

FIRST AMENDMENT TO
ACT DEED RESTRICTIONS
AND COVENANTS FOR THE WOODLANDS
TO ADD PHASE 2 TO THE EFFECTS THEREOF
AND TO OTHERWISE AMEND THE RESTRICTIONS

STATE OF LOUISIANA
PARISH OF ST. TAMMANY

BY: SIM LAND DEVELOPMENT CO., INC.

BE IT KNOWN, that on this 21st day of July, 1995.

BEFORE ME, Martha L. Jumonville, Notary, in the Parish and State aforesaid, and in the presence of the undersigned competent witnesses, personally came and appeared:

SIM LAND DEVELOPMENT CO., INC. a corporation organized under the laws of the State of Louisiana, domiciled and doing business in St. Tammany Parish, Louisiana, herein represented by the undersigned officer, authorized by resolution of the Board of Directors previously filed with the Clerk of Court, St. Tammany Parish, the mailing address of which is declared to be 845 Galvez Street, Mandeville, Louisiana 70448 (hereinafter referred to as "Developer").

WHICH DEVELOPER DECLARED, that it is the record owner of a portion of ground located in Section 1, Township 8 South, Range 11 East, and Section 6, Township 8 South, Range 12 East, St. Tammany Parish, Louisiana, being a parcel containing 8.210 acres of land, on which 19 residential lots have been developed, known as THE WOODLANDS, PHASE 2. Said parcel is described in accordance with the subdivision plat and survey prepared by Kelly J. McHugh & Associates, Inc., hereinafter referred to as the "plat". A full legal description of the parcel and the location of the said lots thereon, are shown by reference to the said subdivision plat which has been approved by the Parish authorities, and duly filed with the Clerk of Court, St. Tammany Parish, as Map File No. 1337 all of which is incorporated herein by reference.

AND THE DEVELOPER DECLARED, that it previously reserved the right to add additional property to the effects of the restrictions, and that it desires to submit THE WOODLANDS, PHASE 2, to the same deed restrictions and covenants now of record for the original phase of the subdivision, recorded with the Clerk of

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Court, St. Tammany Parish, as Instrument No. 934971, in order to provide for the preservation of values in the subdivision.

NOW THEREFORE, the Developer hereby declares that all lots in The Woodlands, Phase 2, shall be and are held, conveyed, hypothecated, encumbered, sold, leased, rented, used, occupied and approved subject to the covenants, privileges, restrictions and contractual obligations and rights as established in the original restrictions recorded at Instrument No. 934971. These said Deed Restrictions and Covenants shall be deemed to run with the land and bind the land, and shall inure to the benefit of and be enforceable by the Developer, its successors and assigns, and any person acquiring or owning an interest in the Property and improvements or any portion thereof.

Further, the Developer declared that pursuant to the original restrictions, Developer, acting alone, has the right to amend the restrictions for a legitimate business purpose, and Developer does hereby amend the said restrictions for The Woodlands, all current and future phases, as follows:

Section III, Paragraph 12 of the Restrictions is hereby amended so that it shall hereafter read as follows:

#12 All antennas (excluding T.V. antennas) must be of the concealed type installed inside attic space or other enclosure as approved by TWACC. Satellite dishes are not allowed unless hidden from sight in a manner approved by TWACC or unless they are the (approximately) eighteen (18") inch "state of the art" satellite dishes which need not be enclosed but must be located on the property so as to be inconspicuous, and the location and installation approved by TWACC.

Section IV of the Restrictions is thereby amended so that it shall hereafter read as follows:

IV. EASEMENT OVER LOTS

Each lot is subject to a drainage servitude to be maintained by the lot owner, five (5') feet wide adjacent to the interior side lot line and five (5') feet along the rear of each lot, in favor of all other property in the subdivision, being the naturally occurring swale created by the placement of fill for construction on the various lots, to carry drain water along the appropriate plan. Fences constructed by property owners cannot interfere with this drainage. Further, the developer shall have the right to grant reasonable licenses, easements and rights of way, for sewer, water, storm drainage, telephone, electricity, gas, cable T.V. and other utilities and for streets and rights of passage over portions of the property or lots prior to the sale of the lot to an owner-occupant.

And Now In accordance, with the right reserved by Developer to create reasonable servitudes or rights of passage over portions of the lots prior to the sale of the lot (s) to the owner-occupant, as set out in Section IV of the original restrictions, there is now granted and established, a servitude of passage for a jogging trail in favor of the property owners of The Woodlands, all phases, over and across the rear ten (10) feet of Lots 79, 80, 81, 82, 83, 84, 85, 86, 87, and 88, The Woodlands, Phase I . It is noted that this servitude coincides with the location of a drainage servitude along the rear of said lots of the same width, and thus simply designates the existing servitude area for an dual purpose. TWACC shall not allow the construction of any fences or other barriers which would restrict or impede the use of the servitudes.

In all other respects, the restrictions as originally recorded remain unchanged.

THUS DONE AND PASSED, in the presence of the undersigned competent witnesses, and me, Notary, after reading the whole and for the purposes stated herein, this 21st day of July, 1995 Covington, Louisiana.

WITNESSES:

SIM LAND DEVELOPMENT CO., INC.

Anna Dugan

Kelly J. McHugh
KELLY J. MCHUGH, OFFICER

Sandra McKay

Martha L. Jumonville
MARTHA L. JUMONVILLE
NOTARY PUBLIC