

Ord.

2007-0073

INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
ORDINANCE NO. 07-3-7

An ordinance to approve and authorize the execution of an Act of Sale by Marcus Cole Whitener and Peggy Oncale Whitener for certain property located at 917 Third Street in the Town of Norco.

WHEREAS, small business development creates jobs for citizenries and enhances local economies; and,

WHEREAS, business incubator programs are proven to be powerful catalysts for developing small businesses; and,

WHEREAS, it is the desire of St. Charles Parish to establish a business incubator program to help local entrepreneurs and small business owners; and,

WHEREAS, the Norco Community Economic Development Foundation and the River Parishes Community Development Corporation are committing funds to ensure the establishment of a business incubator facility in the Town of Norco; and,

WHEREAS, Louisiana Economic Development, the LSU Small Business Development Center, the LSU Agricultural Center, Goodwill Industries and Greater New Orleans, Inc. are also committing its resources and expertise to the project; and,

WHEREAS, Marcus Cole Whitener and Peggy Oncale Whitener are the owners of a certain building and property located at 917 Third Street in Norco, Louisiana; and,

WHEREAS, it is the desire of the Parish to acquire said property to facilitate the establishment of a business incubator program in St. Charles Parish.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Sale by and between Marcus Cole Whitener and Peggy Oncale Whitener and St. Charles Parish in the amount of \$260,000.00, attached hereto, 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: MARINO, HILAIRE, RAMCHANDRAN, WALLS, BLACK, DUHE, MINNICH

NAYS: NONE

ABSENT: FAUCHEUX, FABRE

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

Act of Sale-Exempt from Louisiana

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]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE

ON July 11, 2007

AS ENTRY NO. 332916

IN MORTGAGE/CONVEYANCE BOOK

NO. 1094

FOLIO 282

CASH SALE

UNITED STATES OF AMERICA

FROM: PEGGY ONCALE WIFE OF/
MARCUS C. WHITENER

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 25 day of June, in
the year two thousand and seven (2007).

BEFORE ME, 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:

Peggy Oncale wife of/and Marcus C. Whitener, (SS No.
435-02-4105 and 436-21-8848 respectively) persons of
the full age of majority and domiciled in the Parish of
St. Charles, State of Louisiana, who declared before
me, Notary, that Peggy Oncale Whitener has been married
but twice, first to Brook DeBuys from whom she was
divorced in the 29th Judicial District Court for the
Parish of St. Charles, State of Louisiana, and secondly
to Marcus C. Whitener with whom she is presently living
and residing; Marcus C. Whitener has been married but
twice, first to Sharon Rochelle from whom he was
divorced in the 29th Judicial District Court for the
Parish of St. Charles, State of Louisiana, and secondly
to Peggy Oncale with whom he is presently living and
residing. Mailing address is 50 East Woodlawn,
Destrehan, Louisiana, 70047.

hereinafter designated as "vendors" who declared that for the
consideration and upon the terms and conditions hereinafter
expressed, said vendors do 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 Albert D.
Laque, its Parish President, and whose mailing address
is P. O. Box 302, Hahnville, Louisiana, 70057; and
pursuant to Ordinance No. 07-3-7 adopted by the St.
Charles Parish Council on March 19, 2007 a copy of
which is attached hereto and made a part hereof;

hereinafter designated as "purchaser", here present, accepting

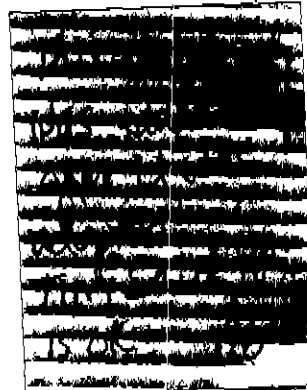
and purchasing and acknowledging delivery and possession of the following described property, to wit:

TWO CERTAIN LOTS OR PORTION OF GROUND, together with all the buildings 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 left descending bank of the Mississippi River, in what is known as "GOOD HOPE SUBDIVISION", the lots herein conveyed are designated by the numbers eighteen (18) and nineteen (19) in Block "P" on a plan of survey of said Good Hope Subdivision made by J.A. Carmena, Civil Engineer, dated Good Hope, La., February 14th, 1921, a copy of which is filed in the office of the Clerk of Court and Recorder of this Parish for reference, and according to said plan, said lots adjoin each other, and measures as follows:

Lot Number Eighteen (18) has a width fronting on a twenty-six foot road running parallel with the right of way of the Yazoo & Mississippi Valley Railroad of Forty feet, Nine and one-half inches, (40'9-1/2'') by a depth on line of Lots 1 and 23 of Block "A" of One Hundred seven feet, Two and one-half inches (107'2-1/2'') a depth on line next to Lot 19 of Ninety-nine feet, Two and one-half inches (99'2-1/2'') and a width in the rear of Forty (40') feet.

Lot Number Nineteen (19) forms the corner of St. Charles Avenue and the above mentioned road, and has a width fronting on said road of Forty-seven feet, Nine and three-eighths inches (47'9-3/8'') by a depth on line next to Lot Number 18 of Ninety-nine feet, Two and one-half inches (99'2-1/2''), a depth on line of St. Charles Avenue of Eighty-nine feet, Ten and one-eighth inches (89'10-1/8'') and a width in the rear of Forty-six feet, ten and one-quarter inches (46'10-1/4''). AND

TWO CERTAIN LOTS OR PORTIONS 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, on the left descending bank of the Mississippi River, in what is known as "GOOD HOPE SUBDIVISION" as per map of subdivision made by J.A. Carmena, Civil Engineer, dated February 14th, 1921, a copy of which is filed in the office of the Clerk of Court and Ex-Officio Recorder for reference; according to said map, the lots herein conveyed are designated by the numbers One (1) and Two (2) in Square "P", and adjoin each other and have the following measurements:

Lot Number One (1) has a width or front on St. Charles Street of Forty feet, Two and three-eighths inches (40'2-3/8") by a depth between equal and parallel lines of Eighty-six feet, ten and one-quarter inches (86'10-1/4").

Lot Number Two (2) has a width or front on St. Charles Street of Thirty-nine feet, one inch (39'1") by a depth of Eighty-six feet ten and one-quarter inches (86'10-1/4") between equal and parallel lines. AND

A CERTAIN LOT OR PORTION OF GROUND, together with rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Charles, State of Louisiana, designated as being Lot No. 23 in Block "A" of the Good Hope Subdivision as per plan of subdivision by J.A. Conino, Civil Engineer, dated Good Hope, Louisiana, February 1, 1920, a print whereof is filed in the office of the Clerk of Court for reference; said lot has the following dimensions: Thirty-three feet, one and one-half inches (33'1-1/2") front on Railroad Avenue by a depth on its boundary line next to Lot No. 8 of Ninety feet (90'), and Ninety-six feet, five and seven-eighths inches (96'5-7/8") on the line dividing it from Lot 24, and Thirty-two feet, five and three-quarter inches (32'5-3/4") in width in the rear. AND

ONE (1) CERTAIN LOT OR PORTION OF GROUND, together with all rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, located in the Parish of St. Charles, State of Louisiana, on the

left descending bank of the Mississippi River, in the town of Norco, in "GOODHOPE PLANTATION SUBDIVISION", and said lot herein conveyed is designated as lot number twenty-four in Block "A", and measures 25/100ths of an acre. AND

TWO CERTAIN LOTS OR PORTIONS OF GROUND, together with all the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Charles, State of Louisiana, and designated on a plan of the "GOOD HOPE SUBDIVISION" made by J.A. Carmena, Civil Engineer, dated February 14, 1921 as LOTS TWENTY-FIVE (25) AND TWENTY-SIX (26), IN Block "A" of said Subdivision; according to which plan, said lots have the following dimensions: Lot Number Twenty-five (25) has a width of Thirty-three feet, one and three-eighths inches (33'1-3/8"), fronting on a twenty-six foot (26') road running parallel with the right of way of the Y and M.V.R.R. by a depth on a line next to Lot Twenty-six of One Hundred nine feet, five and one-half inches (109'5-1/2"), and a depth on line next to Lot twenty-four of One Hundred two feet, eleven and three-fourths inches (102'11-3/4"), and a width in the rear on line of Lot No. 1 of Thirty-two feet, five and five-eighths inches (32'5-5/8").

