

2000-0514

INTRODUCED BY: ALBERT D. LAQUE
PARISH PRESIDENT

ORDINANCE NO. 00-11-8

An ordinance to approve and authorize the execution of an Act of Sale by Ellington Swim Club for Lot 2 B of Ellington Gardens Subdivision, located at 843 Milling Avenue for a Parish Health Unit.

WHEREAS, the St. Charles Parish Council adopted Res. No. 4786 on May 1, 2000 requesting that the Administration negotiate for the purchase of property in Luling for a new Health Unit; and,

WHEREAS, on July 16, 2000 the voters approved and advalorem tax for the construction, maintenance and operation of a public health unit; and,

WHEREAS, the Louisiana Department of Health & Hospitals, by letter dated May 12, 2000 has requested that the Parish purchase the property at 843 Milling Avenue owned by the Ellington Swim Club.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Sale, in the amount of \$ 188,000.00, by and between Ellington Swim Club and St. Charles Parish 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: RAMCHANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT,
BLACK, MARINO, MINNICH
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 20th day of Novmeber, 2000, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]

cting SECRETARY: Nicky Brewer

DLVD/PARISH PRESIDENT: 11-21-00

APPROVED: DISAPPROVED:

PARISH PRESIDENT: Albert D. Laque

Acting RETD/SECRETARY: 11-21-00

AT: 12:10 PM RECD BY: NB

CASH SALE

UNITED STATES OF AMERICA

FROM: ELLINGTON SWIM CLUB

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 21st day of November, in the year two thousand (2000).

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:

ELLINGTON SWIM CLUB a Louisiana non-profit corporation, domiciled in St. Charles Parish, created by act before Charles Lagarde, Jr., Notary Public, on June 4, 1970, registered in the records of the Secretary of State, State of Louisiana in Charter Book Non-Trading Corporations Book 40 and in the records of the Clerk of Court's office St. Charles Parish in Charter Book 10, folio 119, represented herein by its President, Kerry Hotard, duly authorized by Resolution of its Board of Directors attached hereto and made a part hereof.

hereinafter designated as "vendor" who declared that for the consideration and upon the terms and conditions hereinafter expressed, said vendor does 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. 00-11-8 adopted by the St. Charles Parish Council on 11-20-00 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:

SEE EXHIBIT A ATTACHED HERETO

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 ONE HUNDRED EIGHTY-EIGHT THOUSAND AND NO/100THS (\$188,000.00) 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 1999 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:

ELLINGTON SWIM CLUB

James H. Stegman

Kerry Hotard
BY: KERRY HOTARD
PRESIDENT

Nicole Brewer

PARISH OF ST. CHARLES

Albert D. Laque
BY: ALBERT D. LAQUE
PARISH PRESIDENT

Robert L. Raymond
ROBERT L. RAYMOND
NOTARY PUBLIC

#249981
FILE FOR RECORD
CLERK OF COURT
ST. CHARLES PARISH, LA.
2499 DEC 29 AM 19:48
RECORDED IN *Levee*
BOOK 580 FOLIO 273

EXHIBIT A

A CERTAIN PORTION OR PARCEL OF GROUND, identified as Lot 2B, being a portion of the resubdivision of Lots 1A, Block J and Lot 2A, Block E, Ellington Garden, situated in Sections 13, 14 and 15, T-13-S, R-21-E, Luling, St. Charles Parish, Louisiana, all as shown on a survey plat and resubdivision by Stephen P. Flynn, PLS, dated September 2000, and approved by Albert D. Laque, St. Charles Parish President on October 23, 2000 and the Director of the Department of Planning and Zoning on October 23, 2000.

Said lot of ground contains 85,757 square feet.