

2006-0270INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)ORDINANCE NO. 06-9-13

An ordinance approving and authorizing the execution of an Act of Dedication for Pleasant Valley Extension Subdivision, Bayou Gauche, St. Charles Parish, LA.

WHEREAS, L. Dufrene, LLC are the owners and developers of property indicated on a Final Plat prepared by Lucien Gassen, PLS, and dated July 10, 2006 as Pleasant Valley Extension into Lots 1 through 28 in Section 3 T15S R20E, St. Charles Parish LA; 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 Pleasant Valley Extension Subdivision, which includes Lots 1 thru 28; and the dedication of an extension of Pleasant Valley Drive, and an extension of Shamrock Drive; and servitudes for 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  
NAYS: MINNICH  
ABSENT: MARINO

And the ordinance was declared adopted this 18th day of September, 2006, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Brian C. Far  
SECRETARY: Brian C. Far  
DLVD/PARISH PRESIDENT: September 19, 2006  
APPROVED: ✓ DISAPPROVED: \_\_\_\_\_  
PARISH PRESIDENT: Albert D. Laque  
RETD/SECRETARY: September 20, 2006  
AT: 9:45 am RECD BY: lit

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE  
ON 10-4-06  
AS ENTRY NO 323411  
IN MORTGAGE CONVEYANCE BOOK  
NO. 679 PAGE 241

ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: PLEASANT VALLEY EXTENSION

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 2<sup>nd</sup> day of October, in the year of our Lord Two Thousand and Six (2006).

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

**PERSONALLY CAME AND APPEARED:**

**L. DUFRENE L.L.C., TAX IDENTIFICATION NUMBER 41-2141080**, a limited liability company duly organized, validly existing and in good standing under the laws of the State of Louisiana, having as its principal office, an address of 102 Pleasant Valley Drive, Des Allemands, LA 70030, appearing herein through its duly authorized member Lloyd Dufrene, as per attached certificate of authority;

(Hereinafter sometimes referred to as "**DUFRENE**")

Mailing address: 102 Pleasant Valley Drive, Des Allemands, LA 70030

**DUFRENE** declared unto me Notary, that it is the owner of a certain tract immovable property situated on the ~~West Bank of St. Charles Parish~~, which land is designated as PLEASANT VALLEY EXTENSION being a portion of Section 3, Township 15 South, Range 20 East, St. Charles Parish, Louisiana, as shown on a survey of said resubdivision prepared by Lucien C. Gassen, Land Surveyor, dated July 10, 2006, a copy of which survey is attached hereto and made a part of this Act of Dedication; and

**DUFRENE** further declared unto me that it has caused a portion of the above property shown on the survey referred to above to be laid out into lots, in order to create the Pleasant Valley Extension, and

**DUFRENE** further declared unto me, Notary that on the aforesaid plan of resubdivision it has laid out certain streets within the Pleasant Valley Extension, which are named and identified as Pleasant Valley Drive and Shamrock Drive in regard to this dedication are more fully described in Exhibit "A" attached hereto and made a part hereof. On all matters of the description of the property on which the streets above named are located, the attached survey shall be controlling.

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

**DUFRENE** Further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does by these presents, dedicate the following streets located all within Pleasant Valley Extension namely: Pleasant Valley Drive and Shamrock Drive, as hereinabove described and does hereby grant the various servitudes for water, utility and drainage purposes, all as shown on the annexed plan of

subdivision, 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

**DUFRENE** further declared unto me, Notary, that the aforesaid dedication and grant is subject to all the following terms and conditions, to-wit:

1. The dedication of the fee ownership of the property to Parish of St. Charles is covered by the streets identified hereinabove as Pleasant Valley Drive and Shamrock Drive, but only as far as said street are located in Pleasant Valley Extension.
2. The herein grant of the various servitudes for water, 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. **DUFRENE** does hereby reserve all rights of fee ownership to that portion of the aforesaid Pleasant Valley Extension, which comprises the various servitudes for water, utility and drainage purposes.
3. **DUFRENE** 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 street identified hereinabove and by the aforesaid water, utility and drainage servitudes granted herein. In that connection, **DUFRENE** does, however, agree to prohibit the use of any part of the surface of any of the property covered by the street and servitudes with respect to the exploration, development or production of minerals pursuant to this reservation. This reservation is made in accordance with Grantor's plan and intention to reserve all of the mineral rights in, on and under all of the lots in the Pleasant Valley Extension, whereby, however, **DUFRENE** will likewise impose a restriction on the entire subdivision against any use of the surface of any lot for exploration, development or productions of minerals, pursuant to this reservation.
4. The herein dedication of street and grant of servitudes for water, utility and drainage purposes are made by **DUFRENE** without any warranty whatsoever except as provided for herein areas.
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 uses as a public street. St. Charles Parish must further bind and obligate itself to use the water, utility and drainage servitudes for water, utility and drainage purposes.
6. This dedication and granted are conditioned upon St. Charles Parish maintaining and policing the street dedicated herein, and maintaining the various water, utility and drainage facilities within the various water, utility and drainage servitudes areas.
7. The grant herein of various servitudes for water, utility and drainage purposes shall be used exclusively for the those purposes and **DUFRENE** reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitudes for water, utility and drainage purposes. There herein granted water, utility and drainage servitudes shall not be utilized so as to unreasonably interfere with or impair ingress and egress from the street dedication herein to any of the lots in the Pleasant Valley Extension.

8. Grantor warrants that the herein dedication of street and grant of servitudes are free of any liens and/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 the Pleasant Valley Extension such as by way of illustration but not limitation, pipeline servitudes and levees.
10. The herein dedication and grant shall insure to the benefit of St. Charles Parish of any successor governmental body of St. Charles Parish, which shall be bound by all of the terms and conditions hereof.
11. **DUFRENE** warrants that all utilities and streets have been placed within the servitude(s) granted herein.

AND NOW, these presents, personally came and intervened:

ST. CHARLES PARISH, herein appearing by and through Albert Laque, Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on September 18, 2006, 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 the street dedicated herein has been satisfactorily completed in accordance with all requirements and that all water, utility and drainage facilities have been likewise satisfactorily completed in accordance with all requirements, and St. Charles Parish does hereby accept all of said street and water, 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 06-9-13 on the day of September 18, 2006, a photocopy of which is attached and made a part hereof.

THIS DONE AND PASSED in triplicate originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles, 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:

L. DUFRENE, L.L.C.

Jimmy Champagne  
Jimmy Champagne

Kathleen R. Pedersen  
KATHLEEN R. PEDERSEN

BY: Lloyd Dufrene  
Name Lloyd Dufrene

  
NOTARY PUBLIC

THUS DONE AND PASSED in triplicate originals, in my office, the undersigned  
Notary Public in and for the State of Louisiana, Parish of St. Charles, 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:

ST. CHARLES PARISH

Timothy J. Viol  
Carolyn Louiviere

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

Robert L. Raymond, N.P.  
NOTARY PUBLIC  
LSBA # 11408

