

FOURTH AMENDMENT TO  
CONDOMINIUM DECLARATION OF  
CHATEAU DE MUGNIER,  
A CONDOMINIUM

UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF ST. TAMMANY

AMENDMENT TO ARTICLE I, SECTIONS 1, 17 and 18 &  
ARTICLE II, SECTIONS 1 and 2

KNOW ALL MEN BY THESE PRESENTS THAT on this 21<sup>st</sup> day of January,  
2004, before me, Donald E. Theriot, a Notary Public duly commissioned and  
qualified for the Parish of Orleans, State of Louisiana, and in the presence of the  
witnesses hereinafter named and undersigned:

PERSONALLY CAME AND APPEARED:

St. Tammany Parish 1932  
Instpmnt #: 1416861  
Registry #: 1362999 LCM  
02/18/2004 4:16:00 PM  
ME CB X MI UCC

LOUIS D. HEBBERT

(the Owner of Unit A1 of Chateau de Mugnier, A Condominium);

TONI WILSON LEDBETTER

(the Owner of Unit A2 of Chateau de Mugnier, A Condominium);

ANN KENAMOND, wife of/and BOYD L. McPHAIL

(the Owners of Unit A3 of Chateau de Mugnier, A Condominium);

ROY A. KITTE, III

(the Owner of Unit A4 of Chateau de Mugnier, A Condominium);

NANCY ELLEN MEYER

(the Owner of Unit B5 of Chateau de Mugnier, A Condominium);

CHERYL R., wife of/and ALAN C. HIGHAM

(the Owners of Unit B6 of Chateau de Mugnier, A Condominium);

VERNELL ALLEN, wife of/and ARTHUR J. GUILLOT, JR.

(the Owners of Unit B7 of Chateau de Mugnier, A Condominium);

THOMAS M. MACON

(the Owner of Unit B8 of Chateau de Mugnier, A Condominium);

DEVRY MAE SHUART

(the Owner of Unit D13 of Chateau de Mugnier, A Condominium);

JUNE ELFER, wife of/and JOHN LUCK

(the Owners of Unit D-14 of Chateau de Mugnier, A Condominium);

(collectively the "Apparers")

WHO DECLARED AS FOLLOWS:

1. That a Condominium Declaration for "Chateau de Mugnier, A Condominium" ("Condominium Declaration") was entered into by Windward Development, Inc., as "Declarant", on April 20, 1998 recorded as Instrument No. 1098778 of the official records of St. Tammany Parish, Louisiana; said Condominium Declaration having been amended by a (First) Amendment to Chateau de Mugnier Condominium Declaration ("First Amendment") dated January 26, 1999, recorded as Instrument No. 1133370 of the official records of St. Tammany Parish Louisiana; by a (Second) Amendment to Chateau de Mugnier Condominium Declaration ("Second Amendment") dated October 25, 1999, recorded as Instrument No. 1172523 of the official records of St. Tammany Parish, Louisiana; and by a (Third) Amendment to Chateau de Mugnier Condominium Declaration ("Third Amendment") dated November 21, 2001, recorded as Instrument No. 1281814 of the official records of St. Tammany Parish, Louisiana.

2. That Appearers are the owners of 100% of the Units and possess a total of 100% of the voting interests in the Chateau de Mugnier Homeowners Association, Inc.
3. By virtue of this Fourth Amendment to Condominium Declaration, Appearers intend to correct deficiencies in the description of the physical location of the condominium units.
4. Appearers do hereby further amend the "Condominium Declaration Creating and Establishing Chateau de Mugnier, a Condominium", to provide as follows:

- a. Existing Article I, Section 1, is amended to provide:

"Unit. Any one of those parts of the Condominium improvements, including one or more rooms as separately described on the attached Building Plans and Plat of Survey (**Exhibits "A" and "B"** attached hereto), as a Unit followed by a number; provided, however, that no structural components or pipes, drains, wires, conduits, ducts, flues, shafts or public utility line situated within a Unit and forming part of any system serving the other Unit or the Common Elements shall be deemed a part of said Unit."

- b. A new Article I, Section 17, is added to the Condominium Declaration, to provide:

"Buildings. The Condominium improvements consisting of three (3) buildings, located at 2075 Lakeshore Drive, Mandeville, Louisiana, as more particularly described on the Building Plans and Plat of Survey (**Exhibits "A and "B"**). The Buildings contain ten (10) Units."

