

APPENDIX A DEFINITIONS

“Alley or Alleyway”: A vehicular passageway designed to provide secondary and/or service access to the rear of Lots. Each Alley or Alley-way is shown on the final subdivision plat for each phase of the subdivision recorded in the map file records of St. Tammany Parish Zoning.

“Alley-Loaded Lot”: A Lot which is bordered on its rear or side (which is opposite a boundary of the Lot facing a Street) by an Alley.

“Apartment”: A Multi-Family Dwelling not coinciding with an individual Lot such that the Lot is occupied by multiple residential units.

“Architectural Standards”: Standards that define, identify and discuss the various elements within the Property and the selected Architectural Typology and styles, as set forth in Article 8 and in the Design Code.

“Architectural Typology” or “Architectural Typologies”: Images and text that define major features and principle sub-types of each architectural style, described in Article 8 and in the Design Code.

“Articles of Incorporation” or “Articles” or “Restated Articles of Incorporation”: The Articles of Incorporation of an Association, as filed with the Secretary of State for the State of Louisiana, as amended and/or restated from time to time, copies of which are attached hereto as Exhibit “B-1” and “B-2”.

“Artisanal Use”: Premises used for the manufacture and sale of artifacts employing only hand-work and/or table-mounted electric tools creating none of the adverse impact listed under light industrial use.

“Assessment Lien”: The lien held by the Associations to secure the payment of their Assessments and other charges, as described in Section 12.17.

“Assessments”: Assessments levied on all Lots and Condominium Units subject to assessment under Article 12 to fund Common Expenses for the general benefit of all Lots and Condominium Units, as determined in accordance with Section 12.3. Assessments include the following charges:

a. General Assessment. The amount assessed to, and due from, all Members of the Association to meet the Association’s annual budgeted expenses and cash requirements, as described in Sections 12.3 and 12.4.

b. Neighborhood Assessment. An amount assessed to, and due from, each Owner of a Lot or Condominium Unit within a Neighborhood for special services or capital improvements within a Neighborhood, as discussed in Section 12.9.

c. Individual Lot Assessment. An amount assessed to and due from, an Owner of a particular Lot or Condominium Unit for charges relating only to that Lot or Condominium Unit, as provided in Section 12.12.

d. Service Area Assessment. Assessments levied against the Lots or Condominium Units in a particular Service Area to fund Service Area Expenses, as described in Section 12.6.

e. Special Assessment. An amount assessed to, and due from, each Owner of a Lot or Condominium Unit within a Neighborhood for capital improvements or emergency expenses, in accordance with the provisions of Section 12.10.

f. Specific Assessment. Assessments levied in accordance with Section 12.11.

“Association”: When referred to herein and unless the context so requires, Association shall individually mean the Residential Association or the Commercial Association and shall collectively mean the Residential Association and the Commercial Association, as the entities who are responsible for maintaining their respective portions of the Property in Terra Bella and enforcing this Declaration in accordance with the terms and provisions herein.

“Attic”: The storage area within the pitch of a roof. An attic shall not count against the story height of a structure.

“Automotive Use”: The selling, servicing, and/or repairing of motorized wheeled vehicles.

“Auxillary Structure”: Buildings used for uses other than housing, including without limitation, greenhouses, detached garage, garden structures, cabanas, pool house, and sheds. The architectural character of the Auxillary Structure shall match that of the principal structure.

“BTL”: Built-to-line.

“Back Lane”: A type of Street Section within Terra Bella, as described in the Design Code.

“Balustrade”: An entire railing system along the edge of a balcony, including a top rail and its balusters and, at times, a bottom rail.

“Bay”: A part of a Building that is marked-off by vertical elements.

“Bay Window”: A recessed or opening in a wall, or an extension of a Building wing.

“Bed Room”: A room in a Dwelling or Apartment. For the purpose of calculating off-street parking requirements, rooms such as studies, dens, and libraries shall be considered a Bed Room if they have an adjacent or adjoining bathroom.

“Bikeways”: Thoroughfares dedicated specifically to, or available for, bicycle use. The general network of thoroughfares, if correctly dimensioned, is generally usable by cyclists sharing lanes with motor vehicles moving slowly. Specialized accommodation is required only where the speed of traffic precludes sharing.

“Block”: The aggregate of Lots and Alleys circumscribed by public use tracks, generally Streets.

“Board of Directors” or **“Board”**: The body responsible for administration of an Association, selected as provided in the Bylaws of an Association and possessing all the powers as a board of directors generally possesses under Louisiana corporate law.

“Boulevard” or **“Avenue”**: A long-distance, free movement thoroughfare traversing an urbanized area. Also, a type of Street Section within Terra Bella, as described in the Design Code. Avenues and boulevards generally serve multiple land uses and have center medians, Street trees, sidewalks, parallel parking, and planters buffering the Buildings along the sides.

