

**Title Depot of Slidell, Inc  
735 Old Spanish Trail  
Slidell, LA 70458**

**SECOND AMENDMENT TO THE SUPPLEMENTARY DECLARATION**

**OF**

**COVENANTS, CONDITIONS, AND RESTRICTIONS**

**FOR**

**CLIPPER ESTATES SUBDIVISION, PHASE 4**

St. Tammany Parish 1719  
Instrument #: 1313923  
Registry #: 1173162 ICV  
07/22/2002 2:15:00 PM  
MB CB X MI UCC

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BE IT KNOWN, that on this 18th day of July, 2002, before me, the undersigned Notary Public, duly commissioned and qualified in the Parish and State aforesaid, personally came and appeared:

**CLIPPER DEVELOPMENT, L.L.C.**, Tax ID No.72-1340315 a Louisiana Limited Liability Company, organized under the laws of the State of Louisiana by Articles of Organization executed on December 11, 1996, and filed for record on December 16, 1996, in the office of the Secretary of State for the State of Louisiana. The Articles of Organization and Initial Report of said Clipper Development, L.L.C. were filed for record with the office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana in Conveyance Instrument No. 1027725 on December 18, 1996. Clipper Development, L.L.C., represented herein by Stanford H. Latta, its Initial Operating Manager, pursuant to a Certificate of Authority, filed in the office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, this same date; (hereinafter referred to as "Declarant");

- AND -

**VELA, L.L.C.**, Federal Tax ID No.72-1466528, a Louisiana Limited Liability Company, organized under the laws of the State of Louisiana by act executed on June 2, 2000, and filed for record on June 5, 2000, in the office of the Secretary of State for the State of Louisiana. The Articles of Organization and Initial Report of said Vela, L.L.C., were filed for record with the Office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, this date. Vela, L.L.C., is represented herein by TODD M. VILLARRUBIA, MANAGER, pursuant to a Certificate of Authority, filed for record with the Office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, this date; (hereinafter referred to as "Vela");

WHO DECLARED UNTO ME, NOTARY, AS FOLLOWS:

WHEREAS, Declarant and Vela have heretofore executed a Supplementary Declaration of Covenants, Conditions, and Restrictions for Clipper Estates Subdivision, Phase 4, by act before Judith Otero, Notary Public, dated June 16, 2000 and registered in the Office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, on June 21, 2000 in Instrument No. 1201502, (hereinafter referred to as the "Supplementary Declaration").

WHEREAS, Declarant and Vela, L.L.C. have heretofore executed a First Amendment to the Supplementary Declaration of Covenants, Conditions, and Restrictions for Clipper Estates Subdivision, Phase 4, by act before Lynda Shouse, Notary Public, dated November 29, 2000 and registered in the Office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, on December 1, 2000 in Conveyance Instrument No. 1223649 (hereinafter referred to as the "First Amendment").

WHEREAS, said Supplementary Declaration applies to certain property purchased by Vela from Declarant in two separate acts of sale, described as 12.70 acres and 18.68 acres located in Section 33, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana, and referred to as Clipper Estates Subdivision, Phase 4. Said Acts of Sale are registered in the office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, in CIN 1201507 and CIN 1201582 respectively.

WHEREAS, a portion of said property (18.68 acres) was purchased by Vela Developments, L.L.C., from Vela, L.L.C., by virtue of an Act of Cash Sale dated December 31, 2001 and registered in the office of the Clerk of Court for the Parish of St. Tammany, State of Louisiana, on January 3, 2002 in CIN 1282311.

