

**FIFTH AMENDMENT TO  
DECLARATION OF COVENANTS & RESTRICTIONS FOR  
EAGLE'S LANDING SUBDIVISION  
ASCENSION PARISH, LOUISIANA**

*Ben*  
DEPUTY CLERK & RECORDER

CERTIFIED TRUE COPY BY

BE IT KNOWN, that on the date set forth below, before me the undersigned Notary Public and competent witnesses, personally came and appeared:

DEPUTY CLERK  
SLIPPRTO2

*1cc*

**D.R. HORTON, INC. – GULF COAST**, a Delaware corporation whose address is 4306 Miller Road, Suite A, Rowlett, TX 75088, appearing herein through its undersigned duly authorized representative (hereinafter referred to as **"Declarant"**),

who did declare as follows:

WHEREAS, (i) **LOTS 1 THROUGH 96 & TRACTS CA-1 THROUGH CA-6, EAGLES LANDING SUBDIVISION, FIRST FILING**, located in Sections 20 and 37, T8S-R3E, Southeastern Land District, East of the Mississippi River, Ascension Parish, Louisiana, as shown on "Final Plat of Eagles Landing Subdivision First Filing - Lots 1-96 & Tracts CA-1 thru CA-6" prepared by Baton Rouge Land Surveying dated April 3, 2013, recorded August 1, 2013 at Conveyance Instrument No. 00831674 and August 16, 2013, at Conveyance Instrument No. 00832829 in the records of Ascension Parish, Louisiana, (ii) **LOTS 97 THROUGH 126, 153 THROUGH 174, 224 THROUGH 235 & TRACT CA-7, EAGLES LANDING SUBDIVISION, SECOND FILING-PHASE 2A AND THIRD FILING-PHASE 3A**, located in Sections 20 and 37, T8S-R3E, Southeastern Land District, East of the Mississippi River, Ascension Parish, Louisiana, as shown on "Final Plat of Eagles Landing Subdivision Second Filing-Phase 2A and Tract CA-7 & Third Filing-Phase 3A" prepared by Baton Rouge Land Surveying dated June 15, 2016, recorded July 14, 2016, at Conveyance Instrument #00902275, records of Ascension Parish, Louisiana, and (iii) **LOTS 127 THROUGH 152, 175 THROUGH 223, TRACT EL-2B & TRACT EL-3B, EAGLES LANDING SUBDIVISION, SECOND FILING-PHASE 2B AND THIRD FILING-PHASE 3B**, located in Sections 20 and 37, T8S-R3E, Southeastern Land District, East of the Mississippi River, Ascension Parish, Louisiana, as shown on "Final Plat of Eagles Landing Subdivision Second Filing-Phase 2B, Third Filing-Phase 3B, & Tracts EL-2B and EL-3B" prepared by Baton Rouge Land Surveying dated January 25, 2018, recorded February 2, 2018, at Conveyance Instrument #00941267, records of Ascension Parish, Louisiana are subject to that certain Declaration of Covenants & Restrictions for Eagle's Landing Subdivision Ascension Parish, Louisiana, made by D.R. Horton, Inc. – Gulf Coast, dated August 19, 2013 and recorded as Instrument No. 00833467 in the records of Ascension Parish, Louisiana, as amended by that certain First Amendment to Declaration of Covenants & Restrictions for Eagle's Landing Subdivision Ascension Parish, Louisiana, dated March 25, 2014 and recorded April 2, 2014 at Instrument No. 00847352 in the records of Ascension Parish, Louisiana, by that certain Second Amendment to Declaration of Covenants & Restrictions for Eagle's Landing Subdivision Ascension Parish, Louisiana, dated July 22, 2016 and recorded July 25, 2016 at Instrument No. 00903101 in the records of Ascension Parish, Louisiana, by that certain Third Amendment to Declaration of Covenants & Restrictions for Eagle's Landing Subdivision Ascension Parish, Louisiana, dated October 6, 2017 and recorded October 12, 2017 at Instrument No. 00934552 in the records of Ascension Parish, Louisiana, and by that certain Fourth Amendment to Declaration of Covenants & Restrictions for Eagle's Landing Subdivision Ascension Parish, Louisiana, dated March 12, 2018 and recorded March 20, 2018 at Instrument No. 00944144 in the records of Ascension Parish, Louisiana (collectively, the **"Declaration"**); and

WHEREAS, pursuant to Article 15.5.6 of the Declaration, Declarant has the right, during the Development Period (as defined in the Declaration), to unilaterally amend the Declaration for any reason; and

COB: 980359; Page: 1; Filed: 10/14/2019 12:00:00AM [ascension:]

WHEREAS, this Fifth Amendment is being made during the Development Period and Declarant desires to hereby amend the Declaration as hereinafter provided.

