

2023-0302

INTRODUCED BY: MATTHEW JEWELL PARISH PRESIDENT
(DEPARTMENT OF LEGAL SERVICES)

ORDINANCE NO. 23-12-2

An ordinance approving and authorizing the exchange of property located at the Bayou Gauche Park with the Bayou Gauche Fire Department.

WHEREAS, St. Charles Parish desires to exchange property with the Bayou Gauche Fire Department located next to Forrest Drive and at the Bayou Gauche Park; and,

WHEREAS, St. Charles Parish is encroaching on the property of the Bayou Gauche Fire Department and this exchange will rectify the issue; and,

WHEREAS, the Bayou Gauche Fire Department is in need of the property between Forrest Drive and its property for use by the fire department; and,

WHEREAS, the properties being exchanged are described in the Act of Exchange, attached hereto as Exhibit A; and,

WHEREAS, upon Council approval of the Act of Exchange, St. Charles Parish will have the property administratively resubdivided, as allowed by law, and as shown on Exhibit B, attached hereto; and,

WHEREAS, the properties have been appraised for values of \$8,497.50 and \$6,118.13, respectively; and,

WHEREAS, the Bayou Gauche Fire Department has agreed to pay the difference of the appraised properties in the amount of \$2,349.37 to satisfy La. Const. Art. VI, Section 14; and,

WHEREAS, St. Charles Parish no longer uses the portion of property for a public purpose.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Council hereby declares that the portion of property to be exchanged with the Bayou Gauche Fire Department which is located at the Bayou Gauche Park, is no longer needed for a public purpose.

SECTION II. That the St. Charles Parish Council hereby approves the exchange of property at the Bayou Gauche Park in the amount not less than the appraised value.

SECTION III. That the Parish President is hereby authorized to execute the said Act of Exchange by and between St. Charles Parish and the Bayou Gauche Fire Department.

SECTION IV. That the Parish President is hereby authorized to execute any and all documents deemed necessary for this purpose.

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

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

And the ordinance was declared adopted the 4th day of December, 2023, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: December 5, 2023
APPROVED: [Signature] DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: December 16, 2023
AT: 2:49 pm RECD BY: [Signature]

CERTIFIED TRUE & CORRECT AS PER
MINUTES DATED: 12/16/2023
[Signature]
SECRETARY
ST. CHARLES PARISH COUNCIL

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ACT OF EXCHANGE
BETWEEN ST. CHARLES PARISH
AND
BAYOU GAUCHE FIRE DEPARTMENT

UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. CHARLES

BEFORE ME, Corey M. Dubre, a Notary Public, duly commissioned and qualified, in and for the Parish of St. Charles, State of Louisiana, therein residing, and in the presence of the witnesses hereinafter named and undersigned:

PERSONALLY CAME AND APPEARED: St. Charles Parish, represented herein by its Parish President, Matthew Jewell, duly authorized by Ordinance No. 23-12-2 and the Bayou Gauche Fire Department, represented herein by Ronald JACOB, who declared that they did, and do by these presents, make an exchange of property on the express terms and conditions hereinafter set forth, as follows, to-wit:

For and in consideration of the transfer to him as hereinafter set forth, the said St. Charles Parish does hereby grant, bargain, assign, set over, transfer and deliver with all legal warranties and 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 the Bayou Gauche Fire Department, the following described properties, situated in the Parish of St. Charles, Louisiana, to-wit:

A certain tract of land situated in the Parish of St. Charles, State of Louisiana, on the West Bank of the Mississippi River, in Section 3, Township 15 South Range 20 East designated as a portions of original Lots A-2 and B-2 being a portion of lots 956 and 957 of the Sunset Drainage District and being more particularly described as follows:

Commencing from the intersection of the northerly right of way of Matherne Street and the westerly right of way of First Street proceed North along the westerly right of way of First Street a distance of 330.00 feet, thence N00°47' 00"E a distance of 97.50 feet to the POINT OF BEGINNING (POB D), thence West a distance of 310.12 feet, thence N01°13' 18"E a distance of 16.82 feet, thence S88°53'55"E a distance of 309.95 feet, thence S00°47'00" W a distance of 10.86 feet to the POINT OF BEGINNING, containing 4,290.91 square feet as shown on a sketch by Gassen Surveying, LLC, Louis J Gassen Jr, PLS, dated October 11, 2023.

