

Ord.

2013-0176

INTRODUCED BY: V. J. ST. PIERRE, JR., PARISH PRESIDENT

ORDINANCE NO. 13-5-11

An ordinance to approve and authorize the execution of an Act of Revocation by St. Charles Parish for a servitude no longer needed for a public purpose on property owned by Bunge North America.

WHEREAS, a Grant of Servitude by and Between Bunge North America, Inc. and St. Charles Parish was executed on August 31, 2006 for the purposes of constructing and maintaining a waterline as part of the Mississippi River Sub-Aqueous Crossing project ; and,

WHEREAS, the planned crossing was relocated due to permitting requirements and therefore the property was never utilized for the purposes specified in the Agreement; and,

WHEREAS, it is deemed to be in the best interest of St. Charles Parish and Bunge North America, Inc. to revoke the servitude as it does not constitute property utilized or needed by the public.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Revocation by St. Charles Parish is hereby approved and accepted.

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

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

YEAS: SCHEXNAYDRE, FAUCHEUX, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 20th day of May, 2013, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: Wendy Benedetto

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: 5.22.13

APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: 5.23.13

AT: A. S. I. a RECD BY: [Signature]

**RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE**

ON June 20, 2013

AS ENTRY NO. 389497

IN MORTGAGE/CONVEYANCE BOOK

NO. 787 FOLIO 46

**ACT OF REVOCATION
BY ST. CHARLES PARISH**

**UNITED STATE S OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. CHARLES**

BE IT KNOWN, that on this 24th day of May, in the year of Our Lord, two thousand and thirteen (2013).

BEFORE ME, the undersigned 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:

V. J. ST. PIERRE, JR., Parish President and Chief Executive Officer of the Parish of St. Charles, herein duly authorized by the provisions of Ordinance No. 13-5-11, passed and adopted at a meeting of the St. Charles Parish Council held on the 20th day of May, 2013.

That pursuant to the above recited ordinance, the Parish of St. Charles, through its governing authority, the St. Charles Parish, does hereby abandon and revoke a ten foot (10') servitude across Bunge Corporation batture property which was previously granted and described as follows:

A 10' (foot) permanent servitude for the installation of a waterline across the Bunge Corporation batture property located in Section 5, Township 13 South, Range 8 East, Southeastern Land District East of the Mississippi River in the town of Destrehan, more particularly described as follows:

Commencing at the southeast corner of Lot C along Modoc Street in Destrehan Park Subdivision and La. Highway 48; thence S 03°09'26" E, 53.50' (feet) to the point of beginning; thence S 77°32'09" W, 10.00' (feet); thence S 13°13'13"W, 241.99' (feet); thence N 70°53'06" W, 10.05' (feet); thence N 13°13'13" E, 240.82' (feet) to the point of beginning containing 0.055 acres more or less and including a 15' (foot) temporary construction servitude along the east side of said permanent servitude and more fully shown on a map entitled " Survey Plan Proposed Ten Foot Permanent Servitude for St. Charles Parish Waterworks Located in Section 5, T13S-R8E, Southeastern Land District East of the Mississippi River, St. Charles Parish, Louisiana" by Shread- Kuyrkendall and Associates, Baton Rouge, Louisiana, dated July 21, 2006, a copy of which is attached hereto and made part hereof (the "Plat").

The revocation of the above-dedicated property is hereby deemed to be in the best interest of St. Charles Parish as such property does not constitute property utilized or needed by the public.

Without any warranty whatsoever, but with full substitution and subrogation in and to all the rights and actions of warranty which it has or may have, the said St. Charles Parish does hereby convey, transfer, assign, set over, abandon and quitclaim all of its rights, title and interest in and to the portion of ground described above and more fully described on "Survey Plan Proposed Ten Foot Permanent Servitude for St. Charles Parish Waterworks Located in Section 5, T13S-R8E, Southeastern Land District East of the Mississippi River, St. Charles Parish, Louisiana" by Shread- Kuyrkendall and Associates, Baton Rouge, Louisiana, dated July 21, 2006, and all in accordance with and as directed by the provisions of LSA-R.S. 48:701.

