

2005-0203

INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)

ORDINANCE NO. 05-8-4

An ordinance approving and authorizing the execution of an Act of Dedication for Lakewood Estates, Phase 2 Subdivision, Luling, St. Charles Parish, LA.

WHEREAS, Post Street, LLC are the owners and developers of property located in Section 38, T14S R21E and Section 16, T13S R21E, Luling, St. Charles Parish, LA and indicated on a Final Plat prepared by Michael D. Bernard, P.L.S., and dated June 21, 2005 as a Resubdivision of a portion of Lone Star Plantation, Section 38, T14S R21E and Section 16, T13S R21E, into Lots 1-35 and 48-95, and Northlake Drive, Southlake Drive, Extension of Lakewood Drive, Braden Drive, and Allison Drive, near Luling, St. Charles Parish LA; and servitudes for sewer and drainage; and,

WHEREAS, said subdivision has been constructed in accordance with the St. Charles Parish Subdivision Regulations of 1981, as amended; and,

WHEREAS, all required administrative reviews and approvals have been effected relative to said subdivision.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the attached Act of Dedication for Post Street, LLC for Lakewood Estates Phase 1, which includes Lots 1 through 35 and 48 through 95, the dedication of Northlake Drive, Southlake Drive, Extension of Lakewood Drive, Braden Drive, and Allison Drive; and servitudes for sewer and drainage is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute the attached Final Plat and Act of Dedication on behalf of St. Charles Parish.

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

YEAS: FAUCHEUX, HILAIRE, FABRE, RAMCHANDRAN, WALLS, BLACK, DUHE, MINNICH
NAYS: NONE
ABSENT: MARINO

And the ordinance was declared adopted this 1st day of August, 2005, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____
SECRETARY: Baptiste Joseph Tucker
DLVD/PARISH PRESIDENT: August 2, 2005
APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: Albert D. Laque
RETD/SECRETARY: August 2, 2005
AT 2:30 pm RECD BY: BJS

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON August 9, 2005
AS ENTRY NO. 310751
IN MORTGAGE/CONVEYANCE BOOK
NO. 655 FOLIO 271

ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: POST STREET, L.L.C.

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 9th day of August, in the year of Our Lord Two Thousand and Five (2005),

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,

PERSONALLY CAME AND APPEARED;

Post Street, 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 by and through Stephen Vial & Francesca Vial its Managers.

(Hereinafter sometimes referred to as "Post Street");

MAILING ADDRESS: P.O. Box 47
Luling, Louisiana 70070

Post Street declared unto me, Notary, that it is the owner of a certain tract of real property situated on the West Bank of St. Charles Parish, which lands are designated as Lakewood Estates, Phase II being a portion of Section 38, T14S, R21E, St. Charles Parish, Louisiana, shown on a survey of said subdivision which survey was prepared by Michael D. Bernard P.L.S., dated June 21, 2005, which survey is entitled "Final Plat Lakewood Estates, Phase II", a copy of which is attached to and made part of this ordinance; and

Post Street further declared unto me that it has caused that portion of the above property designated as Lakewood Estates Phase II on the survey referred to above to be laid out in lots on the plan of survey and/or re-subdivision referred to above, which plan of sub-division creates Phase II of Lakewood Estates Subdivision, a copy of which is attached and made part hereof; and

Post Street further declared unto me, Notary, that on the aforesaid plan of re-subdivision it has laid out certain streets within Phase II of Lakewood Estates Subdivision which are named and

identified in accordance with the annexed plan of Michael D. Bernard P.L.S. as Lakewood Drive, North Lake Drive, South Lake Drive, Braden Drive, and Allison Drive, which streets in regard to this dedication, are more fully described in accordance with said plan as follows to wit:

Lakewood Drive (northern portion to be dedicated at entrance)

