

Ord.

2007-0070

INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT

ORDINANCE NO. 07-3-5

An ordinance to amend Ordinance No. 06-8-8 which approved the Act of Dedication for Fashion Plantation Estates Phase III Subdivision to approve an Act of Donation for an additional 10' by 45' drainage servitude.

WHEREAS, the St. Charles Parish Council adopted Ordinance No. 06-8-8 on August 21, 2006, approving and authorizing the execution of an Act of Dedication for Fashion Plantation Estates Phase III Subdivision; and,

WHEREAS, said Act of Dedication did not include a 10' by 45' portion of property for a drainage servitude; the previously donated 45' drainage servitude located along the down-river side of Fashion Phase II and III ended 10 feet shy of South Fashion Boulevard as shown on the Final Plat for Phase III; and,

WHEREAS, the Developer has requested that this portion of property be donated to the Parish and made a part of the Act of Dedication for Fashion Plantation Estates Phase III Subdivision; and,

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

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Ordinance No. 06-8-8 adopted on August 21, 2006, is hereby amended by accepting the attached Act of Donation for an additional 10' by 45' drainage servitude as noted therein.

SECTION II. That the Parish President is hereby authorized to execute the 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: MARINO, HILAIRE, FABRE, RAMCHANDRAN, WALLS, BLACK, DUHE, MINNICH
NAYS: NONE
ABSENT: FAUCHEUX

And the ordinance was declared adopted this 19th day of March, 2007, to become effective five (5) days after publication in the Official Journal.

Amend 06-8-8

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: March 20, 2007
APPROVED: [Signature] DISAPPROVED: _____
PARISH PRESIDENT: Albert D. Laque
RETD/SECRETARY: March 23, 2007
AT: 9:36 AM RECD BY: [Signature]

REFERENCE

Ord. 06-8-8

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON August 15, 2007
AS ENTRY NO. 334258
IN MORTGAGE/CONVEYANCE BOOK
NO. 696 FOLIO 527

ACT OF DONATION

UNITED STATES OF AMERICA

STATE OF LOUISIANA

PARISH OF ST. CHARLES

BY: FASHION PLANTATION ESTATES, L.L.C.,

TO: ST CHARLES PARISH

BE IT KNOWN, that on this 3rd day of August in the year of Our Lord Two Thousand and Seven,

BEFORE ME, the undersigned authority, a Notary Public, duly commissioned and qualified in and for the aforesaid Parish and State, therein residing, and in the presence of the two competent witnessed hereinafter named and undersigned.

Fashion Plantation Estates, L.L.C., a limited liability company organized and existing under and by virtue of the laws of the State of Louisiana with its domicile in the Parish of St. Charles, within said State, herein appearing through its authorized representor, Ray Matherne.

MAILING ADDRESS: Fashion Plantation Estates, L.L.C.
P. O. Box 1440
Paradis, Louisiana 70080

Who, declare that they do by these presents make a manual gift and donation inter vivos unto:

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by Albert D. Laque, Parish President, by virtue of Ordinance No. 07-3-5, dated 3/19/07, and whose mailing address is P. O. Box 302, Hahnville, Louisiana 70057:

Hereby appearing for the purpose of accepting same, of the following:

FASHION PLANTATION III – FASHION ACRES
ADDITIONAL 10 FOOT BY 45 FOOT DRAINAGE SERVITUDE

A certain tract of Land situated in the Parish of St. Charles, State of Louisiana located in Section 7 and 76, Township 13 South, Range 20 East and being more particularly described as follows:

From the intersection of the southerly boundary of lot 14 of Fashion Plantation and the easterly right of way line of Louisiana Highway 3127 proceed S26°30'08"E a distance of 644.93 feet, thence N57°01'15"E a distance of 211.35 feet, thence N42°59'04"E a distance of 103.8 feet, thence N57°01'15"E a distance of 1129.47 feet to the POINT OF BEGINNING, thence continue N57°01'15"E a distance of 45.13 feet, thence S28°39'11"E a distance of 10.03 feet, thence S57°01'15"W a distance of 45.13. feet, thence N28°39'11"W a

distance of 10.03 feet to the POINT OF BEGINNING, containing 451.35 square feet, all in accordance with a plan by Lucien C. Gassen, dated January 9, 2007.

TO HAVE AND TO HOLD unto St. Charles Parish, its successor and assigns forever.

All State and Parish Taxes up to and including the year 2006 are paid as per representations of donor herein.

The mortgage and conveyance certificates otherwise required by law are hereby waived and dispensed with by the parties hereto and they hereby exonerate me, Notary, from any and all liability for their non-production.

THUS DONE AND PASSED, in triplicate originals, in my office on the day, month, and year herein first above written, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers and me, Notary, after reading the whole.