“Builder”: Any Person which purchases one (1) or more Lots for the purpose of constructing Improvements for later sale to consumers on parcels of land within the Property for further subdivision, development, and/or resale in the ordinary course of such Person’s business.

“Building”: Any Dwelling or other structure constructed on any Lot. If permitted by the Design Code and approved by the Design Review Board, a Building may be attached to another Building and share party walls.

“Building Cover”: The horizontal land area occupied by a Building at finished grade, excluding open Porches, Loggia, projections, and overhangs of less than two (2’) feet.

“Building Type Guidelines”: Plats that provide a plan view of each Building type on each Lot width within each Village Zone.

“Bus Network”: A plat of the gridded, Street system that consists of the bus route within the Property, as set forth in the Design Code.

“Business”: Any of the following uses: commercial uses, retail, professional or commercial office, public and/or private school, conference center, wholesale business, service, such as gas stations, or small, light manufacturing not imposing noxious environmental impact (e.g. noise, smoke, odor, dust, vibration, or glare).

“Bylaws”: The Bylaws of an Association, copies of which are attached hereto as Exhibits “C-1” and “C-2”, respectively, as they may be amended from time to time.

“Chamfered”: A right angle corner cut symmetrically at forty-five (45) degrees.

“Civic Building Reservation”: The systematic reservation of sites for civic Buildings. Civic sites should be associated with honored locations at plazas or Squares, or at the terminations of vistas.

“Civic Uses”: Premises used by organizations considered to support the common good and therefore accorded special treatment within TNDs. Civic Uses include educational, cultural, social, service, and religious not-for-profit organizations.

“Cladding”: Exterior surface material of a Building.

“Clapboard Siding”: A siding commonly used as an exterior covering on a Building of frame construction applied horizontally and overlapped with the grain running lengthwise which is thicker along the lower edge than along the upper edge.

“Class “B” Control Period”: The period of time during which the Class “B” Member is entitled to appoint a majority of the Board of Directors, as set forth in the Bylaws, and such other rights as described herein, more particularly described in Section 10.14, subparagraph c.

“Classical Proportions”: A series of ratios developed over the course of centuries and believed to result in pleasing proportions for Buildings and Building elements. Based on Greek and Roman principles, various systems for Classical Proportions were developed and modified through the centuries.

“Classical Orders”: The design of systems of columns and Cornices derived from Ancient Roman and Greek precedence defined by the trivialis and modified by the ages by Italian, French, and English architects. This system of columns controls the dimensions of the Cornices they carry. Columns within Terra Bella are based upon Claude Perrault’s ordinance of the five (5) types of columns: Tuscan, Doric, Ionic, Corinthian, and Composite.

“Coffee House”: A restaurant with no more than forty (40) seats or no more than six (6) full-time equivalent employees and which is open for business not more than fourteen (14) hours per day.

“Colonnade”: A roofed structure supported by columns.

“Commercial Association”: Terra Bella Commercial Owners Association, Inc., a Louisiana not-for-profit corporation, its successors and assigns, whose members are the Owners, and who is responsible for maintaining the Common Area of those portions of the Property in Terra Bella designated as commercial on the Zoning Plan and enforcing this Declaration in accordance with the terms and provisions herein, as more fully described in Section 10.3 herein. The Commercial Association may also serve as a merchant’s association as set forth in Section 10.3 herein.

“Commercial Street”: A Street appropriate for commercial Buildings at center and core zones. Trees are confined by individual planters, creating a sidewalk of maximum width, with areas accommodating Street furniture. Also, a type of Street Section within Terra Bella, as described in the Design Code.

“Commercial Use”: A general category of Building use which includes office, retail and manufacturing uses but excludes residential, lodging, and civic uses.

“Common Area”: All immovable property within Terra Bella (including, without limitation, all real rights, streets, right-of-ways and servitudes), which is not dedicated to the public, is designated for the common use and enjoyment of all Owners, which is the responsibility of an Association, and which the applicable Association owns, leases or otherwise holds possessory or use rights in for the common use and enjoyment of the Owners. Common Area shall also include any Improvements on that immovable property, all servitudes and personal property for the Owners’ common use, and any other property of any type specifically designated as Common Area. The term shall include the Exclusive Common Area, as defined below. The Common Area shall not be dedicated for use by the general public, except as set forth in this Declaration.

“Common Expenses”: The expenses incurred or anticipated to be incurred by the Associations for the general benefit of all Lots or Condominium Units, including any reasonable reserves, as their Boards may find necessary and appropriate pursuant to this Declaration, the applicable Bylaws, and the applicable Articles of Incorporation. Common Expenses shall not include any expenses incurred during the Class “B” Control Period for initial development, original construction, installation of infrastructure, original capital improvements, or other original construction costs unless approved by Voting Members representing a majority of the total Class “A” votes and by Developer, as long as Developer owns any Lots or Condominium Units. Common Expenses shall include Service Area Expenses.