Commencing at the existing southeast corner of the existing Lakewood Drive, and at the end of a 60' section that was dedicated to the Parish as Lakewood Estates Phase I, and thus the Point of Beginning, thence $S17^{\circ}02'00''W$ a distance of 54.72' to a point of curvature, thence along a line of curvature with radius 150.00' to the left, and chord bearing $S10^{\circ}50'21''E$, a distance of 145.94 to a point of reverse curvature, thence along a line of curvature with radius 270.00' to the right, and chord bearing $S31^{\circ}48'39''E$, a distance of 65.04' to a point of reverse curvature, thence along a line of curvature with radius 20.00' to the left and chord bearing $S65^{\circ}06'59''E$, a distance of 28.07 to a point, thence $S34^{\circ}24'31''W$ a distance of 169.93' to a point, thence along a line of curvature with radius 30.00' to the left, and chord bearing $N46^{\circ}42'11''W$, a distance of 53.54' to a point, thence $N21^{\circ}16'53''W$ a distance of 54.27' to a point, thence along a line of curvature with radius 30.00' to the left, and chord bearing $N43^{\circ}21'59''E$, a distance of 66.67' to a point of reverse curvature, thence along a line of curvature with radius 255.00' to the right, and chord bearing $N15^{\circ}25'30''W$, a distance of 164.25' to a point, thence $N17^{\circ}02'00''E$ a distance of 139.16' to a point, thence $S72^{\circ}58'00''E$ to a point and thus the Point of Beginning, all containing 29,627 square feet, more or less, and as more fully shown on a Final Plat for Lakewood Estates Phase II by Michael D. Bernard, P.L.S. dated June 21, 2005.

Lakewood Drive (southern end of subdivision)

Commencing at the existing southeast corner of the existing Lakewood Drive, and at the end of a 60' section that was dedicated to the Parish as Lakewood Estates Phase I, and thus the Point of Beginning, thence $S17^{\circ}02'00''W$ a distance of 54.72' to a point of curvature, thence along a line of curvature with radius 150.00' to the left, and chord bearing $S10^{\circ}50'21''E$, a distance of 145.94 to a point of reverse curvature, thence along a line of curvature with radius 270.00' to the right, and chord bearing $S31^{\circ}48'39''E$, a distance of 65.04' to a point of reverse curvature, thence along a line of curvature with radius 20.00' to the left and chord bearing $S65^{\circ}06'59''E$, a distance of 28.07 to a point, thence $S17^{\circ}02'00''W$ a distance of 1295.48' to a point and thus the Point of Beginning, thence continue $S17^{\circ}02'00''W$ a distance of 246.71' to a point, thence $N81^{\circ}21'05''W$ a distance of 45.48' to a point, thence $N17^{\circ}02'00''W$ a distance of 142.14' to a point of curvature, thence along a line of curvature with radius 30.00' to the left, and chord bearing $N32^{\circ}08'48''W$, a distance of 51.51' to a point, thence $N26^{\circ}36'18''E$ a distance of 52.56' to a point, thence along a line of curvature with radius 30.00' to the left, and chord bearing $N57^{\circ}50'22''E$, a distance of 42.74' to a point, thence $S72^{\circ}58'00''E$ a distance of 45.00' to a point and thus the Point of Beginning, all containing 11,601 square feet, more or less, and as more fully shown on a Final Plat for Lakewood Estates Phase II by Michael D. Bernard, P.L.S. dated

June 21, 2005.

