

**St. Charles Parish Recording Page**

**Lance Marino**  
**Clerk of Court**  
St. Charles Parish Courthouse  
PO Box 424  
Hahnville, LA 70057  
(985) 783-6632

**Received From :**  
ASHTON PLANTATION HOMEOWNERS ASSN  
400 LAC VERRET DR  
LULING, LA 70070

**First VENDOR**  
ASHTON PLANTATION ESTATES LLC

**First VENDEE**  
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**Index Type :** CONVEYANCE  
**Type of Document :** AMENDMENT  
**Recording Pages :** 6

**Entry Number :** 461874  
**Book :** 910 **Page :** 487

**Recorded Information**

I hereby certify that the attached document was filed for registry and recorded in the Clerk of Court's office for St. Charles Parish, Louisiana.

*Lance Marino*  
Clerk of Court

CLERK OF COURT  
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Parish of St. Charles  
I certify that this is a true copy of the attached  
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**FIRST ACT OF AMENDMENT  
OF DECLARATION OF COVENANTS  
& RESTRICTIONS FOR PHASE 1-A  
AND 1-B AT ASHTON PLANTATION**

**UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF JEFFERSON**

**BY:**

**ASHTON PLANTATION ESTATES, L.L.C.**

BE IT KNOWN, that on this 17<sup>th</sup> day of August, 2021, before the undersigned Notary Public, duly commissioned and qualified in and for the State of Louisiana, Parish of Jefferson, and in the presence of the undersigned competent witnesses, personally came and appeared:

ASHTON PLANTATION ESTATES, L.L.C. (\*\*-\*\*\*4248), a Louisiana limited liability company, with its domicile in the Parish of Jefferson, with a stated mailing address of P. O. Box 157, Harvey, Louisiana 70059, represented herein by its two managers, namely (i) Rathborne Properties, L.L.C., herein represented by Jeffrey W. Peters, its Executive Vice-President and Manager, and (ii) J. B. Levert Land Company, Inc., herein represented by Louis M. Andolsek, its President, as authorized by the Written Consent attached hereto;

Hereinafter defined as "Declarant," who appears herein on its own behalf and on behalf of those Lot Owners constituting at least 50.10% of all Lot Owners within Phases 1-A and 1-B of Ashton Plantation Subdivision in St. Charles Parish, Louisiana, who approved this First Act of Amendment as evidenced by the attached Certified Minutes of the Special Meeting of the Members of the Ashton Plantation Estates Home Owners Association, Inc. residing in Phase 1-A and 1-B.

Declarant hereby declared as follows:

WHEREAS, there is that certain Declaration of Covenants & Restrictions for Plantation Lakes at Ashton Planation applicable to Phase 1-A and 1-B of Ashton Plantation Subdivision (hereinafter defined as the "Original Declaration") recorded in the conveyance records of St. Charles Parish at COB 660, folio 455, entry no. 313725.

WHEREAS, it has become necessary to amend the Original Declaration to allow for the construction of bulkheads along Lake Lots as that term is defined in the Original Declaration.

NOW THEREFORE, in accordance with the requirements of Section 7.02 of the Original Declaration, Declarant does by this First Act of Amendment amend the Original Declaration as follows:

A) The defined term "Improvements" under Article I of the Original Declaration is hereby amended and restated to read in its entirety as follows:

“Improvements” shall mean all buildings, component parts and other constructions permanently attached to any Lot or other portion of the Property and includes the Residence and any detached garages or other buildings, pools, cabana or pool houses, fences, walls, walkways, driveways, entrance walkways, landscaping structures, bulkheads, or any other improvements.”

B) Section 4.18 of Article IV of the Original Declaration is hereby amended and restated to read in its entirety as follows:

**Section 4.18 Special Restrictions for Lake Lots.** In addition to the use restrictions set forth herein, the following restrictions shall apply to Lake Lots. In the event there should be any conflict between these Special Restrictions and other provisions herein, these Special Restrictions shall take precedence.