WHEREAS, Declarant, Vela, Vela Developments, and the undersigned owners of the property subject to the Supplementary Declaration, constituting a majority of the property owners subject to these restrictions, and availing themselves of the provisions of Article VII of the Supplementary Declaration, do hereby and by these presents amend portions of these restrictions, with said amended provisions *only to be applicable to the lots in Clipper Estates Subdivision, Phase 4B*. These provisions listed below as having been amended shall remain as they originally were prior to amendment for those lots in Phase 4A. The amended provisions as they effect the lots in Phase 4B are as follows:

1. Section 4.4 B., which reads before the Second Amendment:

B. No single family dwelling shall be permitted on any Lot at a total building cost of less than One Hundred Forty Thousand (\$140,000) Dollars based upon cost levels prevailing on the date this Declaration is recorded, it being the intention and purpose of this Supplementary Declaration to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date this Supplementary Declaration is recorded as the minimum cost stated herein for the minimum permitted dwelling size.

is hereby amended to read as follows:

B. No single family dwelling shall be permitted on any Lot at a total building cost of less than One Hundred Fifty Thousand (\$150,000) Dollars based upon cost levels prevailing on the date this Declaration is recorded, it being the intention and purpose of this Supplementary Declaration to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date this Supplementary Declaration is recorded as the minimum cost stated herein for the minimum permitted dwelling size.

2. Section 4.25 B. which reads before the Second Amendment:

B. No hoists, launching facilities or any similar type of structure(s) or equipment shall be installed. The owner must submit to the ARC a plan stamped by a licensed engineer stating that said waterway structures will not create a

failure of the bulkhead or affect the property or any other property, constructed or maintained upon any Lot. Further, no boat trailer shall be stored on any Lot except in a permanently enclosed structure.

is hereby amended to read as follows:

B. The owner must submit to the ARC a plan stamped by a licensed engineer stating that any waterway structures will not create a failure of the bulkhead or affect the property or any other property, constructed or maintained upon any Lot. Further, no boat trailer shall be stored on any Lot except in a permanently enclosed structure.

3. Section 4.25 E. which reads before the Second Amendment:

E. Any dock or boathouse or other waterway structures constructed in said Waterway shall not extend more than twelve (12') feet from the face of the bulkhead into the Waterway.

is hereby amended to read as follows:

E. Any dock or boathouse or other waterway structures constructed in said Waterway shall not extend more than twenty (20') feet from the face of the bulkhead into the Waterway.

4. The Exhibits "C" and "D" attached to the Supplementary Declaration and referenced in in Section 4.25 are hereby deleted and the attached plan by Thomas P. Reed is hereby added as the new Exhibit "C" as the bulkhead plan for the lots in Phase 4B. All bulkheads on these lots are to be constructed in accordance with this plan.

5. Section 4.25 F is hereby added to the Supplementary Declaration to read as follows:

F. For any boathouse or structure approved and constructed over the waterway, a five (5') foot pier must be built on the property adjacent to and perpendicular to the lot, all in accordance with the requirements and provisions on the attached Exhibit "E".

Except as amended herein, all other terms and provisions of the Supplementary Declaration of Covenants, Conditions, and Restrictions for Clipper Estates Subdivision, Phase 4 remain in full force and effect.

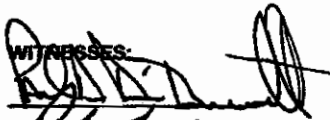
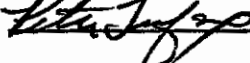
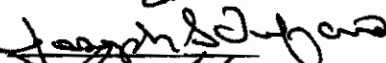

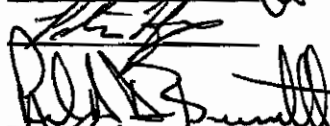
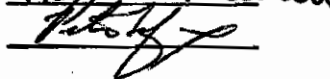
NEED  
COPY of  
Exhibit "E"  
2ND Amendment  
Phase 4

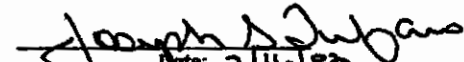
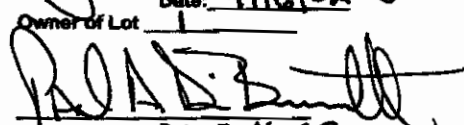
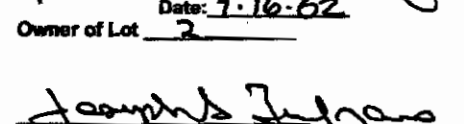
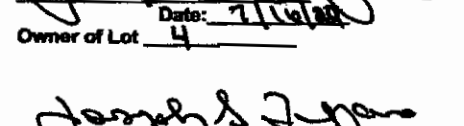
PH/  
REV

**SIGNATURE ADDENDUM TO THE SECOND AMENDMENT  
TO THE SUPPLEMENTARY DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS,  
FOR CLIPPER ESTATES SUBDIVISION, PHASE 4**

Each and every one of the undersigned Owners has hereunto executed said Second Amendment to the Supplementary Declaration of Covenants, Conditions, and Restrictions, for Clipper Estates Subdivision, Phase 4, (the "Second Amendment") on the date indicated next to their signatures.