WITNESSES:

Nicole Falgout
Print Name: Nicole Falgout
Carolyn Louviere
Print Name: Carolyn Louviere

FASHION PLANTATION ESTATES, L.L.C.,

BY:

Ray J. Materne
RAY J. MATERNE

Authorized Representative

ST. CHARLES PARISH

BY:

Albert D. Laque
ALBERT D. LAQUE

PARISH PRESIDENT

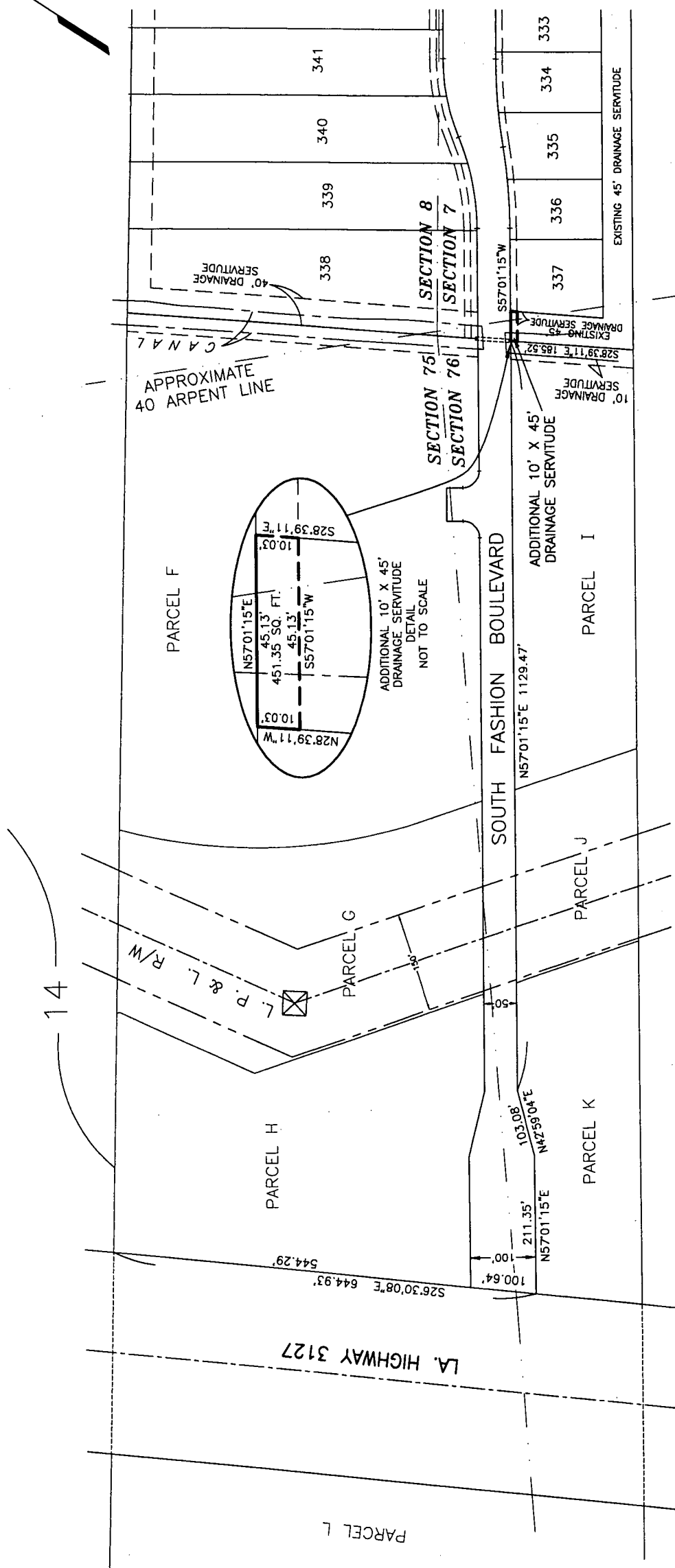
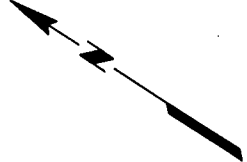
RLR

Notary Public

Robert L. Raymond

Print Name

Bar. No. 11408



SKETCH SHOWING
 ADDITIONAL 10 FOOT X 45 FOOT DRAINAGE SERVITUDE
 FASHION PLANTATION III - FASHION ACRES
 IN SECTIONS 7 & 76, T13S - R20E
 ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 200'
 JANUARY 9, 2007

REFERENCE PLAN:
 FASHION PLANTATION III - FASHION ACRES
 BY LUCIEN C. GASSEN, DATED JUNE 27, 2006

CERTIFIED TO FASHION PLANTATION ESTATES, LLC

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

**WRITTEN CONSENT IN LIEU OF
A SPECIAL MEETING OF THE
BOARD OF MANAGERS OF
FASHION PLANTATION ESTATES, LLC.**

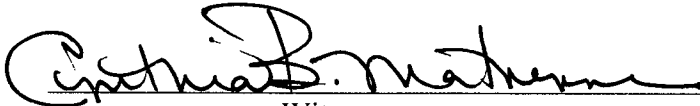
In lieu of the special meeting of the board of Managers of Fashion Plantation Estates, LLC, a company incorporated in the state of Louisiana (the "Company"), the undersigned, being the sole manager of the Company, and acting by written consent, does hereby unanimously adopt the following:

Authority to donate a portion of property defined as "Additional 10 foot by 45 foot drainage servitude" in Hahnville, St. Charles Parish, Louisiana, as shown on the Final Plat of Fashion Plantation III – Fashion Acres Subdivision recorded in the Clerk of Courts Office in St. Charles Parish in Book 677, Folio 64, Entry No. 321981.

Resolved, that Ray J. Matherne is hereby authorized for and on behalf of this company to donate a portion of property defined as "Additional 10 foot by 45 foot drainage servitude" in Hahnville, St. Charles Parish, Louisiana, as shown on the Final Plat of Fashion Plantation III – Fashion Acres Subdivision recorded in the Clerk of Courts Office in St. Charles Parish in Book 677, Folio 64, Entry No. 321981.

IN WITNESS WHEREOF, the undersigned sole manager has executed this Written Consent on this the 22nd day of February, 2007.


RAY J. MATHERNE, Ph.D.


Witness