

Livingston Parish Recording Page

Jason B. Harris
Clerk of Court
PO Box 1150
Livingston, LA 70754-1150
(225) 686-2216

Received From :
ANNA E DOW
P O BOX 41334
BATON ROUGE, LA 70835

First VENDOR

RIVER HIGHLANDS SUBDIVISION

First VENDEE

RIVER HIGHLANDS SUBDIVISION

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Recorded Information

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

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CLERK OF COURT
JASON B. HARRIS
Parish of Livingston
I certify that this is a true copy of the attached
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Recorded in Book 1429 Page 478
File Number 1012440

Deputy Clerk



AMENDED ACT OF RESTRICTIONS

FOR RIVER HIGHLANDS SUBDIVISION - FIRST FILING

BE IT KNOWN, that on the dates noted below, and in the presence of the undersigned competent witnesses, personally came and appeared those individuals whose signatures appear below, owners each of a lot in River Highlands Subdivision First Filing, located in Livingston Parish, Louisiana (hereinafter "Appearers"), who state:

By Act entitled River Highlands Subdivision Restrictions recorded at COB No.687, Number 368402 of the official records of Livingston Parish, building restrictions were created affecting those lots identified as per plat of survey of LAM Surveying, Inc., a copy of which is on file and of record in the office of the Clerk and Recorder of the Parish of Livingston as Entry No. 368130, and in the office of the clerk and Recorder for the Parish of Livingston as Plat No. 368130.

As amended by Act entitled River Highlands, First Filing First Amendment to Subdivision Restrictions, recorded at COB No.819, Page 218, Number 00510113 of the official records of Livingston Parish, building restrictions were amended affecting those lots identified as per plat of survey of LAM Surveying, Inc., a copy of which is on file and of record in the office of the Clerk and Recorder of the Parish of Livingston as Entry No. 368130, and in the office of the clerk and Recorder for the Parish of Livingston as Plat No. 368130.

Further, that Appearers represent a majority of the Lot Owners of the filing of the subdivision of property, First Filing.

Further, that in accordance with the above-cited building restrictions (as they were amended). Appearers, as the owners of a majority of the lots in the subdivision, are entitled to amend such building restrictions by a majority of the owners of the lots in the filing as provided in Section 27 of the original building restrictions.

Therefore, Appearers hereby amend and restate, in their entirety, the above-cited building restrictions (as they have been amended) so that henceforth the following restrictions shall affect all lots in River Highlands Subdivision, First Filing.

1. PURPOSE

The purpose hereof is the creation and maintenance of a residential community having a uniform plan of development and the preservation of property values and amenities in the community. The real property described herein is hereby subjected to the covenants, restrictions, conditions, reservations, liens and charges set out to insure the best use and most appropriate development and improvement of each building site thereof; to protect the Owners of building sites against such improper use of surrounding building sites as will depreciate the value of their property; to preserve, so far as practicable, the natural beauty of the property; to guard against the erection thereon of poorly designed or proportioned structures, and structures built of improper or unsuitable materials; to obtain harmonious color schemes; to insure the highest and best development of the property; to encourage and secure the erection of attractive homes thereon, with appropriate locations thereof on building sites; to secure and maintain property setbacks from abutting properties; and, in general, to provide adequately for quality improvements of the property and thereby enhance the values of investments made by purchasers of building sites therein.

2. PROPERTY

1.

Except as otherwise provided in herein all Lots shall be used solely for single family residential purposes, and no more than one single family residence shall be built upon any Lot. The use of a Lot for other forms of residential use or for commercial, institutional, medical, retail, religious or commercial storage uses of any kind is strictly prohibited. The foregoing shall not be interpreted to prohibit a personal office from being located within the residence.

2.

No building may be constructed nor may any building be moved onto the subject property without first requesting the written approval of the Architectural Control Committee.

3.

The Architectural Control Committee (hereinafter referred to as "Committee") shall consist of:

Those members as appointed by the Board of Directors of The River Highlands Homeowners Association. The Committee shall serve without pay.

