SECOND AMENDMENT TO SECOND AMENDED AND COMPLETELY RESTATED ACT OF DECLARATION CREATING AND ESTABLISHING A CONDOMINIUM REGIME FOR	*	**UNITED STATES OF AMERICA**
	*	**STATE OF LOUISIANA**
	*	**PARISH OF ORLEANS**
THE COTTON MILL CONDOMINIUMS	*	**CITY OF NEW ORLEANS**

* * * * * * *

BE IT KNOWN, that on the 4th day of June, 2008,

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for the State and Parish hereinabove set forth, and in the presence of the undersigned competent witnesses, personally came and appeared:

> **COTTON MILL CONDOMINIUM ASSOCIATION, INC. (TIN #72-1438668)**, a Louisiana non-profit corporation, domiciled in the Parish of Orleans, organized pursuant to Articles of Incorporation filed with the Louisiana Secretary of State on September 30, 1996, represented herein by its duly authorized officer (hereinafter the "Association");

who declared unto me, Notary, that:

WHEREAS, Cotton Mill Limited Partnership filed a Second Amended and Completely Restated Act of Declaration Creating and Establishing a Condominium Regime for the Cotton Mill Condominiums dated June 30, 2004, registered on July 1, 2004, at Conveyance Instrument Number 286768, as amended by First Amendment to Second Amended and Completely Restated Act of Declaration Creating and Establishing a Condominium Regime for the Cotton Mill Condominiums, filed by PRU-HRI Cotton Mill Associates LLC on October 12, 2005 and registered at Conveyance Instrument Number 315179 of the conveyance records of Orleans Parish, Louisiana (the "Declaration"); and

WHEREAS, by act of sale this even date, the Association has transferred to Roberta Jean Christie, wife of/and William M. Batherson (hereinafter "Bathersons") a small portion of the hallway between Unit 401 (acquired at CIN 402684) and Unit Clock Tower (acquired at CIN 295576), already owned by Bathersons, consisting of 38.64 square feet of the Common Elements; and

WHEREAS, Bathersons have requested the Association consent to the combination of Unit 401, Unit Clock Tower and the hallway space into one unit to be designated as Unit Clock Tower A; and

WHEREAS, the Association called a special meeting of the Board and the Board approved and authorized the combination of Unit 401, Unit Clock Tower and the hallway space into one unit, a copy of which resolution is annexed hereto and made a part hereof.

NOW THEREFORE, pursuant to Article XIV, Amendments, of the Declaration and in accordance with approval by the Board of Directors of the Association, the Declaration is hereby amended to reflect that Unit 401 and Unit Clock Tower, along with a portion of the hallway, are hereby combined and redesignated as Unit Clock Tower A.

Further, the Association attaches hereto revised Pages 2.19 and 2.21 of Exhibit E (the Completely Revised Building Plans) to the Declaration to reflect the new Unit Clock Tower A.

Further, the Association hereby partially revises Exhibit G to the Declaration to reflect the combination of Unit 401, Unit Clock Tower and the hallway space area into Unit Clock Tower A and to set forth the new Unit number, square footage, percentage of ownership and current monthly assessment for said Unit.

RESTRICTIONS

Bathersons agree, acknowledge and obligate themselves, their heirs, successors and assigns to reconvey the Property to the Association, at no cost to the Association, at such time as they are no longer using the Property or in the event that they resubdivide Unit Clock Tower A into two (2) separate Units, all at Bathersons' expense. Bathersons further obligate themselves, their heirs, successors and assigns to pay the full expense of restoring the Property to the condition prior to such alteration and combination into Unit Clock Tower A.

Bathersons shall further notify the Association ten (10) days prior to commencing any construction or alteration and the nature of the work to be performed and the anticipated time frame for completion of same. Bathersons shall bear all costs for such construction to enclose and/or open the Property to combine former Unit 401 and Unit Clock Tower.

Further, as a material cause and condition for this sale and transfer, Bathersons agree and covenant to maintain liability insurance with minimum limits per occurrence of $1,000,000.00, insuring the Property and naming the Association as an additional insured and shall provide evidence thereof to the Association upon demand.

