

State of Louisiana  
Parish of East Baton Rouge

FILED AND RECORDED  
EAST BATON ROUGE PARISH, LA  
DOUG WELBORN  
CLERK OF COURT AND RECORDER

**Eighth Amendment to  
Supplemental Declaration of Covenants, Conditions and Restrictions of  
The Settlement at Willow Grove (Residential Property)**

CUSTOMER PROVIDED COPY FOR  
SERIALIZED TRUE COPY  
BY *Jaryn Welborn*  
DEPUTY CLERK AND RECORDER

BE IT KNOWN that on this 10<sup>th</sup> day of December, 2019, before me, the undersigned Notary Public, and in the presence of the undersigned competent witnesses, personally came and appeared:

**The Settlement at Willow Grove Development Company LLC**, a Louisiana limited liability company, represented herein by its duly authorized representative, Richard M. Carmouche, whose Articles of Organization were filed with the Secretary of State of Louisiana on February 19, 2004, and recorded with the Clerk and Recorder of Mortgages of East Baton Rouge Parish, Louisiana, at Original 290, Bundle 11580, and whose principal mailing address is 8200 Village Plaza Court, Suite 2B, Baton Rouge, Louisiana 70884 (herein referred to as “**Declarant**”);

who did depose and say that:

**Recitals**

*Whereas*, pursuant to Section 1.4 of the Supplemental Declaration of Covenants, Conditions and Restrictions of The Settlement at Willow Grove (Residential Property) dated December 5, 2006 and recorded with the Clerk of Court and Recorder of Mortgages for East Baton Rouge Parish, Louisiana at Original 868, Bundle 11906 (as may be amended from time to time, the “**Supplemental Declaration**”), Declarant desires to exercise its option to add and submit the property described on Exhibit A (the “**Added Property**”) to the Supplemental Declaration to become part of the Residential Property (as defined in the Supplemental Declaration); and

*Whereas*, Declarant intends that the covenants, conditions, restrictions, easements, reservations, rights-of-way, servitudes and other provisions of the Supplemental Declaration shall run with the Added Property, and shall be binding upon and inure to the benefit of all parties having any right, title or interest in the Added Property, and their heirs, successors and assigns;

*Now therefore*, the forgoing recitals being made a part hereof, Declarant declares as follows:

1. Exercise of Option. Declarant hereby exercises its option pursuant to Section 1.4 of the Supplemental Declaration and submits the Added Property to all of the restrictions, conditions, liens and servitudes set forth in the Supplemental Declaration, with such Added Property becoming part of the Residential Property for all purposes under the Supplemental Declaration. The Added Property shall also be considered “Residential Property” under the

Master Declaration For The Settlement at Willow Grove dated December 5, 2006 and recorded with the Clerk of Court and Recorder of Mortgages for East Baton Rouge Parish, Louisiana at Original 318, Bundle 11906.

2. Fencing Requirements. Lots 366 through 370 (inclusive) are required to build a Masonry Garden Wall (as defined in the Design Code) along Settlement Boulevard. The Masonry Garden Wall shall have limited iron panels. Each of the lots, together with any access gates, shall have a common design scheme as approved by the Architectural Control Committee. Lots 370 through 373 (inclusive) are required to build an 8' wood and brick column fence enclosing the rear yard (Oakdale Drive) of each lot, subject to approval of a a common design scheme by the Architectural Review Committee. Lots 373 and 374 must comply with the PUD Stipulations to construct decorative fencing with a common design scheme, as approved by the Architectural Review Committee.