“Common Roads”: The Streets and Roads located within Terra Bella which are intended for automobile traffic. Common Roads are part of the Common Area. Title to servitudes in the Common Roads may be granted, transferred and sold to the Association. Common Roads may also be dedicated, partially or in their entirety, to the Parish of St. Tammany, Louisiana by Developer or an Association. Unless otherwise indicated, Common Roads includes Streets and Roads/Parkways.

“Community”: The Subdivision of Terra Bella inclusive of the Property.

“Community Meeting”: The annual meeting of the Members as described in Section 17.3.

“Community-Wide Standard”: The standard of conduct, maintenance, or other activity generally prevailing throughout the Property, which shall not be lower than the standards established by the Joint Committee, for all Property within Terra Bella. Such standard is expected to evolve over time as development progresses and may be more specifically determined by the Board of Directors, Developer, the Design Review Board, and the board of directors of the Joint Committee.

“Condominium Unit”: A commercial or residential ownership under the provisions of LSARS 9:1121.101 et seq. for residential or commercial space upon a Lot or parcel of land. To be entitled to vote as a member of the Association, a Condominium Unit must have not less than 750 square feet of heated and cooled area within the Condominium Unit.

“Corinthian”: The most ornate of the three (3) classical orders of architecture marked by a slender fluted column having an ornate bell-shaped capital decorated with acanthus leaves.

“Corner Lot”: A Lot situated at the juncture of two (2) or more Streets.

“Cornice”: An ornamental molding at the meeting of the roof and wall, usually consisting of bed molding, soffit fascia and crown molding.

“Cottage House”: A relatively small one- or one-and-a-half Story single-family detached house on a small Lot, usually with rear-loaded parking. Cottage houses can be grouped, facing a mews, small Common Area or Green in a court. A cottage court is often, but not always, arranged in a U-shape. Lots are separated from the Common Area only by a sidewalk, path or non-vehicular way. Parking is from rear lanes, Alleys, or in a common, rear-loaded lot.

“Courtyard”: An open space surrounded by walls and Buildings measuring twelve (12') feet at its minimum depth.

“Courtyard Apartment Building”: A pedestrian-oriented equivalent to conventional garden Apartments, either for rent or for sale. A Courtyard Apartment Building is three (3) or more Stories, and can be combined with non-residential uses on the ground floor. The Building can be configured in a U-shape or open square, with parking integral to the Building, below grade, or in an open Lot to the rear. The Courtyard Apartment Building has a relatively shallow Setback from the Street; in the town center or urban locations, the structure is built to the sidewalk edge and, to provide privacy and a sense of security, the first living floor is elevated significantly above grade.

“Curb Radius”: The curved edge of the Street at an intersection measured at the inner edge of the parking lane.

“Deck”: Any wooden platform without a solid roof structure.

“Declarant”: Terra Bella Group, L.L.C., a Louisiana limited liability company, and its

successors and assigns. A Person shall be deemed a successor and/or assign of Declarant only if such Person is specifically designated in a duly recorded instrument as a successor and assign of Declarant under this Declaration, and shall be deemed a successor and assign of Declarant only as to the particular rights or interests of Declarant under this Declaration which are specifically designated by Declarant in such written instrument. However, a successor to Declarant by consolidation or merger shall automatically be deemed a successor or assign of Declarant under this Declaration.

“Dentil”: One of a series of small rectangular blocks forming an architectural molding or projecting beneath a Cornice.

“Design Code”: The document titled Terra Bella Design Code, prepared by Architects Southwest, as the same may be amended or modified from time to time pursuant to the terms of the Declaration. The initial Design Code is by this reference incorporated herein and made a part hereof.

“Design Documents”: The Design Code, Architectural Standards, and Landscape Code as set forth in Section 8.5.

“Design Review Board”: The panel established by Section 8.4 of this Declaration.

“Developable Land”: All of the real property described on Exhibit “A” to this Declaration, as it may be amended, whether or not the same has been subjected to this Declaration, exclusive of any wetlands, bodies of water, and property subject to conservation servitudes or similar servitudes requiring that it be maintained in its natural state.

“Developer”: Terra Bella Group, L.L.C., a Louisiana limited liability company, sometimes referred to herein as the Declarant, and an assignee of specific developer rights from the Developer.

“Development Right”: Any right of Developer as set forth in Article 5 of this Declaration.

“Doric”: The column and entablature developed by the Dorian Greeks, sturdy in proportion with a simple cushion capital.

“Dormers”: A structure projecting from a sloping roof usually housing a window or ventilating louver.

“Drive”: A special traditional thoroughfare serving pedestrian mobility, similar to a Street, with developed, urban character on one (1) side and natural area on the other side (such as a playa, wetland or wooded area). Auto mobility is secondary.