Pursuant to the Second Amendment, the Owners have agreed to amend certain provisions of the Supplementary Declaration of Covenants, Conditions, and Restrictions, for Clipper Estates Subdivision, Phase 4 as these provisions affect Phase 4B only. A full and complete copy of the Second 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 property located in Clipper Estates Subdivision, Phase 4. Said Owners represent all of the property Owners in Clipper Estates Subdivision, Phase 4, who hereby consent to this Second Amendment to the Supplementary Declaration in accordance with Article VII of the Supplementary Declaration.

WITNESSES:  
  
  
  
  
  


  
Date: 7/16/02  
Owner of Lot 1  
  
Date: 7-16-02  
Owner of Lot 2  
  
Date: 7/16/02  
Owner of Lot 4  
  
Date: 7/16/02  
Owner of Lot 5

**SIGNATURE ADDENDUM TO THE SECOND AMENDMENT  
TO THE SUPPLEMENTARY DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS,  
FOR CLIPPER ESTATES SUBDIVISION, PHASE 4**

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Pursuant to the Second Amendment, the Owners have agreed to amend certain provisions of the Supplementary Declaration of Covenants, Conditions, and Restrictions, for Clipper Estates Subdivision, Phase 4 as these provisions affect Phase 4B only. A full and complete copy of the Second 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 property located in Clipper Estates Subdivision, Phase 4. Said Owners represent all of the property Owners in Clipper Estates Subdivision, Phase 4, who hereby consent to this Second Amendment to the Supplementary Declaration in accordance with Article VII of the Supplementary Declaration.

**WITNESSES:**

<p><u>Joseph S. Infano</u> <u>[Signature]</u></p>	<p><u>Antonietta O. Santangelo</u> Date: <u>7/13/02</u> Owner of Lot <u>6</u></p>
<p><u>Joseph S. Infano</u> <u>[Signature]</u></p>	<p><u>James E. Hassinger Jr.</u> Date: <u>7/15/02</u> Owner of Lot <u>7</u></p>
<p><u>Joseph S. Infano</u> <u>[Signature]</u></p>	<p><u>Robert A. Bunnell</u> Date: _____ Owner of Lot <u>8</u></p>
<p><u>Joseph S. Infano</u> <u>[Signature]</u></p>	<p><u>Robert A. Bunnell</u> Date: _____ Owner of Lot <u>9</u></p>
<p><u>Joseph S. Infano</u> <u>[Signature]</u></p>	<p><u>7/16/02</u> DATE: <u>[Signature]</u> OWNER OF LOT # <u>21</u></p>

**SIGNATURE ADDENDUM TO THE SECOND AMENDMENT  
TO THE SUPPLEMENTARY DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS,  
FOR CLIPPER ESTATES SUBDIVISION, PHASE 4**

Each and every one of the undersigned Owners has hereunto executed said Second Amendment to the Supplementary Declaration of Covenants, Conditions, and Restrictions, for Clipper Estates Subdivision, Phase 4, (the "Second Amendment") on the date indicated next to their signatures.

Pursuant to the Second Amendment, the Owners have agreed to amend certain provisions of the Supplementary Declaration of Covenants, Conditions, and Restrictions, for Clipper Estates Subdivision, Phase 4 as these provisions affect Phase 4B only. A full and complete copy of the Second 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 property located in Clipper Estates Subdivision, Phase 4. Said Owners represent all of the property Owners in Clipper Estates Subdivision, Phase 4, who hereby consent to this Second Amendment to the Supplementary Declaration in accordance with Article VII of the Supplementary Declaration.

