

PUD APPROVAL STIPULATIONS

BE IT KNOWN, that on the date indicated below, before the undersigned Notary Public, and in the presence of the subscribing witnesses, personally came and appeared:

The Settlement at Willow Grove Development Company LLC, a Louisiana limited liability company, whose Articles of Organization were filed with the Secretary of State of Louisiana on February 19, 2004, represented herein by its Members, Carmouche Construction Company and Kleinpeter Development Company, L.L.C., whose principal mailing address is 10343 Siegen Lane, Building 2A, Baton Rouge, Louisiana 70810 (“**Declarant**”),

who hereby imposes upon the Property described on Exhibit “A” the following PUD Approval Stipulations, which shall be covenants running with the land incidental to ownership thereof, and binding on Declarant, its successors and assigns in title:

1. General. Declarant shall develop the Property in accordance with specifications set forth on that certain plat showing the Concept Plan Information Package for The Settlement at Willow Grove, East Baton Rouge Parish, Louisiana, prepared by Ferris Engineering & Surveying Inc. (the “**Plat**”) and as set forth on that certain Application for Planned Unit Development, Application Number 1-04, dated as of August 20, 2004, as amended (the “**PUD**”), the General Development Plan dated January 9, 2004 prepared by Architects Southwest attached to the application and as hereinafter set forth. In the event of a conflict between the requirements of PUD and the requirements set forth below, the more restrictive requirements shall govern. All terms used herein shall have the meaning set forth in the Unified Development Code of the Parish of East Baton Rouge and the City of Baton Rouge, as amended from time to time (the “**UDC**”). These stipulations are hereby made a part of the PUD application and any violation hereof may be enforced in accordance with the UDC or as provided herein.

2. Permitted Uses. The areas set forth below are identified in the General Development Plan and shall be used for the purposes set forth in these stipulations.

2.1 Village Center. The portion of the Property (highlighted in red on the attached map, Exhibit “B”) fronting Perkins Road and labeled Village Center (but only the highlighted portion) shall be used for retail, commercial, living and office development in accordance with uses permitted in the following Zoning Districts:

GOL, General Office Low Rise District;
GOH, General Office High Rise District, not to exceed three (3) floors;
Retail uses as restricted in Section 2.1.1(b) and permitted by LC3, Light Commercial Three;
CA-B 1, Commercial Alcoholic Beverage District One provided no use shall exceed the square footage limitation in Section 2.1.1(b);
All residential uses permitted in A-1 through A-2.7, including conditional uses allowed therein; and

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A-4, Multi-family Residential, limited to buildings or groups of buildings used for both retail/commercial space and residential living units. Owner-occupied residential dwelling units (*i.e.*, condominiums) shall be allowed in separate buildings. The purpose of this stipulation is to have a mixed use of commercial/retail space and residential space, although a building may be used exclusively for retail/commercial or exclusively for residential, but the group of buildings considered as a whole are composed of mixed uses described herein.

2.1.1 Additional Stipulations. The following additional stipulations shall apply to cases allowed in the Village Center:

- (a) **Maximum Height.** No building shall exceed three floors and in no event shall a building height exceed sixty feet (60'), measured from the ground level to the roof ridge.
- (b) **Useable Commercial Square Footage Allocations.** The total of all commercial and retail establishments located in Village Center shall not exceed 25,000 useable square feet. Provided further, in no event shall the total of all retail establishments located in Village Center exceed 15,000 useable square feet. Commercial uses shall be limited to those uses detailed below, provided those uses are also allowed under Zoning District General Office Low Rise. Under this subsection, useable square feet allocated for retail purposes:
 - (1) shall not exceed 2,000 square feet per location if engaged primarily in the sale of:
 - (i) art such as paintings, photographs, potteries and other similar items,
 - (ii) florist,
 - (iii) gift items, fashion and home accessories;
 - (iv) craft and hobbies;
 - (v) a store serving primarily coffee and tea based drinks with related pastries and food items
 - (vi) a store serving bagels, pastries, gourmet sandwiches; and
 - (vii) ice parlor selling ice cream, related pastries, and dairy based products.

