

2002-0113

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

ORDINANCE NO. 02-4-1

An ordinance approving and authorizing the execution of an Act of Dedication for Lakewood East, Phase II Subdivision, Luling, La.

WHEREAS, LULING 22/LA. L.P., are the owner and developer of a certain portion of property located in St. Charles Parish, more fully described on a Final Plat prepared by J. Michael Dixon PLS and dated March 11, 2002, as Lakewood East, Phase II Subdivision, a resubdivision of Parcel X, a portion of Lone Star Plantation into Lots 1-13 and 37-41 Sq. 1, Lots 1-13 and 19-20, Sq. 2 and Lots 1 and 20, Sq. 3 Section 46 T13S-R21E 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 by LULING 22/LA. L.P. for Lakewood East Subdivision, Phase II which includes Lots 1-13, and 37-41, Sq.1, Lots 1-13 and 19-20, Sq. 2 and Lots 1 and 20, Sq. 3 to St. Charles Parish 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: RAMCHANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT, BLACK, MARINO
NAYS: NONE
ABSENT: MINNICH

And the ordinance was declared adopted this 8th day of April, 2002, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: April 9, 2002
APPROVED: [Signature] DISAPPROVED: _____
PARISH PRESIDENT: Albert D. Laque
RETD/SECRETARY: April 9, 2002
AT: 3:45 pm RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON 4-24-02
AS ENTRY NO. 265716
IN MORTGAGE/CONVEYANCE BOOK
NO. 601 FOLIO 336

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON 4-24-02
AS ENTRY NO. 265717
IN MORTGAGE/CONVEYANCE BOOK
NO. 601 FOLIO 374

**ACT OF DEDICATION FOR
PHASE II OF LAKEWOOD EAST SUBDIVISION**

INCORPORATED WITH:

**ACT OF AMENDMENT AND RESTATEMENT OF
ACT OF DEDICATION FOR PHASE I OF LAKEWOOD EAST SUBDIVISION**

BY: LULING 22/LA, L.P.

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 9th day of April, in the year of Our Lord Two Thousand Two (2002),

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

PERSONALLY CAME AND APPEARED;

LULING 22/LA, L.P. (75-2825328), a Texas limited partnership formed by Certificate of Limited Partnership executed by William G. Dunaway and filed with the Office of the Secretary of the State of Texas on June 14, 1999, and authorized to do business in the State of Louisiana pursuant to Certificate of Authority dated July 12, 1999, with a certified copy of said Certificate of Limited Partnership being filed with the Clerk of Court for the Parish of St. Charles; said limited partnership having a Louisiana municipal address of 29 East Levert Drive, Luling, Louisiana and being represented herein by its duly authorized sole General Partner, William G. Dunaway, pursuant to the authority granted to said General Partner in the partnership's Agreement of Limited Partnership.

(Hereinafter sometimes referred to as "Luling 22/LA");

MAILING ADDRESS: 29 East Levert
Luling, Louisiana 70070

Luling 22/LA 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 East Subdivision Phase I and Phase II being a portion of Section 46, T13S, R21E, St. Charles Parish, Louisiana, shown on a survey of said subdivision, which survey was prepared by J. Michael Dixon, P. E., dated March 11, 2002, which survey is entitled "A Survey of the Resubdivision Parcel "X", a Portion of Lone Star Plantation into Lakewood East Subdivision -- Phase I, Lots 1-13 and 37-41, Square 1, Lots 1-13 and 19-20, Square 2 and Lots 1 and 20, Square 3; and into Lakewood East Subdivision -- Phase II, Lots 14-36, Square 1; Lots 9-18, Square 2; and Lots 2-19, Square 3; all in Section 46, T13S-R21E, St. Charles Parish, Louisiana, and Lakewood East Phase I and II Street Dedication and Partial Revocation of Streets", a copy of

which is attached to and made part of this ordinance; and

Luling 22/LA further declared unto me that it has caused that portion of the above property designated as Lakewood East Subdivision Phase I and Phase II on the survey referred to above to be laid out in squares and lots on the plan of survey and/or re-subdivision referred to above, which plan of sub-division amends, restates and reconstitutes Phase I of Lakewood East Subdivision and also creates Phase II of Lakewood East Subdivision, a copy of which is attached and made part hereof; and