North Lake Drive

Commencing at the existing southeast corner of the existing Lakewood Drive, and at the end of a 60' section that was dedicated to the Parish as Lakewood Estates Phase I, thence $S17^{\circ}02'00''W$ a distance of 54.72' to a point of curvature, thence along a line of curvature with radius 150.00' to the left, and chord bearing $S10^{\circ}50'21''E$, a distance of 145.94 to a point of reverse curvature, thence along a line of curvature with radius 270.00' to the right, and chord bearing $S31^{\circ}48'39''E$, a distance of 65.04' to a point of reverse curvature, thence along a line of curvature with radius 20.00' to the left and chord bearing $S65^{\circ}06'59''E$, a distance of 28.07 to a point, thence $S34^{\circ}24'31''W$ a distance of 169.93' to a point, thence along a line of curvature with radius 30.00' to the left, and chord bearing $N46^{\circ}42'11''W$, a distance of 53.54' to a point, and thus the Point of Beginning, thence along a line of curvature with radius 80.00' to the left, and chord bearing $S85^{\circ}24'07''W$, a distance of 34.73' to a point, thence $N72^{\circ}58'00''W$ a distance of 568.19' to a point, thence $N17^{\circ}02'00''E$ a distance of 50.00' to a point, thence $S72^{\circ}58'00''E$ a distance of 568.19' to a point, thence $S21^{\circ}16'53''E$ a distance of 54.27' to a point and thus the Point of Beginning, all containing 29,294 square feet, more or less, and as more fully shown on a Final Plat for Lakewood Estates Phase II by Michael D. Bernard, P.L.S. dated June 21, 2005.

Allison Drive

Commencing at the existing southeast corner of the existing Lakewood Drive, and at the end of a 60' section that was dedicated to the Parish as Lakewood Estates Phase I, thence $S17^{\circ}02'00''W$ a distance of 54.72' to a point of curvature, thence along a line of curvature with radius 150.00' to the left, and chord bearing $S10^{\circ}50'21''E$, a distance of 145.94 to a point of reverse curvature, thence along a line of curvature with radius 270.00' to the right, and chord bearing $S31^{\circ}48'39''E$, a distance of 65.04' to a point of reverse curvature, thence along a line of curvature with radius 20.00' to the left and chord bearing $S65^{\circ}06'59''E$, a distance of 28.07 to a point, thence $S34^{\circ}24'31''W$ a distance of 169.93' to a point, thence along a line of curvature with radius 30.00' to the left, and chord bearing $N46^{\circ}42'11''W$, a distance of 53.54' to a point, thence along a line of curvature with radius 80.00' to the left, and chord bearing $S85^{\circ}24'07''W$, a distance of 34.73' to a point, thence $N72^{\circ}58'00''W$ a distance of 108.19' to a point of curvature and thus the Point of Beginning, thence along a line of curvature with radius 30.00' to the left, and chord bearing $S62^{\circ}02'00''W$, a distance of 47.12' to a point, thence $S17^{\circ}02'00''W$ a distance of 1140.66' to a point of curvature, thence along a line of curvature with radius 30.00' to the left, and chord bearing $S32^{\circ}09'38''E$, a distance of 51.52' to a point, thence $N81^{\circ}21'17''W$ a distance of 111.16' to a point, thence along a line of curvature with radius 30.00' to the left, and chord bearing $N57^{\circ}50'37''E$, a distance of 42.74' to a point, thence $N17^{\circ}02'00''E$ a distance of 1156.88' to a point of curvature, thence along a line of curvature with radius 30.00' to the left, and chord bearing $N27^{\circ}58'00''W$, a distance of 47.12' to a point, thence $S72^{\circ}58'00''E$ a distance of 110.00' to a point and thus the Point of Beginning, all containing 61,247 square feet, more or less, and as more fully shown on a Final Plat for Lakewood Estates Phase II by Michael D. Bernard, P.L.S. dated June 21, 2005.