- (2) The following retail uses shall not exceed 5,000 square feet per location:
 - (i) restaurant provided the restaurant shall comply with the architectural restrictions in the design code submitted with the Application and the area dedicated to a bar area primarily serving alcoholic

- beverages shall not exceed fifteen (15%) percent of the square footage;
- (ii) store serving prepared food, gourmet foods, wine for onsite or offsite consumption;
- (iii) convenience items; and
- (iv) a restaurant use providing primary fast food delivery, such as a Pizza Hut Delivery, shall not be allowed.

- (3) The following retail uses shall not exceed 3,000 square feet per location:
 - (i) travel agency; and
 - (ii) video sales and rentals.
- (4) The following retail uses shall not exceed 1,200 square feet per location:
 - (i) dry cleaners; and
 - (ii) computer accessory shop.

Any changes in use shall require an amendment to the Concept Plan.

- (c) General Prohibition. No use shall violate a use prohibited under Section 3. Further, no hotel or motel shall be permitted, but nothing herein shall prohibit the rental of residential units on a month by month basis.

- (d) "Drive Thru" Limitation. No restaurant shall provide "drive thru" service, provided, however, nothing herein shall prohibit a restaurant deriving a majority of its revenue from the sale of coffee and tea based beverages from providing "drive thru" service.

- (e) Additional Limitations Along Western Portion. For any portion of the Village Center either abutting or within one hundred feet (100') of an existing residential use in Wimbledon, the following additional limitations shall apply:

- (i) Lighting mounted on buildings shall be shielded and no more than seven feet (7') above the ground.
- (ii) Pole lighting in parking areas must be oriented inward, toward the development or structures, and directionally shielded to minimize intrusion into surrounding residential property. All external lighting must be shielded, bulb recessed and directional.

- (iii) No retail use shall be allowed within one hundred feet (100') of an existing residential use in Wimbleton. Further, no structure within one hundred feet (100') of an existing residential use in Wimbleton shall exceed two stories or thirty feet (35') in height.

- (f) Amendments. Any amendment to these additional stipulations shall comply with Section 6.

2.2 Village Center-East (Oakdale Entrance). The portion of the Property (highlighted in brown on the attached map, Exhibit "B") at the corner of Perkins Road and Oakdale and north of the Town Center and labeled Village Center-East (but only the highlighted portion) shall be used for residential development in accordance with the following Zoning Districts:

All residential uses permitted in A-1 through A-2.7 (but excluding conditional uses) allowed in such district.

2.2.1 Setback requirement. The minimum rear building setback for that portion of the Village Center-East adjacent to Lot 37, Oak Hills Crossing, is thirty-two feet (32'), which measurement shall include that portion of the property used for an alley. The alley is identified as a type LA-32 on the General Development Plan.

2.2.2 Window requirement. No second floor windows adjacent to Lot 37, Oak Hills Crossing shall be located closer than thirty feet (30') to the rear lot line, which measurement shall include the alley.

2.2.3 Fencing requirement. Privacy and decorative fencing shall be constructed on that portion of Village Center-East adjacent to Lot 37, Oak Hills Crossing.

2.2.4 Signage. No more than one monument sign indicating the entrance to The Settlement at Willow Grove shall be placed on that portion of Village Center-East along Oakdale Drive, provided, however:

- (a) One wall mounted sign shall be permitted;
- (b) directional and traffic signage shall be permitted;
- (c) a separate monument sign indicating the entrance to Oak Hills Crossing shall be permitted and shall be constructed by Declarant;
- (d) the Declarant shall construct landscaping and fencing to create a clear demarcation between Oak Hills Crossing and

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The Settlement at Willow Grove, utilizing a design agreeable to the Oak Hills Crossing Association and Declarant;

- (e) no monument sign shall exceed a size of four feet (4') in height;
- (f) no pole or pylon type signage shall be permitted on that portion of Village Center-East along Oakdale Drive (other than directional, traffic and street name signage); and
- (g) signage shall otherwise comply with Chapter 16 of the UDC.

2.2.5 Tree Preservation. Declarant shall make a good faith effort to preserve existing quality trees, but the removal of trees shall be allowed based on engineering and site plan requirements. Declarant shall implement a tree planting program to replace trees that have been removed.

