

**FIRST AMENDMENT TO
LOUISIANA CONSERVATION SERVITUDE**

UNITED STATES OF AMERICA

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BE IT KNOWN, that on the date hereinafter set forth,

BEFORE EACH OF US, the undersigned Notaries Public, duly commissioned and qualified in and for the Parish and State hereinafter set forth, and in the presence of the undersigned and competent witnesses,

PERSONALLY CAME AND APPEARED:

DELTA LAND HOLDING COMPANY, L.L.C., a Louisiana limited liability company, herein represented by Matthew P. Bennett and Kelly J. McHugh, duly authorized by virtue of a Unanimous Consent of Members recorded as CIN 1530554 in the records of St. Tammany Parish, Louisiana, which mailing address is 7037 Hwy 190, Covington, Louisiana 70433; referred to herein as "**Delta**";

RIVER CLUB DEVELOPMENT, LLC, a limited liability company organized and existing under the laws of the State of Louisiana, domiciled and doing business in the Parish of St. Tammany, represented herein by Matthew P. Bennett and Kelly J. McHugh, and its mailing address being 7037 Hwy 190, Covington, Louisiana 70433, referred to herein as "**Developer**";

UNITED STATES ARMY CORP OF ENGINEERS, NEW ORLEANS DISTRICT, a federal government agency, represented herein by _____, duly authorized, which mailing address is 7400 Leake Avenue, New Orleans, LA 70118; referred to herein as "**USACE**"; and

ST. TAMMANY PARISH GOVERNMENT, a political subdivision of the State of Louisiana, whose mailing address is P.O. Box 628, Covington, Louisiana 70434, herein appearing by and through Michael Cooper, Parish President, duly authorized; referred to herein as "**Parish**";

(Delta, Developer, USACE, and the Parish are sometimes collectively referred to herein as "**Appearers**")

who declares and agrees as follows:

RECITALS

1. By execution of a *Louisiana Conservation Servitude* by Delta Land Holding Co., LLC, Delta created a conservation servitude upon certain immovable property adjacent to and in connection with the development of River Club Subdivision and pursuant thereto, did establish the River Club Conservation Area pursuant to L.R.S. 9:1271 *et seq.*, by that certain *Louisiana Conservation Servitude* instrument executed by Delta and dated June 12, 2012, and accepted by the Parish on June 26, 2012, recorded as CIN 1863016 of the public records of St. Tammany Parish, Louisiana ("**Conservation Servitude**");
2. The Appearers herein desire to amend the Conservation Servitude to allow a portion of the Conservation Servitude property to be included within the parameters of a lot configuration, with the condition that the Conservation Servitude shall remain binding upon the owners of the subdivision lot created to include a portion of the Conservation Servitude and approved by the Parish;

3. The restrictions, prohibitions, and obligations set forth in the Conservation Servitude shall remain binding upon a lot owner, a subdivision lot, and an owner of a subdivision lot encumbered by the Conservation Servitude.

NOW THEREFORE, the Appearers herein do contract and agree as follows:

AMENDMENT

1. The Recitals herein above are made a part of this Amendment.
2. This Amendment is made strictly in accordance with the rights of modification set forth in Section 9 of the Conservation Servitude.
3. Section 6 (b) of the Conservation Servitude is hereby amended to read as follows:

6. (b) Except for the inclusion of a portion of the Property subject of the Conservation Servitude within a lot configuration approved by St. Tammany Parish, the Property shall not be divided, partitioned, subdivided or conveyed except in its current configuration in its entirety.
4. The St. Tammany Parish Clerk of Court is requested to cross-reference this Amendment to the Conservation Servitude recorded as CIN 1863016 to serve as occasion may require.

Except as amended and modified herein, all other aspects of the Conservation Servitude shall remain the same.

[SIGNATURES ON THE FOLLOWING PAGES]

THUS DONE AND PASSED in St. Tammany Parish, Louisiana, on the ____ day of February, 2024, in the presence of the undersigned competent witnesses, and me, Notary, after due reading of the whole.

WITNESSES:

RIVER CLUB DEVELOPMENT, LLC

PRINT NAME: _____

BY: _____
Matthew P. Bennett

PRINT NAME: _____

BY: _____
Kelly J. McHugh

NOTARY PUBLIC

Print Name: _____
Commission No. _____
My Commission Expires: _____

THUS DONE AND PASSED in St. Tammany Parish, Louisiana, on the ____ day of February, 2024, in the presence of the undersigned competent witnesses, and me, Notary, after due reading of the whole.

WITNESSES:

DELTA LAND HOLDING COMPANY, L.L.C.

PRINT NAME: _____

BY: _____
Matthew P. Bennett

PRINT NAME: _____

BY: _____
Kelly J. McHugh

NOTARY PUBLIC

Print Name: _____

Commission No. _____

My Commission Expires: _____

THUS DONE AND PASSED in St. Tammany Parish, Louisiana, on the ____ day of February, 2024, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

ST. TAMMANY PARISH

PRINT NAME: _____

BY: _____
Michael B. Cooper, Parish President

PRINT NAME: _____

NOTARY PUBLIC

Print Name: _____
Commission No. _____
My Commission Expires: _____

THUS DONE AND PASSED in St. Tammany Parish, Louisiana, on the ____ day of February, 2024, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

**UNITED STATES ARMY
CORP OF ENGINEERS,
NEW ORLEANS DISTRICT**

PRINT NAME: _____

BY: _____

PRINT NAME: _____

NOTARY PUBLIC

Print Name: _____
Commission No. _____
My Commission Expires: _____