Braden Drive

Commencing at the existing southeast corner of the existing Lakewood Drive, and at the end of a 60' section that was dedicated to the Parish as Lakewood Estates Phase I, thence S17°02'00"W a distance of 54.72' to a point of curvature, thence along a line of curvature with radius 150.00' to the left, and chord bearing S10°50'21"E, a distance of 145.94 to a point of reverse curvature, thence along a line of curvature with radius 270.00' to the right, and chord bearing S31°48'39"E, a distance of 65.04' to a point of reverse curvature, thence along a line of curvature with radius 20.00' to the left and chord bearing S65°06'59"E, a distance of 28.07 to a point, thence S34°24'31"W a distance of 169.93' to a point, thence along a line of curvature with radius 30.00' to the left, and chord bearing N46°42'11"W, a distance of 53.54' to a point, thence along a line of curvature with radius 80.00' to the left, and chord bearing S85°24'07"W, a distance of 34.73' to a point, thence N72°58'00"W a distance of 378.19' to a point of curvature and thus the Point of Beginning, thence along a line of curvature with radius 30.00' to the left, and chord bearing S62°02'00"W, a distance of 47.12' to a point, thence S17°02'00"W a distance of 1180.46' to a point, thence N72°58'00"W a distance of 50.00' to a point, thence N17°02'00"E a distance of 1180.46' to a point of curvature, thence along a line of curvature with radius 30.00' to the left, and chord bearing N27°58'00"W, a distance of 47.12' to a point, thence S72°58'00"E a distance of 110.00' to a point and thus the Point of Beginning, all containing 60,909 square feet, more or less, and as more fully shown on a Final Plat for Lakewood Estates Phase II by Michael D. Bernard, P.L.S. dated June 21, 2005.

South Lake Drive

Commencing at the existing southeast corner of the existing Lakewood Drive, and at the end of a 60' section that was dedicated to the Parish as Lakewood Estates Phase I, thence S17°02'00"W a distance of 54.72' to a point of curvature, thence along a line of curvature with radius 150.00' to the left, and chord bearing S10°50'21"E, a distance of 145.94 to a point of reverse curvature, thence along a line of curvature with radius 270.00' to the right, and chord bearing S31°48'39"E, a distance of 65.04' to a point of reverse curvature, thence along a line of curvature with radius 20.00' to the left and chord bearing S65°06'59"E, a distance of 28.07 to a point, thence S34°24'31"W a distance of 169.93' to a point, thence along a line of curvature with radius 30.00' to the left, and chord bearing N46°42'11"W, a distance of 53.54' to a point, thence along a line of curvature with radius 80.00' to the left, and chord bearing S85°24'07"W, a distance of 34.73' to a point, thence N72°58'00"W a distance of 378.19' to a point of curvature, thence along a line of curvature with radius 30.00' to the left, and chord bearing S62°02'00"W, a distance of 47.12' to a point, thence S17°02'00"W a distance of 1180.46' to a point of curvature and thus the Point of Beginning, thence along a line of curvature with radius 30.00' to the left, and chord bearing S32°09'38"E, a distance of 51.52' to a point, thence S81°21'05"E a distance of 435.06' to a point, thence S26°36'18"W a distance of 52.56' to a point, thence N81°21'05"W a distance of 418.85' to a point, thence along a line of curvature with radius 60.69' to the left, and chord bearing N32°09'37"W, a distance of 182.53' to a point, thence S72°58'00"E a distance of 50.00' to a point and thus the Point of Beginning, all containing 29,034 square feet, more or less, and as more fully shown on a Final Plat for Lakewood Estates Phase II by Michael D. Bernard, P.L.S. dated June 21, 2005.

All of the streets dedicated herein are described on a plan of subdivision entitled "Lakewood Estates, Phase II" which plan of subdivision is certified correct by Michael D. Bernard P.L.S. On all matters of the description of the property on which the streets are located, the above referred to survey shall be controlling.

Post Street further declared unto me, Notary, that on the aforesaid plan of resubdivision, it has also designated and labeled various servitudes for utility and drainage purposes; and

Post Street further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does, by these presents, dedicate portions of the following streets located all within Phase II of Lakewood Estates, namely: Lakewood Drive, North Lake Drive, South Lake Drive, Braden Drive, and Allison Drive, as hereinabove described and does hereby grant the various servitudes for utility and drainage purposes, all as shown on the annexed plan of resubdivision Michael D. Bernard, P.L.S., to public use, unto and in favor of the Parish of St. Charles, the inhabitants of the parish of St. Charles, and to the public in general; and

Post Street further declared unto me, Notary, that the aforesaid dedication and grant are subject to all of the following terms and conditions, to wit:

1. The dedication of the fee ownership of the property covered by the streets identified hereinabove as Lakewood Drive, North Lake Drive, South Lake Drive, Braden Drive, and Allison Drive, only as far as said streets are located in Phase II of Lakewood Estates Subdivision.
2. The herein grant of the various servitudes for utility and drainage purposes shall constitute the granting only of a "personal servitude of

right of use" being a "limited personal servitude" in favor of St. Charles Parish. Post Street does hereby reserve all rights of fee ownership to that portion of the aforesaid Phase II of Lakewood Estates Subdivision which comprises the various servitudes for utility and drainage purposes.

