

BOOK 0935 PAGE 510

STATE OF MISSISSIPPI

168178

COUNTY OF MADISON

1704
1905

**SUPPLEMENTARY DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS**

FOR

**CYPRESS LAKE
(CYPRESS LAKE BOULEVARD SOUTH OF CYPRESS LAKE)**

This Supplementary Declaration of Covenants, Conditions and Restrictions for Cypress Lake (Cypress Lake Boulevard South of Cypress Lake) ("Supplement") is made on June 22, 1995, by Cypress Lake Properties, L.P., a Mississippi limited partnership ("Declarant").

The Declarant is the owner of certain real property situated in Madison County, Mississippi, and described in Exhibit "A" hereto, which real property is a part of the property described in the Declaration of Covenants, Conditions and Restrictions for Cypress Lake dated June 16, 1995 as recorded in the Land Records Office of the Chancery Clerk of Madison County, Mississippi in Book 935, Page 431, as subsequently thereto supplemented and amended, (the "Declaration") and is subject to being annexed under the provisions of the Declaration. Declarant desires to annex and subject all of the real property described in Exhibit "A" hereto, including any and all improvements constructed or to be constructed on the property, to the covenants, conditions, restrictions, uses, limitations, obligations, easements, servitudes, charges, assessments and liens set forth in the Declaration, and also to those certain covenants, restrictions, uses, limitations, obligations, easements, servitudes, charges and liens hereinafter set forth in this Supplement.

Now, therefore, in consideration of the premises and pursuant to the rights and reservations reserved by the Declarant under Article II of the Declaration, and in accordance therewith, Declarant hereby states and declares as follows, to-wit:

1. **CYPRESS LAKE BOULEVARD SOUTH.** Cypress Lake Boulevard South of Cypress Lake, has been subdivided into various lots shown and depicted as Lots 1 through 42 on a plat thereof, which plat is of record in the Office of the Chancery Clerk of Madison County, Mississippi in Plat Cabinet C at Slide 156. Declarant hereby annexes Cypress Lake Boulevard South of Cypress Lake, pursuant to the Declaration, and designates Cypress Lake Boulevard South of Cypress Lake to be the Cypress Lake Boulevard South of Cypress Lake Neighborhood, as defined in the Declaration.

2. TERMS, PROVISIONS AND CONDITIONS. All the terms, provisions and conditions of the Declaration, except as varied herein, and the additional terms, provisions and conditions set forth in this Supplement are hereby imposed upon Cypress Lake Boulevard South of Cypress Lake (being the real property particularly described in Exhibit "A" hereto), and each and every portion thereof is, and shall be held, conveyed, hypothecated or encumbered, sold, leased, rented, used, occupied and improved subject to each of the provisions herein and all of the covenants, restrictions, uses, limitations, obligations, easements, servitudes, charges and liens set forth in the Declaration, and all amendments and supplements thereto, the same as if each and all of such covenants, restrictions, uses, limitations, obligations, easements, servitudes, charges and liens were set forth herein.

3. BUILDING SITES AND LOCATIONS. The following covenants shall apply to the Lots in Cypress Lake Boulevard South of Cypress Lake, which Lots are numbered 1 through 42, as set forth:

(a) All Lots shall be described and used as residential lots. No building other than one single family dwelling and reasonable accessory buildings shall be constructed on a Lot.

(b) Complete plans for each and all dwellings, buildings and improvements shall be submitted to and approved by the Architectural Review Committee before any such dwelling, building or other improvement is placed or construction is commenced on any Lot within the subdivision.

(c) Exclusive of porches and garages, the heated and/or cooled living area of each dwelling, main house or residential structure constructed on Lots 1 through 42 shall contain at least Two Thousand Four Hundred (2400) square feet, and at least One Thousand Two Hundred (1200) square feet of the applicable minimum square footage must be contained on the ground floor level for a dwelling of more than one (1) story.

(d) No dwelling or other residential building shall be located nearer than twenty-five (25) feet to the front lot line, nor nearer than seven and one half (7 1/2) feet to any interior lot line, nor nearer than twenty (20) feet to any rear lot line. The location of any building detached from the dwelling shall be approved by the Cypress Lake Architectural Review Committee.

(e) Due to the natural terrain, lot configurations, and/or proximity of adjacent structures, the enforcement of the square footage and setback requirements in this Paragraph 3 may be impossible or inadvisable; therefore, the Cypress Lake Architectural Review Committee may approve and permit specific deviations to such square footage and setback requirements if determined by the Architectural Review Committee to be beneficial to a specific homesite or to the adjacent homesites or to the development.

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4. ADDITIONAL COVENANTS.

