

LOTS 72-149

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SUBDIVISION RESTRICTIONS AND BUILDING CONDITIONS

"GEO-JE'S COUNTRY ESTATES - 2ND FILING"

STATE OF LOUISIANA  
PARISH OF EAST BATON ROUGE

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BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for the aforesaid Parish and State, personally came and appeared: GEORGE DEWEY HAYNES, he being duly authorized to represent the corporation of HAYNES-NEHER PROPERTIES, INCORPORATED, owner of Lots 72 through 146, inclusive of "GEO-JE'S COUNTRY ESTATES SUBDIVISION - 2ND FILING", situated in East Baton Rouge Parish, Louisiana, all according to the official plan of "GEO-JE'S COUNTRY ESTATES SUBDIVISION - 2ND FILING, made by ADCO ENGINEERS AND PLANNERS, INCORPORATED, Consulting Engineers and Planners, on file and on record in the Office of the Clerk and Recorder for the Parish of East Baton Rouge, Louisiana.

APPEARERS, in behalf of GEO-JE'S COUNTRY ESTATES SUBDIVISION - 2ND FILING, do hereby establish the following protective covenants and restrictions affecting all of the above referred to lots in said GEO-JE'S COUNTRY ESTATES SUBDIVISION - 2ND FILING, Lots 72 through 146, and shall be in favor of GEO-JE'S COUNTRY ESTATES SUBDIVISION COUNCIL, and any one or more of the Owners of lots in the subdivision, and shall be binding upon the Purchaser, Owner or Occupant of any of the Property above described, their heirs and assigns, the restrictions to be as follows:

1. All of the lots contained in this subdivision are hereby designated as residential, and they shall be used for none other than residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one, single-family dwelling not to exceed two and one-half stories in height with usual and appropriate outbuildings and a private garage and/or carport designed to house no fewer than two (2) or nor more than six (6) automobiles. The Owner of any two adjoining lots having frontage

on the same street may erect a resident on said lots which shall be considered for the purpose of these restrictions as one building lot.

No lot or lots shall be sold except with the description shown on the Official Plat of the subdivision provided, however, that any lots may be resubdivided or replatted with the written consent of the GEO-JE'S COUNTRY ESTATES SUBDIVISION COUNCIL (hereinafter constituted).

419 2. This filing of the subdivision will be served by an underground electric distribution system except where the elevation of the ground is such that underground electrical facilities would be impractical or dangerous in the opinion of the utility company serving the subdivision. The type of services supplied will be alternating current at approximately 60 cycles per second, single phase, three wire, 120/240 volts, single phase three wire, will be available and locked rotor current of any motor connected to this service will be limited in accordance with standard service practices of the utilities company.

3. The minimum area of residential structures shall be as follows:

- a) For any single story resident, 1850 square feet of total living area.
- b) For two story residents, 2,200 square feet of total living area, with a minimum of 1,500 square feet on the ground floor. In determining the "living area," porches, screen porches, porches with removable storm windows, breezeways, patios, landings, outside or unfinished storage or utility area, garages and carports shall not be included.

4. No buildings (including carports and detached covered structures) shall be located on any lot nearer to the front line than 45 feet nor nearer to the side property line than 10 feet. Carports or garages may be attached to the main dwelling provided that they are not nearer than 10 feet to the side property line. Garages and other permanent accessory buildings located on the rear 1/3 of the lot may be located as near as 10 feet from the side line and 15 feet from the rear line. Eaves on such buildings shall not extend over the

property line. No garage or carport shall open to any street on which the residence faces unless the garage or carport shall open to any side street unless it is no closer to the street than 70 feet. The GEO-JE'S COUNTRY ESTATES SUBDIVISION COUNCIL shall have the authority to vary the requirements of this paragraph in cases where in the Council's opinion topographical features warrant such a variance or where such variances would prevent the destruction of one or more desirable trees, except that in no instance may the front or side building line requirements be less restrictive than required by the present zoning ordinance for the Parish of East Baton Rouge in A-1 areas.

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5. Servitudes and rights-of-ways for the installation and maintenance of utilities and drainage facilities, as shown on the map of record, are dedicated to the perpetual use of the public for such purposes.

6. No residence or building of any kind, no improvement which extends above ground level, and no fence shall be erected, placed, altered, or permitted on any lot unless and until the construction plans, specifications, elevations, and a plan showing the location of the structure shall have been approved in writing by the GEO-JE'S COUNTRY ESTATES SUBDIVISION COUNCIL as to harmony of the exterior design with existing structures, and location with respect to topography and finish grade elevation.

7. No building or structure shall be constructed of imitation brick, imitation stone or asbestos on the exterior; and the GEO-JE'S COUNTRY ESTATES SUBDIVISION COUNCIL may impose other appropriate and reasonable standards for exterior finishes and materials so that such finishes and materials which it may deem undesirable or which in its discretion detracts from the value of the dwelling itself or of the surrounding properties, or detracts from the general appearance of the neighborhood or the value of the adjacent structures will not be utilized.