And now, for and in consideration of the transfer to it as aforesaid, Bayou Gauche Fire Department, does by these presents grant, bargain, assign, transfer, set over and deliver with all legal warranties and with full substitution and subrogation in and to all the

rights and actions of warranty which he has or may have against all preceding owners and vendors, unto St. Charles Parish, the following described property, to-wit:

A certain tract of land situated in the Parish of St. Charles, State of Louisiana, on the West Bank of the Mississippi River, in Section 3, Township 15 South Range 20 East designated as a portion of original Lot B-1A being a portion of lots 956 and 957 of the Sunset Drainage District and being more particularly described as follows:

Commencing from the intersection of the northerly right of way of Matherne Street and the westerly right of way of First Street proceed North along the westerly right of way of First Street a distance of 330.00 feet, thence West a distance of 310.86 feet to the POINT OF BEGINNING (POB C), thence continue West a distance of 24.14 feet, thence N00°47'00"E a distance of 97.50 feet, thence East a distance of 24.88 feet, thence S01°13'18"W a distance of 97.51 feet to the POINT OF BEGINNING, containing 2,389.43 square feet as shown on a sketch by Gassen Surveying, LLC, Louis J Gassen Jr, PLS, dated October 11, 2023.

This exchange is made and mutually accepted by the parties hereto, it being agreed and understood that the properties exchanged are exchanged pursuant to the laws of the State of Louisiana. "Attachment A," attached hereto and made a part thereof, describes the portions of property being exchanged.

TO HAVE AND TO HOLD the said respective properties, the one to the other, their heirs and assigns, free from any lien, mortgage or encumbrance whatever.

THUS DONE AND PASSED at Hahnville, Louisiana this on the aforementioned date, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers and me, Notary, after reading of the whole.

WITNESSES:
Madelene Fisher
Madelene Fisher

ST. CHARLES PARISH
BY: Matthew Jewell
MATTHEW JEWELL 2-7-24
PARISH PRESIDENT

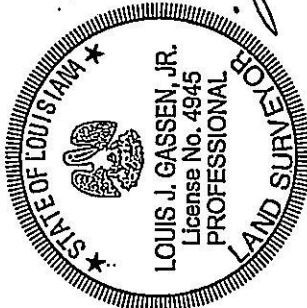
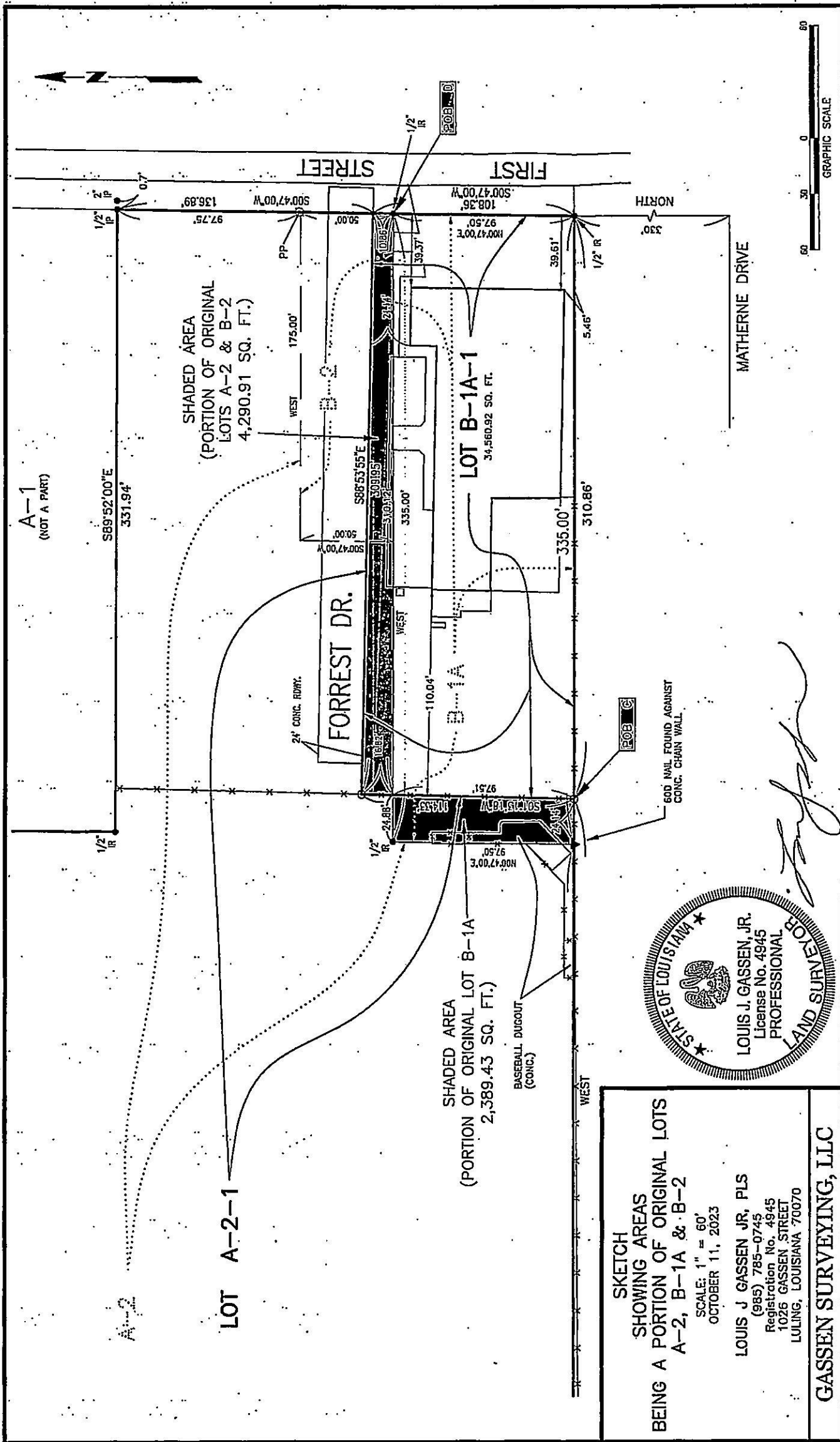
Ashley R. Mousseau
Ashley R. Mousseau