NOW THEREFORE, Declarant does hereby amend the Declaration as follows:

1. Section 7.5 of the Declaration is hereby amended and restated in its entirety as follows:

7.5. MANAGING AGENT. During the Development Period, the Board may delegate the performance of certain functions of the Association to one or more managing agents or homeowners association management companies (each, a “**Managing Agent**”). After the Development Period, the Board shall hire and appoint a Managing Agent to carry out the duties of the Association, including but not limited to: (1) enforcing the Community Documents, (2) supervising, maintaining, and repairing Common Areas and all property maintained by the Association in accordance with the Declaration, (3) managing the administrative affairs of the Association, and (4) any other duties of the Board or Association contemplated under the Community Documents or Declaration and delegated by the Board to the Managing Agent. The Board shall ensure that the Managing Agent has the following insurance coverage in the associated amounts (at a minimum):

1. General Liability Insurance: \$2,000,000.00
2. Crime Policy (with Cyber): \$500,000.00
3. Errors and Omissions: \$1,000,000.00
4. Business Automobile: \$1,000,000.00
5. Workers Compensation: \$1,000,000.00

Notwithstanding a delegation of its functions, the Board is ultimately responsible to the Members for governance of the Association.

2. The following is hereby added to the Declaration as an additional Section 7.8:

7.8. LANDSCAPING AND COMMON AREA UPKEEP. After the Development Period, the Board shall maintain a landscape service contract with a landscaping company for the landscaping of all Common Areas, including but not limited to the land surrounding the entry feature. The Board shall ensure that any such landscaping company has the following insurance coverage in the associated amounts (at a minimum):

1. General Liability Insurance (With Ongoing Operations Endorsement):

\$2,000,000 General Aggregate  
\$1,000,000 Products and Completed Operations Aggregate  
\$1,000,000 Each Occurrence

2. Workers Compensation:

\$500,000 Each Accident General Aggregate  
\$500,000 Disease – Policy Limit  
\$500,000 Disease – Each Employee

3. Business Automobile:

\$500,000 Combined Single Limit

COB: 980359; Page: 2; Filed: 10/14/2019 12:00:00AM [ascension: ]

-OR-

\$500,000 Bodily Injury per Accident  
\$500,000 Bodily Injury per Person  
\$500,000 Property Damage

3. Section B.7(a) of Exhibit B to the Declaration is hereby amended and restated in its entirety as follows:

B.7. FENCES.

(a) This Section B.7 is subject to the Architectural Reviewer's right to adopt additional or different specifications for construction or reconstruction of fences. The height of fences must be between 4 feet and 8 feet. Fences must be made of masonry, wood, or other Architectural Reviewer-approved material. Any portion of a fence that faces a street, alley, or Common Area must have a "finished side" appearance. Retaining walls must be constructed entirely with Architectural Reviewer-approved materials, however railroad ties may not be used for a retaining wall visible from a street. Fences may not be constructed nearer than five (5') feet from the front edge of a dwelling's foundation, and in no event may fences be constructed between the front of a dwelling and the street. Fences may not be constructed on any Common Area. The use of barbed wire and chain link fencing is prohibited. The use or application of a stain that cures in a solid color or paint is prohibited. Wood fences may be left in their natural state. No wood fence may be stained to alter the fence color from a natural wood color. Without prior approval of the Architectural Reviewer, clear sealants may be applied.

4. The Declaration, as amended hereby, is hereby ratified and confirmed.

[SIGNATURE PAGE TO FOLLOW]

COB: 980359; Page: 3; Filed: 10/14/2019 12:00:00AM [ascension: ]

THUS DONE AND SIGNED by Declarant at Denham Springs, LA, on the 08th day of October, 2019, in the presence of the undersigned Notary Public and competent witnesses.

Declarant:

**D.R. HORTON, INC. - GULF COAST**

**WITNESSES:**

Lindsay Jendryk  
Sign above and print name below:  
Lindsay Jendryk

Molly Darouse  
Sign above and print name below:  
Molly Darouse

By: [Signature]  
Name: Adam Kurz  
Title: Ass. V. P.

[Signature]  
Notary Public  
Printed Name: JENNIFER J. MILLER #88349  
LSBA or Notary No.: 88349



**Jennifer J. Miller**  
Louisiana Notary Public #88349  
Parish of Livingston  
Statewide Jurisdiction  
My Commission is for Life

END OF DOCUMENT-APCC