The mailing address of the Committee is:

P.O. Box 189
Saint Amant, LA 70774

No construction shall be started until the plans have been approved in writing by the said Committee or its representative. A complete set of plans and specifications shall be submitted, in writing, to the Committee and will be retained on file by the committee. Plans and Specifications for construction shall be submitted to the Committee by mail to the Committee address as shown above.

The Committee shall check all building plans to ascertain their compliance with all of the restrictions as set forth herein. The decision of the Committee, in the event of any dispute or controversy regarding the interpretation of these restrictions and covenants, shall be final and non -appealable. The Committee's approval or disapproval as required in these covenants shall be in writing. The Committee should render a decision on the application within thirty (30) days.

In the event the Committee or its designated representative fails to approve or disapprove within thirty (30) days after the plans and specifications have been submitted to it, as aforesaid, in writing, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

4.

No house trailers, tents, motor homes, or other types of temporary dwellings shall be moved upon said property and used for temporary or permanent residency.

5.

Minimum requirements for residential structures are that each residence shall contain no less than 1400 square feet of living area (heated and cooled) for a single story, and 1600 square feet of living area (heated and cooled) for two stories, which shall be exclusive of open porches, garages, carports, or storage area.

6.

No junk cars, junk busses, or junk vehicles shall be permitted to be parked in the street or on the property. A single maintained and covered water craft, or boat trailer, can only be stored on the paved driveway of the home. Only covers designed for watercraft are allowed, and no plastic or colored tarps are permitted. No recreational vehicles (RV's), cargo, utility or other trailers are allowed unless located in a garage or a non-river side fenced lot. See section 23 for restrictions pertaining to garages and fenced storage on non-river side lots.

7.

No structure shall be located any nearer to the front property line than twenty (20) feet, nor nearer than five (5) feet to the side lines and/or side servitude of passage. No structure of any type, exclusive of fencing, shall be located nearer than fifty (50) feet to the Diversion Canal water edge, except Bulkhead as required under these restrictions. No exceptions shall apply. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded subdivision plat.

8.

No structure shall be finished in any material other than brick, vinyl siding, HardiPlank (or equivalent), stucco or dryvit. Masonite lap siding is expressly prohibited, as is felt, paper, rolled siding, imitation brick siding and concrete blocks. Metal Roofing materials are prohibited. The Architectural Control Committee must approve building materials list, which is to be submitted with plans. Structures of a temporary character shall not be used on any lot at any time. No building may be occupied as a dwelling or used as a dwelling unless the exterior of the residence and all requirements as set forth in these restrictive covenants has been satisfied, including required completion of the Bulkhead as further described in Paragraph 9, for waterfront lots.

9.

Individual Lot owner(s) of waterfront lots shall be required under these restrictions to complete a Bulkhead along the entire water's edge of property, as approved by the Committee. It shall be the individual lot owner's responsibility to build said bulkhead according to the specifications supplied to the Committee and such construction shall be completed prior to occupancy of residence. The Committee and/or its assigns shall have the right to enforce completion prior to occupancy. In the event lot owner desires to construct a boat slip, said boat slip shall conform to the specifications as approved by the Committee.

10.

Each residence must have a double carport or garage. No carport may open to the street. Front load garages must have garage door(s) installed.

11.

Minimum roof pitch allowed on residence is 7/12. Architectural roofing shingles are required, minimum twenty-five year warranty on shingles. Metal roofs are not allowed under any circumstances.

12.

Cabanas or covered decks may be constructed by lot owner not nearer than twenty (20) feet from the water's edge, and must be approved by the Committee prior to commencement of construction. Roof systems for any structure other than the residence must have a 3/12 pitch, no higher pitch and no lower pitch will be approved for construction. A floor elevation must also be submitted to the Committee, to ensure that height of the completed structure does not impair river view of neighboring residences.

13.

No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which shall become an annoyance or nuisance to other property owners.