8. The Main residence building constructed on any lot shall face the street on which that lot fronts. Ingress and egress shall be from such street except that on any lot the driveway may be placed to run from the side street.

9. The GEO-JE'S COUNTRY ESTATES SUBDIVISION COUNCIL shall initially be composed of the members of the Board of Directors of Haynes-Neher Properties, Incorporated. Within three (3) years of the date of the first sale of a lot in GEO-JE'S COUNTRY ESTATES SUBDIVISION - 2ND FILING or when thirty percent (30%) of the lots are sold, whichever ever occurs first, then the owners of the lots in GEO-JE'S COUNTRY ESTATES SUBDIVISION - 2ND FILING shall elect by majority vote three lot owners to assume all of the powers, duties and responsibilities of the GEO-JE'S COUNTRY ESTATES SUBDIVISION COUNCIL. The developers of GEO-JE'S COUNTRY ESTATES - 2ND FILING will then no longer be a member of the subdivision council nor exercise any control over its operation.

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A majority of the Council may designate a representative to act for it. In the event of the death, resignation or inability to serve of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee nor its designated representative shall be entitled to any compensation for services performed in connection with the administration of these covenants.

When the lot owners assume control of the Subdivision Council they shall file with the clerk of court and records for East Baton Rouge Parish an appropriate written instrument setting forth the membership of the council and notifying the public of the change of the membership of the council.

10. No garage apartment shall be erected or permitted on any lot. However, garages with living quarters may be erected for occupancy by servants domestic to the family residence on such lots; but otherwise, a garage may not be used as living quarters.

11. No structure of a temporary character and no trailer, basement, tent, shack, garage, barn or other building shall be used as a residence either temporarily or permanently.

12. No commercial business or noxious or offensive trade or activity shall be conducted on any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood; this shall not be interpreted to restrict a builder from erecting temporary warehouses and/or offices on any lot for the construction of house on other lots.

13. No signs 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 5 square feet advertising this property for sale or rent or customary signs used by a builder or real estate broker to advertise the property during the construction and sales period. However, this limitation shall not apply to HAYNES-NEHER PROPERTIES, INCORPORATED, the developer of the subdivision.

14. No oil drilling, oil development operations, oil refining, 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 lots. No derrick or other structures designed for the use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

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15. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot except dogs, cats or other household pets. Horses may be kept on lots provided they are kept within a fenced area of the rear yard. All fences shall be constructed of over 70% wood material. All the above may be kept provided they 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 of rubbish, trash, garbage or other waste. All incinerators or other equipment for 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 a street and is kept free of obnoxious odor and insects.

17. Lot owners shall keep their respective lots mowed and free of noxious weeds. In the event that an owner fails to discharge this obligation, the GEO-JE'S COUNTRY ESTATES SUBDIVISION COUNCIL may, in its discretion, cause the lot to be mowed, and the owner of such lot shall be obligated to pay the cost of such mowing.

18. No boats, vehicles, campers, or trailers of any kind or parts or appurtenances of any boats, vehicle, campers or trailers shall be kept, stored, repaired or maintained on any lot behind the minimum building setback line in any manner which would detract from the appearance of the subdivision.

19. No building materials and no building equipment of any kind may be placed or stored on any lot except in the actual course of construction or a residence or other building thereon. No vacant lot shall be used for farming or gardening purposes, except that flowers and shrubbery may be grown for non-commercial purposes.

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20. 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 a majority of the ten owners of the lots will have been recorded agreeing to change said covenants in whole or in part.

21. If the Owner, Purchaser or Occupant of any lot in this subdivision, or his heirs, successors or assigns shall violate or attempt to violate any of the restrictive covenants herein, it shall be lawful for any person or others owning any of said lots to prosecute any proceedings in a court having jurisdiction against the person or persons violating or attempting to violate any such restrictions, either to prevent him or them from so doing or to recover damages for such violations.

22. Invalidation of any of these covenants by judgment or court order shall in no way affect any of the other provisions hereof and the later shall remain in full force and effect.

23. Adjustments may be made with a majority vote of GEO-JE'S COUNTRY ESTATES SUBDIVISION COUNCIL.

THUS DONE AND SIGNED at my office in Baton Rouge, Louisiana, this 15 day of June, 1976, in the presence of the undersigned competent witnesses.

WITNESSES:

GEO-JE'S COUNTRY ESTATES SUBDIVISION -  
2ND FILING

Sandra A. Emond  
Janet D. DeJage

By George Dewey Haynes  
George Dewey Haynes

G. Michael Pharis  
NOTARY PUBLIC

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MARGARET DEWAN