- (a) Above Ground Structures. No Improvements or above ground structures of any type shall be permitted (excluding landscaping, fences and bulkheads constructed in accordance with Section 4.18(i), as approved by the Architectural Control Committee, and pools and pool decks constructed in accordance with Section 4.18(b), as approved by the Architectural Control Committee) within twenty (20') feet of the Lake Servitude.
- (b) Swimming Pools. In-ground swimming pools may be constructed on Lake Lots, however, they shall not be located with the boundaries of the Lake Servitude. Pool decks shall not be located with the boundaries of the Lake Servitude. Pool decks located within twenty (20') of the Lake Servitude shall not be higher than eighteen inches above ground level. Pool decks located more than twenty (20') feet from the Lake Servitude may be higher than eighteen inches above ground level.
- (c) No Playground Equipment. Playground equipment including but not limited to gym sets and playhouses are not allowed on Lake Lots.
- (d) No Docks. Owners of Lake Lots shall not construct or maintain any docks, piers, or similar recreational or boating structures in any portion of the yard facing any Lake or within any Lake Servitude.
- (e) No Floating Vessels. Lot Owners (including with limitation owners of Lake Lots), their family, guests, and invitees shall not utilize any boat, canoe, paddle boat, raft, or any type of floating vessel on a Lake.
- (f) Setbacks. See Section 5.07 for rules governing the placement of Improvements on Lake Lots.
- (g) Fences. See Section 5.08 for rules governing the construction and placement of fences on Lake Lots.
- (h) Landscaping. See Section 5.11 for rules governing the landscaping of Lake Lots.
- (i) Bulkheads. The construction and placement of bulkheads on Lake Lots by Lot Owners at the Lot – water interface shall be permitted under specific design and elevations standards established by the Architectural Control Committee. The Architectural Control Committee must give prior approval to all plans and specifications for any bulkhead Improvements prior to the commencement of

construction. Lot Owners should refer to the Design Guidelines for additional guidance surrounding the design criteria of any Lake bulkhead. In the exercise of its rights in connection with the Lake Servitude, Declarant shall not be liable to any Lot Owner for any damage done to a bulkhead by Declarant, or its agents, employees, servants or assigns.

In all other respects the Original Declaration remains unchanged. Declarant hereby instructs the Clerk of Court for the Parish of St. Charles to make mention of this First Act of Amendment in the margin of the Original Declaration recorded at COB 660, folio 455, entry no. 313725, to serve as occasion my require.

Thus done and passed on the date set forth above, in the presence of the undersigned competent witnesses, who execute this First Act of Amendment with Declarant and me, Notary, after due reading of the whole.

WITNESSES:

*Camille M. Cantwell*  
Printed name: Camille M. Cantwell

*Mary L. Audouette*  
Printed name: MARY LAUDOLETTE

ASHTON PLANTATION ESTATES, L.L.C.  
By: Rathborne Properties, L.L.C. its Manager

*Jeffrey W. Peters*  
Jeffrey W. Peters  
ITS: Executive Vice President and Manager

By: Levert Land Company, Inc., its Manager

*Louis M. Andolsek*  
Louis M. Andolsek  
ITS: President

*Pamela S. Tapie*  
NOTARY PUBLIC  
Printed Name: Pamela S. Tapie  
Bar/Notary No.: 134580

Pamela S. Tapie  
Notary Public  
ID No 134580  
My Commission is for Life

**AUTHORIZATION OF THE MANAGERS OF  
ASHTON PLANTATION ESTATES, L.L.C.**

**UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF JEFFERSON**

This AUTHORIZATION OF MANAGERS is dated as of this 17<sup>th</sup> day of August, 2021 and is by and between:

**RATHBORNE PROPERTIES, L.L.C.**, a Louisiana limited liability company, whose address is 100 Paillet Drive, Rathborne Industrial Park, Harvey, Louisiana, 70058, represented herein by Jeffrey W. Peters, its duly authorized Executive Vice President, and

**J.B. LEVERT LAND COMPANY, L.L.C.**, a Louisiana limited liability company, whose address is 3240 S. I-10 Service Road, Metairie, Louisiana 70001 represented herein by Louis M. Andolsek its duly authorized President

who declare that they are the Managers of **ASHTON PLANTATION ESTATES, L.L.C.** (hereinafter referred to as the "Company"), a Louisiana limited liability company, and that they do hereby agree as follows:

