, a Louisianan corporation organized and doing business in the Parish of St. Tammany, herein represented by Jason Yancey, by virtue of a Resolution of the Board of Directors which is on file in the office of the Clerk of Court for St. Tammany Parish as Instrument #112294; its mailing address being P.O. Box 609, Covington, LA 70434;

**CRAFTMASTER, LLC (TIN 72-1361390)**, a Louisiana limited liability company, duly organized under the law of the State of Louisiana, as per Articles of Organization, recorded with the Secretary of State for the State of Louisiana, represented herein by Milton L. Foersterling, Manager, by virtue of a Certificate of Authority, the original of which is recorded as Instrument Number 1393029 of the official records of the office of the Clerk of Court for the Parish of St. Tammany, Louisiana, its mailing address being 542 Beau Chene Drive, Mandeville, LA 70471

**PRICKETT PROPERTIES, LLC (TIN XX-XXX0469)**, a Louisiana limited liability company, organized and doing business in the Parish of St. Tammany, herein represented by its duly authorized members and manager, Thomas E. Prickett, by

virtue of the Authorization of Members, the original of which is on file in the office of the St. Tammany Parish Clerk of Court; its mailing address being 25664 Elmwood Place, Denham Springs, LA, 70726

**JOAN LYNN EBELING (SS# 434-70-7884), wife of/and VINCENT L. SAIA, JR. (SS#438-64-3121)**, both persons of the full age of majority, who declared unto me, Notary Public, that they have each been married but once and then to each other and they are living and residing together; their mailing address being: 140 Lochmere Drive, Mandeville, Louisiana 70471; JOAN LYNN EBELING SAIA being represented herein by Vincent L. Saia, Jr. pursuant to the Power of Attorney recorded dated August 13, 1999 and recorded as Instrument No. 1164070 in the public land records for St. Tammany Parish; and

**H.R. CONSTRUCTION CO., INC. (TIN XX-XXX3001)**, a Louisiana corporation organized and doing business in the Parish of St. Tammany, La, being represented herein by its President, Harriet S. Smith, by virtue of a Resolution of the Board of Directors which is on file in St. Tammany Parish as COB 1423, folio 906; its mailing address being 4821 Sharp Road, Mandeville, LA, 70471.

Said appearers do declare as follows:

Pursuant to Article XII, Section 12.02, Amendments by the Developer, and in accordance with Article VIII, Sections 8.01 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 at Instrument No. 1312174, as amended by the “First Amendment and Modification to Restrictive Covenants and Dedication of Servitudes and Easements” recorded on August 22, 2003 as Instrument No. 1387481 and the “Second Amendment and Modification to Restrictive Covenants and Dedication of Servitudes and Easements” recorded on December 14, 2004 as Instrument No. 1468395 (said restrictive covenants and the amendment thereto shall be 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:

1. 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 Two-A, described as follows, to-wit:

That certain Parcel of Land situated in Section 41, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, and being more fully described as follows:

Commence at the Northwest corner of Section 41, Township 7 South, Range 10 East, thence go South 00 degrees 00 minutes 40 seconds West, a distance of 2956.00 feet to a point on the southerly right-of-way line of LaLanne Road, thence continue along the southerly right-of-way line of LaLanne Road, North 89 degrees 35 minutes 50 seconds East a distance of 1679.03 feet; thence leaving the aforesaid right-of-way go South 00 degrees 40 minutes 00 seconds East a distance of 880.00 feet; thence go South 89 degrees 35 minutes 50 seconds West a distance of 242.90 feet, also the Point of Beginning.

Thence go South 00 degrees 24 minutes 10 seconds East a distance of 29.66 feet; thence go South 89 degrees 35 minutes 50 seconds West a distance of 180.00 feet; thence go North 00 degrees 24 minutes 10 seconds West a distance of 615.00 feet; thence go North 89 degrees 35 minutes 50 seconds East a distance of 166.40 feet to a point on a curve; thence along a curve to the right having a radius of 100.00 feet, an arc length of 52.76 feet, a chord bearing of South 15 degrees 31 minutes 08 seconds West and a chord distance of 52.15 feet; thence go South 00 degrees 24 minutes 10 seconds West a distance of 534.99 feet the Point of beginning.

Said Parcel contains 2.536 acres of land more or less.

All as more fully shown on the Final Subdivision Plan for Arbor Walk, Phase Two-A by Randall W. Brown & Associates, Inc., dated November 29, 2004 and recorded as Clerk of Court Map File No. 3779 of the official records of St. Tammany Parish, Louisiana.

2. Developer does amend Article I, Definitions, of the Restrictive Covenants to add new (and replace the prior) subsection 27 to read as follows:

“27. **Subdivision Plat** - shall mean and refer to (i) the final subdivision plat for Phase 1 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; (ii) the Final Subdivision Plan for Arbor Walk, Phase 2 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; and (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; and (iv) the Final Subdivision Plan for Arbor Walk, Phase Two-A by Randall W. Brown & Associates, Inc., dated November 29, 2004 and recorded as Clerk of Court Map File No. 3779 of the official records of St. Tammany Parish, Louisiana;

3. Pursuant to an act of “Cash Sale” dated March 14, 2005 and recorded with the St. Tammany Parish Clerk of Court as Instrument No. 1484829, appearer YAR Construction Co. Inc. acquired ownership of Lot 80 in Arbor Walk, Phase Two-A as said lot is identified in the Final Subdivision Plan for Arbor Walk, Phase Two-A by Randall W. Brown & Associates, Inc., dated November 29, 2004 and recorded as Clerk of Court Map File No. 3779 of the official records of St. Tammany Parish, Louisiana; and YAR Construction Co. Inc. does hereby join in this amendment to add the property owned by it in Arbor Walk Subdivision, Phase Two-A to the Restrictive Covenants, and therefore does hereby submit and subject Lot 80 in Arbor Walk, Phase Two-A, to the Restrictive Covenants for Arbor Walk Subdivision to be fully governed by said Restrictive Covenants.