2.3 Village General-East. The eastern edge of the Property (highlighted in green on the attached map, Exhibit "B") adjacent to the Oak Hills Crossing subdivision, labeled Village General-East (but only the highlighted portion) shall be used for residential development in accordance with the following Zoning Districts:

Only single family detached residential uses shall be permitted. The following additional stipulations shall apply to Village General-East.

2.3.1 Garage and Structure Setback. Except on those Lots marked with an asterisk: (i) no detached garage or carport shall be two stories; and (ii) the Main Structure, garage and carport shall be at least twenty-five feet (25') from rear lot line. On those Lots marked with an asterisk on the attached map, the garage or carport rear setback shall comply with the requirements for accessory buildings requirements in A-1 zoning.

2.3.2 Minimum Square Feet and Lot Width. Residences built in Village General East (and highlighted in green) shall contain a minimum of 1,800 square feet of living (heated and cooled) space, exclusive of all storerooms and garages. The minimum lot width shall be sixty (60') feet.

2.3.3 Accessory Building. Any accessory building (as defined in the UDC except for garages or carports on Lots without an asterisk on the attached map) shall comply with the requirements for accessory buildings in A-1 zoning districts as set forth in the UDC.

2.3.4 Building Height. No building shall exceed thirty-five feet (35') in height, measured from the ground to the roof ridge.

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2.3.5 Additional Restrictions. No townhomes, zero lot line homes or attached condominiums shall be allowed in Village General-East. Further no governmental buildings and facilities including, police, fire, EMS, post office, or other facilities utilized for governmental functions and activities shall be allowed. No rear service alley shall be allowed on the boundary between Village General East and Oak Hills Crossing.

2.3.6 Drainage. In connection with the construction of the improvements in Village General-East, Declarant shall provide for positive storm water drainage to direct runoff from the rear of the lots in Village General-East towards the west, all in accordance with the drainage plan approved by the Department of Public Works. The Drainage Plan shall not conflict with the drainage plan for Oak Hills Crossing approved by the Department of Public Works. The Drainage Plan shall not alter existing drainage patterns unless adequate drainage infrastructure is provided.

2.3.7 Two Story Requirements. In the event a two story structure is constructed, the following additional limitations shall apply:

- (a) If a two story structure is constructed, the two story portion of the structure located within rear fifty feet (50') of the lot shall not be wider than twenty-four feet (24');
- (b) No windows above the first floor facing Oak Hills Crossing shall be located closer than fifty feet (50') to the rear lot line.

2.4 Village General-West. The western edge of the Property (highlighted in orange on the attached map, Exhibit "B") adjacent to Wimbledon Estates subdivision and labeled Village General-West (but only the highlighted portion) shall be used for residential development in accordance with the following Zoning Districts:

Only single family detached residential uses shall be allowed. The following additional stipulations shall apply in Village General-West:

2.4.1 Accessory Building and Setback. No accessory building (as defined in the UDC but including garages) shall be two stories. All accessory buildings (including garages) and the main structure shall be located at least twenty-five feet (25') from the property line of existing lots in Wimbledon Subdivision.

2.4.2 Building Height. No building shall exceed thirty-five feet (35') in height, measured from the ground to the roof ridge.

2.4.3 Additional Use Restrictions. No townhomes, zero lot line homes or attached condominiums shall be allowed in Village General-West. Further no governmental buildings and facilities including, police, fire, EMS, post office, or other facilities utilized for governmental functions and activities shall be allowed.

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2.4.4 Minimum Square Feet and Lot Width. Residences built in Village General-West (and highlighted in green) shall contain a minimum of 1,800 square feet of living (heated and cooled) space, exclusive of all storerooms and garages. The minimum lot width shall be sixty feet (60').

2.4.5 Two Story Requirements. In the event a two story structure is constructed, the following additional limitations shall apply:

- (a) If a two story structure is constructed, the two story portion of the structure located within fifty feet (50') of a lot used for residential purposes in Wimbledon shall not be wider than twenty-four feet (24');
- (b) No second floor window facing a lot used for residential purposes in Wimbledon shall be located closer than fifty feet (50') to the Wimbledon lot line.