Bathersons, on behalf of themselves, their heirs, successors and assigns, agree and covenant to indemnify, defend, protect and hold harmless the Association from all liability (including attorney's fees and court costs) arising from the transfer, use and occupancy of the Property.

AND NOW INTO THESE PRESENTS COME Roberta Jean Christie, wife of/and William M. Batherson, who, on behalf of themselves, their heirs, successors and assigns, acknowledge this Second Amendment to Second Amended and Completely Restated Declaration for the Cotton Mill Condominiums and the Association's approval and agree to be bound by all of the RESTRICTIONS, provisos and requirements of the Association in the combining of Unit 401, Unit Clock Tower and the hallway space area into the new Unit.

In all other respects the Declaration, as amended, remains unchanged and in full force and effect except as amended and modified herein.

The Association requests the Register of Conveyances for the Parish of Orleans, State of Louisiana, to make note in his computer and/or in the margin of this Second Amendment to the Declaration, registered at Conveyance Instrument Numbers 286768 and 315179.

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RESOLUTION

EXCERPT OF MINUTES OF SPECIAL MEETINGS OF THE BOARD OF DIRECTORS OF THE COTTON MILL CONDOMINIUM ASSOCIATION, INC.

Special meetings of the Board of Directors of the Cotton Mill Condominium Association, Inc. were held on March 18, 2008 and April 22, 2008. A quorum was present at both meetings. Upon motions duly made, seconded and approved by the Board, the following resolutions were adopted:

BE IT RESOLVED that the corporation consents and agrees to sell to William and Roberta Batherson the hallway area outside of Unit 401 and Unit Clock Tower, which area contains 38.64 square feet for the purchase price of $11,886.00;

BE IT FURTHER RESOLVED that Dennis Good, President or Karen Sepko, Vice President, either of them, acting alone, is hereby authorized and empowered for and on behalf of, and in the name of this corporation, to execute a Second Amendment to the Second Amended and Completed Restated Act of Declaration Creating and Establishing A Condominium Regime for The Cotton Mill Condominiums and attach the revised building plans and exhibits related thereto; and further to enter into an act of sale by the corporation to Roberta Jean Christie, wife of/and William M. Batherson of the property hereinafter described in **Exhibit "A"** attached hereto and made a part hereof.

BE IT FURTHER RESOLVED in connection therewith, that the said officers are further authorized and empowered to:

1. execute such documents and instruments as they may in their sole discretion consider appropriate in order to effectuate any of the matters described herein, any or all of which may contain such terms and provisions, as they may in their sole discretion consider appropriate, and which documents and instruments may include but are not limited to one or more agreements for sale, acts of sale, bills of sale, other instruments of conveyance or disposition, assignments, receipts, or affidavits; and

2. generally to do any and all other acts that they may in their sole discretion consider appropriate in order to effectuate any of the matters described herein, all upon such terms and conditions as they may in their sole discretion consider appropriate, and all pursuant to such documents and instruments, containing such clauses and provisions, as they may in their sole discretion consider appropriate.

BE IT FURTHER RESOLVED that the said officers be and they are further authorized to execute any documents as they shall, in their sole discretion and judgment, deem appropriate and desirable to accomplish the foregoing, containing such terms as they in their sole judgment deem advisable and that this corporation hereby ratifies and confirms all that they may do by virtue hereof.

CERTIFICATION

The undersigned Secretary of the corporation certifies that:

COTTON MILL CONDOMINIUM ASSOCIATION, INC. is duly organized and existing under the laws of the State of Louisiana; that all franchise and other taxes required

to maintain its corporate existence have been paid when due and that no such taxes are delinquent; that no proceedings are pending for forfeiture of its Charter or for its dissolution, voluntarily or involuntarily; that it is duly qualified to do business in the State of Louisiana and is in good standing with such State; that there is no provision in the Articles of Incorporation or By-Laws of said corporation limiting the power of the Board of Directors to pass the resolutions set out above and that the same are in conformity with the provisions of said Articles of Incorporation and By-Laws; and

The above and foregoing constitutes a true and correct copy of the resolutions duly adopted at special meetings of the Board of Directors of the corporation held on March 18, 2008 and April 22, 2008, at each of which meetings a quorum was present and voted in favor of said resolutions, and said resolutions have never been modified or rescinded and are still in full force and effect.