River Highlands is served by a subdivision Sewer System, in accordance with Parish and State Regulations.

Water Service may be made available to each lot owner by arrangements with Diversion Water Company (225-673-8560) in accordance with its rates and requirements; and requirements of the Parish health department, and State Board of Health.

It is the responsibility of the purchaser to provide for offsite garbage disposal at purchaser's expense and the accumulation of or disposal of any garbage or other solid debris on subject property is prohibited.

14.

These covenants prohibit the resubdivision of any lots from any dimension or size other than those shown on the official recorded plat. However, this covenant shall not prohibit the use of more than one (1) lot for one (1) residence. Notwithstanding this prohibition to the resubdivision of lots, any lot may be resubdivided with the express written consent and permission of the Architectural Control Committee.

15.

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lots except that dogs, cats and other household pets may be kept provided that they are not kept, bred or maintained for commercial purposes or in such numbers or conditions as may be offensive to other property owners in the subdivision.

16.

All driveways and other means of ingress and egress on each lot containing a residence must be concrete. Driveways must be completed prior to occupancy. Drives on lots not containing a residence may be made of shell, limestone, gravel or asphalt, if approved by the Committee.

17.

Each individual lot owner shall completely sod the front portion of the lot from the house to the street with centipede or equal in default, within thirty (30) days of occupancy. The Architectural Control Committee will monitor this covenant and shall have the right to enforce compliance. Each individual lot owner shall be responsible for the maintenance of all landscaping on his lot and for maintaining his lot, residence and driveway in a clean and orderly fashion at all times. Individually owned vacant lots must also be maintained regularly to prohibit unsightly growth of grass, weeds, etc. In the event a lot becomes unsightly, with grass, weeds or growth in excess of twelve (12) inches in height, or if debris accumulates on the property, the Architectural Control Committee shall have the right to demand maintenance of the lot by the lot owner in written notice, by Certified Mail. Failure of the individual lot owner to comply with the request of the Architectural Control Committee's request for maintenance within 10 days of receipt shall give the Architectural Control Committee the right to hire someone for clean-up and/or mowing and forward amount of bill to the lot owner for reimbursement by the lot owner. The cost thereof shall be assessed against the lot owner, and lot owner is obligated to reimburse the person paying the cost thereof within fifteen (15) days of notification of said amount due.

18.

No fence shall be erected on any riverside lot or lot containing a residence closer to the street than the front building setback line of that lot. All fencing material must be wood, wrought iron, stucco or brick. All fence types must be properly maintained. Chain link fences are not allowed. Fences shall not exceed six (6) feet in height.

19.

Should construction of a prospective residence, building or structure not be commenced within six (6) months after approval by the Architectural Control Committee, and be pursued diligently thereafter, or should construction not be completed within twelve (12) months after the approval, then the approval of the Committee shall be automatically withdrawn. The Committee may grant extensions of its approval from time to time for good stated. Should construction not commence or be completed for reasons beyond the control of the lot owner or his contractor, such acts of God, strikes, national calamity or similar events, and then the time deadlines provided herein shall be extended by the Architectural Control Committee in proportion to the delay caused by the event.

20.

HOA herein makes no warranty as to soil conditions on the lots herein contained. Further, it is the suggestion and recommendation that all slab foundations should be reinforced with treated pilings for added support prior to pouring of concrete.

21.

All mailbox structures shall be approved by the Committee.

22.

No oil or gas drilling, quarrying or mining operations or explorations or development operations of any kind shall be permitted on or in any lot, nor shall oil wells, refineries, tanks, tunnels, excavations, shafts, holding facilities or any other like activity or commercial activity of any nature be permitted on or in any lot. No derricks or other structures designed for use in exploration for oil, natural gas, salt water or other minerals shall be erected, maintained, operated or permitted on or in any lot.

23.