2.4.6 Fencing. A decorative fence shall be constructed along the rear property line of Lots 1, 2, and 3 of Wimbledon Subdivision and Lots 7 and 8 of Wimbledon Subdivision. The Settlement at Willow Grove restrictions shall require that a fence be constructed along the rear property line in connection with the construction of improvements on the lots in Village General-West.

2.4.7 Alley. There shall be no rear service alley along the boundary between Village General-West and Wimbledon Estates.

2.4.8 Tree Preservation. Declarant shall make a good faith effort to preserve existing quality trees, but the removal of trees shall be allowed based on engineering and site plan requirements. Declarant shall implement a tree planting program to replace trees that have been removed. The removal of any trees on the site will be done in accordance with chapter 18, specifically sections 18.4 and 18.7, of the Unified Development Code.

2.5 Plantation Home. The rear center portion of the Property (highlighted in blue on the attached map, Exhibit "B"), including that area surrounding the original Kleinpeter Plantation house, labeled Plantation Home and highlighted shall be used for retail, commercial and office development in accordance with uses permitted in the following Zoning Districts:

GOI, General Office Low Rise District;
GOH, General Office High Rise District, not to exceed three (3) floors;
LC3, Light Commercial Three, limited to receptions, special events, and a bed and breakfast type hotel;
NC-AB, Neighborhood Commercial Alcoholic Beverage, limited to receptions and special events;
All residential uses permitted in A-1 through A-2.7.

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2.6 Other Uses. All portions of the Village General and the Village Edge, as defined in the General Development Plan, and not described above shall be used for residential development in accordance with the following Zoning Districts:

All residential uses permitted in A-1 through A-2.7 (including conditional uses provided therein).

3. Prohibited Uses: No part of the Property shall be used for any of the following:

- (a) mini-storage facility;
- (b) plumbing shop primarily engaged in the repair of plumbing appliances (to be distinguished from the sale of plumbing fixtures from an enclosed building);
- (c) truck terminal (but not to exclude loading and unloading incidental to other uses permitted in the PUD);
- (d) warehouse or storage except incidental to other permitted uses;
- (e) freestanding radio tower, television tower, and wireless, digital, or cellular transmitting and receiving facilities as described in Chapter 2 of the UDC;
- (f) car wash;
- (g) facilities which are used primarily as dance halls (but this shall not exclude the use of the Plantation Home for receptions and special events);
- (h) facilities which are used primarily as bars and lounges or either;
- (i) motor vehicle gasoline station, gasoline or diesel pumps, or the distribution of alternative fuels for motor vehicles;
- (j) motor vehicle sales or service;
- (k) mobile homes for residential or office uses, or metal buildings, whether permanent or temporary, except construction offices but then only during periods of construction;
- (l) motor vehicle service, maintenance or repair, or tire repair;

- (m) loudspeakers, audio equipment, and other equipment of any kind which emit sounds beyond the Property boundaries;
- (n) hotel or motel except in the area highlighted as the Plantation home, provided not herein shall prohibit the rental of units for residential or commercial uses on a month by month basis;
- (o) juvenile diagnostic development center for at risk youth; pilot juvenile diagnostic development center; or group or special homes;
- (p) hospitals;
- (q) coin operating laundromats;
- (r) multi-story parking garage;
- (s) movie theater;
- (t) cemetery (except the existing cemetery and an expansion of the Kleinpeter cemetery by up to one-half of an acre shall be allowed);
- (u) elementary, secondary, or high school (except use by a Day Care providing pre-school and after school care for no more than fifty (50) children) shall be allowed;
- (v) green space shall not be used for construction of a sports facility:
 - (i) attended by the general public, or (ii) for used by an elementary, secondary or high school;
- (w) no building used for commercial purposes shall be allowed within two hundred feet (200') of Oakdale Drive or an existing residence in Oak Hills Crossing; and
- (x) Any amendment to this Article 3 shall comply with Article 6.

4. Signage. The following stipulations shall apply with respect to signage on the Property.

4.1 Village Center-East. Signage located within Village Center-East shall comply with Section 2.2.4 above.

4.2 Village Center. Off-premises signs, or outdoor advertising signs whether off-premise or on-premises shall be governed by Chapter 16 of the UDC.

