

FOURTH AMENDMENT TO THE SUPPLEMENTARY DECLARATION  
OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR  
CLIPPER ESTATES SUBDIVISION, PHASE I-A

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BE IT KNOWN, that on this 16<sup>th</sup> day of November, 2000, before me, the undersigned Notary Public, duly commissioned and qualified in the Parish and State aforesaid, personally came and appeared, CLIPPER ISLAND, L.L.C., a Limited Liability Company organized and existing under the laws of the State of Louisiana, with its domicile in the Parish of Jefferson, State of Louisiana, whose mailing address is P.O. BOX 56240, Metairie, Louisiana, 70005, herein appearing through Stanford Latter, its Initial Operating Manager, by virtue of authority of the company, a copy of which is attached hereto as Exhibit "A", being hereinafter referred to as "Declarant".

WHO DECLARED UNTO ME, NOTARY, AS FOLLOWS:

WHEREAS, Declarant has heretofore executed a Supplementary Declaration of Covenants, Conditions, and Restrictions for Clipper Estates Subdivision, Phase I-A, by act before Judith Otero, Notary Public, dated January 12, 1995 and registered in the Office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, on January 17, 1995 in Instrument No. 935487, (hereinafter referred to as the "Supplementary Declaration").

WHEREAS, Declarant has heretofore executed an Amendment to the Supplementary Declaration of Covenants, Conditions, and Restrictions for Clipper Estates Subdivision, Phase I-A, by act before Judith Otero, Notary Public, dated February 9, 1995 and registered in the Office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, on February 9, 1995 in Conveyance Instrument No. 938314 (hereinafter referred to as the "First Amendment").

WHEREAS, Declarant has heretofore executed a Second Amendment to the Supplementary Declaration of Covenants, Conditions, and Restrictions for Clipper Estates Subdivision, Phase I-A, by act before Judith Otero, Notary Public, dated April 18, 1995 and registered in the Office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, on April 21, 1995 in Conveyance Instrument No. 946331 (hereinafter referred to as the "Second Amendment").

WHEREAS, Declarant and the owners of more than fifty (50%) percent of the lots subject to the Supplementary Declaration have heretofore executed a Fourth Amendment to the Supplementary Declaration of Covenants, Conditions, and Restrictions for Clipper Estates Subdivision, Phase I-A, by act before Judith Otero, Notary Public, dated December 31, 1997 and registered in the Office of the Clerk of Court for the Parish of St. Tammany, Louisiana, on January 1, 1998 in Conveyance Instrument No. 970000 (hereinafter referred to as the "Fourth Amendment").

A.(2) Notwithstanding the above Section 4.26 A(1), a portion of the swimming pool located on Lot 7, Clipper Estates Subdivision, Phase 1-A is allowed to be located within this ten (10') foot setback area a distance of nine (9') feet from the bulkhead line . Further the other improvements in the side yard setback area adjacent to Lot 8, Clipper Estates Subdivision, Phase 1-A are allowed to be located within this side yard setback area. The swimming pool, structures and improvements located in the rear setback area and the side yard setback area adjacent to Lot 8, Clipper Estates Subdivision, Phase 1-A, are allowed to stay as located on Lot 7, Clipper Estates Subdivision, Phase 1-A. This modification of the setback requirements is only applicable to Lot 7, Clipper Estates Subdivision, Phase 1-A.

A.(3) Notwithstanding any of the above, swimming pools, patios and decks located nearer than twenty (20') feet to any rear Lot line or waterways' edge shall not be constructed until stamped, engineered drawings detailing the construction and the measures taken to protect the integrity of the bulkhead, have been submitted in advance of construction to the Architectural Review Committee.

Neither the Architectural Review Committee, any member thereof, the Association, the Members, the Declarant, the Board, nor their respective successors and assigns, shall be responsible for any defect in, or noncompliance with any governmental law, rule or regulation for any swimming pool, patio, deck or other structure or improvement erected, constructed, installed, placed, altered or maintained on any lot even if said swimming pool, patio, deck, or other structure or improvement is erected, constructed, installed, placed, altered or maintained in accordance with or pursuant to any plans and specifications, including but not limited to a color scheme, plot plan or grading plan, approved by the Architectural Review Committee or any conditions or requirements that said committee may have imposed with respect thereto. Nor are plans and specifications approved as to the integrity of the engineering design or as to structural integrity. The Architectural Review Committee, the members thereof, the Association, the Members, the Board, the Declarant, and their respective successors and assigns shall not be liable, or responsible for, any defect in the bulkhead or any other structure or improvement when a swimming pool, patio, deck, or any other structure or improvement has been erected, constructed, installed, placed, altered or maintained on any lot even if stamped, engineered drawings detailing the construction and measures taken to protect the integrity of the bulkhead have been submitted to the Architectural Review Committee.

Except as amended herein, all other terms and provisions of the Supplementary Declaration of Covenants, Conditions, and Restrictions for Clipper Estates Subdivision, Phase 1-A, as previously amended by the First, Second and Fourth Amendments referenced herein, are to remain in full force and effect.