3. Private Servitude of Access. Tract 1-B-2 of the Added Property, as described on Exhibit A, shall be conveyed to the Association by an instrument executed by the Declarant and recorded in the official conveyance records of the Clerk and Recorder of Mortgages for the Parish of East Baton Rouge, Louisiana (the "Alley"). The Alley shall be a non-exclusive private servitude of access ("Private Servitude of Access"), created in favor of the Owners of Lots 357 through 365 (inclusive) of the Added Property (the "Alley-Loaded Lots), for vehicular and pedestrian ingress and egress to and from a garage situated on each such Alley-Loaded Lot. Other functions of an Alley include access for trash removal and utility maintenance service. The Alley shall be operated in accordance with the following:

a) Maintenance of the Private Servitude of Access shall be by the Association as a Residential Common Area.

b) The Association shall perform or cause to be performed such maintenance necessary to keep the Private Servitude of Access in good condition and repair, including, without limitation, the following:

i) Maintaining in a commercially reasonable condition the surfaces in a smooth and evenly covered condition with the type of surfacing material originally installed or such substitute as shall in all respects be equal in quality, use and durability;

ii) Removing all papers, ice and snow, mud and sand, debris, filth and refuse and thoroughly sweeping the areas to the extent commercially reasonably necessary to keep the area in a clean and orderly condition better than or equal to the condition existing as of the date of dedication of the Private Servitude of Access;

iii) Placing, keeping in first class condition and repair and replacing any necessary or appropriate directional signs, markers, lines and lighting; and

v) Maintaining the drainage pipes, boxes and grates to a condition that provides for both positive drainage of the Alley and the safe operation of vehicles during inclement weather.

c) For Alley-Loaded Lots, vehicular ingress and egress to and from a garage shall only be from the Alley. The driveways of an Alley-Loaded Lot may also serve as guest parking areas for the use and benefit of the Owner of the Alley-Loaded Lot. A vehicle of a guest (properly parked) may encroach into the Private Servitude of Access, i.e., to the edge of the concrete Alley nearest the garage of the Owner of the Alley-Loaded Lot, but not encroach over into the concrete Alley in a manner that impedes the free flow of traffic.

4. Common Areas. Tract 1-B-1 and Tract 2-A of the Added Property, as described on Exhibit A, shall be conveyed to the Association as a Residential Common Area, as such term is defined in the Declaration, by an instrument executed by the Declarant and recorded in the official conveyance records of the Clerk and Recorder of Mortgages for the Parish of East Baton Rouge, Louisiana (the "Common Areas"). The Common Areas shall be operated and maintained by the Association in accordance with the provisions of the Supplemental Declaration regarding Residential Common Areas.

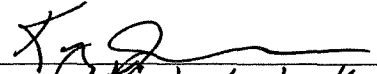
5. No Limitation. Except as modified herein, the terms and conditions of the Supplemental Declaration remain in full force and effect.

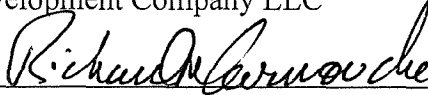
-Signatures on Following Page-


IN WITNESS WHEREOF, Declarant has executed this Eleventh Amendment to Supplemental Declaration on the date stated above, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

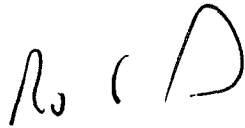
Witnesses:

The Settlement at Willow Grove  
Development Company LLC

  
Name: Kimberly Jackson

By:   
Name: Richard M. Carmouche  
Title: Authorized Representative

  
Name: Samantha Whitcomb



Notary

Name: \_\_\_\_\_  
Bar No.: \_\_\_\_\_ **Randy P. Roussel**  
Commission Exp.: \_\_\_\_\_ **Bar Roll No. 14387**  
**Notary Public, State of Louisiana**  
**My Commission is for Life.**

## **Exhibit A**

### **Legal Description of Added Property**

Lots 357 through 377 (inclusive), as reflected on that certain "Final Plat of The Settlement at Willow Grove, (11th Filing), Lots 357-377 and Tracts 1-B-1, 1-B-2, and 2-A, Being a Subdivision of Tracts 1-B and 2 of The Settlement at Willow Grove Development Co., LLC Property" dated November 27, 2019, made by Ferris Engineering & Surveying, L.L.C., and recorded December 6, 2019, with the Clerk and Recorder of Mortgages for East Baton Rouge Parish, Louisiana at Original 78, Bundle 12998.