

AMENDED AND RESTATED DESIGN GUIDELINES
AND RULES AND REGULATIONS
FOR
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
BOCAGE LAKE, A RESIDENTIAL COMMUNITY

PRELIMINARY RECITALS

- A. It is not the intent of the Architectural Review Committee of Bocage Lake Subdivision to prescribe specific architectural styles but rather to promote a complimentary range of fine residential design of a proper regional character.
- B. Traditional regional styles, including, but not limited to, Acadian, Plantation, French Quarter are promoted conditional on adherence to guideline criteria contained herein and/or prescribed by the Architectural Review Committee. Styles out of character to South Louisiana are discouraged.
- C. Capitalized terms, not otherwise defined within this instrument, shall have the meaning ascribed to them in that certain Declaration of Covenants, Conditions, And Restrictions for Bocage Lake, A Residential Subdivision (the "**Declaration**"), executed on the 5th day of February, 2002, by BOCAGE LAKE, L.L.C., a Louisiana limited liability company (the "**Declarant**")." Throughout this document, the Bocage Lake Architectural Review Committee may be referred to as the "ARC" or the "Reviewing Entity."
- D. Each lot owner is encouraged to submit Preliminary Plans for the proposed home to be constructed on his lot to the ARC for review and comment prior to preparation of the Final Plans.
- E. When Final Plans are completed, two (2) copies of these plans (along with two copies of the plot plan showing the layout of the house on the lot) are to be submitted to the ARC (through its respective appointed architect). A full set of plans is not needed, only the pages showing all four (4) elevations, the floor plan, the window and door specifications and the square footage are needed. Along with the plans, the lot owner must submit two checks: (1) a check payable to Bocage Lake Property Owners Association, Inc. for \$1,200 is the House Plan and Landscape Plan Review Fee, and (2) a check for \$2,800 payable to Bocage Lake Property Owners Asso, Inc. which is a Construction Deposit (see Section 37 of these Design Guidelines for details on the Construction Deposit and it's return subject to proper completion of the home and landscaping).
- F. When Landscape Plans are ready, they must be submitted to the ARC for review. The Landscape Plan Review Fee has already been included in the original review fee (see E. above).

- G. Prior to any addition to a home or lot after submission of the Final Plans for the House and Landscape Plans (for example, for an addition to the home, a pool, gazebo, a storage building, a fence or other exterior improvement), detailed plans for such addition must be submitted by the lot owner to the ARC through its appropriate consulting architect for review and approval prior to construction of such addition. Such submission must be accompanied by a Review Fee of \$100 payable to the appropriate consulting architect and a check for \$2,000 payable to Bocage Lake Property Owners Asso, Inc. which is a Construction Deposit (see Section 37 of these Design Guidelines for details on the Construction Deposit)
- H. The ARC may withhold approval of any plans if the Property Owner is not in good standing with Bocage Lake Property Owners Association, Inc., including the non-payment by the Property Owner of any dues or other amounts owed to the Association, the ARC or its consulting architects for any lots in Bocage Lake Subdivision now owned or previously owned by the Property Owner.

DESIGN GUIDELINES

1. Front Building Line for Lots 61 thru 82. The front building line for the dwellings located on Lots 61 thru 82 shall be as shown on the Final Plat.
2. Improvement Configuration. Residences located on Lots 11 and 12 shall front facing Rue Bocage. Residences located on Lots 14, 15, 16 and 24 shall front facing Fountain Lane.
3. Minimum Square Footage. Residences built in the subdivision shall contain minimum square footage of living space, exclusive of all porches, storerooms, garages and carports as follows:
 - (a) Lots 1 thru 13, Lots 25 thru 38 & Lots 45 thru 82:
twenty-two hundred (2,200) sq. ft. with a minimum of eighteen hundred (1,800) sq. ft. on the first (1st) floor.
 - (b) Lots 14 thru 24 & Lots 83 thru 104:
2,800 sq. ft. with a minimum of 2,400 sq. ft. on the first (1st) floor.
4. Permitted Buildings and Height. No dwelling shall be erected, altered, placed or permitted to remain on any Lot other than one (1) detached single family dwelling, not to exceed three (3) stories in height; except on all Lots other than Townhouse Lots, accessories incidental to residential use of the Lot, such as swimming pools, bathhouses and/or gazebos may be erected, altered, placed or permitted. The Reviewing Entity may prohibit any structure appearing excessive in height when viewed from a street or surrounding property. Variety in building height is encouraged. Cabanas, pergolas, pigeonniers and other utility buildings shall conform to all building setback lines and restrictions contained in the Declaration and as marked on the Plat. The location and orientation of these structures shall be considered by the Reviewing Entity as they relate to the views of surrounding dwellings.

