

RESTRICTIONS FOR STRATFORD PLACE SUBDIVISION

SIXTH FILING

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

BEFORE ME, the undersigned Notary Public, and in the presence of the undersigned competent witnesses, personally came and appeared:

BURK DEVELOPMENT COMPANY, INC., a Louisiana corporation domiciled in East Baton Rouge Parish, Louisiana, herein represented by Jack S. Burk, Jr., Vice President, he being duly authorized to act herein by a resolution of the Board of Directors recorded in the Official Records of East Baton Rouge Parish as Original 27, Bundle 7374,

who declared that:

Burk Development Company, Inc., is the owner of LOTS ONE HUNDRED FOURTEEN (114) through ONE HUNDRED FORTY-THREE (143) Inclusive, STRATFORD PLACE SUBDIVISION, SIXTH FILING, East Baton Rouge Parish, Louisiana, as shown on the map made by Barnard 6 Burk, Inc., Civil Engineers, recorded in the Official Records of East Baton Rouge Parish as Original 87, Bundle 8364 and in Map Book 128, Page 10.

Burk Development Company, Inc. does hereby establish the following restrictions affecting the lots in the subdivision just referred to which restrictions shall be binding upon all future owners of any or all of such lots or portions hereof, their heirs, successors and assigns, and shall be in favor or all owners, present or future, of lots in any or all present or future filings of STRATFORD PLACE SUBDIVISION and in favor of Burk Development Company, Inc., or its successor., which restrictions are as follows:

1. All the lots contained in this subdivision 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 and one-half (2½) stories in height, and a private garage for not more than four (4) automobiles. No lot shall be used for other than single family residential purposes. As examples, but not intended to limit the foregoing sentences, no lot shall be used for duplex housing, apartment houses or for occupations such as beauty shops, doctor's offices, dress shops, commercial farming, commercial gardening, or any other related activities, nor shall any lot be used as a school, church assembly hall, or fraternal group home.

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2. The minimum area requirement for residential structures shall be as follows:
 - a. The following listed lots namely Lots 114 through 143 inclusive, which shall be known as Group A, shall have the following minimum area requirements:
 - i. A single-story residence shall contain no less than twenty-five hundred (2,500) square feet of living area;
 - ii. Multi-story residence shall contain no less than twenty-five hundred (2,500) square feet of living area, with a minimum of eighteen hundred (1,800) square feet on the ground floor.
 - b. 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.
3. Building setback lines and easements for installation and maintenance of public utilities and drainage facilities are reserved as shown on the official recorded subdivision plat of STRATFORD PLACE SUBDIVISION, SIXTH FILING, referred to above. No fence or wall shall be erected, placed or altered on any lot closer to the street than the minimum building setback line.
4. No building shall be located on any lot nearer to the side property line than ten (10') feet, except that detached garages and other permanent accessory buildings located on the rear 40% of any lot shall not be erected closer than ten (10') feet from the side property line, nor closer than seven and one-half (7½') feet from the rear property line. Eaves on such garages or accessory buildings shall not extend closer than eighteen (18") inches from the property line. No garage or carport shall open to any street on which the residence faces unless the garage or carport is wholly on the rear 40% of the lot.
5. Except for the lots designated as being in Group A, a maximum building setback line shall be not greater than fifty-five (55') feet. For the purpose of this restriction, the eaves, steps, and open porches shall not be considered as part of the building. The minimum building set back line shall be as designated as the official subdivision plat referred to above.
6. 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. No structure of a temporary character and no trailer, basement, tent, shack, garage, barn, or other Out-building shall be used on any lot at any time as a residence, either temporarily or permanently; provided, however, a garage with living quarters may be erected for occupancy by servant: domestic to the family residing on such lot.
7. No noxious; or offensive activity shall be conducted upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