Dated this 4th day of June, 2008.

COTTON MILL CONDOMINIUM ASSOCIATION, INC.

By: _____
Julie Pascal - Secretary

EXHIBIT "A"

The 38.64 square foot area (the "Property") located on the fourth (4th) level and as more fully depicted on the plan of HCI Architecture, Inc., dated April 21, 2008 and annexed hereto cross-hatched and shaded in yellow which Property is located in the **Cotton Mill Condominium** created by Second Amended and Restated Act of Declaration dated June 30, 2004, registered July 1, 2004 in Conveyance Instrument Number 286768, as further amended by First Amendment to Second Amended and Restated Act of Declaration registered October 12, 2005 in Conveyance Instrument Number 315179, of the Conveyance Records of Orleans Parish, Louisiana, which Property is situated and located on the following described property:

THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all servitudes, rights, ways, and appurtenances thereunto belonging, or in anywise appertaining, situated in the First District of the City of New Orleans, State of Louisiana, composed of all lots, gaps, gores and alleys comprising a square of ground, designated as **Square 120**, bounded by Annunciation, Constance, John Churchill Chase and Poeyfarre Streets, and in accordance with a survey of Gandolfo, Kuhn & Associates, dated September 20, 1996, Dwg. No. T-181-4, Square 120 is more particularly described as follows:

Begin at the northeast intersection of Constance and John Churchill Chase Streets;

thence along the easterly right of way of Constance Street, N13o44'45"E a distance of 265 feet 5-4/8 inches to the southeast intersection of Constance and Poeyfarre Streets;

thence along the southerly right of way of Poeyfarre Street S76o06'15"E a distance of 465 feet 4-7/8 inches to the southwest intersection of Annunciation and Poeyfarre Streets;

