

Ord

2018-0150

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(DEPARTMENT OF LEGAL SERVICES)

ORDINANCE NO. 18-7-5

An ordinance approving a purchase of 6.17 acres of property which is contiguous and adjacent to the East Bank Bridge Park, more fully described on the Murray Architects Drawing No. A.0.1 dated December 12, 2016, attached hereto and made a part hereof as Exhibit "A" and identified as UDP-2-B thereon, and the acceptance of the donation of parcel of ground identified as UDP-2A on said drawing, which together form UDP-2.

WHEREAS, St. Charles Parish has operated a recreational facility known as the East Bank Bridge Park for several years; and,

WHEREAS, the demand for recreational services to be provided by St. Charles Parish to the public is always increasing; and,

WHEREAS, St. Charles Parish has an opportunity to secure additional property consisting of 8.211 acres immediately contiguous and adjacent to the East Bank Bridge Park from P & L Investments IX, L.L.C.; and,

WHEREAS, the 8.211 acre parcel is identified as UDP-2, and consists of UDP-2-A which is 2.04 acres currently under lease to St. Charles Parish and used by St. Charles Parish, and UDP-2-B which is 6.17 acres; and,

WHEREAS, the acquisition of this property will serve the public purpose of recreation; and,

WHEREAS, while the property identified as UDP-2-B has been appraised for \$940,000.00, P & L Investments IX, L.L.C. has offered to sell the property to St. Charles Parish for \$20,000.00 per acre while donating the balance of the remaining value to St. Charles Parish; and,

WHEREAS, on December 29, 2017, P & L Investments IX, L.L.C. donated the parcel of ground identified as UDP-2-A to St. Charles Parish, all as shown on the Act of Donation recorded at Entry No. 429383, MOB 856, Folio 465 of the records of the Clerk of Court for the Parish of St. Charles, a copy of which is attached hereto as Exhibit "B"; and,

WHEREAS, St. Charles Parish now desires to purchase the property known as UDP-2-B and accept the Donation of UDP-2-A.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS that the St. Charles Parish President is hereby authorized to execute any and all documents necessary to effectuate the purchase of the property identified as UDP-2-B on the Murray Architects Drawing No. A.0.1, dated December 12, 2016, containing approximately 6.17 acres, and identified as "Exhibit A" attached hereto and made a part hereof, to effectuate said purchase for the total sum of ONE HUNDRED TWENTY-THREE THOUSAND FOUR HUNDRED AND NO/100THS (\$123,400.00) from its current owner, P & L Investments, IX, L.L.C., and to accept the donation of the balance of the value of the property from P & L Investments, IX, L.L.C., and to accept the Act of Donation of UDP-2-A by P & L Investments IX, L.L.C. dated December 29, 2017, recorded at Entry No. 429383. Conveyance Book 856, Folio 465 of the records of the Clerk of Court for the Parish of St. Charles all as more fully shown on the Cash Sale, Act of Donation and Acceptance of Donations attached hereto as Exhibit "C".

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

YEAS: BENEDETTO, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK

NAYS: HOGAN

ABSENT: FLETCHER, FISHER-PERRIER

And the ordinance was declared adopted this 9th day of July, 2018, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]

INIERIM SECRETARY: Valerie Berthelot

DLVD/PARISH PRESIDENT: July 10, 2018

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: July 11, 2018

AT: 12:30pm RECD BY: JB

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON August 2, 2018
AS ENTRY NO. 434416
IN MORTGAGE/CONVEYANCE BOOK
NO. 816 FOLIO 250

**CASH SALE, ACT OF DONATION
AND ACCEPTANCE OF ACT OF DONATIONS**

UNITED STATES OF AMERICA

BY P & L INVESTMENTS IX, L.L.C.