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8. No animals or livestock, such as cows, horses, pigs, sheep, rabbits, or poultry such as chickens, geese, ducks, or turkeys, or any other animals 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.
9. No lot shall be used or maintained as a dumping ground for 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, a 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 noxious odor and insects.
10. Building materials and equipment shall not be placed or stored on any lot except during the actual courses of construction of a residence or other improvement on the lot.
11. 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 any lot nearer to the street than the minimum building setback line.
12. No oil drilling or development operations, oil refinery, quarrying or mining operations of any kind shall be permitted on 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.
13. No sign of any kind shall be displaced to 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 a builder or real estate broker to advertise the property during the construction or sale; provided, however, this restriction shall not apply to Burk Development Company, Inc.
14. To carry out the general plan of improvement, to implement the plan of the subdivision, and to benefit the purchasers and owners of lots in the subdivision and in all present and future filings of STRATFORD PLACE SUBDIVISION, the following, additional restrictions are imposed and there is hereby created and vested in the STRATFORD PLACE SUBDIVISION COUNCIL, the same group constituted by the act , creating; the restrictions and covenants in STRATFORD PLACE SUBDIVISION, FIRST FILING, which act is recorded no Original 28, Bundle 7374, (referred to as the title Council) the following powers and authority:
 - a. No lot or lots shall be sold except with the descriptions shown on the plat of the subdivision referred to above; provided, however, that any lot or lots may be

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subdivided or re-plated with the written consent of the Council, evidenced by a majority vote thereof;

- b. No residence, building, fences, wall, or other structures shall be commenced, erected, or maintained, nor shall any addition, change, alteration of any kind therein be made until plans and specifications showing the nature, land, shape, height, materials, floor plan, color schemes, locations, and approximate costs of such structures, and the grading plan of the lot on which the improvements are to be erected shall have been submitted to and approved in writing by a majority vote of the Council and a copy thereof as finally approved lodged permanently with the Council. The Council shall have the right , by majority vote, to refuse lot approve any such plans or specifications or grading plans which are unsuitable or undesirable in its opinion, for aesthetic or other reasons; and, in so passing upon such plans, specifications and grading plans, it shall have the right to take into consideration the suitability of the proposed building or other structure and of the materials of which it is to be built, the site upon which it is proposed to be erected, the harmony thereof with the surroundings, and the effect of the building or other structure or improvement as planned on the outlook from the adjacent or neighboring properties. In the event the Council fails to approve or disapprove within thirty (30) days after such plans and specifications have been submitted to it, approval shall not be required by the Council, and the related restrictions shall be deemed to have been fully complied with. If the construction of a proposed improvement has not commenced within six (6) months after the Council's approval, the Council's approval shall be considered withdrawn and new approval for the proposed construction must be obtained. However, the Council may grant extensions of approval from time to time for good cause. If the construction of proposed improvements are not commenced with six (6) months following approval of the Council for reasons beyond the control of the lot owner or the contractor, such as acts of God, strikes, national calamities, or related events, the approval of the Council shall be extended in proportion to the delays caused by such event or events;
- c. The Council 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 Council may require such variance. The Council shall have the authority to vary the front and side building line requirements in cases where the Council finds topographical features which warrant such variance or where such variance of or where such a variance would prevent the destruction of one or more desirable trees; provided, however, in no instance may the front and side building line requirements be less than required by the applicable zoning ordinance unless waiver of such requirements of the zoning ordinance is obtained;
- d. No building or improvement proposed to be constructed of imitation brick, imitation stone, asbestos on the exterior shall be approved. The Council may

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impose other appropriate and reasonable standards for exterior materials and finishes and deem such appropriate to maintain the value of other structures or improvements in the subdivision;

- e. If an owner fails to keep his or her lots mowed and free of noxious weeds, the Council may cause such lots or lots to be mowed and the owner or owners of such lot or lots shall be obliged to pay this expenses, together with reasonable costs of collection. The Council shall be vested with the power to enforce collection by whatever means are legally available and appropriate;
 - f. A majority of the Council may designate a representative to act for it. In the event of death or resignation of any member of the Council, the remaining members shall have full authority to designate a successor;
 - g. Neither the members of the Council, nor its designated representative shall be entitled to any compensation for services performed in connected with the administration of these restrictions;
 - h. The council shall be the same Council constituted by the act creating the restrictions for STRATFORD PLACE SUBDIVISION, recorded in Original 28, Bundle 7374, Official Records of East Baton Rouge Parish, Louisiana, which group consists at the present time of:

