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DISTRICT OF COLUMBIA RECORD

2012 FEB 13 AM 9:11

Filing 5
Eagles Nest

**ACT OF RESTRICTIONS
PELICAN POINT GOLF COMMUNITY
FIFTH FILING "EAGLES NEST"**

State of Louisiana
Parish of Ascension

Before me, the undersigned Notary Public, duly commissioned and qualified in and for the parish and state aforesaid, personally came and appeared:

The Pelican Point Golf Community – Fifth Filing – “Eagles Nest” Architectural Control Committee (ACC) organized and existing under the laws of the State of Louisiana, domiciled in the Parish of Ascension, represented herein by those representatives signed and witnessed below and acting in their recognized elected capacity to represent the property owners as stated in the Act of Restrictions, duly authorized;

which declares that Pelican Point Golf Community, L.L.C., a limited liability company is owner of a certain tract or parcel or ground situated in Sections 6 and 7, Township 10 South, Range 3 East, SED, Ascension Parish, Louisiana, containing 594.079 acres, said tract is currently being developed by the Developer into Pelican Point Golf Community, which contains 25 residential lots designated in the final plat of the Fifth Filing of Pelican Point Golf Community. The Pelican Point Golf Community – Fifth Filing – “Eagles Nest” Architectural Control Committee (ACC) hereby establishes certain building restrictions and conditions for the benefit of said property and properties, or any part thereof, it being the intention of the Pelican Point Golf Community – Fifth Filing – “Eagles Nest” Architectural Control Committee (ACC) to establish these restrictions and conditions as servitudes and covenants running with the land, and encumbering existing and future residential lots which comprise or will comprise said filing of Pelican Point Golf Community, said restrictions being set out as follows, and replacing and superseding any previous restrictions on record, to-wit:

1. All of the lots contained in said subdivision are hereby designated as residential lots and restricted to residential use only. No building shall be erected, altered, placed, or permitted to remain on any of said lots other than one (1) detached single family dwelling not to exceed 2-1/2 stories in height, and a private garage for not more or less than two (2) automobiles.
2. There shall be a minimum of two thousand (2000) square feet of total living area for all Pelican Point Golf Community – Fifth Filing – “Eagles Nest” homes. The two thousand (2000) square feet includes living area only and does not include any open porches, garages, and storage area that shall comprise a total “under roof” square footage. No building shall be located nearer than twenty feet (20’) to the front property line, or nearer than fifteen feet (15’) to the rear lot line. No carports

will be allowed in the Pelican Point Golf Community. Each home will have a two (2) automobile garage that is front loading (facing the adjacent street). Garage must include one (1) automatic overhead door with a minimum / maximum eight feet (8') height (oversized garage openings for motor homes, etc. are not permitted), metal in construction (no glass or other type window allowed on the overhead door) and these shall remain closed. Overhead doors shall be painted with the same color paint as the eaves of the house. Additional autos, trucks, boats, trailers, etc. may not be stored on any residential lot except in an acceptable enclosed structure. No arched type garage opening shall be allowed. Garages must have at least three (3) distinct sides that include a zero lot line wall (this wall may be included in the entire length of the home's zero lot line wall), a front garage opening wall (this wall will include a garage door and opening as described above), and a wall opposite the zero lot line wall that will form one side of a courtyard area (the exterior length of this wall will be no less than the depth of the garage). Garages shall not be included in the overall roof line of the home, i.e., the garage structure will be placed on the lot such that it is entirely situated in front of the front wall of the "living area" portion of the residence. This design allows for the garage exterior wall opposite the zero lot line, the front wall of the "living area" of the residence, the neighboring zero lot line wall, and the required six (6') feet high courtyard wall to create a private and enclosed courtyard area that mimics existing houses located in the Pelican Point Golf Community – Fifth Filing – "Eagles Nest". Garages are to consist of "old" brick only. Privacy is of highest priority due to the style and close proximity of homes. No window and/or door opening(s) shall exist on any "dead" wall(s) facing an Eagles Nest home site that contains or could contain another Eagles Nest home. When two story structures are planned, upstairs windows shall not overlook adjacent courtyard(s). Every home in Eagles Nest shall have a solid double brick wall(s) designed to enclose a private courtyard in the front of the home. The wall shall be no taller / shorter than six feet (6') and will attach to the garage wall of the house and continue to the zero line wall of the neighboring home. One gate opening may be included with gate openings no less than four feet (4') wide and no greater than five feet (5') wide. Gate openings may be parallel or perpendicular to the facing street, but may not appear at any other angle. All homes feature a six foot (6') high solid double brick wall to the front of each home. The wall connects to the adjacent home, creating a continuous brick privacy wall throughout Eagles Nest.