5. Garages and Carports. All garages and carports shall be private and enclosed with an approved garage door. Any parking pad shall be screened from the street with approved landscaping. No garage or carport may be located in the front yard, except on Lots 2 through 10, and in such case, may be the side entry type only. The garage or carport of residences on corner Lots may be the side-entry type, and in such case, may face the street adjoining the Lot on which it sits. The forward face of the garage wall or carport shall be at least ten feet (10') behind the front wall of the residence. On non-corner Lots, the garage is to be oriented so as not to directly face the street, but to be a side entry type.

5.1 All dwelling Lots shall be designed to include a garage or carport to accommodate a minimum of two (2) automobiles.

5.2 All dwelling Lots shall be designed to include a garage or carport to accommodate not more than three (3) automobiles and one (1) boat, except for Townhouse Lots, which must be designed to include a garage or carport to accommodate not more than two (2) automobiles and one (1) boat. For purposes of example and clarification only, if the garage or carport of a dwelling unit is designed to accommodate one (1) boat, the maximum amount of garage or carport spaces allowed shall be four (4) spaces, except for Townhouse Lots, where if its garage or carport is designed to accommodate one (1) boat, the maximum amount of garage or carport spaces allowed for such Townhouse Lot shall be three (3) spaces.

6. Driveways and Guest Parking. All driveways shall be constructed of brick, stone or concrete. Asphalt and granular materials such as gravel, crushed stone or dirt are not permitted.

6.1 The entrance drive to the residence shall be a minimum of twelve feet (12') wide.

6.2 The design and color of walkways and driveways other than traditional concrete surfacing must be approved in advance and in writing by the Reviewing Entity.

6.3 During construction of a home on any of Townhome Lots Numbers 25 through 32 and 45 through 60, the lot owner thereof shall be required to install bricks (over a supporting concrete base) between the street curb and the sidewalk in front of their lot. The purpose of these bricks is to encourage any guests parking along Bocage Lake Drive to substantially park off of the street.

6.4 Because of the one lane nature of Bocage Lake Drive in front of Townhome Lots 28, 29 and 30 and the narrow width of the street, no installation of any bricks or other paving shall be allowed between the street curb and sidewalk along Bocage Lake Drive in front of these three (3) lots. Only grass in this area is permitted.

7. Exterior Materials. Any residence erected, placed or altered shall not be constructed exteriorly of imitation brick, imitation stone, or aluminum or vinyl siding. All painted exteriors must have at least two (2) coats of paint. Outside wall materials shall be beveled wood siding (or synthetic single board lap siding subject to approval of the Reviewing Entity), reclaimed brick, stucco covered masonry, or any combination thereof, provided that not more than twenty percent (20%) of the exterior may be of wood siding, which should be used to accent the architectural style rather than used for major walls.

8. Exterior Lighting. The number of exterior light fixtures shall be limited. All lighting should be architecturally integrated with attached structures. Mercury vapor lights are prohibited. Landscape lighting and path lighting shall be minimal and used primarily for safety reasons. Security lighting including motion activated flood lights shall, at a minimum, be located beneath eave overhangs. No colored light bulbs shall be permitted. No lighting shall be installed which is aimed at surrounding properties, or which will intrude on surrounding property. Exterior lights shall be mounted on building surfaces up to a maximum height of twelve feet (12'). All exterior light sources shall be shielded from view by adjoining properties.

9. Windows, Doors and Shutters. All windows facing the street shall be of a traditional wood frame, or wood framed with vinyl or pre-finished aluminum cladding. Windows facing any street must have mullions. Side and rear windows may be wood framed, or wood framed with vinyl or pre-finished aluminum cladding, or metal windows provided they are cased in brick mold. All doors and windows shall be consistent with the architectural style chosen for such improvement. Each front door must make an entry statement of quality, substance and durability. Mirrored or reflective glass is absolutely prohibited. Only operable shutters with traditional hardware are allowed. The shutters must be proportionate to the window (i.e. – when closed, the shutters should cover the window).