(a) Riverwalk Area. The covenants, conditions and restrictions and all terms and conditions of the Supplementary Declaration of Covenants, Conditions and Restrictions for Cypress Lake (Riverwalk Area) dated June 22, 1995, as recorded in Book 935 Page 491 in the Land Records in the Office of the Chancery Clerk of Madison County, Mississippi are hereby adopted by the Declarant with respect to Lots 19, 20, 25 and 26 and the real property described as Lots 19, 20, 25 and 26 including any and all improvements constructed or to be constructed on such property shall be subject to such Supplementary Declaration.

(b) Sidewalks. The builder of the dwelling on each Lot shall construct a sidewalk along the entire length of that portion of Cypress Lake Boulevard South of Cypress Lake and any other street which abuts the Lot pursuant to plans and specifications established by the Architectural Review Committee.

(c) Mailboxes. Plans for the construction and/or placement of any mailbox must be submitted to and approved by the Architectural Review Committee before any mailbox is placed or construction is commenced. Such plans must include the locations, materials, height, design, character and color of each and all components of the mailbox. Any mailbox which does not comply with the plans approved therefore, shall be removed or brought into full compliance with the approved plans.

(d) Driveway and Garages. Unless otherwise approved by the Architectural Review Committee, each dwelling shall be served with off-street parking in the form of a concrete driveway extending from the pavement on a public street abutting the Lot on which the dwelling is situated to a garage or carport, which garage or carport must be attached to the dwelling.

5. MEMBERSHIP IN CYPRESS LAKE PROPERTY OWNERS ASSOCIATION. Declarant, desiring the efficient preservation of the value and amenities in, and the enhancement of the charm and beauty of, the residential community to be developed as Cypress Lake has created and organized Cypress Lake Property Owners Association, Inc. ("the Association"), and has hereby delegated and assigned to the Association (1) the powers and duties for the administration and maintenance of certain Common Areas, (2) the administration and enforcement of covenants, conditions and restrictions applicable to the real property annexed hereby, and (3) the collection and disbursement of charges and Assessments specified in the Declaration. Each Owner of a Lot in Cypress Lake Boulevard South of Cypress Lake shall be a Member of the Cypress Lake Property Owners Association, Inc.

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6. CYPRESS LAKE ARCHITECTURAL REVIEW COMMITTEE. Pursuant to the provisions of Article X of the Declaration, as amended, an Architectural Review Committee, known as Cypress Lake Architectural Review Committee was established. The Cypress Lake Architectural Review Committee shall have the responsibility for Cypress Lake Boulevard South of Cypress Lake and shall exercise all powers, duties and discretion set forth therein. Complete plans for all dwellings, buildings, improvements and any other type of construction, including landscaping and site preparation, shall be submitted to and approved by the Architectural Review Committee prior to commencement of construction or other work on any Lot.

7. AMENDMENT. This Supplement may be amended in the same manner and to the same extent as is provided in the Declaration for the amendment of the Declaration.

8. USE OF TERMS. Except as provided herein, all words and expressions in this Supplement shall have the same meanings, respectively, as are attributed to them by the Declaration, except that the word "herein" as used in this Supplement, shall mean in this Supplement to the Declaration. Additionally, all words and expressions used herein which refer to the "Association", a "Member", or to the attributes of membership therein shall mean and refer to the Cypress Lake Property Owners Association, Inc. referenced in this Supplement and the Members thereof. Further, all words and expressions used herein which refer to the Architectural Review Committee or requirements in connection therewith shall mean and refer to the Cypress Lake Architectural Review Committee. Further, all references to the "Board" or "Board of Directors" shall mean the Board of Directors of the Cypress Lake Property Owners Association, Inc.

IN WITNESS WHEREOF, the Declarant has caused this Supplementary Declaration to be duly executed on this the 22nd day of June, 1995.

CYPRESS LAKE PROPERTIES, L.P., a
Mississippi Limited Partnership

BY: ZACH T. HEDERMAN, JR.,
PROPERTIES, INC., a Mississippi
Corporation, General Partner

BY: Zach Hederman
ZACH T. HEDERMAN, JR.
President

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STATE OF MISSISSIPPI
COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, on this the 22nd day of Hinds, 1995, the within named ZACH T. HEDERMAN, JR., who acknowledged to me that he is PRESIDENT of ZACH T. HEDERMAN, JR., PROPERTIES, INC., a Mississippi Corporation, General Partner of Cypress Lake Properties, L.P., a Mississippi limited partnership, and that for and on behalf of said Corporation in its capacity as General Partner, and as its act and deed, he executed the above and foregoing SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS FOR CYPRESS LAKE (CYPRESS LAKE BOULEVARD SOUTH OF CYPRESS LAKE) after first having been duly authorized by said Corporation and Partnership so to do.