3. No building shall be erected, placed, or altered on any lot until two (2) complete sets of construction plans (one to be kept by the "Eagles Nest" Architectural Control Committee (ACC), specifications, and a plot plan showing the location of the structure to be so erected, placed, or altered has been submitted to and approved by the "Eagles Nest" Architectural Control Committee (ACC) as to quality of workmanship and materials, the harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. The original (or similar) exterior color palette shall apply to all homes in Eagles Nest (this includes brick, siding, stucco, trim, doors, and shingle colors). A \$2,500.00 per plan deposit (\$100.00 non-refundable) must be submitted for the "Eagles Nest"

Architectural Control Committee (ACC) to correct infractions not corrected by builder within the designated time specified by the "Eagles Nest" Architectural Control Committee (ACC). If no infractions are committed, \$2,400.00 of this deposit will be refunded upon completion of the home and landscaping and the acceptance of the "Eagles Nest" Architectural Control Committee (ACC). It is advised that "preliminary plans consisting of floor plans and elevations be submitted prior to final plans, so that any "Eagles Nest" Architectural Control Committee (ACC) modifications may be included in the final plans. The "Eagles Nest" Architectural Control Committee (ACC) may impose other appropriate and reasonable standards for exterior finish and materials and design which it may deem undesirable or which in its discretion detracts from the value of the neighborhood or the value of adjacent structures. Any future alterations and/or improvements to the property must be submitted to and approved by the "Eagles Nest" Architectural Control Committee (ACC) (including but not limited to fences, landscaping, gardens, pools, etc.)

4. All driveways must be completed upon completion of the home. Driveways must be constructed of concrete and have a minimum width of eighteen (18') feet, have a depth of four inches (4"), and flare to twenty-one feet (21") at the street curb. (See attached flaring and brick detail.) A thirty inch (30") brick apron will be required (No stamped concrete allowed.) and will be the same on each driveway. No driveway shall be permitted adjacent to another. Driveways shall be placed as shown on the attached drawings. Only one driveway entrance is allowed per lot. The "Eagles Nest" Architectural Control Committee (ACC) must approve Guest parking areas. If the "Eagles Nest" Architectural Control Committee (ACC) approves guest parking, it must include landscaping that will screen the parking area from the adjacent street(s) when vehicles travel "into" Eagles Nest.

5. All flower beds shall be "raised" a minimum of two feet (2'). Lots facing Tezcuco Court will include one (1) Drake Elm planted to create an alley of trees along Tezcuco Court. Addition landscaping requirements are as follows:

6. Two (2) sets of landscape plans and specifications showing the name and location of all plant material, including quantity, quality, size and bed preparation shall be submitted for approval. Homeowners are encouraged to submit landscape plans with their house plans but must submit no later than black in stage of residence.

The following are minimum landscape requirements within Pelican Point Golf Community.