10. Window Coverings.

10.1 The only acceptable window coverings that may be affixed to the interior of any window visible from any street or other portion of the Properties are drapes, blinds, shades, shutters or curtains. The side of such window coverings that is visible from the exterior of any improvements must be white or off-white in color, except that any window coverings consisting of wooden blinds or shutters may be a natural wood color. Notwithstanding the foregoing, the Reviewing Entity may, from time to time, approve additional colors as acceptable for the portions of the window coverings visible from streets, Common Area or other Lots.

10.2 No window tinting or reflective coating may be affixed to any window that is visible from any street, alley or other portion of the Properties, without the prior written approval of the Reviewing Entity.

11. Other Building Features.

11.1 Masonry columns shall be a minimum of twelve inches (12") wide, and shall be made of stucco or brick masonry.

11.2 Wood columns, where permitted, should be a minimum of six inches by six inches (6" x 6"), or eight inches (8") in diameter.

11.3 Wood trellises are permitted, and should be a minimum of three inches by three inches (3" x 3").

11.4 Storage areas and storage sheds, where permitted, should be screened from view from the street and neighboring Lots.

12. Colors. Exterior color samples, including siding, trim, brick, stucco, roof material and colors should be submitted simultaneously to the Reviewing Entity with final plans or at the latest, prior to black-in (when framing is completed). If any color selections or materials are installed prior to approval by the Reviewing Entity, the Construction Deposit shall be automatically forfeited to the Association. Installation of non-approved colors and/or materials may result in mandatory removal and replacement. No black grout is allowed with bricks. The Reviewing Entity recommends the use of subdued colors of light beige, cream, off-white, light muted colors and very light earth tones. No bright or "strong" colors will be accepted. Colors should not be primary or secondary colors. No pastel colors shall be allowed. Colors will be examined not only in relation to one another on the subject home, but also in relation to other homes within the line of sight. Window trim, fascias, soffits and other trim should be a lighter or darker shade of the wall color.

13. Ceiling Height. Minimum exterior plate heights are 10'-0" for the first (1st) floor and 9'-0" for the second (2nd) floor, except for Lots 2 through 11, for which minimum exterior plate heights are 9'-0" for the first (1st) and second (2nd) floors.

14. Fireplace Material. Uncovered galvanized metal fireplace flues and chimneys are not permitted. Any metal chimney flue must be screened from view with brick or stucco. The top of the chimney (if metal or if it has an exposed spark arrestor) must be covered by a chimney cap made of stucco, brick, slate, copper or anodized aluminum. An exposed spark arrestor on a manufactured fireplace flue is not acceptable. Exterior chimneys may be stucco or masonry. If the entire fireplace base and chimney are visible, they shall be faced with the same material.

15. Fences. All fences and gates (collectively, the "**Fences**") shall be designed to compliment the character and style of the dwelling. The design and specifications of each Fence must be approved in writing by the Reviewing Entity; the drawings, specifications and details of acceptable fences shall be available to Owners. Approved materials include pre-cast concrete blocks and caps-"dac art" or equal, brick, stone, wrought iron and stucco covered masonry. No chain link, cinder block (without exterior finishing material, such as stucco), or split rail Fences are allowed.

15.1 Rear and side yard Fences shall be permitted (see special requirements in Section 15.2 for lake lot fences in the rear yard);

15.2 All rear yard Fences shall be constructed on the rear property line of the Lot, except for the Lake Lots. The design and specifications of all rear yard Fences to be constructed on the Lake Lots shall be subject to the strict scrutiny of the Reviewing Entity, which may accept or reject the plans for any rear yard Fence in its sole discretion. Any fence in the rear yard of a Lake Lot fence shall be of wrought iron appearance for any portion of the fence along the lake edge and along the lot sidelines for 20 feet up from the lake edge. The balance of the rear yard fence for a Lake Lot may be of other material approved by the Reviewing Entity.

15.3 Front yard Fences may be permitted, such as wood picket fences, subject to the strict scrutiny of the Reviewing Entity, which may accept or reject the plans for any front yard Fence in its sole discretion.