3. Post Street does hereby reserve all rights of ownership to all of the oil, gas and other minerals in, on and under the property covered and affected by the streets identified hereinabove and by the aforesaid utility and drainage servitudes granted herein. In that connection, Post Street does, however, agree to prohibit the use of any part of the surface of any of the property covered by the streets and servitudes with respect to the exploration, development or production of minerals pursuant to this reservation. This reservation is made in accordance with Post Street's plan and intention to reserve all of the mineral rights in, on and under all of the lots in Phase II of Lakewood Estates Subdivision, whereby, however, Post Street will likewise impose a restriction on the entire subdivision against any use of the surface of any lot for the exploration, development or production of minerals, or by any other binding means of strict surface operations in regard to mineral exploration in this subdivision.

4. The herein dedication of streets and grant of servitudes for utility and drainage purposes

are made by Post Street without any warranty whatsoever except as provided for herein.

5. St. Charles Parish must bind and obligate itself not to use the property dedicated herein for street purposes in any manner which would be inconsistent with or detrimental to such use as a public street. St. Charles Parish must further bind and obligate itself to use the utility and drainage servitudes granted herein only for utility and drainage purposes.
6. This dedication and grant are conditioned upon St. Charles Parish maintaining and policing the streets dedicated herein, and maintaining the various utility and drainage facilities within the various utility and drainage servitudes areas.
7. The grant herein of various servitudes for utility and drainage purposes shall be used exclusively for those purposes and Post Street reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitude for utility and drainage purposes. The herein granted utility and drainage servitude shall not be utilized so as to unreasonably interfere with or impair ingress and egress from the streets dedicated herein to any of the lots in Phase II of Lakewood Estates Subdivision.
8. Post Street warrants that the herein dedication of street and grant of servitudes are free of any liens and/or encumbrances and

that no lots have been sold or alienated prior to the date hereof.

9. The dedication and grant made herein are made subject to any existing servitudes affecting Phase II of Lakewood Estates Subdivision, such as by way of illustration but not limitation pipeline servitudes and levees.
10. The herein dedication and grant shall inure to the benefit of St. Charles Parish or any successor governmental body of St. Charles Parish, which shall be bound by all of the terms and conditions hereof.
11. Post Street warrants that all utilities and streets have been placed within the servitude(s) granted herein.

AND NOW, to these presents, personally came and intervened: ST. CHARLES PARISH, herein appearing by and through Albert D. Laque, Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on August 1, 2005, a certified copy of which is annexed hereto and made part hereof, and said St. Charles Parish does hereby accept, approve and ratify the herein dedication and grant under all of the terms and conditions as contained hereinabove, and does also hereby acknowledge that the construction of all of the streets dedicated herein has been satisfactorily completed in accordance with all requirements and that all utility and drainage facilities have been likewise satisfactorily completed in accordance with all requirements and St. Charles Parish does hereby accept all of said streets and utility and drainage facilities and assumes the maintenance thereof.

This Act of Dedication and Acceptance was approved and accepted by the St. Charles Parish Council by Ordinance 05-8-4 the 1st day of August, 2005, a photocopy of which is attached and made part hereof.

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.

Post Street Estates, L.L.C.

WITNESSES

By: Stephen Vial & Francesca Vial,
Its Managers

Maïne P. Madere
Dianne P. Madere

BY: [Signature]
Stephen Vial

BY: [Signature]
Francesca Vial

Timothy J. Vial

ST. CHARLES PARISH

BY: [Signature]
Albert D. Laque
Parish President

[Signature]
Notary Public Leon C. Vial III
#13061