5. Access. The street to Center Court Street shall be constructed by the Declarant but shall be barricaded until the earlier of the completion of 80% of the homes in the first filing of The Settlement at Willow Grove, or an amendment has been made to the Concept Plan. Wimbleton Homeowners Association, Inc. shall have the authority to request an amendment to the Concept Plan to remove the barricade. The Declarant shall complete a bike path and pedestrian walkway (with associated green space) to Ham Richardson Street. The Declarant shall complete the street to tie in to Ham Richardson for vehicular traffic if notified within five (5) years of approval of the Development Plan with construction to occur no sooner than five (5) years, but no later than six (6) years unless otherwise required by an amendment to the Concept Plan. Wimbleton Homeowners Association, Inc. shall have the authority to request an amendment to the Concept Plan. Pedestrian access shall be provided to Oakcliff (with associated green space). Vehicular access of Oakcliff in the rear (north) of Oak Hills Crossing requires the consent of (i) fifty percent (50%) of the owners of lots in Oak Hills Crossing; (ii) fifty percent (50%) of the owners of lots in The Settlement at Willow Grove; and (iii) Declarant. Emergency vehicles shall be allowed to access the connections. In the event vehicular access is provided to Oakcliff, traffic calming or slow down features shall be added to Oakcliff Drive and Oakdale Drive prior to commencement of vehicular access. The traffic features shall be under the administration of the Department of Public Works. Declarant shall provide the required access if notified within five (5) years of approval of the Development Plan with construction to occur no sooner than five (5) years and no later than six (6) years. The Declarant shall post signage requiring construction vehicles over weight limits established by the Department of Public Works use the streets in The Settlement at Willow Grove. The signage shall be at locations established by the Department of Public Works.

6. Notification. During the approval process for the PUD and upon making application to amend the PUD, the Declarant shall adhere to the following procedures:

- 6.1 Persons Entitled to Notice (East). In connection any proposed action set forth in Section 6.4 below in the portion of the PUD identified in these stipulations as Village Center, Village Center-East and Village General-East, the following persons are entitled to notice:
- (a) the property owners indicated on the most current tax rolls as the owner of Lots 25 through 37, Lots 80 through 87 and Lot 69 of Oak Hills Crossing;
 - (b) Oak Hills Crossing Homeowners Association, Inc.; and
 - (c) All other persons required to received notice under the UDC in effect at the time of the proposed amendment.

6.2 Persons Entitled to Notice (West). In connection any proposed action set forth in Section 6.4 below in the portion of the PUD identified in these stipulations as Village Center and Village General-West, the following persons are entitled to notice:

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- (a) the property owners indicated on the most current tax rolls as the owners of Lots 1-6, 8, 9, 15-21, and 35-41 located in Wimbledon Estates;
- (b) Wimbledon Estates Homeowners Association, Inc.; and
- (c) All other persons required to received notice under the UDC in effect at the time of the proposed amendment.

6.3 Method of Sending Notice. Notice of the time, place and proposed action shall be sent to all persons entitled to notice identified above. Notice shall be sent by certified mail within the time periods established by the UDC, but in no event, less than thirty (30) calendar days. Notice to each of the named associations shall be sent to the agent for service of process on file with the Secretary of State at the time the notice is given.

6.4 Actions Requiring Notice. The Declarant shall notify all persons entitled to notice of actions set forth below of the application filed with the Planning Commission:

- (a) any amendment to the Concept Plan (including permitted uses in Section 2 or amendment to Article 3) other than minor administrative amendments;
- (b) the Final Development Plan and any amendment thereto other than minor dimension changes;
- (c) the Preliminary Plat and any amendment thereto other than minor administrative amendments (but only to the extent the Declarant is required to file and submit a Preliminary Plat);
- (d) any amendment to a Final Plat other than minor administrative amendments;
- (e) proposed variations as described in UDC Section 8.216(J);
- (f) proposed amendments to setbacks, height restrictions, location of retail or commercial, the minimum lot widths in Section 2.3.2 and 2.4.4 or location of alleys abutting Village General East or Village General West; and
- (g) any other action which the UDC requires notice to adjoining property owners.
- (h) If the development of a site within the PUD requires the preparation and filing of a Site Plan, Declarant shall provide a copy

of the Site Plan showing the proposed setbacks and square footage of improvements to be constructed thereon.