STATE OF LOUISIANA

TO ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, That on dates subscribed below,

BEFORE ME, the undersigned Notary or Notaries Public, in and for the Parish of St. Charles, State of Louisiana, duly commissioned and qualified, and in the presence of the witnesses hereafter named and undersigned, personally came and appeared:

P & L INVESTMENTS IX, L.L.C., a Louisiana limited liability company, whose mailing address is 13760 River Road, Destrehan, Louisiana, 70047, appearing herein through Paul J. Murray, III, its agent duly authorized by Authorization dated September 27, 2016, recorded in the records of the Clerk of Court, St. Charles Parish, at Entry No. 418594, COB 838, folio 510, attached hereto and made a part hereof, (hereinafter referred to as "Seller/Donor"),

who declared that for the consideration and upon the terms and conditions hereinafter expressed, do by these presents sell, grant, bargain, assign, transfer, deliver, abandon, set over and make a manual gift and donation inter vivos, with all lawful warranties and with substitution and subrogation to all rights and actions of warranty against all preceding owners and vendors, unto

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by Larry Cochran, its Parish President, whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to Ordinance No. 18-75, adopted by St. Charles Parish Council on July 9, 2018 a copy of which is attached hereto and made a part hereof (hereinafter referred to as Purchaser/Donee"),

here present, accepting, purchasing and acknowledging delivery and possession of the following described property, to-wit:

A portion of Lot 822, Block C, Plantation Business Campus, further identified as UDP-2-B containing approximately 268,887 square feet or 6.17 acres, all as more fully shown on Exhibit C-1 attached.

To have and to hold the said property unto the said "Purchaser/Donee" forever.

The "Seller/Donor" and the "Purchaser/Donee" do hereby declare the value of the property hereinabove described and transferred is \$940,000.00 and the consideration for said transfer is

ONE HUNDRED TWENTY-THREE THOUSAND FOUR HUNDRED AND NO/100THS (\$123,400.00) DOLLARS, lawful and current money of the United States of America, which amount the "Purchaser/Donee" has paid in ready cash, receipt of which is hereby acknowledged by the "Seller/Donor", and full discharge and acquittance granted therefor; and the balance of the consideration is donated by the "Seller/Donor" to the "Purchaser/Donee", and which is hereby accepted by the "Purchaser/Donee".

Taxes for 2017 are paid. The parties hereto waive any conveyance, mortgage, tax and any other certificates and relieve and release me/us, Notary/Notaries, from any and all responsibility in connection therewith. The parties also acknowledge that no examination of the title has been made by us, Notary/Notaries,

and the parties agree to relieve, release, defend, save, hold harmless, and indemnify me/us, Notary/Notaries, from any and all claims, liabilities, and responsibilities in connection therewith.

And further, St. Charles Parish acknowledges that by Act of Donation by P & L Investments, IX, L.L.C. dated December 29, 2017, P & L Investments, IX, L.L.C. donated the following described property to it, to-wit:

A portion of UDP-2 originally shown on survey prepared by Riverlands Surveying Company, dated October 6, 2016, and recorded at Entry No. 418596, Book 838, Page 518, being located in the Parish of St. Charles, State of Louisiana, in Section 4, T13S, R8E, Southeastern District of Louisiana, East of the Mississippi River. Said portion of UDP-2 herein donated is shown on the attached drawing by Murray Architects as "UDP-2-A", containing approximately 2.04.

Said Act of Donation was duly executed by and on behalf of P & L Investments, IX, L.L.C. by authentic act before Christopher Robles, Notary Public, and was recorded on December 29, 2017, at Entry No. 429383, Conveyance Book 856, Folio 465 of the records of the Clerk of Court for the Parish of St. Charles, and said donation is hereby accepted by St. Charles Parish, reserving any attestation to its value.

The parties further declare that it is their intent that, by this Act, the entirety of UDP-2 is being transferred to St. Charles Parish by P & L Investments, IX, L.L.C.

All the agreements and stipulations herein contained, and all 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 in my office at Destrehan, Louisiana, on the 20th day of July, 2018, in the presence of the named and undersigned witnesses, who hereunto sign their names with the said appearers and me, Notary, after reading of the whole.