“Driveway”: A vehicular access way within a private Lot connecting a Garage to a thoroughfare.

“Dwelling”: Any complete Building designed or intended for use and occupancy as a

residence by a Single Family Unit.

“Eave”: The lowest overhanging part of a sloping roof.

“Edge House”: A large single-family detached house designed for an edge or Boulevard condition, often with front loaded parking. As with the Neighborhood House, the Garage, attached or detached, is set well back from the front façade.

“Exclusive Common Area”: A portion of the Common Area intended for the exclusive use or primary benefit of one (1) or more, but less than all, Lots, as more particularly described in Article 14.

“Fascia”: The wall of a Building parallel to and corresponding to a Frontage Line.

“Fence”: A closure of front, side or rear yard area on a Lot, measuring three (3') feet, six (6") inches high.

“Footprint”: The total area of a structure as measured at the ground level. When enclosed space is located above a Porch or cantilevered out from the lower floor, the Footprint of heated and cooled space shall include the enclosed space on the upper level.

“Freeze”: A plain or decorated horizontal part of an entablature between the architrave and Cornice.

“Frontage Line”: The Lot line which coincides with the Street track.

“Gable”: The vertical triangular portion of the end of a Building having a double sloping roof from the level of the Cornice or Eaves to the ridge of the roof.

“Garage”: An enclosed structure to shelter automobiles with a maximum door opening height of ten (10') feet.

“Garden Structure”: Pavilions, gazebos, harbors, Pergolas, and other similar structures no more than one (1) Story in height.

“Garden Wall”: A seven (7') foot high closure of a side or rear yard area constructed with masonry or stucco.

“Governing Documents”: This Declaration, any applicable Supplemental Declaration, the Design Code, the Bylaws of each Association, the Articles of Incorporation and/or Restated Articles of Incorporation of each Association, the Use Restrictions and Rules, and the Rules and Regulations of the Associations, as they may be amended from time to time, as more particularly described in Section 2.3 of this Declaration.

“Governmental Authority”: (i) The United States of America, (ii) the State of Louisiana, (iii) any other State of the United States of America, (iv) any political subdivision of any of the foregoing, (v) any agency, department, commission, board or bureau of any of the foregoing, and (vi) any parish, municipality, tribunal, instrumentality or court having jurisdiction over Terra Bella or any of the uses that may be made of Lots or other portions of Terra Bella.

“Green”: A medium-sized public space available for unstructured recreation, circumscribed by Building facades, its landscape consisting of grassy areas and trees, naturalistically disposed and requiring only limited maintenance. Green could include any amenities that support any intended recreational use.

“Green Street”: A type of Street Section within Terra Bella, as described in the Design Code. Green Streets have added separation via wider planting strips.

“Hipped Roof”: A roof which slopes upward from all four (4) sides of a Building requiring a hip rafter at each corner.

“Home Office”: Premises located within the Property used for the transaction of business or the provision of professional services employing no more than four (4) full-time employees, one (1) of whom must be the Owner of the Lot or Condominium Unit on which the Home Office is located, or the tenant of said Owner, conducted in accordance with the terms and provisions of this Declaration and the Design Code.

“Improvement”: Every structure and all appurtenances thereto of every type and kind, including but not limited to, Dwellings, Buildings, Outbuildings, Patios, tennis courts, swimming pools, Garages, Driveways, sidewalks, walkways, Fences, walls, garden walls, gates, screening walls, Terraces, retaining walls, Stairs, Decks, exterior air conditioning and heating units, pumps, wells, tanks and reservoirs, pipes, lines, cables, meters, towers, antennae, equipment and facilities used in connection with water, sewer, gas, electric, telephone, television or other utilities or services, and any other construction which in any way alters the exterior appearance of any Improvement; provided, however, that Improvement shall not include pipes, lines, cables, meters, equipment and facilities in connection with water, sewer, drainage, gas, electric, telephone, television or other utilities or service provider in favor of whom a utility or drainage servitude has been expressly established and granted herein.

“Institute”: The body responsible for promoting and encouraging the arts, cultural events, community events and charitable activities within Terra Bella, as set forth in Section 10.28 herein.

“Institute Board”: The Board of Directors of the Institute.

“Ionic”: The classical order of architecture designated by the Ionic Greeks, characterized by its capital with large volutes. Common features are a fasciated entablature, continuous Freeze, usually Dentils in the Cornice, elegant detailing, and less heavy than Doric.

“Joint Committee”: Terra Bella Joint Committee, as described in Section 10.6.

“Landscape Code”: That portion of the Design Code designated as Landscape Regulations or Landscape Standards, to be added to the Design Code by amendment at a later date.

“Landscape Standards”: Standards which describe landscape options and requirements that will be applied to the Common Area and private areas within the Property, to be added to the Design Code by amendment at a later date.

