

1029707

FIRST AMENDMENT TO  
CONDOMINIUM DECLARATION  
OF  
AVANT GARDE, A CONDOMINIUM

UNITED STATE OF AMERICA  
STATE OF LOUISIANA  
PARISH OF JEFFERSON

BE IT KNOWN, that on this 20 TH day of September in the year of our Lord  
One Thousand Nine Hundred and eighty-two,

BEFORE ME, the undersigned Notary Public, duly authorized by statute, in  
and for the State and Parish aforesaid, and in the presence of the undersigned competent  
witnesses:

EP 20 2 1 05' \* \* \* 3.00  
EP 20 3 1 06' \* \* \* 3.00

PERSONALLY CAME AND APPEARED:

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, duly authorized by virtue of a resolution  
of the Board of Directors, ~~attached hereto~~, and whose mailing address is Post  
Office Box 1935, Kenner, Louisiana 70063, (hereinafter referred to as  
"Appearer"), who declared as follows:

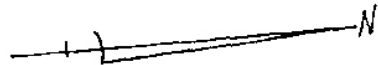
WHEREAS, Appearer and his assigns are the owners of certain real estate  
situated in the City of Kenner, Parish of Jefferson, State of Louisiana, more fully described  
as follows:

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 145 feet to a point; thence S 86 degrees, 06 minutes, 21 seconds E 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 line of Holly Heights Drive to a point; thence continue along the West right-  
of-way 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 I and Ole Miss Drive.

WHEREAS, by Declaration Creating and Establishing Condominium Property  
Regime excuted 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 desires to amend and supplement the aforesaid Declaration  
C. O. B. 1021, COB 1021, Filed in Cabinet in Conveyance Office

PHASE I AND SUB - PHASE I OF PHASE II OF LOT X-2  
AVANT GARDE  
AT CHATEAU ESTATES  
KENNER,  
JEFFERSON PARISH, LA.