15.4 The height of Fences shall be subject to the discretion of the ARC.

16. Roofs.

16.1 The minimum roof pitch shall be 7/12. Lower pitches for minor areas may be considered by the Architectural Review Board. A-1 roofing shingles must be Architectural Style, such as Prestique Brand or equivalent.

16.2 Permitted roofing materials shall consist of architectural grade composition shingles, tile and slate. Standing seam copper roofing is permitted, subject to the approval of the Reviewing Entity. When concealed from view by cornices or parapets, sheet roofing may be employed.

16.3 A shingled roof color shall be a shade of black, dark grey or dark earth tone, and shall be composition architecturally cut shingles. Other roofing materials which may be used are true slate, imitation slate or tile, all subject to preapproval of the material and its color by the Reviewing Entity. No other roofing material may be used except with the prior approval of the Reviewing Entity.

16.4 Skylights must be flat or low-domed and all one color, with flashing matching the roof color. No skylights or roof mounted mechanical equipment are permissible, if visible from the street or surrounding property.

16.5 All roof accessories should be painted to match the roof color.

16.6 Soffits shall be finished in wood or stucco finishes.

16.7 Exposed gutters and down spouts shall be copper or anodized aluminum (which has a darkened, weathered copper appearance), half-round for gutters and full-round for down spouts.

16.8 Mansard roofs are prohibited. Flat roofs are prohibited, except for residences on Townhouse Lots, and then only for the purpose of mounting mechanical equipment; further provided that such mounted mechanical equipment must be adequately screened from public view.

17. Sports and Play Equipment. Swing sets or other play structures are allowed; however, they may not be placed or constructed on any Lot without the prior written approval of the Reviewing Entity, including without limitation, approval as to location and appearance.

17.1 Basketball goals or backboards shall be permitted, provided such goals and backboards are not mounted directly to the residence or other outbuilding. Any Owner desiring to install a basketball goal must get the approval of the Reviewing Entity of the location and placement of the same prior to installation. Backboards shall be primarily clear or white.

17.2 Driveways should remain as constructed during the original construction for access to garages and carports only. Driveways shall not be expanded for the sole purpose of accommodating sports or play equipment.

18. Mail Boxes and Addresses. All residences shall use the standard mail box selected by the Reviewing Entity. Specifications concerning the standard mailbox and sources of supply and construction are available for inspection to Owners.

18.1 All address numbers shall be affixed to the mailbox in conformity with the mail box specifications available to Owners.

18.2 Lettering for address numbers shall be of the standard type selected by the Reviewing Entity. Specifications concerning the standard lettering and sources of supply and construction are available to Owners.

19. Yard Ornaments. Yard ornaments, statues and similar objects are prohibited in all yards except those fenced to shield view thereof from any streets and any other lots and properties. Typical seasonal decorations are permitted within season.

20. Flagpoles. Flagpoles are permitted if mounted within brackets that are mounted on the residence.

21. Swimming Pools, Therapy Pools, Jacuzzis and Spas. Swimming pools, therapy pools, Jacuzzis, spas, etc. (individually a "**Pool**" and collectively, "**Pools**") must comply with the following requirements:

21.1 No Pools may be constructed, placed, installed or used above grade and all Pools must be of constructed with rebar and gunite.

21.2 Pool and equipment enclosures must architecturally relate to the residence and other structures in their placement, mass and detail.

21.3 Except as otherwise provided in Section 15 hereof with respect to Lake Lots, all Pools, Pool equipment, slides, diving boards and other Pool accessories must be screened from view from all streets and surrounding properties in a manner so as to also screen and mitigate the noise and sounds generated by such equipment. Pools must be completely enclosed by security fencing and gates meeting the safety requirements of East Baton Rouge Parish codes/ordinances and these Design Guidelines.

21.4 Pools and decks should be no closer than eight feet (8') any side property line and ten feet (10') from the rear property line, and landscaping between the deck and Lot lines must be installed.

21.5 Pools shall not be drained onto adjacent property or open space.

22. Awnings and Canopies. Awnings and canopies are not permitted on the front of any residence. Awnings and canopies of a permanent nature may be constructed or installed on the side and/or rear of a residence.

22.1 Bright colors are prohibited, and all awnings and canopies should be of a color and design to compliment the exterior color of the residence.