- c. A new Article I, Section 18, is added to the Condominium Declaration, to provide:

"Condominium Documents or Condominium Instruments. This Condominium Declaration and the Exhibits annexed hereto as the same from time to time may be amended. Said Exhibits are as follows:

**Exhibit A -** Building Plans, including the floor plans of the Units.

**Exhibit B -** Plat of Survey.

**Exhibit C -** Articles of Incorporation of 'The Chateau de Mugnier

Condominium Association, Inc.;

**Exhibit D -** Bylaws of 'The Chateau de Mugnier Condominium Association, Inc.'"

d. Existing Article II, Section 1, is amended to provide:

"Immovable Property. Each Unit as shown on the Plat of Survey and the Building Plans (Exhibits "B" and "A" respectively, attached hereto) and together with all appurtenances hereto, and particularly its appurtenant undivided Percentage Interest in the Common Elements shall, for all purposes, constitute a separate parcel of the immovable property which may be owned in complete ownership in the same manner as any other parcel of immovable property, independently of all other parts of the Condominium Property, subject to the provisions of this Condominium Declaration."

e. Existing Article II, Section 2, is amended to provide:

"The Condominium Units. The general description and number of each Condominium Unit in the Condominium, including its perimeters, approximate dimensions, identifying number, location and such other data as may be sufficient to identify it with reasonable accuracy and certainty, is set forth on the Condominium Building Plans (Exhibit "A" hereto)."

A Unit may not be subdivided into two or more units.

f. Revised Exhibits "A" & "B" are attached hereto and made a part hereof. Said Exhibits shall be substituted for and fully replace existing Exhibits "A-1" & "A-2".

5. The parties hereto hereby confirm and ratify that "THIRD AMENDMENT TO CONDOMINIUM DECLARATION" executed on November 21, 2001 and recorded on 12/28/2001 in St. Tammany Parish Louisiana at Instrument # 1281814.

**THUS DONE AND PASSED** in the presence of the undersigned competent

witnesses, on this 23<sup>rd</sup> day of January, 2004.

Louis D. Hebert  
LOUIS D. HEBERT

Toni Wilson Ledbetter  
TONI WILSON LEDBETTER

[Signature]

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**UNANIMOUS CONSENT OF THE UNIT OWNERS OF "CHATEAU DE MUGNIER, A CONDOMINIUM" TO THE FOURTH AMENDMENT TO THE CONDOMINIUM DECLARATION**

The undersigned, representing one hundred percent (100%) of the Unit Owners of the "Chateau de Mugnier, a Condominium" and operating pursuant to Article XIII of the Condominium Declaration (the "Declaration") and Article X of its Bylaws, hereby take, affirm and ratify the following amendments to the Declaration.

WHEREAS, Article II of the Declaration, as amended by the Third Amendment to the Declaration, provides that the Condominium contains a total of 10 "Units";

NOW, THEREFORE, all of the Unit Owners hereby unanimously authorize this Fourth Amendment to the Declaration, as follows:

1. Article I, Section 1 of the Declaration styled "Unit", is amended to provide as follows:  

Unit. Any one of those parts of the Condominium improvements, including one or more rooms as separately described on the attached Building Plans and Plat of Survey (**Exhibits "A" and "B"** attached hereto), as a Unit followed by a number; provided, however, that no structural components or pipes, drains, wires, conduits, ducts, flues, shafts or public utility line situated within a Unit and forming part of any system serving the other Unit or the Common Elements shall be deemed a part of said Unit.

2. Article I of the Declaration styled "Definitions", is amended to provide a new Section 17 as follows:

Buildings. The Condominium improvements consist of three (3) buildings, located at 2075 Lakeshore Drive, Mandeville, Louisiana, as more particularly described on the Building Plans and Plat of Survey (**Exhibits "A and "B"**). The Buildings contain net useable interior space comprising the ten (10) Units.

Article I of the Declaration styled "Definitions", is amended to provide a new Section 18 as follows:

Condominium Documents or Condominium Instruments. This Condominium Declaration and the Exhibits annexed hereto as the same from time to time may be amended. Said Exhibits are as follows:

**Exhibit A** - Building Plans, including the floor plans of the Units.

**Exhibit B** - Plat of Survey.

**Exhibit C -**

Articles of Incorporation of "The Chateau de Mugnier Condominium Association, Inc."

