

Greenback Forest

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Feb 14, 1959

Original Filing

Orig 16 Bds 4378

FHA FILE - S-1062

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

BEFORE ME, the undersigned authority, duly qualified and commissioned within and for the Parish and State aforesaid, and in the presence of the undersigned competent witnesses, personally came and appeared:

- BLANCHE JOLISSAINT RODNEY,
- ELIZABETH RODNEY THOMAS,
- JEROME MARTIN RODNEY,
- JOHN MASON RODNEY,
- CHARLES BENNETT RODNEY,
- NATHANIEL RODNEY JACKSON, and
- CLAIRE RODNEY DELAVILLE,

hereinafter sometimes called "Subdividers", all of legal age and residents of the Parish of East Baton Rouge, Louisiana, the said Blanche Jolissaint Rodney, Elizabeth Rodney Thomas, Jerome Martin Rodney, John Mason Rodney, Charles Bennett Rodney, and Nathaniel Rodney Jackson appearing herein through and represented by Claire Rodney Delaville, by virtue of a Power of Attorney, a certified copy of which is hereto attached, who, acting individually and in her said representative capacity, declared:

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That subdividers are the owners of Lots SEVENTY SEVEN (77) through ONE HUNDRED FORTY NINE (149), both inclusive, of GREENBACK FOREST Subdivision, which said lots and subdivision are shown in detail in maps and final plats filed and recorded as Original _____, Bundle _____, of the Conveyance Records of the Parish of East Baton Rouge, Louisiana.

Appearer declared that acting individually and in her representative capacity, as aforesaid, for and on behalf of subdividers, she has and does by these presents establish the following building restrictions to run with the title to the land for the benefit of the aforesaid lots in Greenback Forest Subdivision, to be binding upon all present and future owners of said lots and enforceable by the present and any future owners thereof, which said building restrictions are as follows, to-wit:

1. The said lots Seventy Seven (77) through One Hundred Forty Nine (149), inclusive, are hereby designated as residential lots and no building may be erected, placed or permitted to remain on any one of them other than one detached single family dwelling not to exceed two and one-half (2½) stories in height, and private garage for not more than three cars.

2. ~~NO BUILDING SHALL BE ERRECTED OR PLACED ON ANY OF SAID LOTS~~ and no existing building shall be altered until the ~~CONSTRUCTION~~ plans and specifications and a plan showing the location of the ~~same~~ have been submitted to and approved by the Architectural Control Committee provided for hereinafter, as to quality of workmanship and materials, harmony of external design with existing structures and as to location with respect to topography and finished grade elevations.

No fence or wall shall be erected or placed on any lot nearer to any street than the minimum setback line unless similarly approved.

3. No dwelling of any type whatsoever shall be permitted on any lot unless it conforms to the following minimum requirements:

(a). Single story and split level residences with two bedrooms shall have a minimum of fourteen hundred (1400) square feet of floor area enclosed.

(b). Single story and split level residences with three bedrooms or more shall have a minimum of fifteen hundred (1500) square feet of floor area enclosed.

(c). Two story residences with two bedrooms shall have a minimum of twelve hundred fifty (1250) square feet of floor area enclosed on the ground floor, and,

(d). Two story residences with three or more bedrooms shall have a minimum of fourteen hundred (1400) square feet of floor area enclosed on the ground floor.

No part of any open porch, garage, or carport, shall be considered "enclosed" for the purpose of these requirements.

The Architectural Control Committee in its discretion may waive minor deviations from the requirements of (a), (b), (c) and (d) above if deemed for the best interest of the subdivision.

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4. Servitudes for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

5. No building shall be located nearer to the front property lines than sixty (60) feet and, except as hereinafter specifically provided, no nearer to the side property lines than ten (10) feet.

Lots One Hundred Fourteen (114), One Hundred Fifteen (115), and One Hundred Sixteen (116) may be nearer than ten (10) feet to the side property line, but shall not be nearer than ten (10) feet on the bedroom side or eight (8) feet on the other side of the building.

6. No noxious or offensive activity whatsoever shall be permitted on any lot nor shall anything be done thereon which may constitute a nuisance or annoyance.

For the purpose of these restrictions, the keeping of animals, other than dogs and cats, the raising of poultry and other fowl, the permanent or temporary parking of house trailers and the continuous practice of parking automobiles overnight on the street, shall constitute nuisances and are prohibited.

7. There shall be no resubdivision of lots into smaller building sites than as shown on the official plat.

8. No garage apartment shall be erected, placed or allowed to remain on any lot except as an appurtenance to a residence and such garage apartment shall be occupied only by domestic servants of the occupants of said residence.

9. No structure of a temporary character and no trailer, basement, tent, shack, garage, barn, or other outbuildings shall be located upon or used on any lot at any time as residences, either temporary or permanent.