BAYOU GAUCHE FIRE DEPARTMENT
BY: Ronald E. Kibler
President 2-7-24

Corey M. Oubre
NOTARY PUBLIC
COREY M. OUBRE
NOTARY PUBLIC
LSBA NO. 28708
LA NOTARY NO. 77478
St. Charles Parish, Louisiana
My Commission is issued for Life

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ATTACHMENT A TO THE ACT OF EXCHANGE



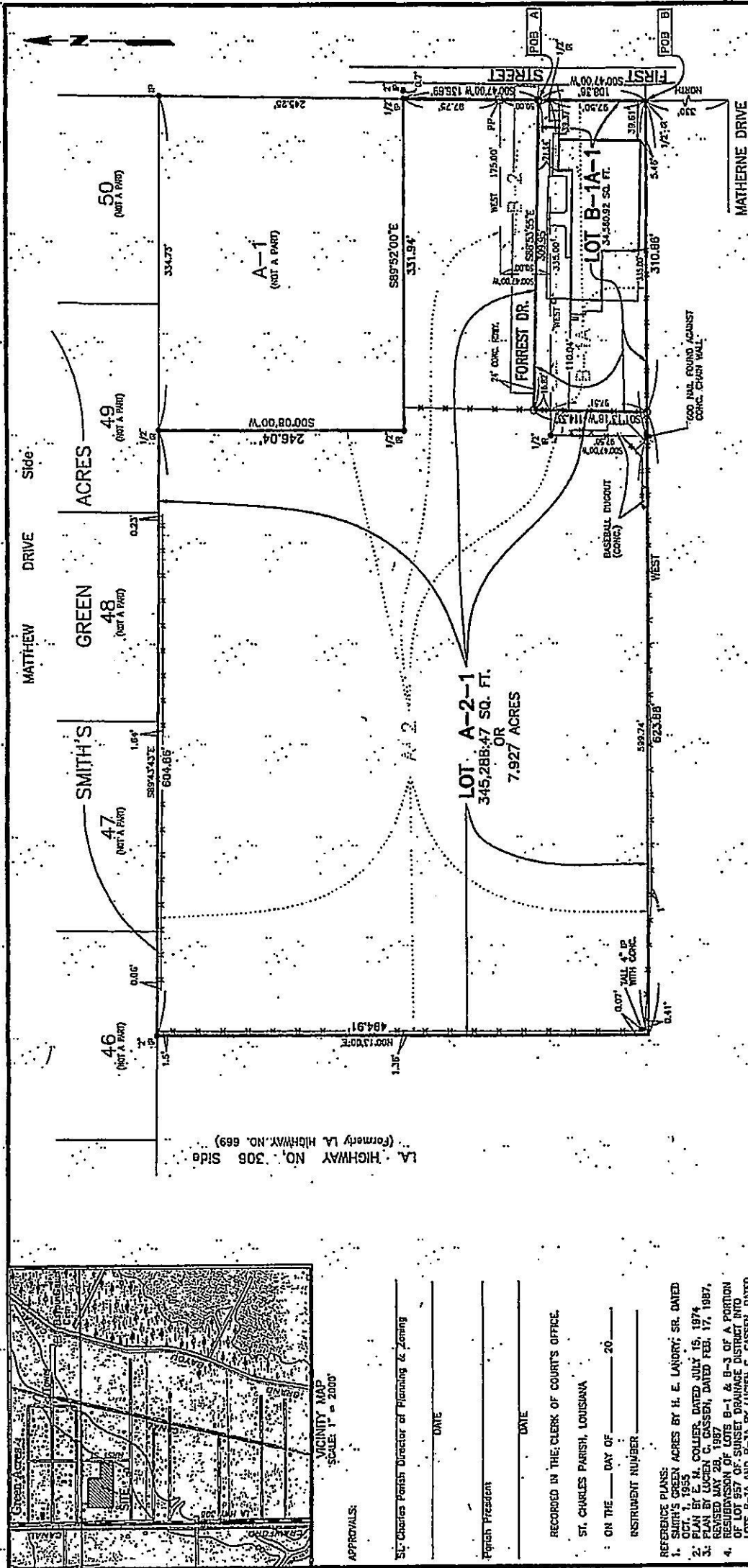
SKETCH
SHOWING AREAS
BEING A PORTION OF ORIGINAL LOTS
A-2, B-1A & B-2

SCALE: 1" = 60'
 OCTOBER 11, 2023

LOUIS J GASSEN JR, PLS
 (985) 785-0745
 Registration No. 4945
 1026 GASSEN STREET
 LULING, LOUISIANA 70070

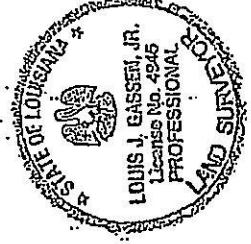
GASSEN SURVEYING, LLC

EXHIBIT B

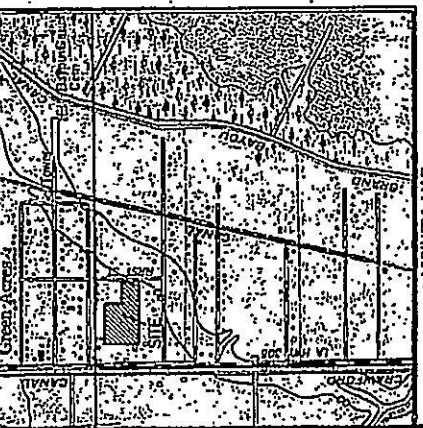


I certify that this plat represents an actual ground survey performed by myself or under my supervision and in accordance with the Louisiana standards of practice for a Class C survey.

LOUIS J. GASSEN, JR., PLUS
 Registration No. 4845
 (885) 785-0745
 1026 Gassen Street
 Luling, Louisiana 70070



GASSEN SURVEYING, LLC



VICINITY MAP
 SCALE: 1" = 2000'

APPROVALS:

St. Charles Parish Director of Planning & Zoning _____
 DATE _____
 Parish President _____
 DATE _____

RECORDED IN THE CLERK OF COURT'S OFFICE.
 ST. CHARLES PARISH, LOUISIANA
 ON THE _____ DAY OF _____ 20____
 INSTRUMENT NUMBER _____

