

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

**FIRST AMENDMENT TO THE DECLARATION OF
PROTECTIVE COVENANTS AND RESTRICTIONS
FOR
OLD MILL SUBDIVISION**

On this 4th day of January, 2002, before the undersigned notary in and for the Parish of East Baton Rouge, State of Louisiana, and in the presence of the undersigned witnesses, personally appeared:

Crabapple Properties, Ltd., (TIN 72-0743935) a Louisiana corporation organized and existing under the laws of the State of Louisiana, Parish of East Baton Rouge, herein represented by its duly authorized officer, a virtue of a resolution on file and of record in the Office of the Clerk and Recorder in and for the Parish of Ascension, State of Louisiana (hereinafter referred to interchangeably as “Declarant” and/or “Developer”).

Who declared that:

WHEREAS, the Declaration of Protective Covenants and Restrictions for Old Mill Subdivision dated May 31, 2001 is recorded at entry number 489115 on June 8, 2001 in the official records of Ascension Parish, Louisiana (hereinafter referred to as “Declaration”).

WHEREAS, Developer wishes to supplement the provisions contained in Article V, Residential Area Restrictions, Paragraph 25, Use, Operation and Maintenance of the Pond of the Declaration to add subparagraphs (i), (j) and (k) which subparagraphs shall have the effect of restricting the type of fences, structures and landscaping that may be constructed and/or located on lots adjoining the Pond.

WHEREAS, the provisions contained in Article VI, Paragraph 7 provide that the Declaration may be amended unilaterally at any time and from time to time by Developer as long as the Developer is the Class B Member in order to execute the Developer’s uniform plan for the improvement, development, sale, use, maintenance and enjoyment of the Property.

WHEREAS, the Developer is currently the Class B Member.

Therefore, Article V, Paragraph 25 is hereby amended and supplemented as follows:

1.

Article V, Residential Area Restrictions, Paragraph 25, Use, Operation and Maintenance of the Pond is amended and supplemented to add subparagraph (i) which shall read as follows: “No opaque or solid fence or fences shall be constructed or located on any lot adjacent to the Pond which would result in obstructing view of the Pond for any person situated on any other Pond Lot. Therefore, opaque or solid fences shall be hereby prohibited for the rear or side yards of any lots located adjacent to the Pond. The materials, design, height, and location of any fence in the community shall be approved by the Architectural Control Committee prior to construction, placement and/or location of

same.”

2.

Article V, Residential Area Restrictions, Paragraph 25, Use, Operation and Maintenance of the Pond is amended and supplemented to add subparagraph (j) which shall read as follows: “No carport and/or garage shall be constructed and/or located on the rear of any residence situated on any other Pond Lot. The rear of any residence is defined for purposes of this section as any area between the residence and the rear property line of the lot.”

3.

Article V, Residential Area Restrictions, Paragraph 25, Use, Operation and Maintenance of the Pond is amended and supplemented to add subparagraph (k) which shall read as follows: “No tree or trees or other landscaping shall be planted on any lot adjacent to the Pond which would result in obstructing view of the Pond for any person situated on any other Pond Lot.”

This act has been signed by Developer in Baton Rouge, Louisiana on the date first above written, in the presence of the undersigned notary and witnesses.

WITNESSES:

CRABAPPLE PROPERTIES, LTD.

BY: _____
John H. Fetzer, III

NOTARY PUBLIC