

2021-0100

INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF ANIMAL CONTROL)

ORDINANCE NO. 21-4-9

An ordinance to approve and authorize the execution of an Act of Donation by, Esperanza Land LLC, to St. Charles Parish for a certain parcel of property situated on Deputy Jeff G. Watson Drive attached to the parking lot animal shelter.

WHEREAS, St. Charles Parish plans to extend the parking lot and driveway at the Animal Shelter to allow a safer vehicle flow through the parking lot; and,

WHEREAS, this expansion will allow a second exit/entrance into the Animal Shelter; and,

WHEREAS, in order for this to be designed in a safe manner additional land must be acquired; and,

WHEREAS, Esperanza Land, LLC is offering to donate approximately 3,574 square feet of land to St. Charles Parish to complete this project; and,

WHEREAS, it is the desire of the Parish Council to accept said Act of Donation.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Donation, attached hereto, by Esperanza, LLC. to St. Charles Parish for a certain parcel of property as more fully shown on survey by Lucien C. Gassen Surveying Services, Lucien J. Gassen Jr. PLS, Dated September 30, 2020 is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Act of Donation on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: BILLINGS, FONSECA, DARENSBOURG GORDON, CLULEE, GIBBS,
DUFRENE, BELLOCK, FISHER, FISHER-PERRIER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 19th day of April, 2021, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Marilyn Bellot*
SECRETARY: *Michelle Inpartato*
DLVD/PARISH PRESIDENT: April 20, 2021
APPROVED: _____ DISAPPROVED: _____
PARISH PRESIDENT: *Matthew Jewell*
RETD/SECRETARY: April 21, 2021
AT: 2:30pm RECD BY: *(Signature)*

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON May 20, 2021
AS ENTRY NO. 459119
IN MORTGAGE/CONVEYANCE BOOK
NO. 906 FOLIO 301

ACT OF DONATION

UNITED STATES OF AMERICA

BY: ESPERANZA LAND, LLC

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on the dates indicated below,

BEFORE, the undersigned Notaries Public, duly commissioned and qualified, in and for the Parish of St. Charles, therein residing, and in the presence of the witnesses hereinafter named and undersigned:

PERSONALLY CAME AND APPEARED:

ESPERANZA LAND, LLC (TIN *-*8306)**, successor-in-interest via merger to Esperanza Land Company, a Louisiana limited liability company in good standing, organized and existing under the laws of the State of Louisiana, herein represented by its Authorized Representative, Debra Dufresne Vial, duly authorized by virtue of the attached Certificate of Authority; and having as its mailing address 14035 River Road, Luling, Louisiana 70070.

hereinafter referred to as Donor, which declared that it does by these presents donate, give, grant, bargain, convey, transfer, assign, set over, abandon, and deliver, without any warranties whatsoever, but with full substitution and subrogation in and to all the rights and actions of warranty which it has or may have against all preceding owners and vendors, unto:

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by its President, Matthew Jewell, and whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to File No. 2021-0100, Ordinance No. 21-4-9 adopted by the St. Charles Parish Council on April 19,, 2021, a copy of which is attached hereto and made a part hereof;

hereinafter referred to as Donee, here present accepting for itself and its successors and assigns, and acknowledging due delivery and possession thereof, all and singular the following described property, to-wit:

ONE CERTAIN LOT OR PORTION OF GROUND, together with all of the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Charles, State of Louisiana, in that part thereof known as **ESPERANZA BUSINESS PARK PHASE I** as shown on a Final Plat by Stephen P. Flynn, dated January 16, 2006, entitled "ESPERANZA BUSINESS PARK PHASE I, survey plat and resubdivision of Tract 4C, Tract 4D-1-A, Tract 10D-1 & Tract 10A-2 of Sugarland Subdivision into lots herein designated as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,

property herein conveyed by the use of directional drilling methods only, and thus hereby waives surface rights.


Donee has accepted and does hereby accept and acknowledge delivery of the above-described property from Donor, subject to and in conformity with all of the conditions, covenants, provisions and stipulations set forth above.