- REFERENCE PLANS:
1. SMITH'S GREEN ACRES BY H. E. LAFORGE, SR. DATED OCT. 1, 1955
 2. PLAN BY E. H. COLLIER, DATED JULY 15, 1974
 3. PLAN BY LUCIEN C. GASSEN, DATED FEB. 17, 1987, REVISED MAY 28, 1987
 4. RESUBDIVISION OF LOTS B-1 & B-3 OF A PORTION OF LOTS 46, 47 AND 48 OF SUNSET DRAINAGE DISTRICT IN SECTION 3, T115S - R20E ST. CHARLES PARISH, LOUISIANA, DATED MARCH 12, 1981
 5. RESUBDIVISION OF LOT "A" (PROPERTY OF RICHARD P. CHUSSON) AND LOT B-2A BEING A PORTION OF LOTS 956 & 957 OF THE SUNSET DRAINAGE DISTRICT INTO LOTS A-1 AND A-2 BY LUCIEN C. GASSEN, PLS., DATED MARCH 11, 2002

The reference plans shows no encumbrances and no information regarding encumbrances was furnished by the owner or his agent. No further research regarding encumbrances was performed for this survey.

This is to certify that I have consulted the files of the State of Louisiana and found that this property is in Zone 2.

55555555 100 200
 GRAPHIC SCALE

RESUBDIVISION OF LOTS A-2, B-1A & B-2
 BEING A PORTION OF LOTS 956 & 957
 OF THE SUNSET DRAINAGE DISTRICT
 INTO LOTS A-2-1 & B-1A-1
 IN SECTION 3, T115S - R20E
 ST. CHARLES PARISH, LOUISIANA
 SCALE: 1" = 100'
 JANUARY 30, 2023
 REVISED AUGUST 31, 2023

RECEIVED TO ST. CHARLES PARISH
 & BAYOU CAUCHE VOLUNTEER FIRE DEPARTMENT