- (i) Any of the above actions shall be considered a "material modification" of the Concept Plan as defined in the UDC.

6.5 Purpose of Notice. The delivery of notice shall be solely for the purposes of providing information to enable any person to participate in the review process as provided in the UDC or contemplated by the Stipulations. The consent of any person entitled to notice is not required.

7. Traffic Measures. The Declarant shall work with and cooperate with the Department of Public Works to install the following modifications to existing roads to reduce the impact of The Settlement at Willow Grove, as well as to assist in improving existing traffic conditions:

7.1 Traffic Control Improvements in Oakdale/Perkins. Following a study by Declarant's traffic engineer as approved by the Department of Public Works, traffic the intersection of Oakdale at Perkins Road shall be reconfigured to provide for a proper alignment of the intersection with the portion of Oakdale south of Perkins Road, and to provide for a left turn lane. The construction schedule shall be based on the timetable established by the Department of Public Works, with the anticipation that the interchange shall coincide with the timing of construction of the Phase I infrastructure improvements at the Property and the construction of the Perkins Road expansion. In the event the expansion of Perkins Road is delayed, the Perkins Road expansion shall not be considered. Declarant shall use reasonable diligence so that the construction of the improvements shall be commenced no later than December 31, 2006, provided the Department of Public Works has issued a permit for such work.

7.2 Limitation of Responsibility. Notwithstanding the above, the construction of the improvements are contemplated to be made within existing public rights of way and Declarant obligations are contingent upon the Department of Public Works or other governmental agency with jurisdiction issuing the necessary permits for the construction of the improvements.

8. Use as School. No direct vehicular access shall be provided to the main campus of the Durham School.

9. Attorney Fees. In the event that litigation is instituted to enforce or interpret the restrictions, conditions, provisions, and covenants set forth herein, then the court shall make an award of reasonable attorneys' fees to the prevailing party.

10. Successors and Assigns. The Declarant's rights and obligations are binding on and are for the benefit of its successors and assigns. Nothing herein shall require the Declarant to obtain the consent of, or give notice to, an entity that has been legally dissolved.

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11. Condition of Approval. These stipulations are a condition of approval of The Settlement at Willow Grove, and may be enforced by the City of Baton Rouge/Parish of East Baton Rouge in the event of noncompliance by the Declarant.

SIGNATURES ON THE FOLLOWING PAGES

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IN WITNESS WHEREOF, Declarant has executed these Stipulations on this 21st day of December, 2009 in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

DECLARANT:

The Settlement at Willow Grove Development
Company LLC

Anna C Broussard
Name: Danna C Broussard

By: Kleinpeter Development Company, L.L.C.,
Member

Paula Ilari
Name: Paula Ilari

By: Robert Lee Kleinpeter III
Robert Lee Kleinpeter, III
Duly Authorized Representative

By: Thomas Gregory Kleinpeter
Thomas Gregory Kleinpeter
Duly Authorized Representative

RS
Notary Public

Name and Bar Roll No. Randy P. Rousseel
Bar Roll No. 14387
Notary Public, State of Louisiana
My Commission is for LHA.

IN WITNESS WHEREOF, Declarant has executed these Stipulations on this 29th day of ~~January~~ December, 2005 in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

DECLARANT:

The Settlement at Willow Grove Development
Company LLC

By: Carmouche Construction Company,
Member

By: Richard M. Carmouche
Richard M. Carmouche,
Duty Authorized Officer

Donna C. Broussard
Name: Donna C. Broussard

Paula Elari
Name: Paula Elari

RS
Notary Public

Name and Bar Roll No. Randy P. Roussel
~~Bar Roll No. 14387~~
Notary Public, State of Louisiana
My Commission is for Life.