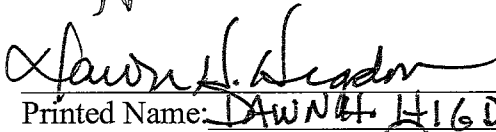
All parties agree to waive the production of tax and mortgage certificates and hereby relieve and release me, Notaries, for any liability regarding their non-production. Should any zoning, planning or other Parish ordinances effect this act, the parties hereto relieve me, Notaries, from any liability or for any responsibility to determine or see to compliance of these regulations. The parties also acknowledge that no examination of the title has been made by the Notaries, and agree to relieve, release, defend, save, hold harmless, and indemnify the Notaries, from all claims, liabilities and responsibilities in connection therewith.

All agreements and stipulations herein contained, and all of the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors and assigns of the respective parties hereto.

THUS DONE AND PASSED at Luling, Louisiana, on the 5th day of May, 2021, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearer, and me, Notary, after reading of the whole.


WITNESSES:

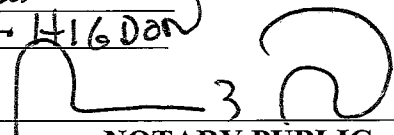

Printed Name: SARA F. RONEY


Printed Name: DAWN H. HIGON

DONOR:

ESPERANZA LAND, LLC


BY: **DEBRA DUFRESNE VIAL**
ITS AUTHORIZED MANAGER


NOTARY PUBLIC
Printed Name: Robert L. Raymond
Bar/Notary No. 11408

THUS DONE AND PASSED at Hahnville, Louisiana, on the 11th day of May, 2021, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearer, and me, Notary, after reading of the whole.

WITNESSES:

Sam Scholle
Printed Name: SAM SCHOLLE

Anthony Ayo
Printed Name: Anthony Ayo

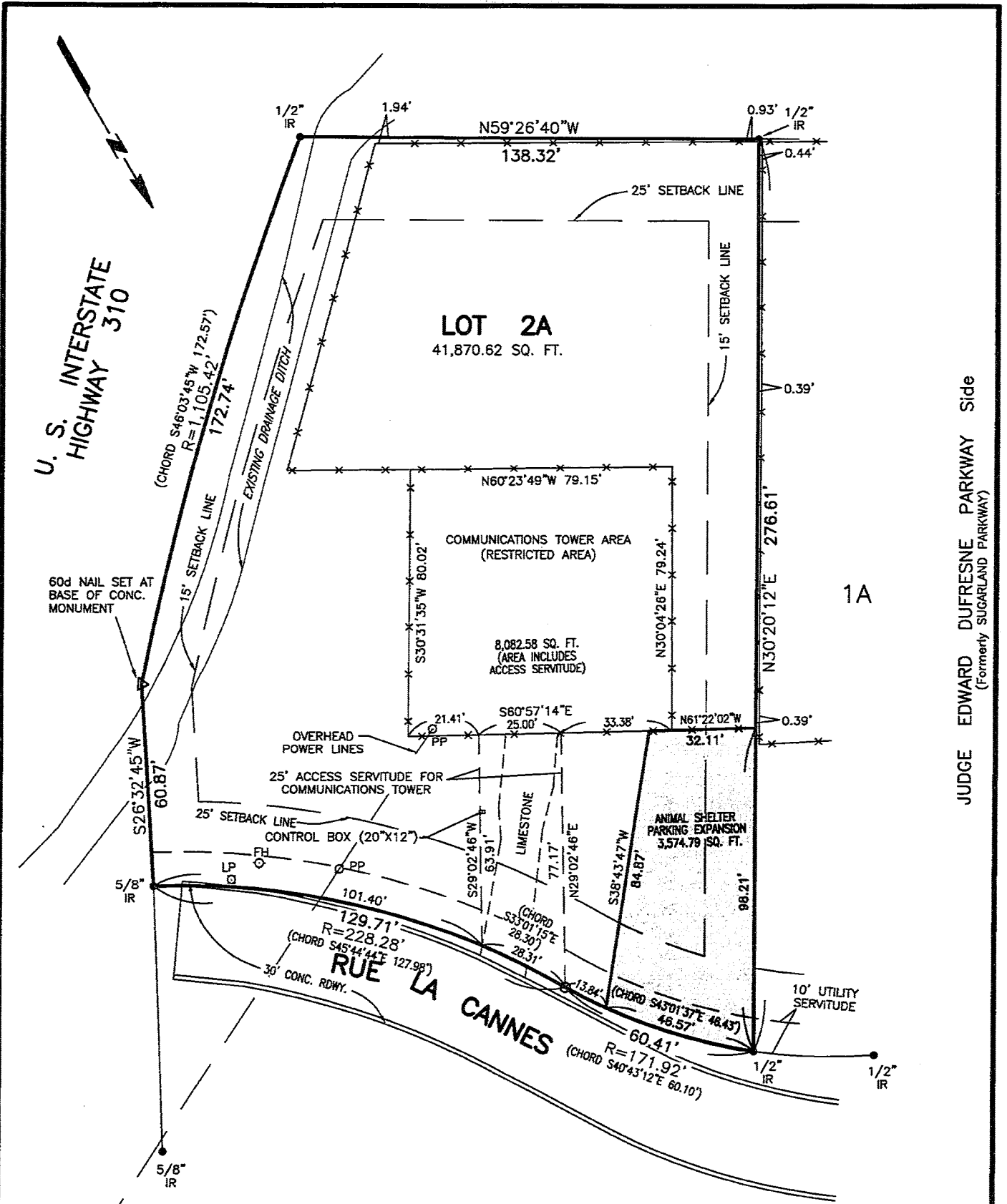
**ACCEPTANCE BY DONEE:
ST. CHARLES PARISH**