22.2 All designs and colors of awnings and canopies must be preapproved by the Reviewing Entity.

23. Patios and Gazebos. Covered patios shall be architecturally integrated with the design of the residence. Covered patios shall be supported by wood or masonry columns. Any roofing material used shall be the same as used for the roof of the residence, except that copper may also be used. Details and location of such structures must be submitted to the Reviewing Entity for approval prior to construction thereof.

24. Landscape and Hardscape Design.

24.1 Preliminary Plan Submittal. The Reviewing Entity highly recommends the property Owner submit preliminary landscape/hardscape drawings for review. A preliminary design review does not constitute final approval on any aspect of the design. After approval of the preliminary drawings the Owner may proceed and submit final drawings when they are ready.

24.1.1 The preliminary plan shall be of sufficient detail to show the overall landscape design intent for the Lot. The plan shall include plant material placement and proposed walks, courtyards, pools, decking, driveways, fences, and drainage swales and or subsurface drainage and related elements.

24.1.2 Submission of the Landscape/Hardscape plans is encouraged to be at the time the final plans for the home are submitted to the Reviewing Entity. However, they must be submitted to the Reviewing Entity prior to "black in" of the home (completion of framing).

24.2 Final Landscape/Hardscape Plan Submittal. Two (2) sets of landscape/hardscape plans shall be submitted at a minimum scale of 1" = 20' (one inch equals twenty feet). The landscape plans should be submitted with the construction drawings, but may be submitted at a later date provided they are approved prior to driveway construction.

24.2.1 The landscape plans shall show the proper name, size, spacing, location and quantity of all plant materials as well as an accurate plant list. A complete set of planting specifications for bed preparation, sodding and installation shall also be included. Landscape plans shall include all information shown on the proposed site plan. In addition, the plans shall show final placement of all landscape elements such as driveway, mailbox, walks, patios, walls, fountains, pool, fencing, decks, etc. with appropriate spot elevations and wall and fencing heights.

24.2.2 The landscape plan shall also show the final grading and drainage for the Lot. This should be achieved by showing contour lines and/or adequate spot elevations for both surface and subsurface drainage.

24.3 Sodding Requirements. Complete sodding of all front yard areas contiguous to streets is required. For purposes of this Section 24.3, corner Lots are considered to have two (2) front yards along the streets and must be sodded. All Lake Lot rear yards shall also be sodded to control runoff and to maintain the overall aesthetics of the Lake. Certified centipede or St. Augustine sod is recommended. With the exception of corner Lots and Lake Lots, side and rear yards may be sprigged, plugged, sodded or seeded as indicated on the landscape plans.

24.4 Planting Requirements. The entire yard shall be adequately landscaped in the

initial installation as approved by the Reviewing Entity. All planned future enhancement and phasing must be approved by the Reviewing Entity prior to installation. Landscaping and the building of driveways or fencing within utility servitudes is permissible, but it is the responsibility of the Owner if in the future there is a need to remove same for access to such utilities. All landscape architects and contractors shall follow Louisiana Nursery Specifications and Standards. The Reviewing Entity will work with the Owner and may alter requirements depending on the materials selected in relationship to the overall appearance.

24.4.1 The Owner shall plant one (1) tree per two thousand (2,000) square feet of Lot area up to a maximum requirement of ten (10) trees. Of the required trees, a minimum of three (3) trees with a three and one-half inch (3.5') caliper, measured twelve (12) inches above grade, shall be planted in the front yard area for Lots over one hundred feet (100') wide.

24.4.2 Two (2) three and one-half inch (3.5') caliper trees of the required number shall be planted in the front yard area for Lots less than one hundred feet (100') wide, but greater than fifty feet (50') in width.

24.4.3 One (1) three and one-half inch (3.5') caliper tree of the required number shall be planted in the front yard area for Lots less than fifty feet (50') in width.

24.4.4 Owners of Lots greater than one hundred feet (100') in width shall plant a minimum of sixty (60) three (3) gallon shrubs with at least fifty percent (50%) of the shrubs to be planted in the front yard area.

24.4.5 Owners of Lots less than less than one hundred feet (100') wide, but greater than fifty feet (50') in width shall plant a minimum of forty (40) three (3) gallon shrubs with at least 50% of the shrubs to be planted in the front yard area.