Jack S. Burk, Post Office Box 15648, Baton Rouge, Louisiana 70815;
Jack S. Bork, Jr., 4623 Perkins Road, Baton Rouge, Louisiana 70808;
Gordon Kean, Jr., Post Office Box 1588, Baton Rouge, Louisiana 70821;

The Council may be increased to a total of five (5) persons upon the majority vote of the lot owners of all filings of STRATFORD PLACE SUBDIVISION on record at that time, two of whom must be residents of any of the present or future filings of STRATFORD PLACE SUBDIVISION and elected by such residents;
 - i. A majority of the lot owners in the subdivisions shall have the right, at any time, to change the membership of the Council or amend any of its powers and duties by executing and recording in the office of the Clerk and Recorder of East Baton Rouge Parish, Louisiana, an appropriate written instrument.
15. 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 lot.
16. This subdivision will be served by underground electric service distribution except where the elevation of the ground is such that underground electric facilities would be impractical or dangerous in the opinion of the utility company serving subdivision. The type of service supplied will be alternating current at approximately sixty cycles per second, single phase, three wire 120/240 volts and metered at 240 volts. Any purchaser of lots in this subdivision understands and agrees that only underground electric service

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at 120/240 volts, single phase, three wire, will be available, and the locked rotor current of any motor connected to this service will be limited in accordance with standard service practices of the utility company. This electric distribution system will be constructed and maintained in accordance with the standard practices of the utility company serving the subdivision. Electric rates for residential use in the subdivision will be the appropriate rates approved for tiling but the Louisiana Public Service Commission or other approved body or bodies.

17. If any purchaser or occupant of any of the lots, or his heirs, successors, or assigns shall violate or attempt to violate any of these restrictive covenants, it shall be lawful for any person or persons in whose favor these restrictions run to prosecute proceeding in a court having jurisdiction against the person or persons violating or attempting to violate such restrictions, either to prevent him or them from so doing, or to recover damages for such violation or violations.
18. Nothing in these restrictions and covenants shall be construed to prevent Burk Development Company, Inc. from maintaining a temporary building or structure on one of the lots in this subdivision or any other filing of STRATFORD PLACE SUBDIVISION owned by it for use exclusively as a sales office in connection with sale of lots in any or all filings of STRATFORD PLACE SUBDIVISION.
19. All owners of lots in STRATFORD PLACE SUBDIVISION, except Burk Development Company, inc. shall be subject to the will of the majority of the owners of lots in all filings, of STRATFORD PLACE SUBDIVISION, who may by majority vote authorize the Council or form a corporation or other legal entity which shall have the specific right, upon the vote of a majority of the lot owners, to levy and collect from each lot owner an annual assessment not to exceed four (4) mills per square foot of lot area on improved lots with a residence thereon, and three (3) mills on unimproved lots, the revenue from which will be used for such purposes as will, in the opinion of a majority of the members, benefit the residents and property owners such purposes may include beautification, lighting, garbage collection, maintenance of neutral grounds and unimproved lots, police and guard services, and any other services generally undertaken or furnished by such private organizations of property owners.
20. These restrictions shall run with the land and shall be binding on all persons claiming under them for a period of twenty-five (25) years from the date these restrictions are recorded and shall be extended automatically for successive periods of ten (10) years unless an instrument amending the restrictions in whole or in parts is signed by a majority of the lot owners in the subdivision and recorded in the office of the Clerk and Recorder of East Baton Rouge Parish, Louisiana.
21. Invalidation of any of these covenants, servitudes, and restrictions, or any part of any covenant, servitude, or restriction by judgment of a court of competent jurisdiction or otherwise, shall in no wise affect any of the other provisions, which other provisions shall remain in full force and effect.

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THUS DONE READ AND SIGNED in my office in the City of Baton Rouge Louisiana, in the presence of the undersigned competent witnesses, and me Notary, each of whom signed in the presence each other, on this 25th day of May 1973.