EXHIBIT "A"
Property Description

Item I

A certain tract or parcel of land being described as Tract Y-2-B1-A located in Sections 55 and 56, Township 8 South, Range 1 East and Sections 59 and 60, Township 7 South, Range 1 East, Greensburg Land District, East Baton Rouge Parish, Louisiana, as shown on Map Showing Subdivision of Tract Y-2-B1 of the Robert L. Kleinpeter, Jr. Property into Tracts Y-2-B1-A and Y-2-B1-B prepared by Ferris Engineering & Surveying, LLC, dated September 9, 2003, and recorded September 23, 2003 with the Clerk and Recorder for East Baton Rouge Parish as Original 434, Bundle 11529, and being more particularly described as follows:

Commence at the point formed by the intersection of the northwest corner of Lot 83, Oak Hills Crossing, Second Filing, and Tract Y-2-B1-A for the POINT OF BEGINNING; Thence proceed North 27°25'00" East a distance of 366.25 feet to a point and corner; Thence proceed South 62°35'00" East a distance of 274.25 feet to a point and corner; Thence proceed North 23°00'00" East a distance of 562.21 feet to a point and corner; Thence proceed North 27°25'00" East a distance of 86.47 feet to a point and corner; Thence proceed South 62°35'00" East a distance of 465.49 feet to a point and corner; Thence proceed South 27°54'54" West a distance of 153.78 feet to a point and corner; Thence proceed South 28°14'56" West a distance of 560.99 feet to a point and corner; Thence proceed North 86°04'24" West a distance of 749.03 feet to the POINT OF BEGINNING.

Item II

That certain tract or parcel of ground containing 0.952 acre being located in Section 56, T8S-R1-E, City of Baton Rouge, Parish of East Baton Rouge, Louisiana and being more fully shown on a map by C. Mistic Surveyors, Inc. entitled "Map Showing the Resubdivision of Tract 'Y-2' of the Robert L. Kleinpeter, Jr. Subdivision into Tract 'Y-2-A' and Lot 1 being located in Sections 59 & 60, T7S-R1E, and Sections 55 & 56, T8S-R1E, G.I.D., East Baton Rouge Parish, Louisiana for Robert L. Kleinpeter, Jr.," dated October 20, 1999 also being filed and recorded with the East Baton Rouge Parish, Louisiana Clerk of Court on November 2, 1999 as Original 134, Bundle 11066, and designated thereon as Lot 1.

Item III

That portion of Tract Y-2-B1-B lying south of the Kansas City Southern railroad right of way, said Tract Y-2-B1-B begin shown in the map entitled "Map Showing Subdivision of Tract Y-2-B1 of the Robert L. Kleinpeter, Jr. Property into Tracts Y-2-B1-A and Y-2-B1-B," prepared by Ferris Engineering & Surveying, L.L.C., dated September 9, 2003 recorded September 23, 2003 at Original 434, Bundle 11529, official records of the

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Parish of East Baton Rouge, State of Louisiana, said tract having such dimensions and measurements as shown on said survey.

LESS AND EXCEPT a portion of Tract Y-2-B1-B around the homestead having a dimension of 65.39 feet on the southern boundary, 262.90 feet on the eastern boundary, and 52.81 feet on the northern boundary. That portion of Tract Y-2-B1-B being conveyed herein is more fully described on the map entitled "Exhibit Showing Portion of Tract Y-2-B1 of the Robert L. Kleinpeter Property lying south of KCS Railroad" prepared by Ferris Engineering & Surveying, L.L.C. and attached hereto as Exhibit A.

And

LESS AND EXCEPT a portion of Tract Y-2-B1-B conveyed to the State of Louisiana, Department of Transportation and Development, known as PARCEL NO. 23-1, and more particularly described as follows:

From a point on the centerline of State Project No. 258-01-0041, at Station 145+45.73, proceed N27°29'49"E a distance of 47.18 feet to the point of beginning; thence proceed N27°29'49"E a distance of 7.83 feet to a point and corner; thence proceed along a curve to the left having a radius of 3764.72 feet, whose length is 154.21 feet and whose chord length is 154.20 feet and bears S62°27'02"E to a point and corner; thence proceed N61°49'22"E a distance of 17.25 feet to a point and corner; thence proceed S27°25'30"W a distance of 28.51 feet to a point and corner; thence proceed along a curve to the right having a radius of 1586.01 feet, whose length is 92.33 feet and whose chord length is 92.32 feet and bears N60°56'14"W to a point and corner; thence proceed N59°16'10"W a distance of 71.79 feet to the point of beginning. All of which comprises Parcel 23-1 as shown on Sheet 23 of the Right of Way Plans of State Project No. 258-01-0041, and contains an area of 1937.0 square feet or 0.044 acres.