24.4.6 Owners of Lots 50 feet or less in width shall plant a minimum of thirty (30) three (3)- gallon shrubs with at least fifty percent (50%) of the shrubs to be planted in the front yard area.

24.5 Utility, Garbage and Equipment Areas. Appropriate fencing, screening or landscaping must visually screen utility yards, garbage areas, HVAC units, utility boxes, gas/electrical meters, pool equipment and other unsightly elements. Details shall be submitted for approval with the landscape plans. The appropriate material must be as high as the objects to be screened. If plant materials are used, they must be evergreen and have the variety and spacing to achieve a solid screening effect.

24.6 Final Review. After landscape/hardscape installation and construction are complete, a final review of the project must be obtained from the Reviewing Entity. Final review approval must be obtained prior to release of any deposits and prior to the time any Owner moves in a dwelling for occupancy."

25. Grading. All grading shall be subject to the jurisdiction of the Reviewing Entity and considered individually for each dwelling site. Recommendations or demands will be based upon individual site location, terrain, soil conditions, vegetation, drainage, proposed cuts and fills and any other conditions the Reviewing Entity determines will impact the site grading. The Reviewing Entity initially recommends that all grading should be contained inside the property line with no overlaps.

Smooth slope transitions are encouraged where grading is necessary. Absolutely no grading or retaining walls, if necessary, whatsoever shall be permitted without first obtaining the prior authorization of the Reviewing Entity. All grading shall be sloped so as to comply with the drainage plan for Bocage Lake on file with the Department of Public Works of East Baton Rouge Parish.

26. Fill to Lot. No Owner shall add fill to a Lot which adversely affects the drainage of a contiguous Lot or which increases the cost of installing foundation footings on any contiguous Lot.

27. Drainage. The Owner of a Lot shall provide positive storm water drainage in the direction indicated on the drainage plan for Bocage Lake on file with the Department of Public Works of East Baton Rouge Parish. Drainage may be surface and/or subsurface. Water runoff for each individual building site must be handled by adequately sloping all areas so that no surface drainage shall be allowed to drain to any adjacent properties. Water runoff and control is the responsibility of each Lot Owner. An Owner shall not impede or modify the natural drainage flow of any Lot in any manner that will adversely affect other Owners who are in compliance with the drainage plan. The Reviewing Entity or any aggrieved Owner shall have the right to bring legal action to enforce this restriction.

28. Garbage, Trash and Recycling. Garbage, trash and recycling containers should only be visible on the day of collection. At all other times, such containers should be screened and/or stored so as not to be visible from the streets or adjoining properties.

29. Noise Abatement. All exterior mechanical equipment, including HVAC and pool equipment, shall be screened from view in a manner so as to also screen the noise and sounds generated by such equipment.

30. Switch Pads and Transformers. Switch pads and transformer pads shall not be constructed more than six inches (6") above finished grade. All such pads should be flush with adjoining walkways. Transformers should be screened with landscaping to the extent permitted by the utility company serving the property.

31. Servitudes. Servitudes for installation, maintenance of utilities and drainage facilities are reserved as shown on the Final Plat.

32. Underground Utilities. This subdivision will be served by underground utilities only, except where an overhead electric distribution system is previously existing or has been installed by Declarant. Electric service from the electric distribution system to each residence shall be underground.

33. Miscellaneous Restrictions.

33.1 Cleaning of tools, supplies or equipment by concrete suppliers, painters or other subcontractors on any private street or other Common Area is prohibited.

33.2 During construction, no draining of pools on adjacent property, or into washes or open spaces is permitted.

34. Townhome Lots and Their Party Walls. Each wall built as a part of the original

construction on Lots which serve and/or separate any two adjoining Townhouse Lots shall constitute a "**Party Wall**". In addition to the rules set forth in Article 12 of the Declaration, the following rules shall apply to Party Walls:

34.1 Party Walls shall be constructed of brick masonry with a minimum of eight inch (8") thickness. Concrete unit masonry shall not be allowed. The brick used for party walls must be a new manufactured brick; "old" brick is not allowed for party wall construction. Each wall shall be reinforced minimally with galvanized horizontal "truss type" reinforcing at least at every fifth (5th) course vertically. The wall must be soundproofed (i.e. – there must be installed on each side a stud wall with insulation). The party wall must "split the lot line" (i.e. – 50% of the wall should be on each lot). Wall ties must be of a fire rated, "melt-a-way" type. The design and reinforcing of a Party Wall must meet the requirements of all building codes having jurisdiction over Bocage Lake subdivision and the homes constructed therein.