10. No building may be occupied or used as a dwelling or residence before the external walls and roof have been covered and finished with a material generally accepted in this area as a finish material. Wood, where used as a part of the external wall or roof,

shall not be considered a finished material until it is covered with paint, varnish or stain. Material such as building insulation, felt or paper shall not be used as a finish material, nor shall roll siding or imitation brick or stone-marked asphalt roll siding be used as a finish material, nor shall roll roofing be used as a finish material either on the external walls or roof of a residence. No garages may be constructed out of corrugated galvanized iron.

11. No building shall be used as a residence unless and until there has been constructed such a sewerage disposal plant or septic tank as will meet the requirements of the State and Parish Boards of Health. Construction of septic effluent disposal systems shall be supervised by the Parish Board of Health. No septic effluent shall be discharged into roadside drains or ditches.

12. An Architectural Control Committee to be composed of Nathaniel Rodney Jackson, Claire Rodney Delaville, and Charles Bennett Rodney is hereby created and shall have jurisdiction as hereinafter set out. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor its designated representatives, shall be entitled to any compensation for services performed pursuant to this covenant. At any time, the then record owners of a majority of the lots shall have the power through a duly recorded written instrument to change the membership of the Committee or to withdraw from the Committee or restore to it any of its powers and duties.

13. The Committee's approval or disapproval as required in these covenants shall be in writing. A failure on the part of the Committee to act in any case does not constitute a waiver of the restrictions and covenants running with the title to the land and such restrictions and covenants shall remain in full force and effect and shall be enforceable by any party in interest. In the event a proposed improvement is disapproved by the Committee or any

violation of these restrictions occurs and continues after notice is given by the Committee, the Architectural Control Committee shall thereupon be charged with the duty of filing in the Mortgage Records of the Parish of East Baton Rouge a notice setting forth in detail the nature of the violation of these restrictions and covenants, the name of the property owner on whose lot such violation is occurring and a description of the lot involved. The Committee is similarly authorized and empowered and directed to file a notice of termination of such violation of the restrictions. The filing of or the failure to file said notice shall have no effect on the right of the Architectural Control Committee or any party in interest to bring suit for enforcement of said building restrictions and covenants running with the title to the land in any action authorized by law. It is the intention of this restriction and this paragraph that in order to protect market values of property affected thereby and in order to protect against substandard improvements and insure orderly development, the Architectural Control Committee be fully authorized, vested, empowered and directed to take the action herein provided for. No member of the Architectural Control Committee shall be personally liable for the enforcement of the aforesaid restrictions or for any action taken or not taken by the said Committee in the carrying out of any of the duties of the said Committee as provided for under the foregoing restrictions.

14. No used dwelling, building or structure shall be moved into the subdivision, it being the intention of this covenant to require that all dwellings and structures be constructed on the lot site. This restriction shall not prohibit use of "new" prefabricated housing units but it does specifically apply to "house moving" of old homes, or structures of any kind into the subdivision. Violation of this restriction is hereby recognized to be gravely deleterious to property values in the area and any party violating this restriction by movement of an "old" or "used" home or new or old structure or part thereof assembled outside the sub-

division to any of aforesaid lots, shall in addition to all other remedies at law including the payment of damages in such amount determined by judgment of court does hereby agree to pay all court costs and attorney fees or party in interest bringing such enforcement proceedings in an amount not to exceed \$10,000.00.

15. No signs of any description shall be erected and displayed on any lot of the subdivision except signs used for the purpose of indicating an offer to sell or rent land or other immovable property of the subdivision.

16. These covenants and restrictions are to run with the land and shall be binding on all parties and all persons claiming under them for a period of fifty (50) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part. In any case where a minor technical and inadvertent violation of these restrictions has occurred, the Architectural Control Committee is hereby authorized and empowered to amend these restrictions where such deviation from the terms hereof will not invalidate the enforcement of these restrictions throughout the remaining areas subject hereto, provided the written approval of such amendment correcting such minor and inadvertent error is approved in writing by the owners of contiguous lots.

17. No trash, garbage or refuse of any description shall be thrown into or allowed to accumulate in the drainage ditches.

18. No school, church building, assembly hall, fraternal group home or similar structure shall be built or permitted on said lots.

19. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean

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and sanitary condition.

20. No lot, whether occupied by residences or not, shall be used for the storing of building materials, grading equipment, bulldozers, tractors, and the like, except when construction on such lot is actually in progress.

21. No oil or gas well drilling operations shall be conducted on any of said lots and no storage tanks, separators, christmas trees, pipes, etc. used in the production of oil or gas shall be maintained, stored, kept, or allowed to remain on any of said lots.