Item IV

That certain tract of land referred to as Tract X-1-A in accordance with the map entitled the "Map Showing the Resubdivision of Tracts "X-1" and "X-2" of the Dr. Mary E. Kleinpeter Subdivision into Tracts X-1-A and X-2-A Being Located in Sections 58 and 59, T-7-S-R-1-E, and Sections 56 and 57, T-8-S, R-2-E, G.L.D., East Baton Rouge Parish, Louisiana for Dr. Mary E. Kleinpeter" prepared by C. Mistic Surveyors, Inc. recorded with the Clerk and Recorder of Mortgages for East Baton Rouge Parish, Louisiana at Original 136, Bundle 11043, said tract having such dimensions and measurements as shown on said survey.

Item V

That portion of Tract X-2-A lying south of the Kansas City Southern railroad right of way, said Tract X-2-A begin shown in the map entitled the "Map Showing the Resubdivision of Tracts "X-1" and "X-2" of the Dr. Mary E. Kleinpeter Subdivision into

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Tracts X-1-A and X-2-A Being Located in Sections 58 and 59, T-7-S-R-1-E, and Sections 56 and 57, T-8-S, R-2-E, G.I.D., East Baton Rouge Parish, Louisiana for Dr. Mary E. Kleinpeter" prepared by C. Mistric Surveyors, Inc. recorded with the Clerk and Recorder of Mortgages for East Baton Rouge Parish, Louisiana at Original 136, Bundle 11043, said tract having such dimensions and measurements as shown on said survey.

LESS AND EXCEPT a portion of Tract X-2-A around the homestead having a dimension of 131.06 feet on the southern boundary, 257.72 feet on the western boundary, and 142.02 feet on the northern boundary. That portion of Tract X-2-A being conveyed herein is more fully described on the map entitled "Exhibit Showing Portion of Tract X-2-A of the Dr. Mary E. Kleinpeter Property lying south of KCS Railroad" prepared by Ferris Engineering & Surveying, L.L.C. and attached hereto as Exhibit B.

And

LESS AND EXCEPT a portion of Tracts X-1-A and X-2-A conveyed to the State of Louisiana, Department of Transportation and Development, known as PARCEL NO. 22-1, and more particularly described as follows:

From a point on the centerline of State Project No. 258-01-0041, at Station 135+83.82, proceed N28°55'14"E a distance of 50.04 feet to the point of beginning; thence proceed N28°55'14"E a distance of 6.72 feet to a point and corner; thence proceed along a curve to the left having a radius of 3764.72 feet, whose length is 960.84 feet and whose chord length is 958.23 feet and bears S53°57'56"E to a point and corner; thence proceed S27°29'49"W a distance of 7.83 feet to a point and corner; thence proceed N59°16'10"W a distance of 60.10 feet to a point and corner; thence proceed N59°16'10"W a distance of 348.30 feet to a point and corner; thence proceed along a curve to the right having a radius of 1498.08 feet, whose length is 362.45 feet and whose chord length is 361.57 feet and bears N52°20'18"W to a point and corner; thence proceed N45°24'25"W a distance of 130.05 feet to a point and corner; thence proceed N45°30'09"W a distance of 62.57 feet to the point of beginning. All of which comprises Parcel 22-1 as shown on Sheet 22 of the Right of Way Plans of State Project No. 258-01-0041, and contains an area of 12320.3 square feet or 0.283 acres.

EXHIBIT "B"
Attached Zoning District Map

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TO
P.U.D. APPROVAL STIPULATIONS

EXHIBIT 'B'

- VILLAGE CENTER
- VILLAGE CENTER - EAST
- VILLAGE GENERAL - EAST
- VILLAGE GENERAL - WEST
- PLANTATION HOME

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 CLERK OF COURT & RECORDER
 BY
 COUNTY CLERK & RECORDER

* SEE PARAGRAPH 2.3.1
 OF STIPULATIONS