34.2 The Party Wall shall be constructed on its own separate foundation and shall be independent of the foundation of adjacent structures. The foundation of the Party Wall shall be designed to support a minimum of two (2) stories in height, plus the attic gable in height of masonry. This foundation shall be centered on the property line and shall be a minimum of thirty-six inches (36") wide.

34.3 Owners of each adjoining Townhouse Lot shall share the cost of the Party Wall in proportion to each respective Owner's use of the Party Wall, in accordance with these Design Guidelines and Louisiana law. The amount of each Owners' use shall be determined in a drawing prepared by an architect licensed under the laws of the State of Louisiana, or by another Person required by the Reviewing Entity, as the case may be, which shows the full elevation of the Party Wall, the total square footage of the Party Wall and the proposed use thereof, but in no case shall less than eight feet (8') of height be considered "used" for purposes of this Subsection 34.3.

34.4 The Owner who initially causes the Party Wall to be constructed shall keep detailed financial records of all costs and expenses incurred in connection with the construction of the Party Wall, including contractors' overhead and profit.

34.5 Such detailed financial records shall be presented to the adjacent and subsequent Townhouse Lot Owner. Reimbursement of the costs and expenses for the proportional use of a Party Wall shall be made by the adjacent and subsequent Townhouse Lot Owner upon the latter to occur of the following: within thirty (30) days of actual receipt of the detailed financial records, or upon "Substantial Completion of the adjacent latter-built dwelling unit. "**Substantial Completion**" for purposes of this Subsection 34.3.2 shall be deemed to occur on the date a permit for occupancy of the Lot is issued by the local governing authority.

34.6 A copper or pre-painted steel coping shall be required as a cap on the Party Wall where it acts as a fire wall. No cap is required for garden or courtyard walls which have no structure adjacent thereto.

34.7 The masonry fire wall must terminate vertically in a parapet that extends a minimum of eighteen (18") above the higher roof of the two adjoining Townhouses and thirty inches (30") above the lower roof. If both roofs are the same elevation, then the parapet shall extend a minimum of thirty inches (30") above both roofs. The height of the parapet wall must comply with all building codes having jurisdiction over Bocage Lake subdivision and the homes constructed

therein.

34.8 In the event the adjacent and subsequent Townhouse Lot Owner requires any addition to a Party Wall for the construction of any improvements, such Owner shall use reasonable efforts to match the brick masonry materials of such Party Wall. In the event the adjacent and subsequent Townhouse Lot Owner cannot match the brick masonry materials, such Owner may be required to paint the exposed portion of the parapet wall, the color of which shall be subject to the discretion of the Reviewing Entity.

34.9 All exterior courtyard walls shall have a minimum height of eight feet (8'). If a masonry courtyard wall is on the shared property line, it shall be designed so as to allow extension to full Party Wall height.

34.10 No roof shall overlap the Party Wall.

34.11 It shall be the responsibility of each adjacent Owner to maintain the waterproof integrity of the Party Wall and each Owner shall submit detailed drawings showing flashing methods to adjacent roof structures and waterproofing details of all planters, fountains and paving adjacent to the Party Wall where there may be structures placed opposite.

34.12 This Party Wall shall be continuous from the foundation to the parapet coping and shall extend the full length of the adjacent structure. No plumbing or mechanical equipment, ducts or vents shall be placed in a Party Wall. Electrical installations shall be limited to metallic electrical boxes not to exceed sixteen square inches (16") in surface area or one hundred square inches (100") in the aggregate, and all wiring shall be in metal conduit. Outlet boxes on opposite sides of the wall shall be separated by a minimum of twenty-four inches (24") vertically and/or horizontally.

34.13 All dwelling units and other structures constructed on Townhouse Lots shall meet the requirements of the 1995 Council of American Building Officials (CABO) Regulations regarding dwelling unit separation, as they may be amended from time to time.

34.14 Air-conditioning units on townhome lots must not be visible for any street on which the lot faces. Proposed locations of gas and electric meters for townhomes must be submitted to the ARC for approval at time of submission of house plans for review. Any special drainage facilities for the townhome and its lot (for example – any courtyard drainage for the townhome) must be submitted to and approved by the ARC prior to installation.