22. Gas meters shall not be installed at a distance greater than two feet from the house.

23. The invalidity of anyone of these covenants by final judgment of court of competent jurisdiction, shall in no wise affect any of the other covenants which shall remain in full force and effect.

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WITNESSES:

David H. Emselle

Claire Rodney Delaville
CLAIRE RODNEY DELAVILLE,
Individually, and as Agent and
Attorney in Fact

Leo Delaville

SWORN TO AND SUBSCRIBED before me, on this, the 14th day of February, 1959.

Harvey DeGeorge
NOTARY PUBLIC

FILED FOR RECORD

APR 1 11 33 AM '59

RECORDED L. & B. R.
CON BK 1425 FOL 219
REC. BK. 1425 FOL 219

Additional
Copy of ~~Instrument~~ and recordation
information was provided by Mr
Emselle

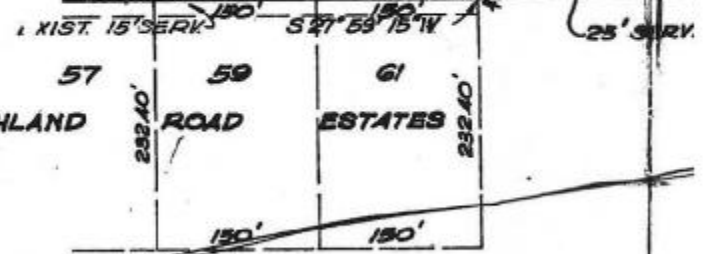
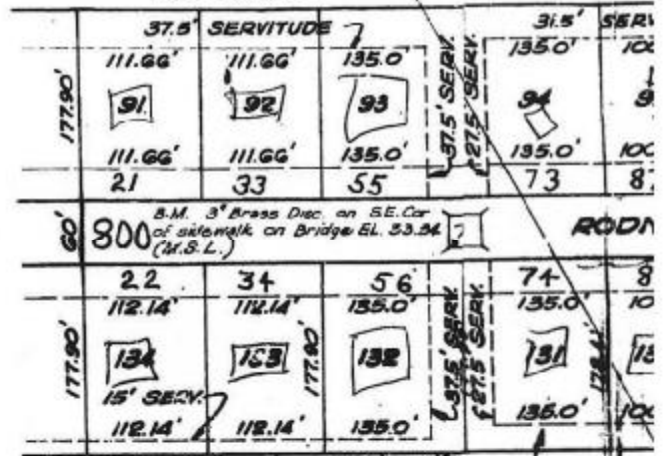
FIRST PILING

R 59 7

RODNEY

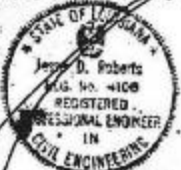
N 27° 59' 15" E 4349.81'
27.5' SERV.

215'



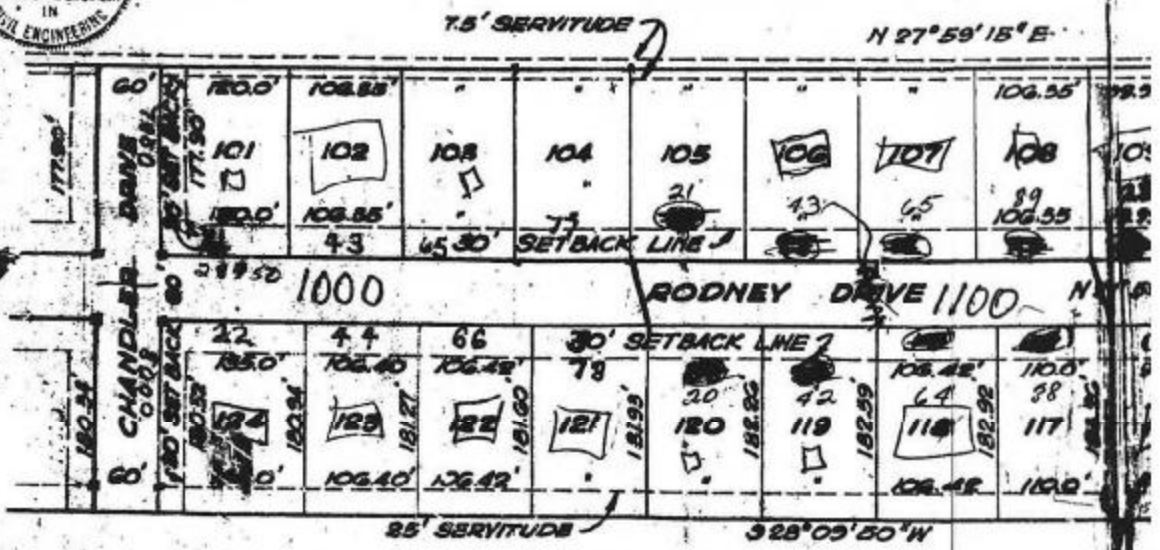
ALBERT HART DRIVE

CERTIFICATION
 THIS IS TO CERTIFY THAT THIS PLAT REPRESENTS AN
 ACTUAL SURVEY THAT CONFORMS TO THE
 STATE OF MISSISSIPPI FOR 1957, AND THAT ALL
 ANGLES ARE PLACED AT ALL CORNERS.