“Large Street”: A type of Street Section within Terra Bella, as described in the Design Code.

“Leasing”: The regular, exclusive occupancy of a Lot, Condominium Unit, or garage apartment, by any person, other than the Owner, for which the Owner receives any consideration or benefit, including, but not limited to, a fee, service gratuity, or emolument.

“Light”: An aperture through which daylight is admitted into the interior of a Building, such as a pane of glass, a window, or compartment of a window.

“Live Work Unit”: A fully residential/commercial mixed-use Building type with one (1) Dwelling above or behind a commercial space.

“Lodging Limited”: Premises of no more than eight (8) rooms for short term letting and providing food services before noon (12:00, or twelve o’clock, P.M.) only.

“Lodging Use”: Buildings providing food services and rooms for short term letting.

“Loggia”: A roofed but open Gallery or arcade along the front or side of a Building often at an upper level.

“Lot”: The smallest parcel of land which is separately platted and may be separately conveyed containing a use, held privately. Lots are designated as numbered, separately identifiable parcels on the subdivision plats filed by the Developer for Terra Bella Subdivision in the records of St. Tammany Parish, Louisiana. Developer may redefine Lots by combining Lots or portions of Lots and by adjusting the boundary of a Lot. Special Use Parcels shall be considered Lot. A Commercial Lot subject to assessment may be assessed based on the square footage of the building or Condominium Unit constructed upon a Lot.

“Lot Line”: The boundaries that legally and geometrically demarcate the edges of Lots held in private ownership and intended primarily for the construction of Buildings.

“Lot Width”: The dimension of the Frontage Line (the Lot boundary that coincides with the principal fronting thoroughfare).

“Main Body”: The largest part of the front Fascia. It includes the front door of the house.

“Main Street”: A type of Street Section within Terra Bella, as described in the Design Code.

“Mansion Apartment Building”: A small-scale, two- (2) or three- (3) Story Apartment Building, often with a street façade resembling a large detached house.

“Master Plan”: The land use plan for the development of Terra Bella community as a Traditional Neighborhood Development under the PUD Ordinance, which plan includes the Property described on Exhibit “A” and any other immovable property which Developer may from time to time anticipate subjecting to this Declaration. Inclusion of property on the Master Plan shall not, under any circumstances, obligate Developer to subject such property to this Declaration, nor shall the exclusion of property described on Exhibit “A” from the Master Plan bar its later annexation in accordance with Article 4.

“Meeting Hall”: A Building equipped by design for public assembly.

“Member”: A Person entitled to membership in an Association, as provided in Section 10.13. A Member shall also mean an Owner.

“Mortgage”: A mortgage, security agreement, financing agreement, assignment, deed of trust, deed to secure debt, or any other form of security instrument affecting title to a Lot or Condominium Unit.

“Mortgagee”: An (i) institutional or governmental holder of a Mortgage which makes, holds, insures or guarantees Mortgage loans in the ordinary course of its business, (ii) any Person which holds a mortgage encumbering a Lot or Condominium Unit as collateral security for the performance of an obligation, or (iii) any Person which otherwise holds a lien or encumbrance burdening or otherwise encumbering a Lot or Condominium Unit.

“Multi-family Residential”: Any Dwelling structure consisting of more than one (1) Dwelling unit.

“Muntin”: A secondary framing member to hold panes within a window, window wall, or glazed door.

“Narrow Street”: A type of Street Section within Terra Bella, as described in the Design Code.

“Natural Area”: Waterways, wetlands, and nature preserves to be preserved and perpetuated.

“Neighborhood”: A portion or portions of the Property within a Village, as described in Section 10.15.

“Neighborhood House”: A two- (2) story single-family detached house relatively close to the Street with attached, detached, or open parking, whether rear-loaded or not, set well back from the façade.

“Neighborhood Proper”: The built-up area of a TND including Blocks, Streets, Squares, and Parks.

“Office (Home)”: Premises used for the transaction of business or the provision of professional services employing no more than four (4) full-time employees, one (1) of whom must be the principal owner, renter, or occupant.

“Office (Corporate Use)”: Premises used for the transaction of business or the provision of professional services with a maximum Building Footprint of 25,000 square feet and a maximum of three (3) Stories in height.

“Office (Limited)”: Premises used for the transaction of business or the supply of professional services employing no more than eight (8) employees at any time.

“Ogee Gutters”: A double curve formed by a union of a convex and concave line resembling an S-shape.

“One-Story Dwelling”: A structure whose maximum height is no greater than thirty-five (35) feet above the center of the Street in front of a Dwelling.

“Open Space”: Area free of Buildings that, together with a well-designed system of thoroughfares, provides a public realm at all scales of urbanism, from the region to the Block.

“Open Space Network”: A plat that delineates the Common Area within the Property and identifies planned amenities.

