

Ord.
2010-0121

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF LEGAL SERVICES)**

ORDINANCE NO. 10-4-10

An ordinance to approve and authorize the execution of an Act of Sale by Madere's Garage, Inc. to St. Charles Parish for a certain parcel of property, located at 15022 River Road in Hahnville.

WHEREAS, the Parish is in need of additional property near the Parish Courthouse Complex in Hahnville to house offices and provide for future expansion; and,

WHEREAS, Madere's Garage, Inc. is the owner of a certain 52,066 square foot track of land located at 15022 River Road in Hahnville adjacent to the Department of Economic Development property, which is located at 15012 River Road in Hahnville; and,

WHEREAS, it is the desire of the Parish Council to acquire said property.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Sale by Madere's Garage, Inc. to St. Charles Parish for the above described property in the amount of \$195,768.38 is hereby approved.

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

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN,
COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 5th day of April, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, Sr.

SECRETARY: Balinda J. Tucker

DLVD/PARISH PRESIDENT: April 6, 2010

APPROVED: DISAPPROVED:

PARISH PRESIDENT: W. St. Pierre

RETD/SECRETARY: April 6, 2010

AT: 4:52 pm RECD BY: W. St. Pierre

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE

ON 5/4/10

AS ENTRY NO. 360415

IN MORTGAGE/CONVEYANCE BOOK

NO. 742 FOLIO 496

CASH SALE

UNITED STATES OF AMERICA

FROM: MADERE'S GARAGE INC.

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 19th day of April, in the year two thousand and ten(2010).

BEFORE ME, LEON C. VIAL, a Notary Public in and for the Parish of St. Charles, State of Louisiana, duly commissioned and qualified, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

MADERE'S GARAGE, INC. (#72-0644337) a Louisiana corporation domiciled in St. Charles Parish, Louisiana, herein represented by its President, Jan G. Madere, pursuant to Resolution of the Board of Directors, copy of which is attached hereto and made a part hereof, and whose mailing address is P. O. Box 447, Hahnville, LA, 70057,

hereinafter designated as "vendor" who declared that for the consideration and upon the terms and conditions hereinafter expressed, said vendor does by these presents sell, grant, bargain, assign, transfer, deliver, and abandon and set over under 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 V. J. St. Pierre, Jr., its Parish President, and whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to Ordinance No. 10-4-10 adopted by the St. Charles Parish Council on April 5, 2010 a copy of which is attached hereto and made a part hereof;

hereinafter designated as "purchaser", here present, accepting and purchasing and acknowledging delivery and possession of the following described property, to wit:

A certain portion of ground together with all the buildings and improvements thereon, and all rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the parish of St. Charles, State of Louisiana, on the right bank of the Mississippi River and according to a survey by Lucien Gassen, PLS dated January 6, 2010 and entitled

"Survey of Two Portions of Property Being Purchased By St. Charles Parish" the portion of property designated as "Madere Property" commences at an old iron located at a point on the western toe of the levee at its intersection with the Northeast corner of the subject property and thence proceed S63°30'01"W for a distance of 500.31' to an iron rod set in the eastern boundary line of LA Highway 18; thence proceed N09°04'24"W for a distance of 103.20' to an iron rod also set in the eastern boundary line of LA Highway No. 18; thence proceeding S63°30'01"W for a distance of 557.30' to an iron rod set in the western boundary line of the levee; and thence proceed S15°15'15"W for a distance of 131.98' to an old iron, the point of beginning.

Being the same property acquired by vendor herein by Act of Sale dated September 11, 1995, and duly recorded at COB 499, folio 181 in and for the Parish of St. Charles.

To have and to hold the said property unto the said purchaser forever. This present sale and conveyance is made and accepted for and in consideration of the sum and price of **ONE HUNDRED NINETY FIVE THOUSAND SEVEN HUNDRED SIXTY-EIGHT AND 38/100 (\$195,768.38) DOLLARS**, lawful current money of the United States of America, which amount the said purchaser has paid in ready CASH, receipt of which is hereby acknowledged by the vendor, and full discharge and acquittance granted therefor.