Matthew Jewell
BY: MATTHEW JEWELL
PARISH PRESIDENT

Robert L. Raymond
NOTARY PUBLIC
Printed Name: Robert L. Raymond
Bar/Notary No. 11408

U. S. INTERSTATE
HIGHWAY 310

JUDGE EDWARD DUFRESNE PARKWAY Side
(Formerly SUGARLAND PARKWAY)



CERTIFIED TO ST. CHARLES PARISH COUNCIL
& ESPERANZA LAND CO.

**SURVEY OF LOT 2A
ESPERANZA BUSINESS PARK
PHASE 1
IN SECTIONS 7 & 8, T13S - R21E
ST. CHARLES PARISH, LOUISIANA
SCALE: 1" = 40' SEPTEMBER 30, 2020**

LEGEND

- = FOUND
- = 1/2" IRON ROD SET
- ▽ = 60d NAIL SET
- IR = IRON ROD
- FH = FIRE HYDRANT
- LP = LIGHT POLE
- PP = POWER POLE
- X— = FENCE

BEARINGS SHOWN HEREON ARE BASED ON THE LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 (2011) ESTABLISHED BY USING LOUISIANA STATE UNIVERSITY'S C4G REAL TIME NETWORK.

REFERENCE PLANS:

1. ESPERANZA BUSINESS PARK PHASE 1 BY RIVERLANDS SURVEYING COMPANY, STEPHEN P. FLYNN, PLS, DATED JANUARY 17, 2006, LAST REVISED SEPTEMBER 7, 2006
2. SURVEY OF LOT 1A ESPERANZA BUSINESS PARK PHASE 1 BY LUCIEN C. GASSEN, PLS, DATED AUGUST 30, 2011, REVISED MAY 24, 2012
3. A RESUBDIVISION OF A PORTION OF GROUND FOR A PROPOSED DOG PARK AND ROAD EXTENSION BY BFM CORPORATION, LLC, R. P. FONTCUBERTA, JR., PLS, DATED NOVEMBER 21, 2016, REVISED DECEMBER 23, 2016

The servitudes shown on this survey are limited to those set forth per reference plans and there is no representation that all applicable servitudes are shown hereon. No title search or public record search was made in compiling data for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.