State of Louisiana, on February 25, 1998 in Conveyance Instrument No. 1083636 (hereinafter referred to as the "Fourth Amendment").

WHEREAS, Declarant, and the undersigned owners of more than fifty (50%) percent of the lots subject to the Supplementary Declaration, availing themselves of the provisions of Article VII of the Supplementary Declaration, do hereby and by these presents amend portions of these restrictions as follows:

1. Section 4.26 A. Swimming Pools, which reads before the Fourth Amendment:

4.26 Swimming Pools

A. Swimming pools, patios and decks shall be located on the rear portion of the Lot and/or Unit and shall not be visible from any street within the Subdivision. Swimming pools, patios and decks shall not be nearer than ten (10') feet to any rear Lot line or waterways' edge.

A. Notwithstanding any of the above, swimming pools, patios and decks located nearer than twenty (20') feet to any rear Lot line or waterways' edge shall not be constructed until stamped, engineered drawings detailing the construction and the measures taken to protect the integrity of the bulkhead, have been submitted in advance of construction to the Architectural Review Committee.

Neither the Architectural Review Committee, any member thereof, the Association, the members, the Declarant, nor the board shall be responsible for any defect in, or noncompliance with any governmental law, rule or regulation for any swimming pool, patio, deck or other structure or improvement erected, constructed, installed, placed, altered or maintained on any lot even if said swimming pool, patio, deck, or other structure or improvement is erected, constructed, installed, placed, altered or maintained in accordance with or pursuant to any plans and specifications, including but not limited to a color scheme, plot plan or grading plan, approved by the Architectural Review Committee or any conditions or requirements that said Committee may have imposed with respect thereto. Nor are plans and specifications approved as to the integrity of the engineering design. The Architectural Review Committee, the members thereof, the Association, the Members, the Board, and the Declarant, shall not be liable, or responsible for, any defect in the bulkhead or any other structure or improvement when a swimming pool, patio, deck, or any other structure or improvement has been erected, constructed, installed, placed, altered or maintained on any lot even if stamped, engineered drawings detailing the construction and measures taken to protect the integrity of the bulkhead have been submitted to the Architectural Review Committee.

is hereby amended to read as follows:

4.26 Swimming Pools

A.(1) Swimming pools, patios and decks shall be located on the rear portion of the Lot and/or Unit and shall not be visible from any street within the Subdivision. Swimming pools, patios and decks shall not be nearer than ten (10') feet to any rear Lot line or waterways' edge.

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BE IT KNOWN that on this 16th day of November, 2000, before me, the undersigned Notary Public duly commissioned and qualified within and for the State and Parish aforesaid, and in the presence of the competent witnesses whose names as such are subscribed below, personally came and appeared, STANFORD H. LATTER, Initial Operating Manager of Clipper Island, L.L.C., a Louisiana limited liability company, who is the developer of Clipper Estates Subdivision, to me known, who declared and acknowledged to me, said Notary, that he executed the aforesaid instrument as such Initial Operating Manager for the purposes and all the conditions and terms therein expressed.

Thus done and passed in the Parish and State aforesaid on the day and year first above written in the presence of the undersigned witnesses, who have hereunto subscribed their names together with said appearer and me, the undersigned authority after due reading of the whole.

WITNESSES:



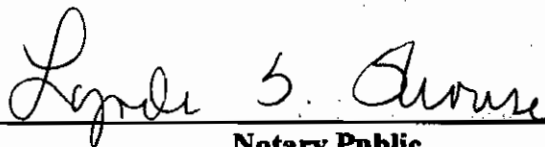


CLIPPER ISLAND, L.L.C.



BY:

STANFORD H. LATTER  
Initial Operating Manager



Notary Public

My commission is for life.

**SIGNATURE ADDENDUM TO THE FOURTH AMENDMENT  
TO THE SUPPLEMENTARY DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS,  
FOR CLIPPER ESTATES SUBDIVISION, PHASE 1-A**

Each and every one of the undersigned Owners has hereunto executed said Fourth Amendment to the Supplementary Declaration of Covenants, Conditions, and Restrictions, for Clipper Estates Subdivision, Phase 1-A, (the "Fourth Amendment") on the date indicated next to their signatures.

Pursuant to the Fourth Amendment, the Owners have agreed to amend certain provisions of the Supplementary Declaration of Covenants, Conditions, and Restrictions, for Clipper Estates Subdivision, Phase 1-A. A full and complete copy of the Fourth Amendment has been provided to each of the Owners signing below, the receipt of which is hereby acknowledged by the signature of the Owner on this Addendum. Said parties to this Signature Addendum are the Owners of the lots located in Clipper Estates Subdivision, Phase 1-A, said lot number stated in this Addendum below their signature. Said Owners represent in excess of 50% of the lot Owners in Clipper Estates Subdivision, Phase 1-A, who hereby consent to this Fourth Amendment to the Supplementary Declaration in accordance with Article VII of the Supplementary Declaration.