**Exhibit D -**

Bylaws of "The Chateau de Mugnier Condominium Association, Inc."

3. Article II, Section 1 of the Declaration styled "Immovable Property", is amended to provide as follows:

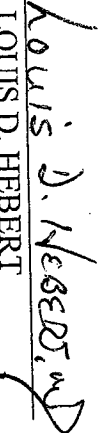
Immovable Property. Each Unit as shown on the Plat of Survey and the Building Plans (Exhibits "B" and "A" respectively, attached hereto) and together with all appurtenances hereto, and particularly its appurtenant undivided Percentage Interest in the Common Elements shall, for all purposes, constitute a separate parcel of the immovable property which may be owned in complete ownership in the same manner as any other parcel of immovable property, independently of all other parts of the Condominium Property, subject to the provisions of this Condominium Declaration.

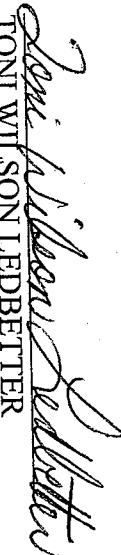
4. Article II, Section 2 of the Declaration styled "'Unit Designation'" is amended to provide:

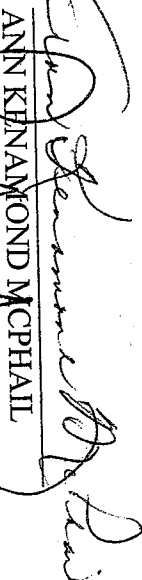
The Condominium Units. The general description and number of each Condominium Unit in the Condominium, including its perimeters, approximate dimensions, identifying number, location and such other data as may be sufficient to identify it with reasonable accuracy and certainty, as set forth on the Condominium Building Plans (Exhibit "A" hereto).

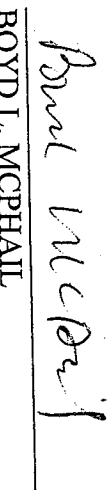
A Unit may not be subdivided into two or more units.

This Unanimous Consent of Unit Owners is dated January 28<sup>th</sup>, 2004.