**WITNESSES:**

*Joseph S. Jurgens*  
*Walter J. Jurgens*

*Joseph S. Jurgens*  
*Walter J. Jurgens*

*Joseph S. Jurgens*  
*Walter J. Jurgens*

*Joseph S. Jurgens*  
*Walter J. Jurgens*

*Robert A. Brundell*  
Date: \_\_\_\_\_  
Owner of Lot 10

*Robert A. Brundell*  
Date: \_\_\_\_\_  
Owner of Lot 12

*Robert A. Brundell*  
Date: \_\_\_\_\_  
Owner of Lot 11

*Robert A. Brundell*  
Date: \_\_\_\_\_  
Owner of Lot 13

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BE IT KNOWN that on this 18th day of \_\_\_\_\_, 2002, 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 Development, L.L.C., a Louisiana limited liability company, who is the developer of Clipper Estates Subdivision, and the Declarant in the Supplementary Declaration of Covenants, Conditions, and Restrictions, for Clipper Estates Subdivision, Phase 4, 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:

Joseph S. Lyons  
[Signature]

~~CLIPPER DEVELOPMENT, L.L.C.~~

BY: [Signature]  
STANFORD H. LATTER  
Initial Operating Manager

Louis S. Deane  
Notary Public  
My commission is for life.

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BE IT KNOWN that on this 18th day of July, 2002, 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, TODD M. VILLARRUBIA, Manager of Vela, L.L.C., a Louisiana limited liability company, who is the developer of Clipper Estates Subdivision, Phase 4 and the owner of a portion of the property subject to the Supplementary Declaration of Covenants, Conditions, and Restrictions, for Clipper Estates Subdivision, Phase 4, to me known, who declared and acknowledged to me, said Notary, that he executed the aforesaid instrument as such 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:

*Joseph S. Johnson*  
*[Signature]*

VELA, L.L.C.

By: *Todd M. Villarrubia*  
TODD M. VILLARRUBIA  
Manager

*Lynne S. Dume*

Notary Public  
My commission is for life.



STATE OF LOUISIANA

PARISH OF ST. TAMMANY

AFFIDAVIT

On this 18th day of July, 2002, before me, the undersigned Notary Public, duly commissioned and qualified in and for the State and Parish aforesaid, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

Peter Tefaro

who after being duly sworn did state:

THAT (s)he is a person of the full age of majority, and the subscribing witness to the SIGNATURE ADDENDUM TO THE SECOND AMENDMENT TO THE SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR CLIPPER ESTATES SUBDIVISION, PHASE 4, executed on the various date(s) of execution indicated on the Signature Addendum.

THAT, the SECOND AMENDMENT TO THE SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, CLIPPER ESTATES SUBDIVISION, PHASE 4 preceding this Affidavit is a true and exact copy of the SECOND AMENDMENT TO THE SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, CLIPPER ESTATES SUBDIVISION, PHASE 4 (s)he presented to each Owner, who executed the Signature Addendum to the SECOND AMENDMENT TO THE SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, CLIPPER ESTATES SUBDIVISION, PHASE 4 on the various date(s) of execution indicated on the Signature Addendum to the SECOND AMENDMENT TO THE SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, CLIPPER ESTATES SUBDIVISION, PHASE 4 as their own free act in their own hand and in the presence of the witness and in the presence of another subscribing witness and that (s)he personally witnessed the same on the date(s) of execution indicated on the SIGNATURE ADDENDUM TO THE SECOND AMENDMENT TO THE SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR CLIPPER ESTATES SUBDIVISION, PHASE 4.

IN WITNESS WHEREOF, the parties hereto have set their hands this 18th day of July, 2002.

WITNESSES:

Joseph S. ...      ...  
...

Lynne S. ...  
NOTARY PUBLIC  
MY COMMISSION IS FOR LIFE

STATE OF LOUISIANA  
PARISH OF ST. TAMMANY

AFFIDAVIT

On this 18th day of July, 2002, before me, the undersigned Notary Public, duly commissioned and qualified in and for the State and Parish aforesaid, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

PAUL D. BENEDETTO

who after being duly sworn did state:

THAT (s)he is a person of the full age of majority, and the subscribing witness to the SIGNATURE ADDENDUM TO THE SECOND AMENDMENT TO THE SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR CLIPPER ESTATES SUBDIVISION, PHASE 4, executed on the various date(s) of execution indicated on the Signature Addendum.