Luling 22/LA further declared unto me, Notary, that on the aforesaid plan of re-subdivision it has altered the layout and changed the name of certain streets within the Lakewood East Phase I Subdivision and has also laid out certain streets within Lakewood East Phase II Subdivision, all of which are named and identified in accordance with the annexed plan of J. Michael Dixon, P.E., as Bethany Drive (Phase I & II), Elderberry Drive (formerly Elderberry Court – Phase I), Hawthorn Drive (formerly Tupelo Drive – Phase I & II), Barrett Drive (Phase II) and Browning Drive (Phase II). By this Act, Luling 22/LA amends, restates and reconstitutes, in full, the streets identified below as being a part of Lakewood East Phase I Subdivision. Also by this Act, Luling 22/LA does hereby create the streets identified below as being a part of Lakewood East Phase II Subdivision. The amended, restated and reconstituted descriptions of the streets for Phase I and the descriptions of the newly created streets for Phase II of Lakewood East Subdivision are as follows, to wit:

BETHANY DRIVE, LAKEWOOD EAST SUBDIVISION, PHASE I & PHASE II, ST. CHARLES PARISH, LOUISIANA

Commencing at the North East corner of the intersection of LAKEWOOD Drive and East Heather St. and thus the Point of Commencement, thence South 72 degrees 58 minutes East a distance of 480 ft. to a point of curvature and thus the Point of Beginning, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 65 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 60 ft. to a point, thence easterly along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 705.38 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence along a back tangent South 72 degrees 58 minutes East a distance of 110 ft. to a point, thence westerly along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence South 17 degrees 2 minutes West a distance of 705.38 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point, thence South 17 degrees 2 minutes West a distance of 60 ft. to a point, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence South 17 degrees 2 minutes

West a distance of 65 ft. to a point of tangency, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point, thence on a back tangent North 72 degrees 58 minutes West a distance of 110 ft. to the Point of Beginning, all containing 1.38 acres more or less as shown on a plat of survey entitled Lakewood East Phase II Street Dedication by Michael D. Bernard, Professional Land Surveyor dated March 11th, 2002, attached hereto as sheet no. 2 of the above referenced plan of resubdivision.

**ELDERBERRY DRIVE (FORMERLY ELDERBERRY COURT),
LAKEWOOD EAST SUBDIVISION, PHASE I, ST. CHARLES PARISH,
LOUISIANA**

First, Commencing at the North East corner of the intersection of LAKEWOOD Drive and East Heather St. and thus the Point of Commencement, thence South 72 degrees 58 minutes East a distance of 480 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 65 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to left a distance of 39.27 ft. to a point of tangency and thus the Point of Beginning, thence North 72 degrees 58 minutes West a distance of 170 ft. to a point of curvature, thence along a line of curvature with radius 85 ft. to the right a distance of 133.52' ft. to a point, thence South 72 degrees 58 minutes 00 seconds East a distance of 60 ft. to a point, thence southerly along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence South 72 degrees 58 minutes East a distance of 170 ft. to a point, thence South 17 degrees to minutes West a distance of 60 ft. to the Point of Beginning, all containing 0.35 Acres more or less as shown on a plat of survey entitled Lakewood East Phase II Street Dedication by Michael D. Bernard, Professional Land Surveyor dated March 11, 2002, attached hereto as sheet no. 2 of the above referenced plan of resubdivision.