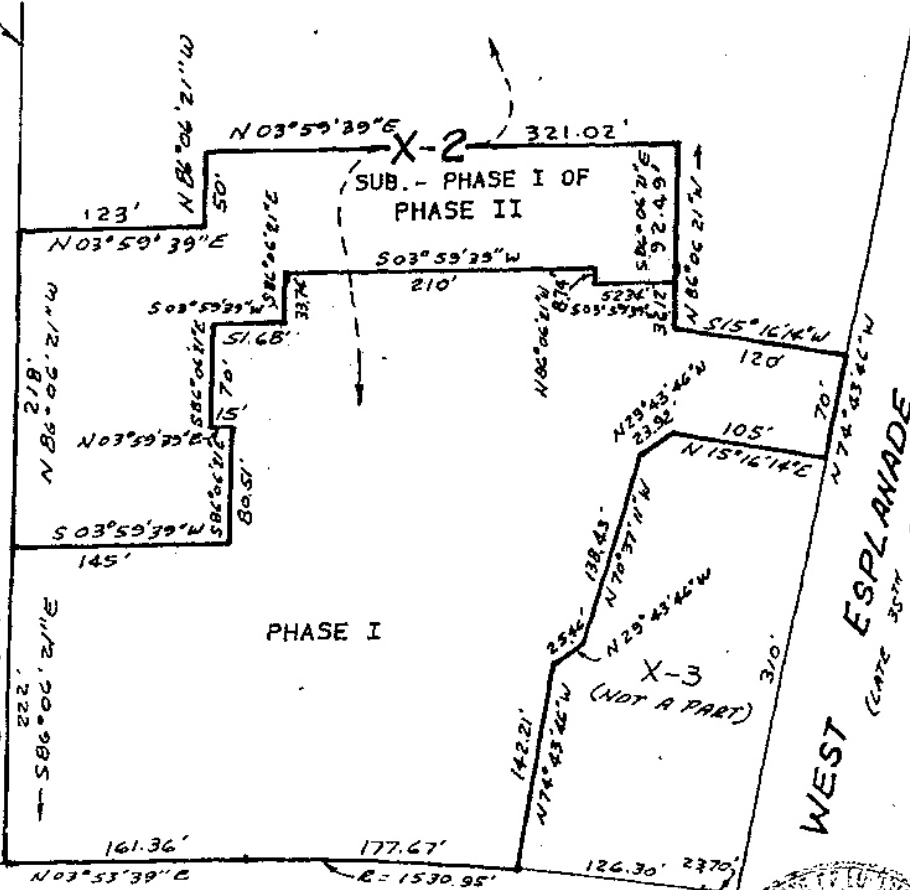


NE VARIETUR

For identification with an Act of *Condominium 2*  
*Declaration* passed before me this  
*20th* day of *July*, *82*  
*Andrew J. Mandle*  
NOTARY PUBLIC

OLE MISS DRIVE (SIDE)

GREATER HOLLY HEIGHTS, SECTION 1



HOLLY HEIGHTS DRIVE



AUGUST 18, 1982 CERTIFIED CORRECT PHASE II TO  
DON OSTER & ASSOCIATES, INC.

MARCH 4, 1982

SURVEY CERTIFIED CORRECT TO DON OSTER & ASSOCIATES, INC.

NOTE: IMPROVEMENTS NOT SHOWN.  
SCALE: 1" = 100'

MANDLE SURVEYING, INC.

BY

*Sterling E. Mandle*

LAND SURVEYORS METAIRIE, LA

1029707

as contemplated by its original terms, particularly with respect to Article XII, Paragraph 1, subparagraph (b) thereof and further with respect to Article XIII, paragraph 2., thereof;

NOW THEREFORE, Appearer hereby declares that, contrary provisions and exhibits in the aforesaid original Declaration notwithstanding, the actual location and dimensions of the Units, Common Elements, and Limited Common Elements, composing Phase I of Avant Garde, A Condominium are as shown on the "as built" plat of survey by Sterling Mandle, dated March 4, 1982, revised and recertified September 3, 1982, a copy of which is marked Exhibit "A-I-A", attached hereto and made a part hereof.

FURTHER, Appearer hereby declared that it is the owner of certain real estate adjoining the hereinabove described property, and more particularly described as follows:

ONE CERTAIN TRACT OF LAND, together with all the buildings and improvements thereon, and all 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, in that part thereof designated as SUBPHASE I OF PHASE II 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 a point; 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 West a distance of 36.12 to the point of beginning; 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 to point; thence S 03 degrees, 59 minutes, 39 seconds W 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 145 feet to a point; thence N 86 degrees, 06 minutes, 21 seconds W a distance of 218 feet to a point; thence N 03 degrees, 59 minutes, 39 seconds, E a distance of 123 feet to a point; thence N 86 degrees, 06 minutes, 21 seconds W a distance of 50 feet to a point; thence N 03 degrees, 59 minutes, 39 seconds E a distance of 321.02 feet to a point; thence S 86 degrees, 06 minutes, 21 seconds, E a distance of 92.49 feet to the point of beginning; all as shown on plat of survey by Sterling Mandle, R.L.S., dated March 4, 1982, revised and recertified August 18, 1982, a copy of which is marked Exhibit "A-II-A", attached hereto and made a part hereof;

AND APPEARER, hereby irrevocably commits said Subphase I of Phase II to the condominium regime as created and established by the aforesaid Declaration, hereby integrating said Subphase I of Phase II as an added Common Element property, made subject hereby to the condominium regime. The foregoing notwithstanding, Appearer hereby reserves the right to alter, in part, the Common Element status of said added property, by construction thereon of additional improvements which, by further amendment to the Declaration, will be designated as additional Units and Limited Common Elements under the condominium regime.

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

WITNESSES:

Arlene F. Spinks  
ARLENE F. SPINKS  
Meg Schellhaus  
MEG SCHELLHAUS

DONALD C. OSTER & ASSOCIATES, INC.  
BY: Donald C. Oster  
DONALD C. OSTER, PRESIDENT

Andrew Joffe  
ANDREW JOFFE  
NOTARY PUBLIC

BOOK FULTON 563