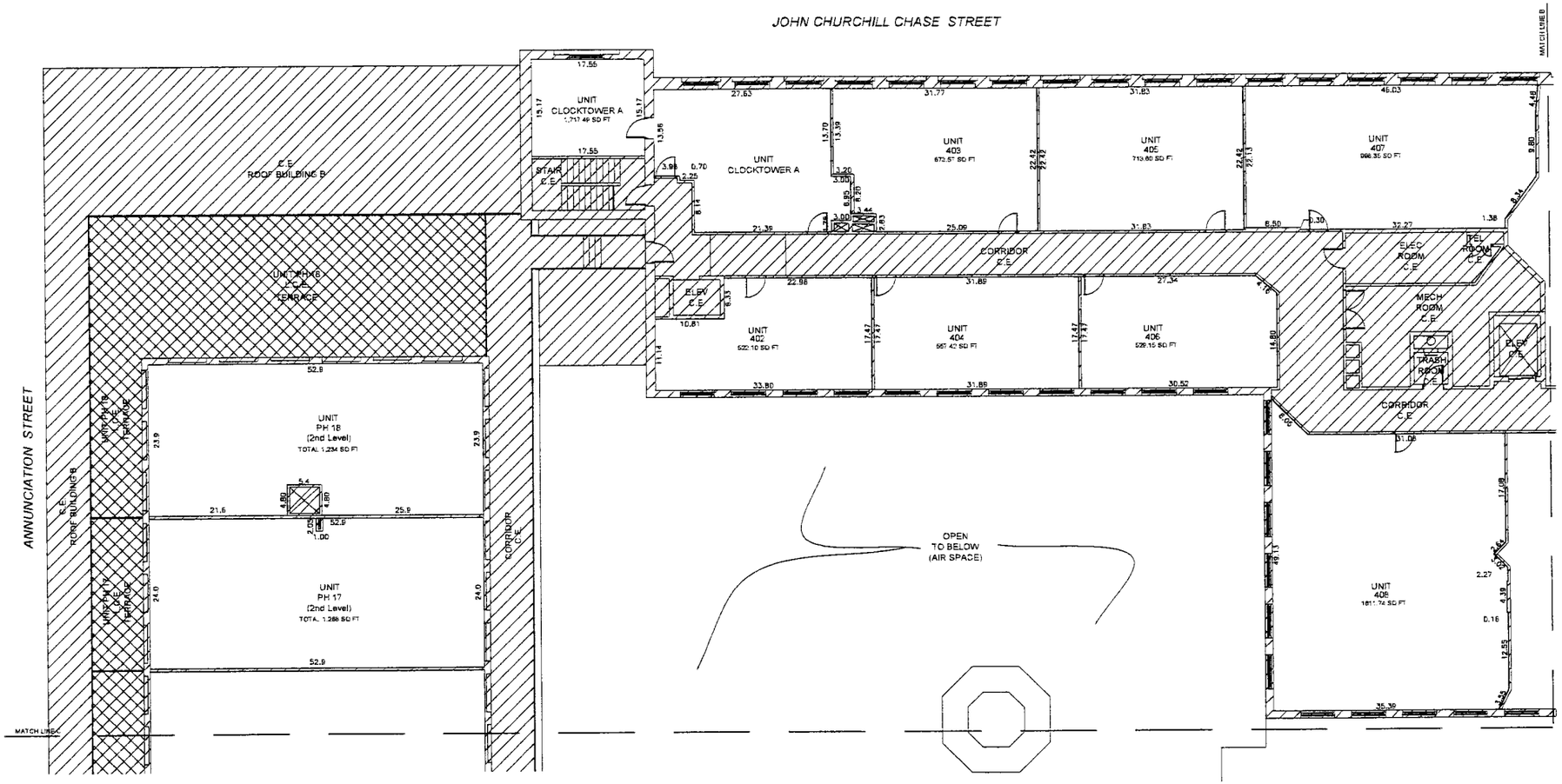
thence along the westerly right of way of Annunciation Street S13o41'45"W a distance of 265 feet 5-4/8 inches to the northwest intersection of Annunciation and John Churchill Chase Streets;

thence along the northerly right of way of John Churchill Chase Street N76o06'15"W a distance of 465 feet 7-6/8 inches to the Point of Beginning.

The improvements thereon bear Municipal No. 920 Poeyfarre Street.

PLAN_OF	1st Dist Sq 120 920 Poeyfarre Cotton Mill Condominiums
LOCATION	C13 D 7 P 2
NOTARY	2008-35599
ACTDATE	06/04/2008
DATEFILED	06/06/2008
VOLNO	
ACTPAGENO	
COB_CIN	409711
TYPEACT	Condominium Declaration 2nd Amendment
PARTIES	Cotton Mills Condominium Association, Inc
CIVENG_ARC	HCI Archtecture Inc
PROFESSION	Archtects
DRAWNBY	GCM
FIRSTDATE	04/21/2008
REV_RECERT	
JOB_DRWGNO	311
PARISH	O
DIST_BANK	1st
SQUARE_TRC	120
LOTS_SIZE	Various
FACING	Poeyfarre St
BET	Annunciation & Constance
BACKEDBY	John Churchill Chase St
TWNSHP_R_S	
ELEVATION	No
INDICATION	Yes
SPECEFFECT	
LENGTH	36
WIDTH	24
MEDIUM	blackline/paper
WATERMARK	
NOSHEETS	2
TITLENOTE	4th Floor & Roof
REPAIRED	
PROCESSED	06/23/2008
MEMO	Updated 10/11/2021
REMARKS	
SS BY	mak

EXHIBIT
E



COTTON MILL CONDOMINIUMS
920 Poeyfarre Street
New Orleans, Louisiana 70130

HRI Properties, Inc

HCI ARCHITECTURE, INC.