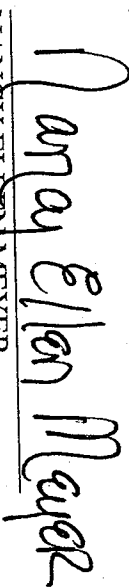
  
BY: LOUIS D. HEBERT

  
TONI WILSON LEDBETTER

  
ANN KINNAMOND MCPHAIL

  
BOYD L. MCPHAIL

  
ROY A. KITE, III

  
NANCY ELLEN MEYER

  
CHERYL R. HIGHAM

  
VERNELL ALLEN


  
THOMAS M. MACON

  
JUNE ELFER LUCK


  
ALAN C. HIGHAM

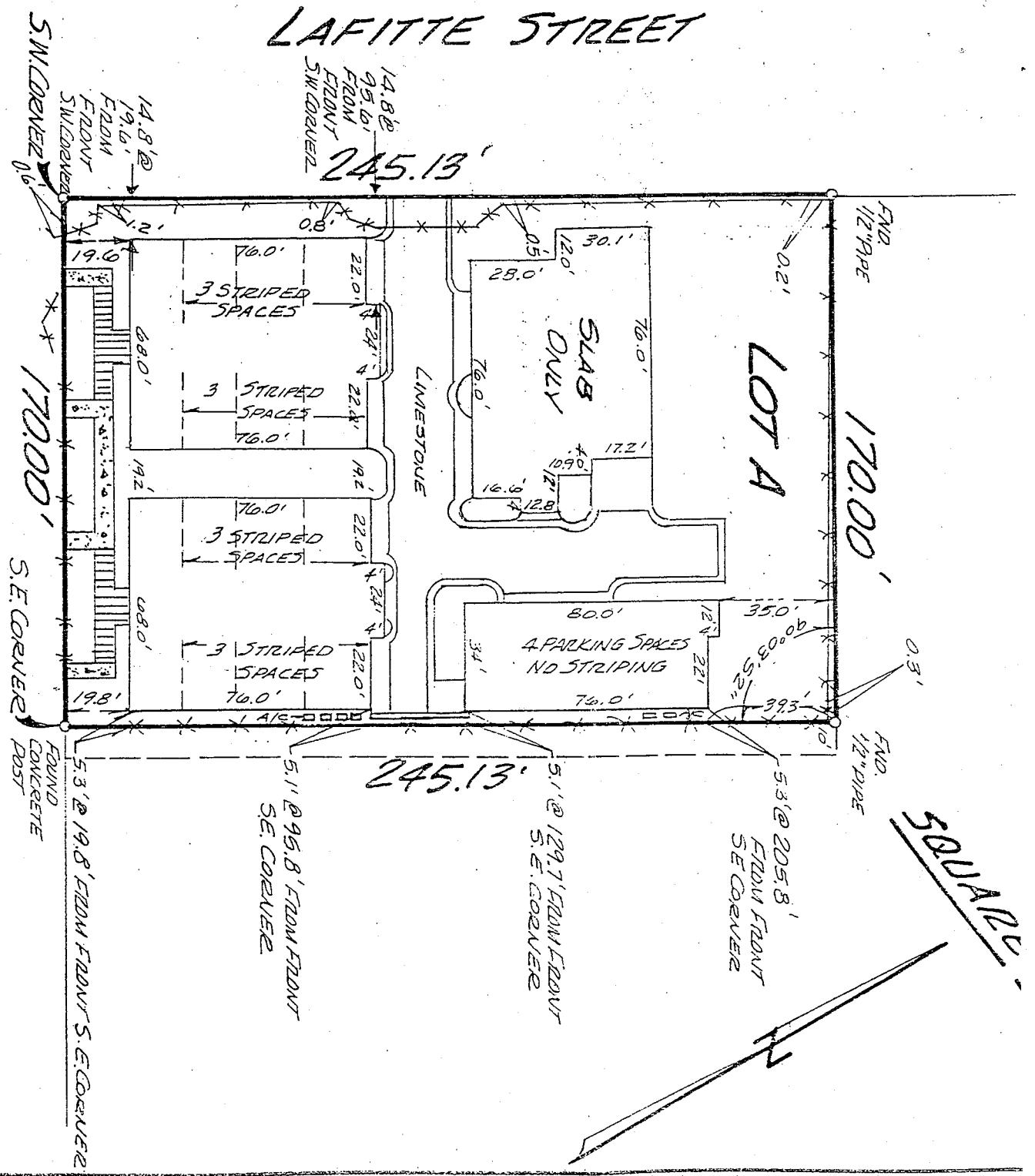
  
ARTHUR J. GUILLOT, JR.

  
DEVRY MAE SHUART

  
JOHN LUCK

The foregoing represent 100% of the Unit Owners of this Condominium.

  
By: (Print Name) Devry Stuart  
Secretary, Chateau de Mugnier Condominium Association, Inc.



ADDRESS:

CERTIFY THAT THIS PLAN REPRESENTS AN ACTUAL FOUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCROACHMENTS OF EITHER THE SUBJECT OR ADJACENT PROPERTIES EXCEPT AS SHOWN.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY. BEARINGS ARE BASED ON RECORD BEARINGS UNLESS NOTED OTHERWISE.

ENCUMBRANCES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. ENCUMBRANCES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

F.I.R.M. 220 202 0002 C  
 4/4/83  
 ZONE V-15 B.F.E. 14.0'  
 \*Verify prior to Construction with Local Governing Body

REVEY NO. 991102  
 DATE: 4-30-99

**J. V. BURKES & ASSOC., INC.**  
 2990 GAUSE BLVD. EAST, STE. B • SLIDELL, LA 70461  
 504-649-0075 FAX 504-649-0154

DRAWN BY: KB  
 SCALE: 1"=50'