BY Jesse D. Roberts
 JESSE D. ROBERTS
 DATE July 4, 1957

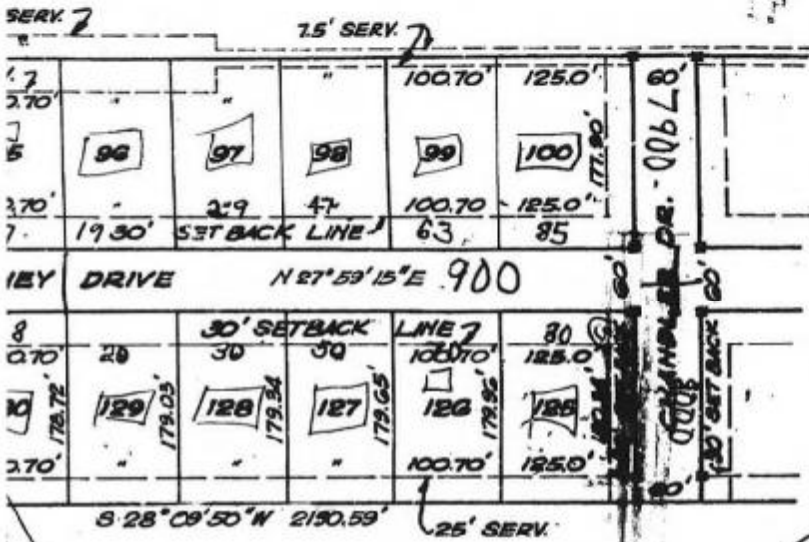
RODNEY PROPERTY



PROPERTY OF A. HART

GREENBACK FOREST

73 L.M. FOR FLOOD PROPERTY



RECOMMENDED FOR APPROVAL
DEPT. OF PUBLIC WORKS
EAST BATON/RODNEY DELAVILLE

BY Ray Burgess
RAY BURGESS - ENGINEER
DATE 2-16-59

PROPERTY OF
ALBERT HART

DEDICATION:

THIS IS TO CERTIFY THAT THE SERVITUDES AND RIGHTS-OF-WAY SHOWN ON THIS
PLAN ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER
PURPOSES INCLUDING DRAINAGE, REMOVAL OF DEBRIS, AND MAINTENANCE OF
IT IS FURTHER STIPULATED THAT THE DRAINAGE SYSTEM SHALL BE MAINTAINED
CULVERTS WHICH HAVE RECEIVED A SPECIAL PERMIT FROM THE ENGINEER DEPARTMENT
OF PUBLIC WORKS, OR FENCES SHALL BE CONSTRUCTED AND MAINTAINED WITHIN
THE SERVITUDE AND/OR RIGHT-OF-WAY. THE PLANTING OF TREES AND/OR SHRUBS
THE LIMITS OF THE SERVITUDE AND/OR RIGHT-OF-WAY IS PROHIBITED.

BY: Claire Rodney Delaville DATE Feb. 9, 1959
CLAIRE RODNEY DELAVILLE

APPROVED
PLANNING COMMISSION
EAST BATON/RODNEY DELAVILLE

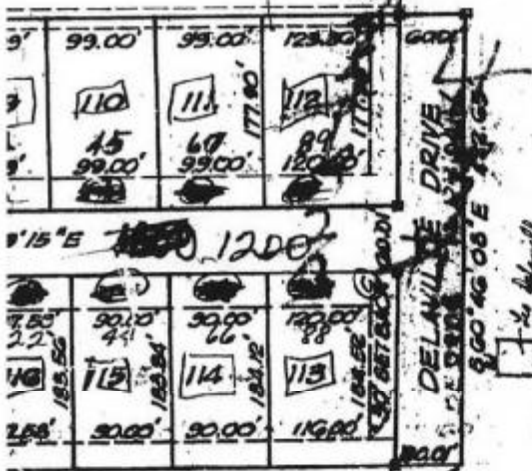
BY Richard A. ...
RICHARD A. ...

DATE 2-16-59

PROPERTY OF
CLAIRE RODNEY
DELAVILLE

Pipes may be installed at ...
only, after approval by the Dept.
of Public Works

FIRST FILING
GREENBACK FOREST SUBDIVISION



P. 436

SHEET 2 OF 2

SUBURBAN STANDARD