Sharon S Barry
NOTARY PUBLIC

My Commission Expires:
7-7-95

INDEXING INSTRUCTIONS:

Lots 1 through 42, Cypress Lake Boulevard South of Cypress Lake

PREPARED BY:

A.M. EDWARDS, III (MSB #5478)
Wells, Moore, Simmons & Neeld
1300 Deposit Guaranty Plaza
P.O. Box 1970
Jackson, Mississippi 39215-1970
Telephone: (601) 354-5400
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SURVEYOR'S CERTIFICATE

CITY OF MADISON

COUNTY OF MADISON

I, J. Thomas Halley, Registered Land Surveyor, do hereby certify that at the request of Cypress Lake Properties, L.P., the owner, I have subdivided and platted the following described parcel of land lying and being situated in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 12 and the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) and the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) Section 11, Township 7 North, Range 1 East, Madison County, Mississippi.

Commence at an iron pin marking the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 11, Township 7 North, Range 1 East, Madison County, Mississippi; run thence South 89 degrees 42 minutes 41 seconds West and along the South line of said Southwest Quarter of the Northeast Quarter of Section 11 for a distance of 671.28 feet to a point, run thence North for a distance of 651.61 feet to the Point of Beginning for the description of a parcel of land described as follows: run thence North 24 degrees 04 minutes 58 seconds East for a distance of 236.79 feet to a point on a curve to the left having a central angle of 15 degrees 36 minutes 19 seconds and a radius of 295.01 feet; run thence Northwesterly and along said curve to the left for an arc distance of 80.52 feet (chord bearing and distance North 75 degrees 06 minutes 26 seconds East, 80.27 feet) to a point; run thence South 19 degrees 36 minutes 28 seconds East for a distance of 64.03 feet to the point of curvature of a curve to the left having a central angle of 57 degrees 33 minutes 22 seconds and a radius of 506.19 feet; run thence Southeasterly and along said curve to the left for an arc distance of 508.49 feet (chord bearing and distance South 46 degrees 23 minutes 09 seconds East, 487.38 feet) to the point of tangency of said curve; run thence South 77 degrees 09 minutes 48 seconds East for a distance of 140.36 feet to a point; run thence North 54 degrees 41 minutes 19 seconds East for a distance of 29.12 feet to a point; run thence North 82 degrees 32 minutes 30 seconds East for a distance of 48.37 feet to a point; run thence North 45 degrees 27 minutes 04 seconds East for a distance of 105.98 feet to a point; run thence North 79 degrees 53 minutes 04 seconds East for a distance of 250.49 feet to a point; run thence South 02 degrees 04 minutes 25 seconds West for a distance of 95.00 feet to a point; run thence South 57 degrees 39 minutes 41 seconds East for a distance of 108.57 feet to a point; run thence South 52 degrees 56 minutes 04 seconds East for a distance of 110.00 feet to a point; run thence South 48 degrees 09 minutes 36 seconds East for a distance of 118.10 feet to a point; run thence South 48 degrees 19 minutes 27 seconds East for a distance of 118.10 feet to a point; run thence South 32 degrees 36 minutes 16 seconds East for a distance of 118.10 feet to a point; run thence South 22 degrees 31 minutes 32 seconds East for a distance of 117.87 feet to a point; run thence South 19 degrees 17 minutes 30 seconds East for a distance of 124.87 feet to a point; run thence South 14 degrees 13 minutes 34 seconds East for a distance of 80.00 feet to a point; run thence South 13 degrees 09 minutes 54 seconds East for a distance of 236.47 feet to a point; run thence South 18 degrees 46 minutes 20 seconds East for a distance of 198.41 feet to a point; run thence South 38 degrees 38 minutes 11 seconds East for a distance of 255.45 feet to a point; run thence South 78 degrees 24 minutes 10 seconds East for a distance of 176.19 feet to a point; run thence South 06 degrees 01 minutes 48 seconds West for a distance of 139.28 feet to a point on a curve to the left having a central angle of 95 degrees 31 minutes 05 seconds and a radius of 468.89 feet; run thence Northwesterly and along said curve to the left for an arc distance of 45.16 feet (chord bearing and distance North 87 degrees 04 minutes 22 seconds East, 45.14 feet) to the point of tangency of said curve; run thence North 84 degrees 18 minutes 50 seconds East for a distance of 250.81 feet to a point; run thence North 61 degrees 50 minutes 44 seconds East for a distance of 71.58 feet to a point; run thence North 30 degrees 29 minutes 43 seconds East for a distance of 68.96 feet to a point; run thence North 14 degrees 04 minutes 55 seconds East for a distance of 143.14 feet to a point on the West right-of-way line of Highland Colony Parkway as said parkway is