“Out Building or Outbuilding”: A separate Building additional to the principal Building, continuous with the rear Lot Line of a maximum of two (2) Stories, and having a maximum Building Footprint of 550 square feet. Outbuildings do not count against maximum Building cover restrictions or Lot counts.

“Out Looker”: A member which projects and supports that part of the roof construction beyond the face of a Gable.

“Overhead Connector”: A walk, Deck, or similar structure that connects a Dwelling with an Outbuilding or Garden Structure at any level other than the first floor.

“Owner”: One (1) or more Persons who hold the record title to any Lot or Condominium Unit, but excluding in all cases any Person (i) holding an interest merely as security for the performance of an obligation, or (ii) holding a mortgage, lien or other encumbrance burdening or encumbering any Lot or Condominium Unit. An Owner shall also mean a Member.

“Park”: An outdoor public tract naturalistically landscaped, not more than ten (10%) percent paved and surrounded by the Frontage Line of Lots on at least fifty (50%) percent of its perimeter. Parks may contain wetlands and could include any amenities that support any intended recreational use.

“Park Drive (One Way)”: A type of Street Section within Terra Bella, as described in the Design Code.

“Park Drive (Two Way)”: A type of Street Section within Terra Bella, as described in the Design Code.

“Patio”: A hard-surfaced area without a solid roof structure.

“Pedestrian Walkways”: A plat which depicts Pedestrian Walkways, as set forth in the Design Code.

“Pediment”: A wide, low pitched Gable surrounding the Fascia of a Grecian-styled Building.

“Pergola”: An open aired Garden Structure with a trellis roof.

“Person”: Any natural person, corporation, limited liability company, partnership, trustee, joint venture, association, joint stock company, trust, unincorporated organization, Governmental Authority, government or any agency or political subdivision thereof, or any other form of entity.

“Phasing Plan”: A plan that indicates the planned development sequence of the Property.

“Porch, Gallery, or Veranda”: A covered outdoor area attached to a Dwelling.

“Portal”: A large and imposing doorway entrance or gate.

“Portico”: A walkway or Porch with a roof supported by columns, often at the entrance of a Building.

“Preserve”: A designation applied to areas intended never to be urbanized.

“Primary Residence”: The primary Dwelling structure on a Lot.

“Privacy Fence”: A garden wall approval by the design Review Board.

“Private”: That which is neither public nor civic.

“Private Amenities”: Certain real property and any Improvements and facilities thereon located adjacent to, in the vicinity of, or within the Property, which are privately owned and operated by Persons other than an Association for recreational and related purposes, on a club membership basis, use fee basis, or otherwise.

“Property”: The real property described in Exhibit “A”, together with such additional property as is subjected to this Declaration in accordance with Article 4.

“PUD Ordinance”: The planned unit development zoning assigned by St. Tammany Parish for Terra Bella Subdivision as set forth in Ordinance Calendar Series 05-1105 adopted by St. Tammany Parish on May 5, 2005, as amended.

“Raised Basement”: A semi-underground storage serving to raise the principal floor level no more than five (5) feet above the sidewalk. A Raised Basement shall not count against the Story height limitations.

“Reservations” shall have the meaning set forth in Section 2.2.

“Reserve”: A designation applied to areas intended for temporary preservation until release for urbanization. A release is the process of redesignating reserved land for urbanization according to established criteria.

“Residential Association”: Terra Bella Residential Owners Association, Inc., a Louisiana not-for-profit corporation, its successors and assigns, whose members are the Owners, and who is responsible for maintaining the Common Area of those portions of the Property in Terra Bella designated as residential on the Zoning Plan and enforcing this Declaration in accordance with the terms and provisions herein, as more fully described in Section 10.2 herein.

“Road/Parkway”: A type of Street Section within Terra Bella, as described in the Design Code.

“Rules and Regulations”: The Rules and Regulations of an Association, as promulgated by its Board of Directors and as the same may be amended or modified from time to time, as more particularly described in its Bylaws.

“Service Area”: Two (2) or more Lots or Condominium Units to which an Exclusive Common Area is assigned, as described in Article 14, or which receive benefits or services from the applicable Association which are not provided to all Lots or Condominium Units. A Lot or Condominium Unit may be part of more than one (1) Service Area, and Service Areas may overlap.

“Service Area Committee”: A committee established in accordance with the applicable Bylaws to act as a liaison between the applicable Board and the Owners of Lots or Condominium Units within a particular Service Area.

“Service Area Expenses”: The actual or estimated expenses incurred or anticipated to be incurred by the applicable Association for the benefit of the Owners and occupants of Lots or Condominium Units within a particular Service Area. Common Expenses shall include Service Area Expenses.