I certify that this plat represents an actual ground survey performed by myself or under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

LOUIS J GASSEN JR, PLS
Registration No. 4945
(985) 785-0745
1026 Gassen Street
Luling, Louisiana 70070

GASSEN SURVEYING, LLC



**CERTIFICATE OF AUTHORITY
FOR
ESPERANZA LAND, LLC**

The undersigned hereby certify that they are all of the members of the board of managers of Esperanza Land Holdings, L.L.C., which is the sole member of Esperanza Land, LLC (the “**Company**”). The Company is managed by its sole member, Esperanza Land Holdings, L.L.C. Accordingly, the undersigned, being all of the members of the board of managers of Esperanza Land Holdings, L.L.C., in its capacity as the sole member of the Company, hereby adopt the following resolutions and certify that said resolutions remain in effect as of the date of this Certificate of Authority:

RESOLVED, that Debra Dufresne Vial is hereby authorized for and on behalf of the Company to execute an Act of Donation in order for the Company to donate to St. Charles Parish the property described below, all in accordance with such terms and conditions as Debra Dufresne Vial, in her sole and absolute discretion, deems to be in the Company’s best interest:


ONE CERTAIN LOT OR PORTION OF GROUND, together with all of the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Charles, State of Louisiana, in that part thereof known as **ESPERANZA BUSINESS PARK PHASE I** as shown on a Final Plat by Stephen P. Flynn, dated January 16, 2006, entitled “**ESPERANZA BUSINESS PARK PHASE I**, survey plat and resubdivision of Tract 4C, Tract 4D-1-A, Tract 10D-1 & Tract 10A-2 of Sugarland Subdivision into lots herein designated as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 1A, 2A, 1B, 2B, 3B, 4B & Tract 10D-1A of Esperanza Business Park, Phase I, situated in Sections 1, 97-102, & 121, T-13-S, R-20-E, Luling St. Charles Parish, Louisiana”, which Final Plat was recorded at COB 680, folio 650, Entry No. 324333 of the official records of St. Charles Parish. And according to the Final Plat, the property described herein is designated as **LOT 2A**, which bears the dimensions more fully shown on the above-referenced Final Plat, and which is further depicted as Lot 2A on the survey by Louis J. Gassen, Jr., dated September 30, 2020, which is incorporated herein by reference.

FURTHER RESOLVED, that Debra Dufresne Vial is authorized and empowered to do or cause to be done all such acts or things and to sign and deliver, or cause to be signed and delivered, all such documents, instruments and certificates in the name and on behalf of the Company or otherwise, as she may deem necessary, advisable or appropriate in her sole and absolute discretion to effectuate or carry out the purposes and intent of the foregoing Resolution.

FURTHER RESOLVED, that all acts, transactions, or agreements undertaken by Debra Dufresne Vial prior to the adoption of these Resolutions, or by any other member of the board of managers of Esperanza Land Holdings, L.L.C. or by the sole member of the Company, in connection with the foregoing matters are hereby ratified, confirmed and adopted by Esperanza Land Holdings, L.L.C. and its board of managers, as duly authorized on behalf of the Company. Third parties are entitled to rely on this Certificate of Authority until it has been revoked in writing and recorded in the public records of St. Charles Parish, Louisiana.

Effective as of May 1, 2021.

ESPERANZA LAND HOLDINGS, L.L.C.,
SOLE MEMBER
By its board of managers:

By: 
DEBRA DUFRESNE VIAL,
Member of board of managers

By: Dana Dufresne Authement
DANA DUFRESNE AUTHEMENT,
Member of board of managers

By: Denise Dufresne Hymel
DENISE DUFRESNE HYMEL,
Member of board of managers

By: Dawn Dufresne Dawson
DAWN DUFRESNE DAWSON,
Member of board of managers

By: Karan Accardo
KARAN ACCARDO,
Member of board of managers