USED: NO 1020799 AS BUILT 3-22-02 / OFFSETS 3-27-02

SURVEY MAP OF: A PORTION OF LOT A

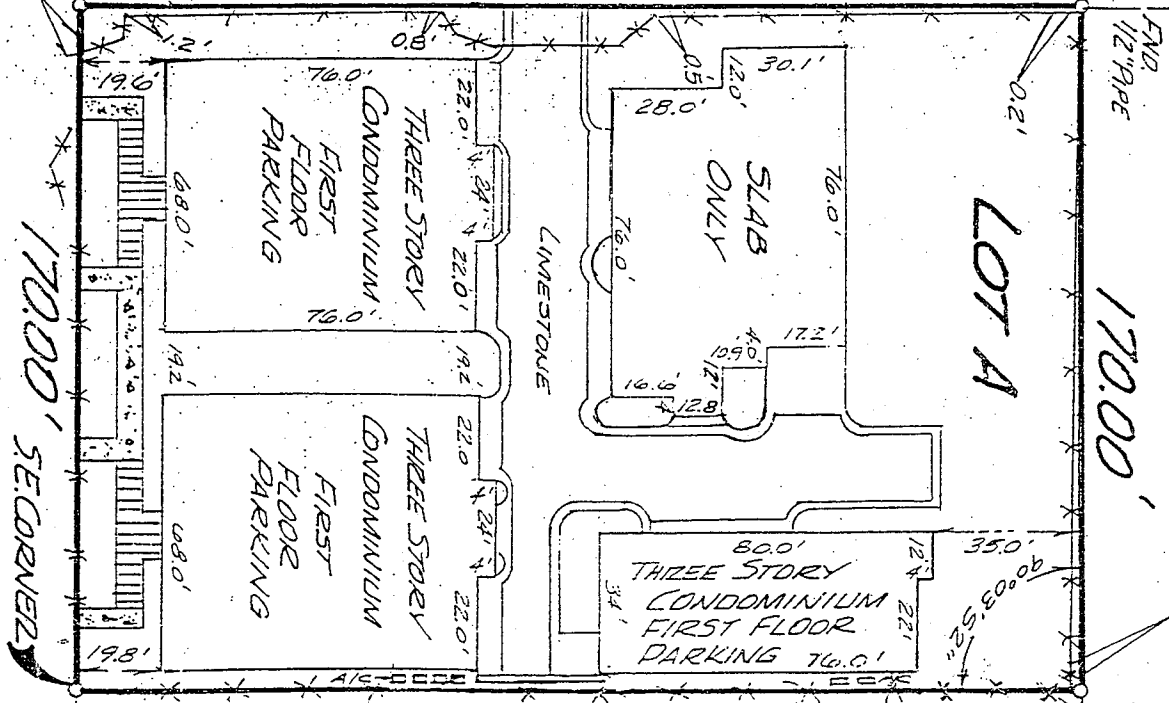


PROPOSED  
NW BLDG.  
SLAB ONLY  
ELEV. 6.9'  
AS OF 4.30-99

LAFITTE STREET

S.W. BLDG. = UNIT B  
SLAB PARKING FFE 6.9'  
BOTTOM BEAM EL. 14.9'  
1ST LIV. AREA F.F.E. 16.6'  
1ST LIV. AREA CEILING 26.6'  
2ND LIV. AREA FFE 27.9'  
2ND LIV. AREA CEILING 37.9'

LAKE STREET



SQUARE

NE BLDG. = UNIT D  
SLAB PARKING FFE 6.9'  
BOTTOM BEAM EL. 14.9'  
1ST LIV. AREA F.F.E. 16.6'  
1ST LIV. AREA CEILING 26.6'  
2ND LIV. AREA FFE 27.9'  
2ND LIV. AREA CEILING 37.9'

S.E. BLDG. = UNIT A  
SLAB PARKING FFE 6.9'  
BOTTOM BEAM EL. 14.8'  
1ST LIV. AREA FFE 16.6'  
1ST LIV. AREA CEILING 26.6'  
2ND LIV. AREA FFE 27.9'  
2ND LIV. AREA CEILING 37.9'

ADDRESS:

I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCROACHMENTS EXIST EITHER WAY ACROSS ANY OF THE PROPERTY LINES, EXCEPT AS SHOWN.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS 2 SURVEY. BEARINGS ARE BASED ON RECORD BEARINGS UNLESS NOTED OTHERWISE.