35. Erosion Control. For any lot adjacent to the lake, It will be the responsibility of the Owner to properly install and maintain along the lake border appropriate silt and sedimentation control measures (including silt cloth) prior to and throughout construction. The sediment and erosion control fencing shall remain until existing vegetation erosion has stabilized the soil to prevent erosion and silt from leaving the Lot and flowing into the lake.

36. Satellite Dishes. No television (or other) satellite dish larger than 24 inches in diameter may be installed on any Lot. Any dish installed must not be on the front half of the house or on any side of the house facing a street. No satellite dish may be installed on any fence.

37. Construction Deposit. At the time of submission of the Final House Plans to the Reviewing Entity, the Owner shall deliver to the Reviewing Entity a \$2,800 Construction Deposit payable to Bocage Lake Property Owners Association, Inc. (the "Association"). The Committee shall have the right to require the Owner to increase the amount of this Construction Deposit at any time such Construction Deposit has been depleted by prior violations (so that the Construction Deposit on account is \$2,800). A Construction Deposit may also be required to be submitted for any major addition or renovation to a home or its grounds (including for a gazebo or swimming pool). The purpose of the Construction Deposit is to insure:

(a) Plans are submitted to the Reviewing Entity and adhered to by the Owner and his builder. In the event construction of a house or other improvements are started without the prior written approval of the plans for such, then the entire amount of the Construction Deposit shall be automatically forfeited as liquidated damages to the Association. Further, all other rights of the Reviewing Entity and the Association may have with respect to approval of the plans shall continue, including rights to injunctive relief, damages and other rights.

(b) Landscaping is accomplished as set forth in these Design Guidelines. In the event the required landscaping is not accomplished, then the entire amount of the Construction Deposit shall be automatically forfeited as liquidated damages to the Association. Further, all other rights of the Reviewing Entity and the Association may have with respect to approval of the landscape plans shall continue, including the right to fine the Owner, rights to injunctive relief, damages and other rights.

(c) A clean job site, compliance with the Restrictive Covenants, overall community appearance and that the structure to be constructed is built according to the approved plans. A written notice will be issued by the Reviewing Entity to the Lot Owner regarding any violations or damage caused by the construction. Examples of damage are the breaking of any sidewalk in the Subdivision, "rutting" of other lots in Bocage Lake caused by construction related vehicles, the spilling of concrete on any streets or other areas of Bocage Lake, any trash or debris dispensed in or damage to any street lights of Bocage Lake. If the violation or damage has not been corrected within five (5) days after the date of the notice, the violation or damage may be corrected by the Association and the cost of the same shall be charged to the Lot Owner. Said amount may be deducted, without further notice, from the Construction Deposit until said deposit is exhausted, at which time the Lot Owner will be billed for any additional expense. The Association shall have lien rights to enforce payment of any amount billed but not collected within thirty (30) days after the date of such bill. Notwithstanding the provisions of this Section however, neither the Association nor the Reviewing Entity shall be responsible for the damage to any Lot caused by the activities of an Owner (or builder or others involved in any activity on their behalf) of any other Lot, and shall not be held responsible for any such damage if deductions are not made from the Construction Deposit or other damage collection provisions are not made for such damage.

If no violations or damage occur (or if no deductions for such damage are made from the Construction Deposit by the Reviewing Entity or the Association), the Construction Deposit will be refunded in full to the original submitter of the Construction Deposit after satisfactory completion of construction of improvements on the Lot in accordance with the approved plans and completion of landscaping as set forth in these Design Guidelines. To the extent any of the Construction Deposit was spent for correction of any violations or damage, any balance will be refunded to the original submitter of the Construction Deposit after the satisfactory completion of the improvements and landscaping.

38. Trash Dumpster. All jobsites during construction shall be required to have a dumpster to store waste materials and other trash. The jobsite shall be kept clean and the trash deposited in the dumpster. The dumpster must be emptied on a regular basis so that it is not overflowing with trash.

39. Jobsite Toilet. Each lot owner shall be required to provide a properly maintained portable toilet on site during construction for use of the workers at the jobsite. The portable toilet must be maintained on a regular basis and the door thereof shall face the subject property and not toward the street.