Lot Number Twenty-six (26) forms the corner of Block "A" at the above mentioned road and Good Hope Street, and has a width on said road of Forty feet, nine and one-half inches (40'9-1/2") by a depth on line next to Lot No. 25 of One hundred nine feet, five and one-half inches (109'5-1/2"), and a depth on line running along Good Hope Street of One hundred seventeen feet, five and one-half inches (117'5-1/2") and a width in the rear next to line of Lot No. 1 of Forty-feet (40').

Being a portion of the same property acquired by Peggy Oncale wife of/and Marcus C. Whitener from Norco Consumers Cooperative Association, Inc. by Act of Cash Sale before Gregory A. Miller, Notary Public, on August 20, 1997, recorded in COB 526, folio 59, St. Charles Parish, and Louisiana; AND

A CERTAIN LOT OR PORTION OF GROUND, together with rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Charles, State of Louisiana, designated on a plan of Good Hope Subdivision made by J.A> Conino, Civil Engineer, dated February 14, 1921, as Lot No. 1 in Block A of said Subdivision. According to said plan said lot measures Thirty feet, Ten and three-eighths inches (30'10-3/8") front on Good Hope Street by depth between equal and parallel lines of On Hundred Thirty-seven feet, Five inches (137' 5').

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 TWO HUNDRED SIXTY THOUSAND AND NO/100 (\$260,000.00) 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 2006 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

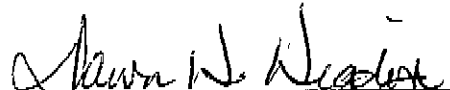
and be binding upon the heirs, successors, and assigns of the respective parties hereto.

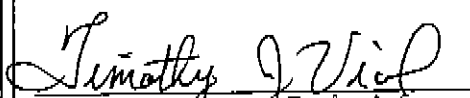
The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is hereby dispensed with by the parties hereto.

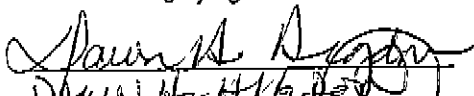
THUS done, read and passed at my office in the City of Destrehan, Parish and State aforesaid, in the presence of undersigned competent witnesses who have hereunto signed their names with the parties and me, said Notary, the day, month and year first above written.

WITNESSES:



Bill A. Schaffer

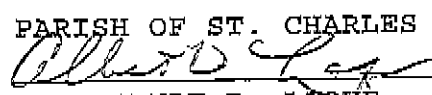

DAWN H. HIGDON

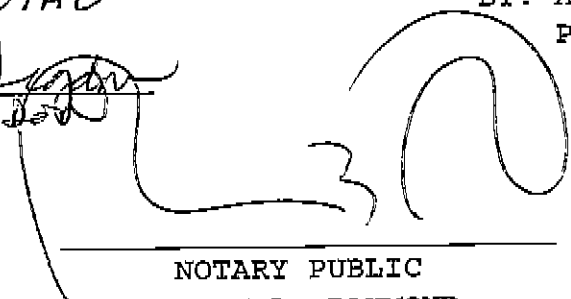

TIMOTHY J. VIAL


DAWN H. HIGDON


PEGGY VONCALE WHITENER


MARCUS C. WHITENER

PARISH OF ST. CHARLES

BY: ALBERT D. LAQUE
PARISH PRESIDENT


NOTARY PUBLIC
ROBERT L. RAYMOND
BAR NO. 11408