Owners of residences who purchase non-riverfront lots, may use the non-river lot to construct a garage or as parking or boat storage provided that:

- a. All garages shall have garage doors
- b. The exterior of said garage shall be finished as to duplicate the exterior of the adjacent existing home. No structure shall be finished in any material other than brick, vinyl siding, HardiPlank (or equivalent), stucco or dryvit. Masonite lap siding is expressly prohibited, as is felt, paper, rolled siding, imitation brick siding and concrete blocks. Metal Roofing materials are prohibited. The Architectural Control Committee must approve building materials list, which is to be submitted with plans. Structures of a temporary character shall not be used on any lot at any time. No building may be constructed unless the exterior of the garage and all requirements as set forth in these restrictive covenants has been satisfied.
- c. No structure shall be located any nearer to the front property line than twenty (20) feet, nor nearer than five (5) feet to the side lines and/or side servitude of passage. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded subdivision plat.
- d. Roof shall be hip-roof with 7/12 roof pitch. Architectural roofing shingles are required, minimum twenty-five year warranty on shingles. Metal roofs are not allowed under any circumstances.
- e. When the lot is used for parking recreational vehicles, boat and trailer storage and no garage is built, the owner shall construct a privacy fence six (6) feet in height, solid wood, cedar, or cypress. No exceptions shall apply.
- f. No fence shall be erected any nearer to the front property line than twenty (20) feet.

24.

Each lot owner shall be required to become a member of the River Highlands Homeowner's Association (hereinafter referred to as Association). The Association shall enforce the subdivision restrictions and the restrictions for future filings, represent the subdivision in any public matters affecting the subdivision, promote subdivision activities, and provide for the maintenance of subdivision entrances, common areas, etc. The Association will collect yearly dues as fixed by the Board of Directors. Lien rights will exist to enforce the collection of dues and fines or any reimbursements due to the Association.

25.

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of ten (10) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years each, unless an instrument signed by a majority of the then owners of the lots covered by these covenants shall have been recorded, agreeing to change said covenants in whole or in part. Notwithstanding the foregoing, these restrictions may be amended in whole or in part at any time by an instrument signed by the owners of a majority of the lots in said subdivision.

Invalidation of any of these covenants by judgment or court order shall in no way affect any of the other provisions hereof and the latter provisions shall remain in full force and effect.

THUS DONE AND AMENDED BY VOTE OF THE MAJORITY OF THE LOT OWNERS WITHIN THE FILING.

WITNESSES:

Sharon Ronci
Sandy Leronde

HOA PRESIDENT / TREASURER

Signature (President):

Richard Cook

Printed Name:

RICHARD COOK

Date: _____

Signature (Treasurer):

Sharon Ronci

Printed Name:

SHARON RONCI

Date: _____

**AMENDMENT
ACT OF RESTRICTIONS
RIVER HIGHLANDS
FIRST FILING**

**STATE OF LOUISIANA
PARISH OF LIVINGSTON**


BEFORE ME, the undersigned Notary Public for the State of Louisiana, duly commissioned, personally came and appeared the officers of the River Highlands Homeowners Association, who seek to amend the River Highlands Subdivision Restrictions recorded at COB No.687, Number 368402 of the official records of Livingston Parish, building restrictions were created affecting those lots identified as per plat of survey of LAM Surveying, Inc., a copy of which is on file and of record in the office of the Clerk and Recorder of the Parish of Livingston as Entry No. 368130, and in the office of the clerk and Recorder for the Parish of Livingston as Plat No. 368130.

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Further, that Appearers represent a majority of the Lot Owners of the filing of the subdivision of property, First Filing, being 37 of the current number of lots of 68, which represents more than a majority of the votes needed for amendment of the restrictions pursuant to Section 27 of the Restrictions as filed in 1996. Further, that this is a true and correct representation of the records of River Highlands Homeowners Association, and those records are part of the records of the association..

SWORN TO AND SUBSCRIBED BEFORE ME, this 29 day of

July, 2021, in Baton Rouge, Louisiana.


ANNA E. DOW
NOTARY PUBLIC
BAR ROLL NUMBER 5040