“Setback”: The placement of a Building or other structure from the property line of a Lot to the exterior of a wall. Roofs are permitted to overhang the Setback requirement by twenty-four (24”) inches except where the Setback is zero (0’) feet. Setback requirements for Building types are set forth in Article 7 of this Declaration.

“Shared Parking”: Where day, night, or weekday/holiday schedules allow for the use of parking spaces by more than one (1) user such as with meeting halls, religious Buildings, and Dwelling retail combinations.

“Side-Yard Setback”: The minimum distance from the side property line of a Lot adjacent to another Lot or public right-of-way to any part of the Dwelling or ancillary structure on the Lot.

“Single Family Dwelling”: A Dwelling consisting of one (1) Dwelling unit occupied by a Single Family unit.

“Single Family Unit”: One (1) or more persons related by blood, adoption or marriage, or not more than two (2) unrelated persons, living and cooking together as a single housekeeping unit.

“Special Use Parcel”: A Lot of unconventional size, shape, location or use which calls for special design considerations.

“Square”: An outdoor public tract spaciouly defined by its surrounding Buildings as a room that is defined by its walls, and adjacent to Streets on at least two (2) sides. Squares shall be partially paved and surrounded by shop front use or row house use Lots on at least sixty (60%) percent of its perimeter. One-third (1/3) of the sixty (60%) percent may be substituted by a natural spacial border such as a water front for at least one (1) side. Commercial uses shall be permitted on all of the surrounding Lots.

“Stairs” are for the purpose of accessing floors or levels beyond the first floor.

“Stoops” or **“Steps”** are for the purpose of accessing the first floor or level.

“Story”: A habitat level within a Building no more than fourteen (14’) feet in height from finished floor to finished ceiling.

“Street”: A local, slow-movement thoroughfare suitable for general, center and core zones, as shown in the Design Code. Motor vehicle mobility is vital, but subordinate to pedestrian mobility. In low volume areas requiring very distinct speed control, yield Streets are specified where two (2) opposing vehicles meeting would require one to slow and pull aside.

“Street Edge”: A masonry wall, wood Fence, or hedge no less than fifty (50%) percent opaque built along the Frontage Line between three (3’) and five (5’) feet in height. Any wall, Fence, or hedge built between the Frontage Line and a point even with the nearest enclosed edge of a Dwelling may be of no greater height than the Street Edge. The percent opaque shall be calculated including all openings.

“Street Lamps”: A light standard between eight (8’) and fourteen (14’) feet in height equipped with an incandescent or metal halide light source approved by the Design Review Board.

“Street Sections”: Plats which depict various Street types, as set forth in the Design Code, including but not limited to Avenue, Boulevard, Main Street, Large Street, Road/Parkway, Narrow Street, Park Drive (two-way), Park Drive (one-way), Green Street, Back Lane (private), and Commercial Street.

“Street Vista”: The view framed by Buildings at the termination of the axis of a Street.

“Street Wall”: A masonry or wood wall no less than seventy-five (75%) percent opaque built along the Frontage Line and between six (6’) and fourteen (14’) feet in height. Any opening must be gated. The percent opaqueness shall be calculated including all openings.

“Terra Bella”: All property which is now or hereafter made subject to this Declaration or any Supplemental Declaration.

“Terra Bella Group, L.L.C.”: Terra Bella Group, L.L.C., a Louisiana limited liability company, or any successor, successor-in-title or assign who is assigned any of the rights, duties, responsibilities and obligations of Terra Bella Group, L.L.C., as Declarant of this Declaration and Developer of Terra Bella, pursuant to a recorded instrument executed by the immediately preceding successor, successor-in-title, or assign to those rights, duties, responsibilities and obligations, but only to the extent of such assignment.

“Supplemental Declaration”: An amendment or supplement to this Declaration filed in the public records of St. Tammany Parish, Louisiana, by Developer or an Association, for such purposes as this Declaration may provide.

“Synopsis”: The Synopsis contained within the Design Code, together with all amendments and supplements to said Synopsis as may be hereafter adopted.

“Terrace”: An upper level outdoor living area without a solid roof.

“Thoroughfare Standards”: A set of plats which assemble and depict vehicular and pedestrian travel ways, as set forth in the Design Code, and which consist of the Vehicular Network, Street Sections, and Pedestrian Walkways.

“Three-story Dwelling”: A Dwelling consisting of three (3) floors including parking below whose height exceeds twenty-two (22’) feet.

“Through Street”: Through Streets may provide primary access to and/or border but not pass through a Neighborhood Proper. Where Through Streets border or pass through a Neighborhood Proper, there shall be a sidewalk between the Frontage Line and the Street lanes a sidewalk of not less than six (6’) feet, at least one (1) lane of parking, at least one (1) ten (10’) foot travel lane, and a planted area with Trees planted no further than fifty (50’) feet apart. Through Streets will generally be constructed in accordance with the applicable existing road and street regulations as supplemented by the Terra Bella Street plat.

