

# Lafayette Parish Recording Page

Louis J. Perret  
Clerk of Court  
P.O. Box 2009  
Lafayette, LA 70502-2009  
(337) 291-6400

**First VENDOR**

RESERVE & THE RESERVE ESTATES THE

**First VENDEE**

RESERVE & THE RESERVE ESTATES THE

Index Type : CONVEYANCES


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### Recorded Information

I hereby certify that the attached document was filed for registry and recorded in the Clerk of Court's office for Lafayette Parish, Louisiana

  
Clerk of Court

On (Recorded Date) : 10/11/2016

At (Recorded Time) : 2:25:18PM



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**AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR  
THE RESERVE & THE RESERVE ESTATES**

BE IT KNOWN that on the date hereinafter stated, before the undersigned Notary Public, duly commissioned and qualified, and in the presence of the undersigned competent witnesses, personally came and appeared:

**MCLAIN INVESTMENTS, LLC** (TIN 27-3127519) a Louisiana limited liability company, domiciled in Lafayette Parish, Louisiana, with a mailing address of 101 Brightwood Drive, Lafayette, Louisiana 70508, herein represented by its duly authorized Member, Bryan McLain, pursuant to the authority granted in the Certificate of Authority attached hereto and made a part hereof, hereinafter referred to as "Appearer",

who did declare and state that Appearer desires to amend the Declaration of Covenants, Conditions, and Restrictions for The Reserve & The Reserve Estates, filed under Entry No. 2014-44591, records of Lafayette Parish, Louisiana (the "Dedication"), pursuant to the authority contained in paragraph 10.01 of the Dedication.

In view of the foregoing, Article 3.01, 3.02 and 3.03 of the Dedication are hereby amended and Article 10.08 is hereby added to read as follows, to-wit:

**3.01 Membership.** Each Owner shall be deemed to have a membership in the Association. Membership shall be appurtenant to and may not be separated from the ownership of any Lot, and ownership of a Lot shall be the sole qualification for such membership. In the event that ownership of a Lot is transferred or otherwise conveyed, the membership in the Association which is appurtenant thereto shall automatically pass to such transferee, notwithstanding any failure of the transferor to endorse to his transferee any certificates or other evidences of such membership. The foregoing is not intended to include Mortgagees or any other persons who hold an interest merely as security for the performance of an obligation, and the giving of a security interest shall not terminate or otherwise affect an Owner's membership in the Association. The rights and privileges of membership do not include the right to vote, but do include all the other rights and privileges associated with being a member in the Association, as provided herein. Notwithstanding the foregoing, should Appearer waive its Class B voting rights, then in that event, the Class A members shall have voting rights equal to one (1) vote for each lot owned.

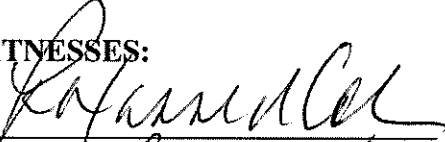
**3.02 Ownership of More Than One Lot.** In the event a Person owns more than one Lot, such Person shall have all the rights and obligations of an owner owning multiple Lots. The rights and obligations associated with owning a Lot can be prorated in the event such Lot is split between two adjacent Lot owners. It is the intent of Appearer that the total number of Lots in the Subdivision remain unchanged for purposes of payment of assessments.

**3.03 Voting Rights of Appearer.** Appearer shall be considered a Class B member of the Association, and shall be entitled to 100% of the voting rights of the members of the Association until and unless Appearer waives its Class B voting rights. The voting provisions contained in this Paragraph 3.04 cannot be amended or changed without consent of Appearer, or unless Appearer waives or relinquishes its Class B membership.

**10.08. Appearer's Authority.** Appearer, in its capacity as the Developer, and the fact that it is the sole voting member, shall have the authority, rights and powers contained herein that are stipulated to be in favor of the Board of Directors, including, but not limited to the powers, rights, and obligations contained in Articles 5.01, 6.01, 6.03, 6.04, 7.01, 7.02, 7.03, 7.04, 7.05, 7.08, 7.09, 8.02, 8.03, 9.07, 10.05, and 10.07, as well as any powers contained in the Articles or Bylaws. Appearer further agrees to provide to the members at least annually, the financial statements and budgets for the Association. "

**THUS DONE AND PASSED** in the Parish of Lafayette, Louisiana, on the 6<sup>th</sup> day of October, 2016, in the presence of the undersigned competent witnesses, who sign with Appearers and me, Notary, after due reading of the whole.

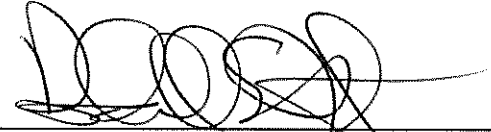
**WITNESSES:**

  
Print Name: ROXANNE M COLE

**McLAIN INVESTMENTS, LLC**

By:   
**BRYAN MCLAIN, Member**

  
Print Name: MARY STEVENS

  
**NOTARY PUBLIC**  
**RANDALL E. OLSON #42266**

**CERTIFICATE OF AUTHORITY**

BY: MCLAIN INVESTMENTS, LLC  
101 Brightwood Drive  
Lafayette, Louisiana 70508

I/WE THE UNDERSIGNED, being the only Member (including Managing Member) of MCLAIN INVESTMENTS, LLC (the "Company"), do hereby certify that the Company is organized and existing as a limited liability company under and by virtue of the laws of the State of Louisiana, with its offices at 101 Brightwood Drive, Lafayette, Louisiana 70508.

MEMBERS AND AUTHORIZED SIGNERS. I further certify that the following is a complete list of the names of all members of the Company:

Members' Names: Bryan McLain

ASSUMED BUSINESS NAMES. Excluding the name of the Company, the following is a complete list of all assumed business names under which the Company does business: None.

I FURTHER CERTIFY that at a meeting of the members of the Company (or by other duly authorized company action in lieu of a meeting), duly called and held, at which a quorum was present and voting, the following resolutions were adopted:

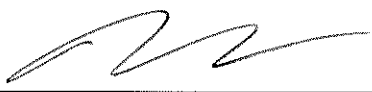
BE IT RESOLVED that Bryan McLain be and hereby is authorized, empowered and directed to execute on behalf of the Company the Amendment to the Declaration of Covenants, Conditions, and Restrictions for The Reserve & The Reserve Estates, and to incorporate in said act such terms and conditions as he deems to be in the best interest of the Company.

BE IT FURTHER RESOLVED, that any and all acts authorized pursuant to these resolutions and performed prior to the passage of these resolutions are hereby ratified and approved, that these resolutions shall remain in full force and effect.

WE FURTHER CERTIFY that the member named above is duly elected, appointed, or empowered by or for the Company, as the case may be, that the foregoing resolutions now stand of record on the books of the Company; and that the resolutions are in full force and effect and have not been modified or revoked in any manner whatsoever.

I have read all the provisions of this Limited Liability Company Certificate of Authority, and I jointly and severally and on behalf of the Company certify and agree to its terms.

10/6/16  
DATE

  
\_\_\_\_\_  
BRYAN MCLAIN  
Member