4. Pursuant to an act of “Cash Sale” dated March 11, 2005 and recorded with the St. Tammany Parish Clerk of Court as Instrument No. 1483332, appearer Craftmaster, L.L.C. acquired ownership of Lot 81 in Arbor Walk, Phase Two-A as said lot is identified in the Final Subdivision Plan for Arbor Walk, Phase Two-A by Randall W. Brown & Associates, Inc., dated November 29,

2004 and recorded as Clerk of Court Map File No. 3779 of the official records of St. Tammany Parish, Louisiana; and Craftmaster, L.L.C. does hereby join in this amendment to add the property owned by it in Arbor Walk Subdivision, Phase Two-A to the Restrictive Covenants, and therefore does hereby submit and subject Lot 81 in Arbor Walk, Phase Two-A, to the Restrictive Covenants for Arbor Walk Subdivision to be fully governed by said Restrictive Covenants.

5. Pursuant to an act of “Cash Sale” dated March 8, 2005 and recorded with the St. Tammany Parish Clerk of Court as Instrument No. 1482726, appearer Prickett Properties, LLC acquired ownership of Lot 82 in Arbor Walk, Phase Two-A as said lot is identified in the Final Subdivision Plan for Arbor Walk, Phase Two-A by Randall W. Brown & Associates, Inc., dated November 29, 2004 and recorded as Clerk of Court Map File No. 3779 of the official records of St. Tammany Parish, Louisiana; and Prickett Properties, LLC does hereby join in this amendment to add the property owned by it in Arbor Walk Subdivision, Phase Two-A to the Restrictive Covenants, and therefore does hereby submit and subject Lot 82 in Arbor Walk, Phase Two-A, to the Restrictive Covenants for Arbor Walk Subdivision to be fully governed by said Restrictive Covenants.

6. Pursuant to an act of “Cash Sale” dated March 14, 2005 and recorded with the St. Tammany Parish Clerk of Court as Instrument No. 1483404, appearers Joan Lynn Ebeling wife of/and Vincent L. Saia, Jr. acquired ownership of Lot 83 in Arbor Walk, Phase Two-A as said lot is identified in the Final Subdivision Plan for Arbor Walk, Phase Two-A by Randall W. Brown & Associates, Inc., dated November 29, 2004 and recorded as Clerk of Court Map File No. 3779 of the official records of St. Tammany Parish, Louisiana; and Joan Lynn Ebeling wife of/and Vincent L. Saia, Jr. do hereby join in this amendment to add the property owned by it in Arbor Walk Subdivision, Phase Two-A to the Restrictive Covenants, and therefore do hereby submit and subject Lot 83 in Arbor Walk, Phase Two-A, to the Restrictive Covenants for Arbor Walk Subdivision to be fully governed by said Restrictive Covenants.

7. Pursuant to an act of “Cash Sale” dated April 4, 2005 and recorded with the St. Tammany Parish Clerk of Court as Instrument No. 1487559, appearer H.R. Construction Co., Inc. acquired ownership of Lot 84 in Arbor Walk, Phase Two-A as said lot is identified in the Final Subdivision Plan for Arbor Walk, Phase Two-A by Randall W. Brown & Associates, Inc., dated November 29, 2004 and recorded as Clerk of Court Map File No. 3779 of the official records of St. Tammany Parish, Louisiana; and H.R. Construction Co. Inc. does hereby join in this amendment to add the property owned by it in Arbor Walk Subdivision, Phase Two-A to the Restrictive Covenants, and therefore does hereby submit and subject Lot 84 in Arbor Walk, Phase Two-A, to the Restrictive Covenants for Arbor Walk Subdivision to be fully governed by said Restrictive Covenants.

In all other respects the original Restrictive Covenants except as amended and added to, shall remain the same.

**THUS DONE AND PASSED**, in my office in Covington, Louisiana, on the date provided hereinabove in the presence of the undersigned witnesses and me, Notary Public, after reading of the whole.

**WITNESSES:**

**LONESOME DEVELOPMENT, L.L.C.**

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**BY:** \_\_\_\_\_  
**DON A. MCMATH, Manager**

**YAR CONSTRUCTION CO. INC.**

**BY:** \_\_\_\_\_  
**JASON YANCEY**

**CRAFTMASTER, L.L.C.**

**BY:** \_\_\_\_\_  
**MILTON L. FOERSTERLING, Manager**

**PRICKETT PROPERTIES, LLC.**

**BY:** \_\_\_\_\_  
**THOMAS E. PRICKETT, Manager**

**JOAN LYNN EBELING SAIA**

**BY:** \_\_\_\_\_  
**VINCENT L. SAIA, JR.**

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**VINCENT L. SAIA, JR.**

**H.R. CONSTRUCTION CO., INC.**

**BY:** \_\_\_\_\_  
**HARRIET S. SMITH**

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**GINA V. BROUSSARD**  
**NOTARY PUBLIC**  
**NOTARY NUMBER 062907**