ENCUMBRANCES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. ENCUMBRANCES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

F.I.R.M. 220 202 0002

4/4/03

ZONE V-15 B.F.E. 14.0  
\*Verify prior to Construction with Local Governing Body

SURVEY NO. 991102

**J. V. BURKES & ASSOC., INC.**  
2990 GAUSE BLVD. EAST, STE. B • SLIDELL, LA 70461

DRAWN BY: *kp*

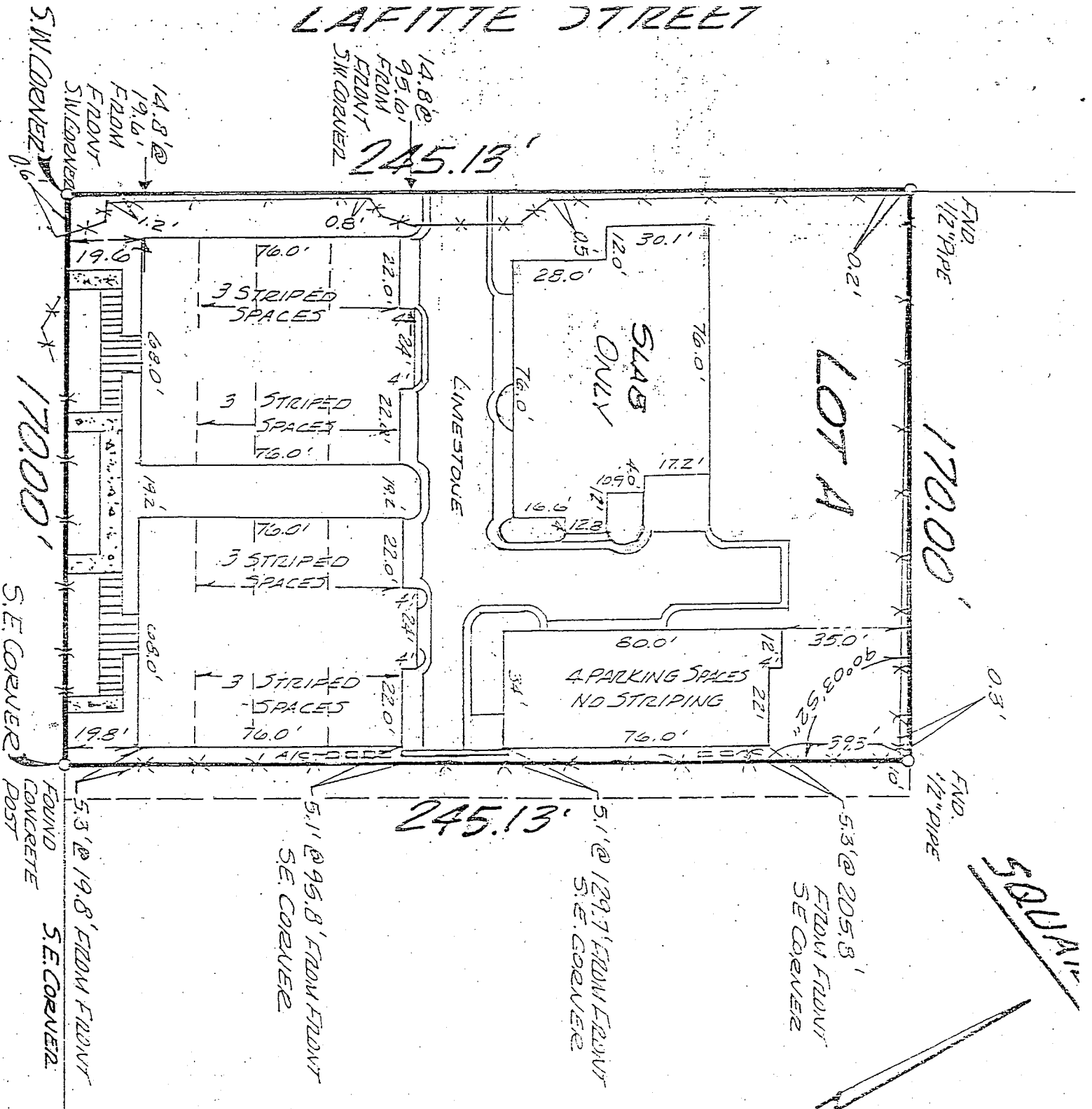
DATE: 4-30-99

504-649-0075 FAX 504-649-0154

SCALE: 1"=50'

REVISED: NO 1020799 AS BUILT 3-22-02 / OFFSETS 3-27-02 & ELEVATIONS  
NO 1020907, ELEVATIONS 4-5-02

LAFITTE STREET



ENLARGED - NOT TO SCALE  
 PARKING & SLAB

LAKE STREET

500' ±