1. that Jeffrey W. Peters and Louis M. Andolsek (the "Authorized Representatives") are authorized, on behalf of the Company, to execute the attached First Act of Amendment of Declaration of Covenants and Restrictions for Phase 1-A and 1-B at Ashton Plantation (the "Amendment").
2. that the Authorized Representatives are authorized, directed and empowered for and on behalf of the Company and in its name to take such other actions as they deem necessary, proper, and/or advisable, in their sole and uncontrolled discretion, to carry out the intent of these resolutions, the execution thereof by the Authorized Representatives to fully evidence the Company's approval thereof.
3. that all prior actions by either Authorized Representative for and on behalf of the Company in connection with the Amendment are, in all respects, hereby ratified, confirmed and adopted, with such actions to the extent they were done prior to the date of this authorization shall be given retroactive effect.

THUS DONE AND PASSED, in multiple originals, on the day, month and year herein first above written, in the presence of the undersigned competent witnesses, who hereunto sign their names with appearers.

WITNESSES:


  
Witnesses printed name: Camille M. Cantwell

  
Witnesses printed name: Maya Caviolette

RATHBORNE PROPERTIES, L.L.C.

By:   
Jeffrey W. Peters  
Title: Manager and Executive Vice President

J.B. LEVERT LAND COMPANY, L.L.C.

By:   
Louis M. Andolsek  
Title: President

**MINUTES**  
**ASHTON PLANTATION HOME OWNERS ASSOCIATION, INC.**  
**SPECIAL MEETING OF OWNERS**  
**July 26, 2021**

A Special Meeting of the Lot Owners in Phase 1-A and 1-B of Ashton Plantation was held to consider a modification of the **DECLARATION OF COVENANTS & RESTRICTIONS FOR PHASE 1-A AND 1-B AT ASHTON PLANTATION**. The meeting took place at the Ashton Plantation Community Center located at 400 Lac Verret Drive Luling, Louisiana on July 26, 2021, commencing at 7:10 p.m., pursuant to proper notice being delivered to all appropriate owners. The meeting was called by the Ashton Plantation Home Owners Board of Directors, pursuant to Section V of the By-Laws.

A total of three (3) addresses registered in person at the meeting and one hundred fifteen (115) lots were present by proxy which represented a total of one hundred eighteen (118) Lots or 56.2% of the two hundred ten (210) total lots in Phases 1-A and 1-B that were entitled to vote at the meeting in order to enact a modification to the existing Restrictive Covenants.


Mr. Louis Andolsek, President of the J. B. Levert Land Company, LLC and Class II Director representing the Declarant presided and called the meeting to order. Fredy Henderson, Class I Director was present and provided assistance in carrying out the meeting agenda and answering questions from those in attendance.

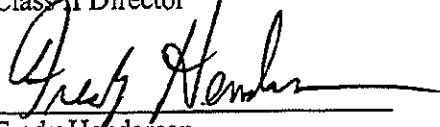
In proceeding with the agenda items, it was communicated that the purpose of the meeting was to advance a vote specifically to modify Section 4.18 Special Restrictions for Lake Lots in the Declaration of Covenants & Restrictions for Phase 1-A and 1-B at Ashton Plantation to allow for the construction of Bulkheads as set forth in the meeting notice delivered to all appropriate owners.

Under the authority reserved to it in Section 7.02 of the Original Declaration of Covenants & Restrictions for Phase 1-A and 1-B at Ashton Plantation, a vote on the proposed Amendment was taken with there being one hundred fifteen (115) votes cast in favor and three (3) votes against, representing 54.7% of the two hundred ten (210) total lots in Phases 1-A and 1-B.

A call for any other business was offered and with there being none, the meeting adjourned at approximately 8:05 p.m.

Respectfully submitted:

  
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Louis M. Andolsek - President J. B. Levert Land Co., LLC  
Class II Director

  
\_\_\_\_\_  
Fredy Henderson  
Class I Director