now laid out and established on the ground, reference to which is hereby made in aid of and as a part of this description, said right-of-way being in a curve to the left having a central angle of 99 degrees 42 minutes 50 seconds and a radius of 1200.00 feet; run thence Southwesterly and along said curve to the left for an arc distance of 203.45 feet (chord bearing and distance South 06 degrees 10 minutes 50 seconds West, 203.20 feet) to a point; run thence South 67 degrees 44 minutes 48 seconds West for a distance of 54.35 feet to a point on a curve to the left having a central angle of 03 degrees 59 minutes 09 seconds and a radius of 1250.00 feet; run thence Southeasterly and along said curve to the left for an arc distance of 86.96 feet (chord bearing and distance South 01 degree 39 minutes 57 seconds East, 86.94 feet) to a point; run thence South 71 degrees 04 minutes 41 seconds East for a distance of 54.35 feet to a point on a curve to the left having a central angle of 11 degrees 27 minutes 35 seconds and a radius of 1200.00 feet; run thence Southeasterly and along said curve to the left for an arc distance of 210.01 feet (chord bearing and distance South 10 degrees 23 minutes 07 seconds East, 239.81 feet) to a point; run thence, leaving said West right-of-way line, North 16 degrees 06 minutes 34 seconds West for a distance of 190.57 feet to a point; run thence North 48 degrees 14 minutes 55 seconds West for a distance of 69.21 feet to a point; run thence North 73 degrees 27 minutes 36 seconds West for a distance of 69.21 feet to a point; run thence South 84 degrees 18 minutes 50 seconds West for a distance of 229.21 feet to the point of curvature of a curve to the right having a central angle of 07 degrees 21 minutes 07 seconds and a radius of 548.89 feet; run thence Southwesterly and along said curve to the right for an arc distance of 78.45 feet (chord bearing and distance South 87 degrees 58 minutes 23 seconds West, 78.38 feet) to a point; run thence South 63 degrees 05 minutes 39 seconds West for a distance of 160.00 feet to a point; run thence North 82 degrees 57 minutes 51 seconds West for a distance of 125.17 feet to a point; run thence North 72 degrees 55 minutes 01 seconds West for a distance of 122.69 feet to a point; run thence North 60 degrees 38 minutes 17 seconds West for a distance of 122.36 feet to a point; run thence North 50 degrees 42 minutes 33 seconds West for a distance of 121.50 feet to a point; run thence North 41 degrees 07 minutes 43 seconds West for a distance of 122.10 feet to a point; run thence North 33 degrees 01 minutes 39 seconds West for a distance of 151.78 feet to a point; run thence North 30 degrees 34 minutes 19 seconds West for a distance of 100.23 feet to a point; run thence North 22 degrees 52 minutes 57 seconds West for a distance of 120.00 feet to a point; run thence North 09 degrees 30 minutes 17 seconds West for a distance of 350.00 feet to a point; run thence North 10 degrees 48 minutes 41 seconds West for a distance of 99.95 feet to a point; run thence North 70 degrees 25 minutes 37 seconds West for a distance of 98.72 feet to a point; run thence North 31 degrees 11 minutes 48 seconds West for a distance of 98.72 feet to a point; run thence North 41 degrees 58 minutes 00 seconds West for a distance of 98.72 feet to a point; run thence North 52 degrees 44 minutes 12 seconds West for a distance of 98.72 feet to a point; run thence North 63 degrees 30 minutes 24 seconds West for a distance of 98.72 feet to a point; run thence North 74 degrees 07 minutes 25 seconds West for a distance of 105.00 feet to a point; run thence North 84 degrees 05 minutes 52 seconds West for a distance of 115.00 feet to a point; run thence North 78 degrees 50 minutes 18 seconds West for a distance of 120.00 feet to a point; run thence North 23 degrees 23 minutes 21 seconds East for a distance of 160.00 feet to a point; run thence North 77 degrees 09 minutes 49 seconds West for a distance of 65.00 feet to a point; run thence South 36 degrees 29 minutes 58 seconds West for a distance of 171.38 feet to a point; run thence North 51 degrees 32 minutes 33 seconds West for a distance of 120.00 feet to a point; run thence North 58 degrees 15 minutes 51 seconds West for a distance of 50.09 feet to a point; run thence North 54 degrees 00 minutes 22 seconds West for a distance of 205.00 feet to a point; run thence North 35 degrees 14 minutes 54 seconds West for a distance of 165.00 feet to a point; run thence North 65 degrees 55 minutes 20 seconds West for a distance of 75.68 feet to the Point of Beginning, containing 22.88 acres, more or less.

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 22 day of June, 1995, at 10:30 o'clock a M., and was duly recorded on the JUN 22 1995, Book No. 935, Page 510.



STEVE DUNCAN, CHANCERY CLERK

BY: Parker D.C.