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041

FOURTH AMENDMENT TO CONDOMINIUM *
DECLARATION OF AVANT GARDE, *
A CONDOMINIUM *

UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF JEFFERSON

BE IT KNOWN, that on this 25th day of January, in the year of our Lord one thousand nine hundred and eighty-three,

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified, in and for the State and Parish aforesaid, and in the presence of the undersigned competent witnesses:

PERSONALLY CAME AND APPEARED:

8302903
FILED FOR RECORD
1/25/83 11:58 A.M.

DONALD C. OSTER & ASSOCIATES, INC., a corporation organized under the laws of the State of Louisiana, and domiciled in the Parish of Jefferson, herein represented by its undersigned officer, Myself, authorized by virtue of a resolution of the Board of Directors, and whose mailing address is P. O. Box 1935, Kenner, Louisiana, 70063, (hereinafter referred to as "Appearer"), who declared as follows:

CLERK OF COURT
PARISH OF JEFFERSON, LA
1/25/83 13:00

WHEREAS, Appearer and his assigns are the owners of certain real estate situated in the City of Kenner, Parish of Jefferson, State of Louisiana more fully described as follows:

ONE CERTAIN TRACT OF LAND, together with all the buildings and improvements thereon, all rights, ways, privileges, servitudes, and appurtenances thereunto belonging or in anywise appertaining, situated in the CHATEAU ESTATES, CITY OF KENNER, in the PARISH OF JEFFERSON, STATE OF LOUISIANA, in that part thereof designated as PHASE I, of LOT X-2. Said tract of land commences N 74 degrees 43 minutes, 46 seconds, W a distance of 310 feet from the corner of Holly Heights Drive and along the South right-of-way line of West Esplanade Avenue to the point of beginning. Thence along the South right-of-way line of West Esplanade Avenue N 74 degrees, 43 minutes, 46 seconds W a distance of 70 feet to a point; thence S 15 degrees, 16 minutes, 14 seconds W a distance of 120 feet to a point; thence N 86 degrees, 06 minutes, 21 seconds W a distance of 36.12 feet to a point; thence S 03 degrees 59 minutes, 39 seconds, W a distance of 52.34 feet to a point; thence N 86 degrees 06 minutes 21 seconds W a distance of 8.74 feet to a point; thence S 03 degrees 59 minutes, 39 seconds a distance of 210 feet to a point; thence S 86 degrees 06 minutes 21 seconds, E a distance of 33.74 feet to a point; thence S 03 degrees 59 minutes, 39 seconds W a distance of 51.68 feet to a point; thence S 86 degrees 06 minutes, 21 seconds E a distance of 70 feet to a point; thence N 03 degrees 59 minutes, 39 seconds E a distance of 15 feet to a point; thence S 86 degrees, 06 minutes, 21 seconds E a distance of 80.51 feet to a point; thence S 03 degrees, 59 minutes, 39 seconds W a distance of 222 feet to a point on the West right-of-way line of Holly Heights Drive. Thence N 03 degrees, 53 minutes, 39 seconds, E along the West right-of-way

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line of Holly Heights Drive along a curve to the right having a radius of 1530.95 feet a distance of 177.67 feet to a point, thence N 74 degrees, 43 minutes, 46 seconds W a distance of 142.21 to a point; thence N 29 degrees, 43 minutes, 46 seconds W a distance of 25.46 feet to a point; thence N 70 degrees, 37 minutes, 11 seconds, W a distance of 138.43 feet to a point; thence N 29 degrees, 43 minutes, 46 seconds W a distance of 23.92 feet to a point; thence N 15 degrees, 16 minutes, 14 seconds E a distance of 105 feet to the point of beginning. Phase I is bounded by Holly Heights Drive, West Esplanade Avenue, Greater Holly Heights, Section 1 and Ole Miss Drive.

WHEREAS, by Declaration Creating and Establishing Condominium Property Regime executed on March 17, 1982, registered on March 18, 1982, in the Conveyance Office of the Parish of Jefferson, State of Louisiana, in COB 1021, folio 817, Appearer submitted the above described real estate, together with all buildings and improvements and other permanent fixtures of whatsoever kind thereon, and all rights and privileges belonging or in anywise appertaining thereto to the provisions of the Louisiana Condominium Act (LSA R.S. 9:1121, et seq.); and

WHEREAS, Appearer and his assigns are the owners of certain real estate situated in the City of Kenner, Parish of Jefferson, State of Louisiana, more fully described as follows:

ONE CERTAIN TRACT OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, and appurtenances thereunto belonging or in anywise appertaining, situated in CHATEAU ESTATES, CITY OF KENNER, in the PARISH OF JEFFERSON, STATE OF LOUISIANA. Said tract of land commences N 74 degrees, 43 minutes, 46 seconds, W a distance of 380 feet from the corner of Holly Heights Drive and along the south right-of-way line of West Esplanade Avenue to the point of beginning. Thence along the south right-of-way line of West Esplanade Avenue N 74 degrees 43 minutes, 46 seconds W a distance of 195 feet to a point; thence N 86 degrees 6 minutes, 21 seconds W a distance of 31.05 feet to a point; thence S 03 degrees, 53 minutes, 39 seconds W a distance of 155.98 feet to a point; thence S 86 degrees 6 minutes, 21 seconds E a distance of 198.61 feet to a point; thence N 15 degrees 16 minutes 14 seconds E a distance of 120 to the point of beginning. All as more fully shown on survey by Sterling Mandle, Land Surveyor, dated January 6, 1983, a copy of which is attached hereto and made a part hereof.

AND APPEARER, hereby irrevocably commits said above described property to the Condominium Regime as created and established by the aforesaid Declaration, hereby integrating said property as an added Common Element property, made subject hereby to the condominium regime. Further,

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Instrument: 88-02903

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Appearer desires to amend and supplement the aforesaid Declaration as contained by its original terms, particularly with respect to Article 12, Paragraph 1, Subparagraph (B) thereof and further with respect to Article 12, Paragraph 2, thereof;

NOW THEREFORE, Appearer hereby declares that contrary provisions exhibited in the original Declaration notwithstanding, the actual location and dimensions of the units, common elements and limited common elements for the property hereinabove described, and containing among other improvements Building 4, are as shown on the "as built" plat of survey by William G. Mandle, Land Surveyor, dated January 6, 1983, a copy of which is attached hereto and made a part hereof.

The foregoing notwithstanding, Appearer hereby reserves the right to add to said property above described additional improvements and/or amendments by further amendment to the Declaration.

THUS DONE AND PASSED in my office in Jefferson Parish on the day of the month and year herein first above written, in the presence of the undersigned competent witnesses and me, Notary, after reading of the whole.

WITNESSES:

DONALD C. OSTER & ASSOCIATES, INC.

Thomas T. Siebenman

BY: Donald C. Oster, Jr.
DONALD C. OSTER, JR.
VICE PRESIDENT

Francis R. Mayne

George L. Gibbs
GEORGE L. GIBBS, NOTARY PUBLIC