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IN WITNESS WHEREOF, the parties hereto have set their hands this 18th day of July, 2002.

WITNESSES:

Joseph S. Lyons      Paul D. Benedetto  
[Signature]

Linda S. Chouze  
NOTARY PUBLIC  
MY COMMISSION IS FOR LIFE

STATE OF LOUISIANA  
PARISH OF ST. TAMMANY

AFFIDAVIT

On this 17th day of July, 2002, before me, the undersigned Notary Public, duly commissioned and qualified in and for the State and Parish aforesaid, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:  
JOSEPH S. TUARO

who after being duly sworn did state:

THAT (s)he is a person of the full age of majority, and the subscribing witness to the SIGNATURE ADDENDUM TO THE SECOND AMENDMENT TO THE SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR CLIPPER ESTATES SUBDIVISION, PHASE 4, executed on the various date(s) of execution indicated on the Signature Addendum.

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IN WITNESS WHEREOF, the parties hereto have set their hands this 17th day of July, 2002.

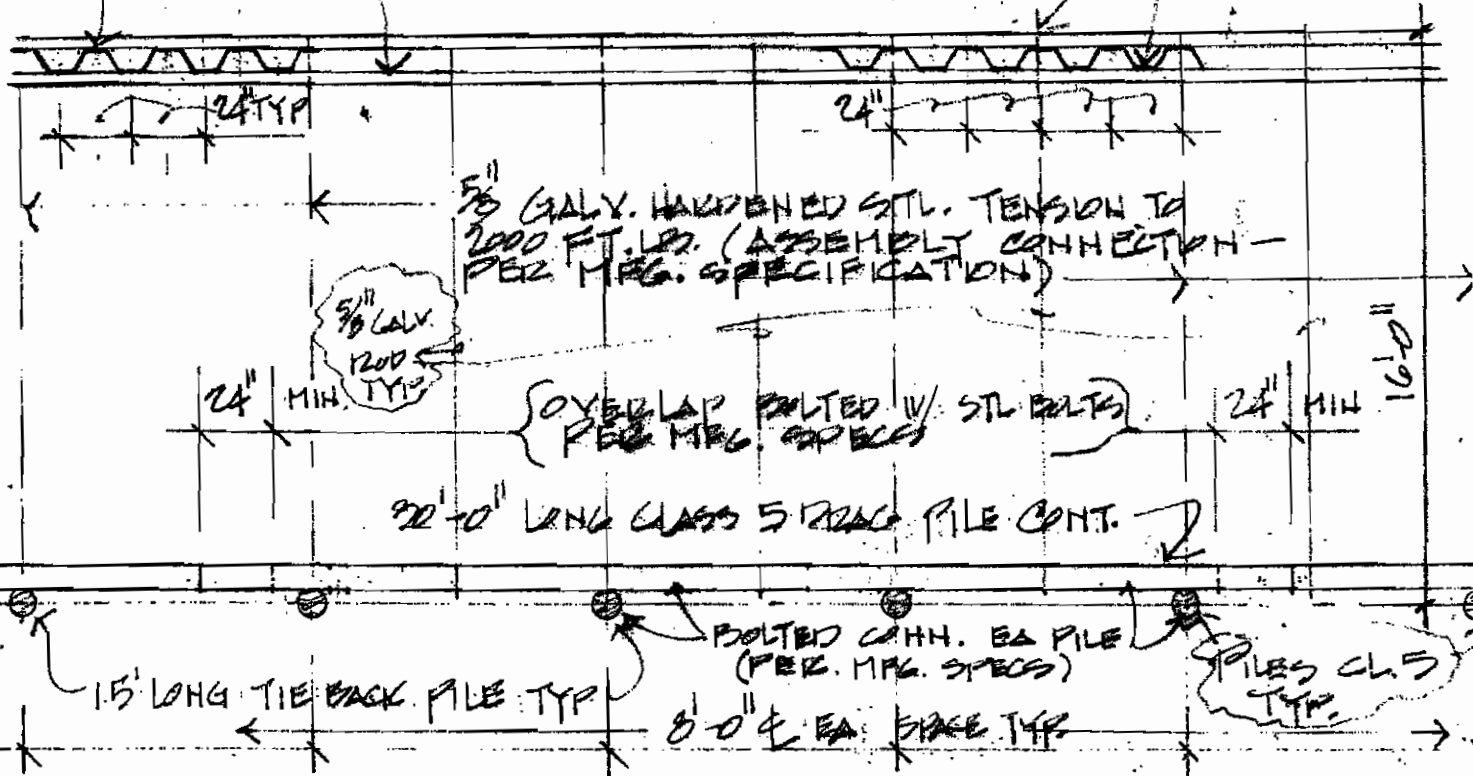
WITNESSES:

[Signature]  
[Signature]  
Joseph S. Tuaro

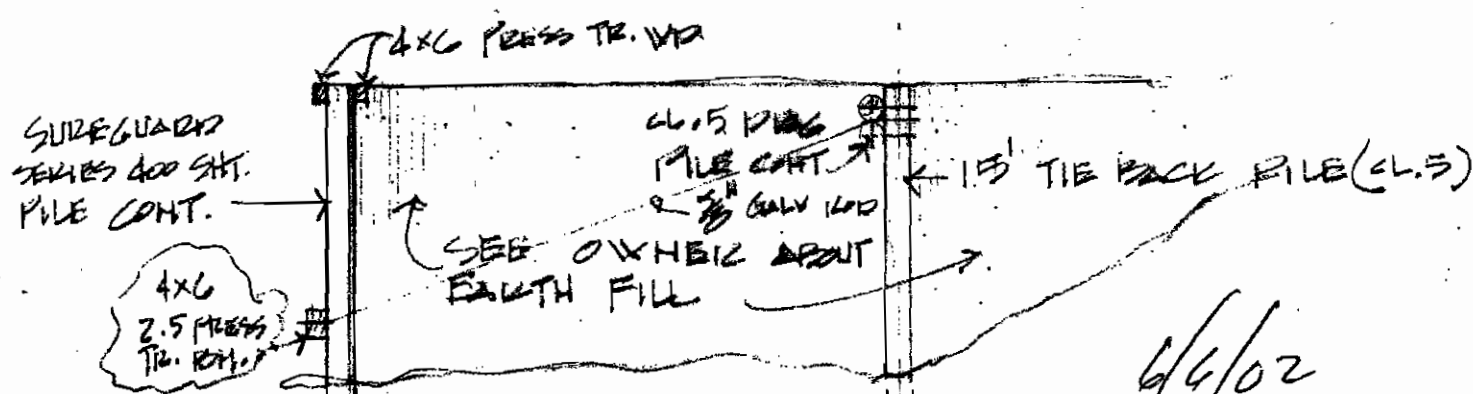
Joseph S. Tuaro  
NOTARY PUBLIC  
MY COMMISSION IS FOR LIFE

BULK HD. PILING (SURE GUARD SERIES 400 TYP)  
 TK. 325 STRENGTH 3,889 FT. LBS.

4x6 PRESS. TREATED .8 LUMBER



BULKHEAD TO BE CONTINUOUS AROUND PENINSULA TYP



PLAN ELEV. DET. OF BULKHEAD

FOR SUBV. @ VELA COVE 4th ST. TAMMANY PARISH, LA.

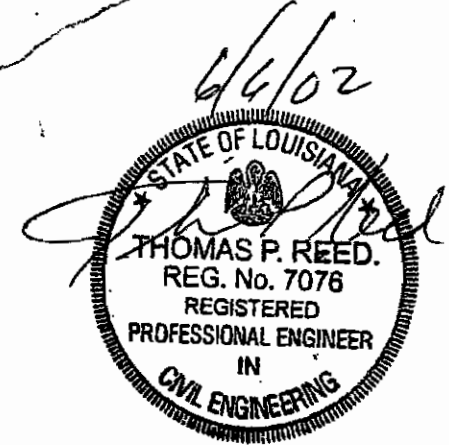


EXHIBIT "C"