THUS DONE AND SIGNED this 24th day of May, 2013 in the Parish of St. Charles, State of Louisiana in the presence of the undersigned named competent witnesses and me, Notary, after a reading of the whole.

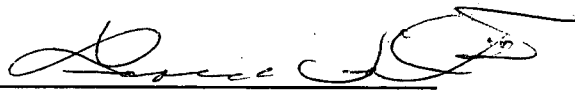
WITNESSES:

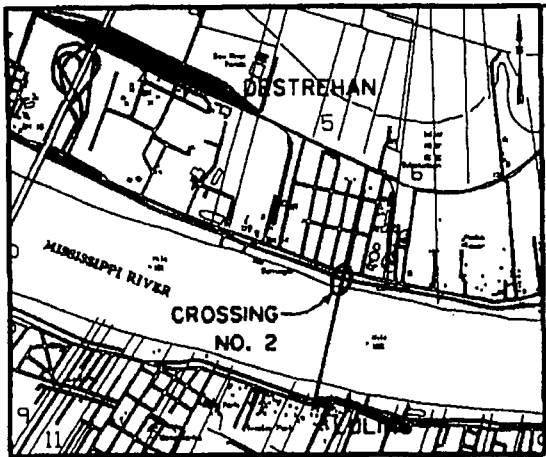

DAWN H. HIGDON


BOBBI N. CULLEN

ST. CHARLES PARISH

BY: 
V. J. ST. PIERRE, JR.
PARISH PRESIDENT


NOTARY PUBLIC
LEON C. VIAL, III
BAR NO. 13061



SOUTHEASTERN LAND DISTRICT
EAST OF MISSISSIPPI RIVER
SECTION 5, T13S-R8E

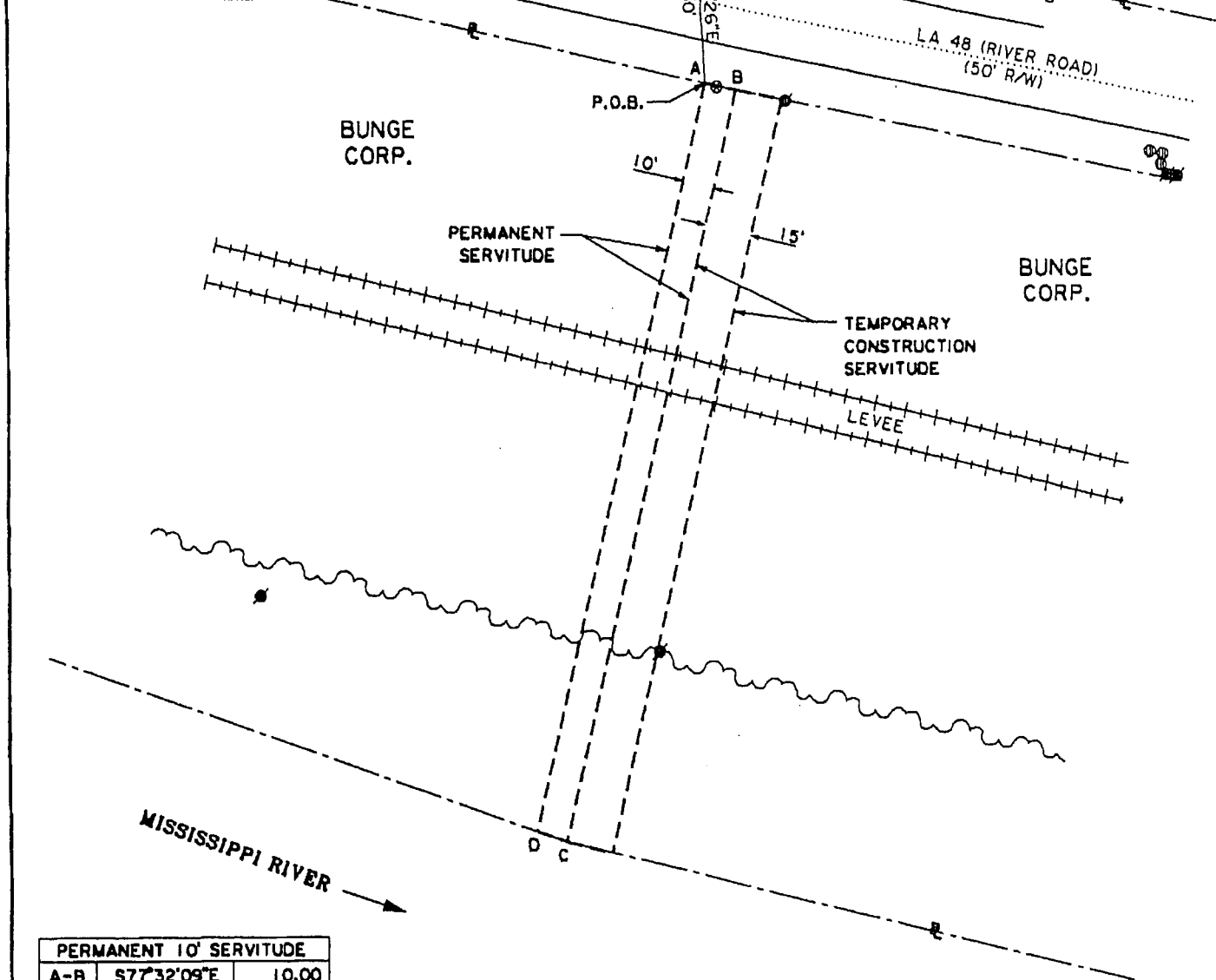
SCALE: 1" = 50'