NO	ISSUE	DATE

DRAWN	CJL
CHECKED	
ISSUE DATE	04-21-200
PROJECT NUMBER	31
DRAWING FILE NAME	2 1

PARTIAL 4TH FLR OF BLDG A & PH B

2.19

A1 / 2.19 PARTIAL FOURTH FLOOR PLAN
1/8" = 1'-0"
NORTH

NOTE:
DIMENSIONS INDICATED ON THESE DRAWINGS WERE DETERMINED FROM FIELD MEASUREMENTS IN CONJUNCTION WITH INFORMATION FROM THE ORIGINAL CONSTRUCTION DOCUMENTS (DATED AUGUST 12, 1996) AND THEREFORE SHOULD NOT BE CONSIDERED CERTIFIED DIMENSIONS BUT INSTEAD APPROXIMATE BUILDING DIMENSIONS

NOTE:
ALL UNIT DIMENSIONS ARE FROM UNIT SIDE OF STUD TO UNIT SIDE OF STUD OF DEMISING WALLS AND FROM UNIT SIDE OF STUD OF CORRIDOR WALL TO INSIDE FACE OF EXTERIOR WALL

LEGEND
UNIT
C.E. - COMMON ELEMENT
L.C.E. - LIMITED COMMON ELEMENT

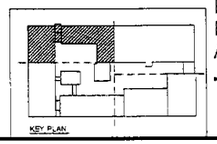
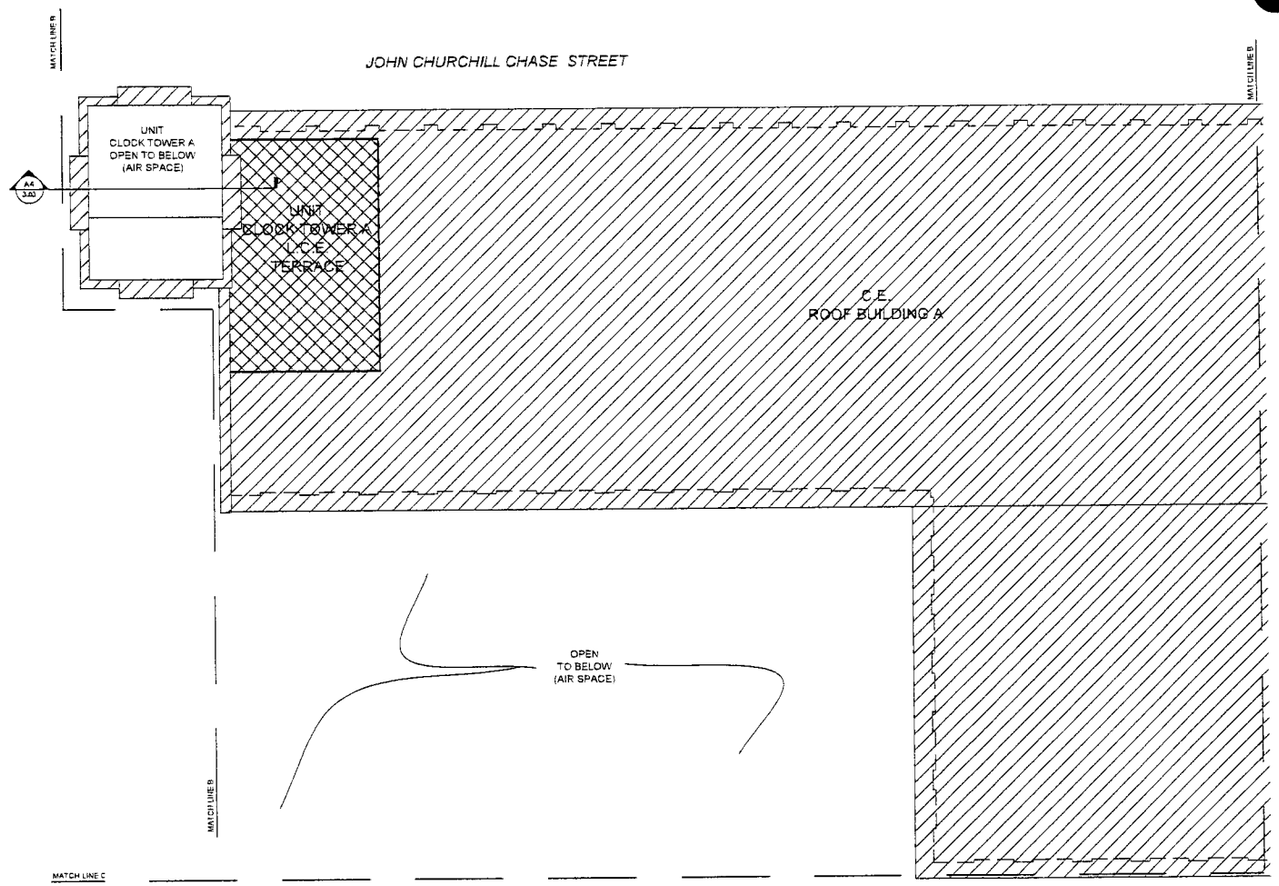