Taxes for 2009 are paid. The parties hereto waive any conveyance, mortgage, tax and any other certificates and relieve and release me, Notary, from any and all responsibility in connection therewith. The parties also acknowledge that no examination of the title has been made by me, Notary, and agree to relieve, release, defend, save, hold harmless, and indemnify me, Notary, from any and all claims, liabilities, and responsibilities in connection therewith.

Whenever the word "vendor" is used in this act, it shall be construed to include "vendors," and whenever the word "purchaser" is used it shall be construed to include "purchasers."

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.

The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is hereby dispensed with by the parties hereto.

THUS DONE, READ AND PASSED at my office in the City of Hahnville, Parish and State aforesaid, in the presence of undersigned competent witnesses who have hereunto signed their names with the parties and me, said Notary, the day, month and year first above written.

WITNESSES:

MADERE'S GARAGE, INC.

Aleane J. Madere

Jan B. Madere
BY: **JAN G. MADERE, PRESIDENT**

Brian J. Tucker

PARISH OF ST. CHARLES

V. J. St. Pierre, Jr.
BY: **V. J. ST. PIERRE, JR.**
PARISH PRESIDENT

Leon C. Vial, III

NOTARY PUBLIC
LEON C. VIAL, III
NO. 13061

EXTRACT OF MINUTES OF MEETING OF
BOARD OF DIRECTORS OF MADERE'S GARAGE, INC.

BE IT RESOLVED that Jan G. Madere, President, is hereby authorized and empowered to act on behalf of Madere's Garage, Inc. and to sign any and all documents necessary to convey good, valid and merchantable title to St. Charles Parish of the following described property, to-wit:

A CERTAIN LOT OR PARCEL OF LAND, situated in the Parish of St. Charles, State of Louisiana, on the right bank of the Mississippi River, measuring 98.46 feet front on Public Road (now River Road or Louisiana Highway 18), between parallel lines extending to the toe of the levee; bounded on the upper side by property of Philip Gaudet, et als and below by property of St. Charles Parish, together with all the rights, ways, privileges, servitudes and advantages thereunto belonging or in anyway appertaining.

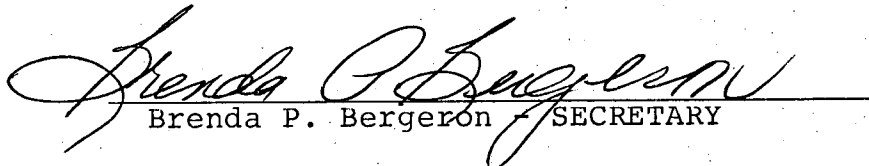
Acquired by Madere's Garage, Inc. from Emile Thompson by act dated October 28, 1977, recorded in COB 196, folio 486, St. Charles Parish.