WITNESSES:

P & L INVESTMENTS IX, L.L.C.

NAME:

BY:

PAUL J. MURRAY, III

NAME:

NOTARY PUBLIC

NAME Robert L. Raymond BAR NO. 11408

THUS DONE AND PASSED in my office at Hahnville, Louisiana, on the 26th day of July, 2018, in the presence of the named and undersigned witnesses, who hereunto sign their names with the said appearers and me, Notary, after reading of the whole.

WITNESSES:

ST. CHARLES PARISH

NAME:

BY:

LARRY COCHRAN, PRESIDENT

NAME:

ROBERT L. RAYMOND
NOTARY PUBLIC BAR NO. 11408

STATE OF LOUISIANA

PARISH OF Washington DC

AUTHORIZATION
TO ACT FOR

P & L Investments, IX, L.L.C.
A LIMITED LIABILITY COMPANY

BE IT KNOWN that on 9/27/10 before me, Kathleen Hardt, a Notary Public duly commissioned and qualified in and for aforesaid parish and state, and in the presence of the undersigned witnesses, personally came and appeared:

Paul Iger, Managing Member, XXX-XX-0741, whose present mailing address is One American Place, 23rd Floor, 301 Main Street, Baton Rouge, La 70801;

Gary Silversmith, Member, XXX-XX-4213, whose present mailing address is One American Place, 23rd Floor, 301 Main Street, Baton Rouge, La 70801;

who, after being duly sworn, did acknowledge and declare that they are all of the members of P & L Investments, IX, L.L.C., a Limited Liability Company organized under the laws of the State of Louisiana, whose Articles of Organization are recorded in the office of the Louisiana Secretary of State, and that they do hereby authorize and empower Paul J. Murray, III to act for and in the name of the said P & L Investments, IX, L.L.C., to transact the following on behalf of P & L Investments, IX, L.L.C.:

Sell, purchase, quitclaim, donate, partition, exchange, compromise, re-subdivide, mortgage, assign, lease, pledge, subordinate or release any or all property, interests or rights of any kind owned by, or to be acquired by, P & L Investments, IX, L.L.C. pertaining to property formerly or currently owned by BP Products North America, Inc. located in Destrehan, St. Charles Parish, Louisiana.

The said Paul J. Murray, III is authorized to sign all documents, of every kind whatsoever, for and in the name of P & L Investments, IX, L.L.C., and to take all such actions in its name as may, in the sole and exclusive judgment of Paul J. Murray, III, be necessary to accomplish the authority expressed above.

Any person dealing with Paul J. Murray, III may assume that the authority conferred upon him by this document is still in full force and effect unless and until there is recorded in the conveyance records of St. Charles an express revocation of such authority.

THIS DONE AND SIGNED on the day and date set forth above at the City of WASHINGTON ^{District} ~~State~~ of Columbia the parties hereto having affixed their signatures, together with me, Notary, and the undersigned witnesses, after due reading of the whole.

WITNESSES:

X [Signature]
Print Name:

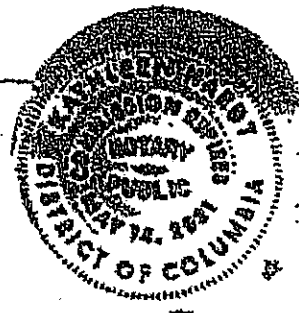
X [Signature]
Paul Iger

X [Signature]

X [Signature]
Gary Silversmith

KATHLEEN HARDT
NOTARY PUBLIC
District of Columbia
My Commission Expires May 14, 2021

[Signature]
NOTARY PUBLIC



MURRAY ARCHITECTS
 200 N. 10th Street
 Suite 200
 Fargo, ND 58102
 Phone: (701) 785-1234
 Fax: (701) 785-1235
 Email: info@murrayarchitects.com

Project Name: Destrehan Development
 Project No: 2020-001
 Date: 10/15/2020