“Tower”: A small room, Porch, or Deck which protrudes from the maximum height allowed for a residence.

“Townhouse”: A residential Dwelling attached to a similar Dwelling.

“Tract”: A separately platted portion of land containing a use held in common.

“Transom”: A small hinged window above another window or door, or the horizontal cross piece to which such a window is hinged.

“Tree (Shade)”: A deciduous tree of wide canopy resistant to root pressure of proven viability in the region with no less than a four (4”) inch caliper and an eight (8’) foot clear trunk at the time of planting.

“Tree (Street)”: A deciduous tree resistant to root pressure of proven viability in the region with no less than a four (4”) inch caliper and an eight (8’) foot clear trunk at the time of planting.

“Two-story Dwelling”: A structure with two [2] finished floors and whose height exceeds twelve (12’) feet above the first floor.

“Urban Regulating Standards”: The standards consisting of the Master Plan and the Zoning Plan, as amended and/or supplemented from time to time, that defines the various zones within the Property and directly relates to and bears influence on the Urban Regulations and Frontage Standards, Building Type Guidelines, Phasing Plan, and Open Space Network, as set forth in the Design Code. These standards are also set forth in Article 7 of this Declaration.

“Urban Regulations and Frontage Standards”: Text and diagrams which regulate private Buildings which affect the public realm, as set forth in the Design Code.

“Use Restrictions and Rules”: The initial use restrictions and rules of the Associations adopted by the Boards of Directors of the Associations set forth in Article 6 of this Declaration, as they may be supplemented, modified, amended and repealed in accordance with this Declaration.

“Utility Alcove”: A utility niche located on Lots, intended for use by public utilities.

“Utility Easements”: Those portions of Terra Bella depicted or labeled on the subdivision plans for Terra Bella Subdivision recorded by the Developer in the records of St. Tammany Parish, Louisiana, or on any plat submitted as part of any Supplemental Declaration, as “utility easement”, “utility easm’t”, “utility servitude” or any similar words suggesting that such areas have been reserved for use in conjunction with any such public or private utility or service system.

“Vehicular Network”: A plat of the Street system which consists of all Streets and rear lanes within the Property, as set forth in the Design Code.

“Village”: Any of several areas, comprised of one (1) or more Neighborhoods, into which the Property is divided for the purpose of electing directors to the applicable Board of Directors, as more particularly described in Article 17 or, if the context so indicates, the group of Owners whose Lots comprise such Village.

“Village Center”: The dense multifunctional commercial and live work social condenser of a Neighborhood. It is usually at a central location, within walking distance of the surrounding, primarily residential areas.

“Village Edge”: The least dense, most purely residential sector of the Neighborhood outside of the Village Center.

“Village General”: The sector that is mixed in function, but principally residential. It has a generalized character, and is usually the largest area of the Neighborhood.

“Village House”: A one-and-a-half- (1 ½) or two- (2) Story single-family detached house on a small Lot, often with rear-loaded parking. Parking must be rear-loaded on Lots narrower than fifty (50') feet.

“Village Zones”: Village Center, Village General, and Village Edge, as set forth in the Design Code.

“Voting Member”: The representative selected by the Members within each Neighborhood to be responsible for casting all votes attributable to Lots and Condominium Units in the Neighborhood on matters requiring a vote of the membership (except as otherwise specifically provided in this Declaration and in the applicable Bylaws). The term “Voting Member” shall include alternate Voting Members acting in the absence of the Voting Member and any Owners authorized to personally cast the votes for their respective Lots or Condominium Units pursuant to Article 10.

“Work”: Any construction, erection, alteration, addition, renovation or removal of Improvements on any Lot or Condominium Unit other than routine maintenance and repairs of existing Improvements.

“Zoning Plan”: The proposed land use for the Property approved by St. Tammany Parish is set forth on a Plat by Architects Southwest dated December 10, 2004, attached to St. Tammany Parish Zoning Ordinance No. ZC-04-10-083.

Additional Definitions. Additional definitions for some terms used in the Design Code are included as part of the Design Code. In addition, unless the context otherwise requires or specifies, the words and phrases defined in this Declaration, when used in the Design Code, shall have the meanings specified for those words and phrases, whether or not such words or phrases are capitalized when used in the Design Code.

General. All terms used in this Declaration and/or in the Design Code, to the extent not

defined in this Declaration, shall, if those are terms used in the architectural profession and/or the construction industry, have those meanings generally described to those terms within the architectural profession. The fact that a word or phrase is defined in this Declaration does not mean that such word or phrase has been used, or was intended to be used, in this Declaration or in the Design Code; definitions may have been included in anticipation of the future use of such words or phrases in amendments to this Declaration, the Design Code, the Landscape Code, and/or the use of such words or phrases in Supplemental Declarations.