KEY PLAN

EXHIBIT
E



ANNUNCIATION STREET

COTTON MILL CONDOMINIUMS

920 Poeyfarre Street
New Orleans, Louisiana 70130

HCI
ARCHITECTURE, INC.
A PROFESSIONAL CORPORATION

NO	ISSUE	DATE

DRAWN	GCM
CHECKED	
ISSUE DATE	04-21-2006
PROJECT NUMBER	311
DRAWING FILE NAME	2.21

PARTIAL ROOF OF BLDG A

2.21

A1 / 2.21 PARTIAL ROOF PLAN
1/8" = 1'-0"

NORTH

NOTE:

DIMENSIONS INDICATED ON THESE DRAWINGS WERE DETERMINED FROM FIELD MEASUREMENTS IN CONJUNCTION WITH INFORMATION FROM THE ORIGINAL CONSTRUCTION DOCUMENTS (DATED AUGUST 12, 1996) AND THEREFORE SHOULD NOT BE CONSIDERED CERTIFIED DIMENSIONS BUT INSTEAD APPROXIMATE BUILDING DIMENSIONS

NOTE:
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LEGEND
UNIT
C.E. - COMMON ELEMENT
L.C.E. - LIMITED COMMON ELEMENT

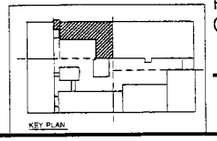
KEY PLAN

EXHIBIT G
PARTIALLY AMENDED

THE COTTON MILL CONDOMINIUMS

Unit Designation, Unit Owners Common Element Percentage of Ownership Interest and Monthly Condominium Association Assessment for Units 401, Clock Tower and Clock Tower A

Unit Description	Square Feet	% Ownership	Monthly Assessment
~~Unit 401~~	~~548~~	~~0.22%~~	~~$198.21~~
~~Unit Clock Tower~~	~~1,131~~	~~0.45%~~	~~$409.20~~
Unit Clock Tower A	1. 1,717	2. 0.67%	2. $607.41

1. Actual square footage

2. Combination of common element ownership and condominium fees for former Units 401 and Clock Tower per the Declaration

THUS DONE AND PASSED in my office in the City of New Orleans, State of Louisiana, on the date hereinabove set forth, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

Paula P. Hebert
Print Name: Paula P. Hebert

Shawn S Borne
Print Name:

Shawn S. Borne

COTTON MILL CONDOMINIUM ASSOCIATION, INC.

By: Dennis Good
Dennis Good - President

Roberta J. Christie Batherson
ROBERTA JEAN CHRISTIE BATHERSON

W M Batherson
WILLIAM M. BATHERSON

RANDY OPOTOWSKY - NOTARY PUBLIC
LA. BAR NO. 10222

F:\DOC\C\COTTON-M\DOCS\2ndAmendto2ndAmendRestDecl.doc
RO:dhw - June 3, 2008 - #4643.19

NA #: 08-35599 INST. #: 409711
TYPE: MISCELLANEOUS
AMT: $132.00
DATE: 6/6/2008 10:54:44 AM
Hon. Gasper J. Schiro
Registrar of Conveyances

fmc