**WITNESSES:**

Ray Havnella } Anne Dinnwachter  
Tom Hault } ~~\_\_\_\_\_~~  
Date: 04-07-00  
Owner of Lot 20

Anne Dinnwachter } Ray Havnella - Tom Hault  
~~\_\_\_\_\_~~ }  
Date: 4-8-00  
Owner of Lot 7

Anne Dinnwachter } Deborah Hood  
Ray Havnella }  
Date: 4-8-00  
Owner of Lot 19

Anne Dinnwachter } Sherbig Cappel  
Ray Havnella }  
Date: 4-8-00  
Owner of Lot 23

Ray Havnella } \_\_\_\_\_  
Anne Dinnwachter }  
Date: 4-8-00  
Owner of Lot 24

Ray Havnella } Robert Meyer  
Anne Dinnwachter }  
Date: 4/8/00  
Owner of Lot 25

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**WITNESSES:**

<p><u>Riz Havulla</u> <u>Anne Schriwachter</u></p>	<p><u>Joseph C. Rhymer</u> <u>Paul F. Rhymer</u> Date: <u>4-8-00</u> Owner of Lot <u>26</u></p>
<p><u>Riz Havulla</u> <u>Anne Schriwachter</u> <u>Riz Havulla</u></p>	<p><u>Paul Van Hook</u> Date: <u>4-8-00</u> Owner of Lot <u>23</u></p>
<p><u>Anne Schriwachter</u></p>	<p><u>Debra Voorhis</u> Date: <u>4-8-00</u> Owner of Lot <u>34</u></p>
<p><u>Riz Havulla</u> <u>Anne Schriwachter</u></p>	<p><u>Keith Voorhis</u> Date: <u>4-8-00</u> Owner of Lot <u>34</u></p>
<p><u>Riz Havulla</u> <u>Anne Schriwachter</u></p>	<p><u>David + Jerry Calude</u> Date: <u>4-8-00</u> Owner of Lot <u>3</u></p>
<p><u>Riz Havulla</u> <u>Anne Schriwachter</u></p>	<p><u>Mary C. Lumina</u> Date: <u>4-8-00</u> Owner of Lot <u>11</u></p>

**SIGNATURE ADDENDUM TO THE FOURTH AMENDMENT  
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**WITNESSES:**

Liz Havrilla  
Anne Diriwachter

Charles W. [Signature]  
Date: 4-8-00  
Owner of Lot 13

Liz Havrilla  
Anne Diriwachter

[Signature]  
Date: 4-8-00  
Owner of Lot # 8

Liz Havrilla  
Anne Diriwachter

[Signature]  
Date: 4-8-00  
Owner of Lot # 9

Liz Havrilla  
Anne Diriwachter

Fred Apul  
Joyce Annora Apul  
Date: 4-8-00  
Owner of Lot # 6

~~[Signature]~~  
Anne Diriwachter

William Roland  
[Signature]  
Date: 4/9/00  
Owner of Lot # 21

~~[Signature]~~  
Anne Diriwachter

Michael [Signature]  
Kathryn K. Gabriel  
Date: 4.15.00  
Owner of Lot # 16A

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**WITNESSES:**

*Ary Ashe*  
*Tom Hank*  
*Ary Ashe*  
*Tom Hank*  
*Ary Ashe*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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*John H. Hall* *Juanita Warden*  
Date: 4-15-06  
Owner of Lot #5  
*Alan Paul Fenwick*  
Date: 4-23-2006  
Owner of Lot #29  
*Rose Cartaginese*  
Date: 4-24-06  
Owner of Lot #35 + 36  
\_\_\_\_\_  
Date: \_\_\_\_\_  
Owner of Lot \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_  
Owner of Lot \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_  
Owner of Lot \_\_\_\_\_





LIST OF SIGNATORIES  
FOURTH AMENDMENT TO THE SUPPLEMENTARY DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS,  
FOR CLIPPER ESTATES SUBDIVISION, PHASE I-A

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LIST IS IN ORDER OF SIGNATURE ON THE DOCUMENT

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<u>LOT NUMBER</u>	<u>NAME</u>
20	Anne Dirriwachter John W. Dirriwachter
7	Elizabeth Havrilla Thomas J. Havrilla
19	Deondray Hood, Sr.
23	Shirley Cappel
24	Donald J. Arroyo Bronis Arroyo
25	Robbin Meyers
26	Gibson C. Chighizola June Chighizola
28	Tien Bui Makim Bui
34	Debra Voorhies Keith Voorhies
3	David Caluda Terry Caluda
11	Mary C. Pumilia
13	Charles F. Meyer, Jr.
8 and 9	Thomas W. Fields
6	Joyce Simoneaux April Fred April
21	William Noland Valeria B. Noland
16A	Michael D. Gabriel Kathryn Ketchem Gabriel
5	Erwin W. Worden, Sr. Juanita K. Worden
29	Jean David Terrell David
35 and 36	Rose Cartaginense Anthony J. Catraginense, Jr.
27	Michelle Pittas Beaupre Mark A. Beaupre