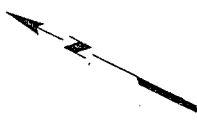
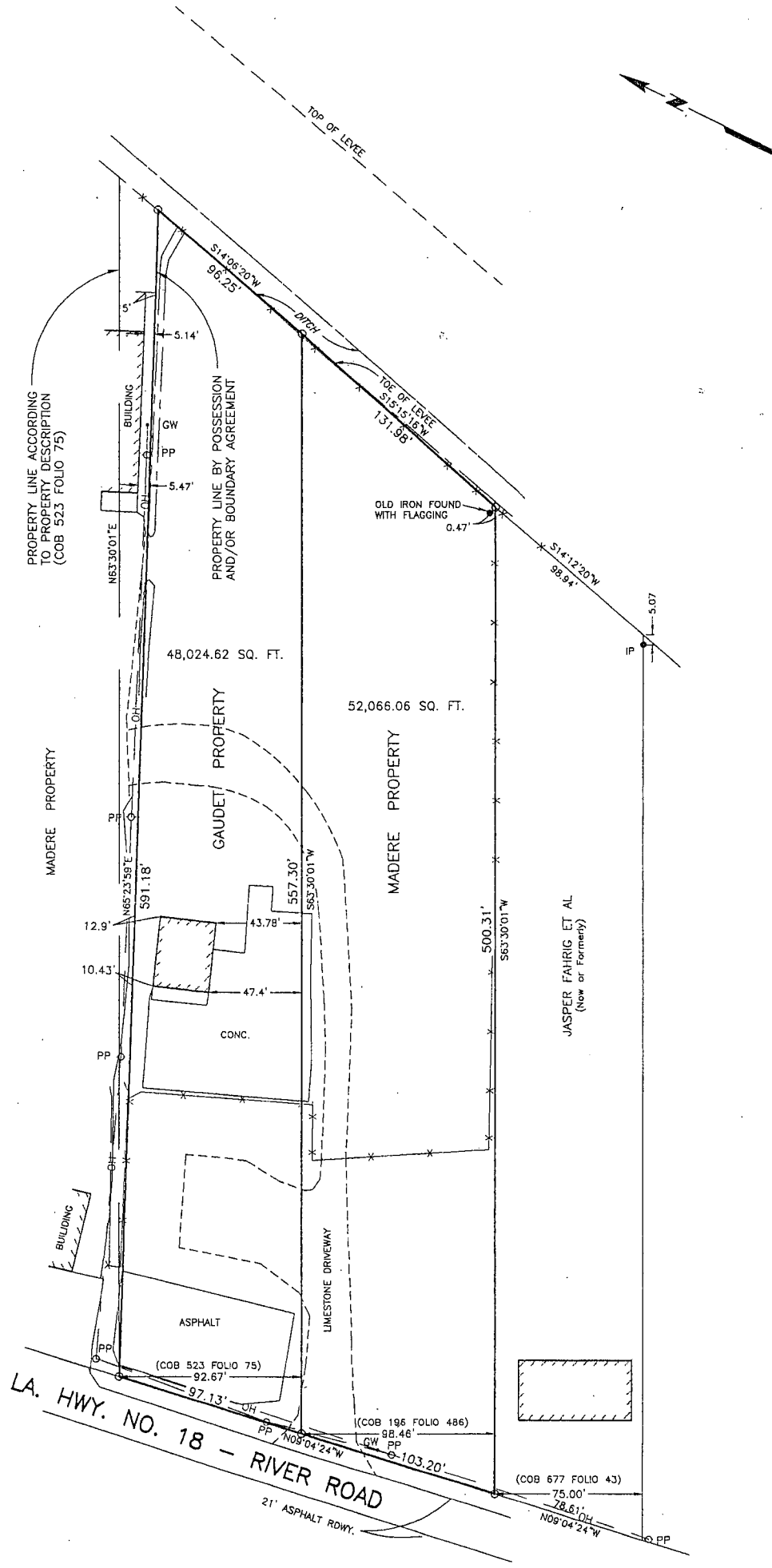
Said sale is to be for the price and sum of \$195,768.38.


Brenda P. Bergeron - SECRETARY

C E R T I F I C A T E

I hereby certify that the above is a true and exact extract of minutes of meeting of Board of Directors of Madere's Garage, Inc. held on January 7, 2010, and that the same has not been revoked nor rescinded this 29th day of March, 2010.


Brenda P. Bergeron - SECRETARY



LEGEND
 ● = FOUND
 ○ = IR SET
 GW = GUY WIRE
 PP = POWER POLE
 X = FENCE
 -OH- OVERHEAD POWER LINES
 BEARINGS ARE BASED ON REFERENCE PLAN

REFERENCE PLAN:
 MAP SHOWING A PORTION OF LOT 16 OF FASHION PLANTATION BY SHREAD-KUYRKENDALL & ASSOC., L. LYLES BUDDEN, LAND SURVEYOR, DATED AUG. 15, 2006

The reference plots show no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed 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.

SURVEY OF TWO PORTIONS OF PROPERTY BEING PURCHASED BY ST. CHARLES PARISH IN SECTIONS 16 & 17, T13S - R20E ST. CHARLES PARISH, LOUISIANA
 SCALE: 1" = 60' JANUARY 6, 2010

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

Lucien C. Gassen
LUCIEN C. GASSEN, PLS
 Registration No. 353
 LULING, LOUISIANA 70070