BUNGE CORP.
(LOT C DESTREHAN PARK SUBDIVISION)

BUNGE CORP.
(LOT D DESTREHAN PARK SUBDIVISION)

P.O.C.
FND.
1" I.P.

VICINITY MAP
N.T.S.



PERMANENT 10' SERVITUDE		
A-B	S77°32'09"E	10.00
B-C	S13°13'13"W	241.99'
C-D	N70°53'06"W	10.05'
D-A	N13°13'13"E	240.82'
ACRES 0.055		



- NOTES:
1. REFERENCE MAP ENTITLED, "DESTREHAN PARK, BEING A SUBDIVISION OF MODOC PLANTATION AND LOCATED IN SECT. 5 IN T-13, R8E, S.E. DIST. OF LA., EAST OF MISSISSIPPI RIVER, ST. CHARLES PARISH, LA." DATED NOV. 3, 1951, BY CLIFFORD G. WEBB, P.E.
 2. GRID BEARINGS TAKEN FROM GPS OBSERVATIONS.
 3. THE SERVITUDES SHOWN ON THIS PLAN ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE REFLECTED OR SHOWN HEREON.
 4. TITLE INFORMATION PROVIDED BY OWNER.
 5. WETLAND DETERMINATION NOT A PART OF THIS SURVEY.
 6. FLOOD ZONE DETERMINATION NOT A PART OF THIS SURVEY.

SURVEY PLAN
PROPOSED TEN FOOT PERMANENT
SERVITUDE
FOR
ST. CHARLES PARISH WATERWORKS
LOCATED IN
SECTION 5, T13S-R8E
SOUTHEASTERN LAND DISTRICT
EAST OF MISSISSIPPI RIVER
ST. CHARLES PARISH, LOUISIANA

I, HEREBY, CERTIFY THAT THIS PLAT REPRESENTS THE SURVEY PERFORMED BY ME, ON THE GROUND, IS CORRECT, AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AS OF THIS DATE, AS STIPULATED BY CLASSIFICATION C SURVEYS.



SHREAD - KUYRKENDALL & ASSOC.
ENGINEERS - SURVEYORS - PLANNERS
13000 JUSTICE AVENUE, SUITE 16
BATON ROUGE, LOUISIANA 70816

DRAWN BY: J.E.P. CALC. BY: J.M.L.
DATE: JULY 21, 2006 CHECKED BY: L.L.B.

L. Lyles Gadden

L. LYLES GADDEN
PROFESSIONAL LAND SURVEYOR #4800