A. The owner shall plant one (1) tree per fifteen hundred (1,500) square feet of lot area. Average lot size is 48.5' x 150'; therefore, 7.275 square feet would mean four (4) trees per lot. Of these, seventy-five percent (75% - rounded upward) must be "large" trees (see list). The remaining trees can be

“medium or small” trees. These trees must be a minimum of three inch (3”) caliper (measured at 12” above the ground). Multi-trunk trees shall have a minimum of three (3) tree trunks with a 3/4” to 1” caliper per trunk. Credit will be given for existing trees on lots; therefore, the number of trees required may vary as approved by the ACC.

B. Fifty percent (50%) of these trees shall be planted in front of lots and the remaining trees shall be planted in the rear. Additional trees may be required on corner lots as requested by the ACC.

C. The owner shall plant a minimum of fifty (50) shrubs with a minimum size of three (3) gallon container. Fifty percent (50%) of these must be planted in the front yard.

D. The owner must sod the entire front rear, and side yards of lot with centipede sod. No other varieties will be allowed.

E. The owner must screen all the A/C units on the house from view from the street. Lots on the Golf Course and Lakes must also screen units from golf view or lake view. (These do not count as part of 50 minimum shrubs.)

F. All lots which have electric or other utility transformers or pedestals must screen them from view along the roadway. Each homeowner shall plant three (3) shrubs in a semicircle adjacent to pedestals. Once both lots are built upon, this will completely screen view of transformers from roadway. (These do not count as part of 50 minimum shrubs.)

G. If the homeowner goes above these minimum requirements, the plant material above the minimum requirements does not have to the same size requirements as the required minimum standards as long as the sizes of additional plant material is located in such a manner that the overall appearance of the landscape looks in balance.

H. Due to size, shape and configuration of home, the ACC may require additional landscape from the roadway or golf/lake view.

All landscaping and sod must be installed within thirty (30) days after completion of residence or prior to occupancy, whichever comes first. Utilities will be disconnected if landscaping and sod is not completed within this time frame. Requirements listed may be altered by the ACC based on quantity and overall appearance and design. PPGC wants to allow creative design among landscapes. Although these are minimum design criteria, the ACC recommends that the homeowner go beyond these requirements. Seasonal color should be provided in several areas in the front yards to create colorful street appeal while driving through PPGC. Landscapes must be maintained at all times. If maintenance becomes a

problem and a residence is seen as an “eye sore” to the community, the ACC will take necessary action to maintain the landscaping and charge the homeowners for all fees associated.

The following is a list of suggested trees. Other trees may be approved by the ACC. Threes, especially large trees, provide the core of the community. As these trees mature, they increase property value and increase the desire to be a resident of Pelican Point Golf Community.

LARGE TREES

Live Oak	Southern Red Oak	Willow Oak
Nuttall Oak	Tulip Tree	Southern Magnolia
White Oak	Bald Cypress (excellent near lake)	

MEDIUM TREES

River Birch	Drake Elm	Red Maple
Bradford Pear	American Holly	Savannah Holly
Silver Maple	Sweetbay Magnolia	Weeping Willow (excellent near lake edges)

Pines (may be used on rear lots of perimeter lots and golf course lots in clusters and as approved by the ACC, but will not be allowed as a major design component of landscape)

SMALL TREES

Crepe Myrtle	Yaupon Holly	Chinese Redbud
Wax Myrtle	Sweet Olive	Chinese Parasol Tree
Windmill Palm	Japanese Maple	Cherry Laurel
Oriental Magnolia	Southern Crabapple	Parsley Hawthorn
Purple Leaf Plum	Sasanqua Camellia	

7. Should construction of a prospective residence, building or structure not be commenced within six (6) months after approval by the Architectural Control Committee, and be pursued diligently thereafter, or should construction not be completed within twelve (12) months after the approval, the approval of the ACC shall be automatically withdrawn. The ACC may grant extensions of its approval from time to time for good cause stated. Should construction not commence or be completed for reasons beyond the control of the lot owner or his contractor, such as an act of God, national calamity or similar events, then the deadlines provided herein shall be extended by the ACC in proportion to the delay caused by the event. No construction project will be allowed to drag on. New homes must be constructed within a six-month period.