Second, Commencing at the North East corner of the intersection of LAKEWOOD Drive and East Heather St. and thus the Point of Commencement, thence South 72 degrees 58 minutes East a distance of 480 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 65 ft. to a point, thence South 72 degrees 58 minutes East a distance of 60 ft. to a point, thence northerly along a line of curvature with radius 25 ft. to the right a distance of 39.27 ft. to a point and thus the Point of Beginning, thence North 17 degrees to minutes East a distance of 60 ft. to a point, thence South 72 degrees 58 minutes East a distance of 170 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point, thence South 50 degrees 20 minutes 48 seconds East a distance of 65 ft. to a point, thence southerly along a line of curvature with radius 60 ft. to the right 8 distance of 94.25 ft. to a point of tangency, thence North 72 degrees 58 minutes West a distance of 195 ft. to the Point of Beginning, all containing 0.35 Acres more less as shown on a plat of survey entitled Lakewood East Phase II Street Dedication by Michael D. Bernard, Professional Land Surveyor dated March 11, 2002, attached hereto as sheet no. 2 of the above referenced plan of resubdivision.

**HAWTHORN DRIVE (FORMERLY TUPELO COURT), LAKEWOOD
EAST SUBDIVISION, PHASE I & PHASE II, ST. CHARLES PARISH,
LOUISIANA**

Commencing at the North East corner of the intersection of LAKEWOOD Drive and East Heather St. and thus the Point of Commencement, thence South 72 degrees 58 minutes East a distance of 480 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 65 ft. to a point of

curvature, thence along a line of curvature with radius 25 ft. to left a distance of 39.27 ft. to a point of tangency, thence North 72 degrees 58 minutes West a distance of 170 ft. to a point of curvature thence along a line of curvature with radius 85 ft. to the right a distance of 133.52 ft. to a point of tangency and thus the Point of Beginning, thence North 70 degrees to minutes East a distance of 730.38 ft. to a point, thence South 50 degrees 20 minutes 48 seconds East a distance of 65 ft. to a point, thence South 72 degrees 02 minutes West a distance of 705.38 ft. to a point, thence North 72 degrees 58 minutes 00 seconds West a distance of 60 ft. to a point and thus the Point of Beginning, all containing 1.0 Acres more or less as shown on a plat of survey entitled Lakewood East Phase II Street Dedication by Michael D. Bernard, Professional Land Surveyor dated March 11, 2002, attached hereto as sheet no. 2 of the above referenced plan of resubdivision.

BARRETT DRIVE, LAKEWOOD EAST SUBDIVISION, PHASE II, ST. CHARLES PARISH, LOUISIANA

Commencing at the North East corner of the intersection of LAKEWOOD Drive and East Heather St. and thus the Point of Commencement, thence South 72 degrees 58 minutes East a distance of 480 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 65 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 60 ft. to a point, thence easterly along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 705.38 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency and thus the Point of Beginning, thence North 72 degrees 58 minutes West a distance of 170 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to left a distance of 39.27 ft. to a point, thence North 50 degrees 20 minutes 48 seconds West a distance of 65 ft. to a point, thence northerly along a line of curvature with radius 60 ft. to the right to a distance of 94.25 ft. to a point of tangency, thence South 72 degrees 58 minutes East a distance of 500 ft. to a point of curvature, thence along a line of curvature with radius 60 ft. to the right a distance of 94.25 ft. to a point, thence South 84 degrees 24 minutes 48 seconds West a distance of 65 ft. to a point, thence northerly along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence North 72 degrees 58 minutes West a distance of 280 ft. to the Point of Beginning, all containing 0.86 acres more less as shown on a plat of survey entitled Lakewood East Phase II Street Dedication by Michael D. Bernard, Professional Land Surveyor dated March 11, 2002, attached hereto as sheet no. 2 of the above referenced plan of resubdivision.

BROWNING DRIVE, LAKEWOOD EAST SUBDIVISION, PHASE II, ST. CHARLES PARISH, LOUISIANA

Commencing at the North East corner of the intersection of LAKEWOOD Drive and East Heather St. and thus the Point of Commencement, thence South 72 degrees 58 minutes East a distance of 480 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point of tangency, thence North 17 degrees 2 minutes East a distance of 65 ft. to a point, thence South 72 degrees 58 minutes East a distance of 60 ft. to a point, thence northerly along a line of curvature with radius 25 ft. to the right a distance of 39.27 ft. to a point, thence North 17 degrees to minutes East a distance of 60 ft. to a point, thence South 72 degrees 58 minutes East a distance of 170 ft. to a point of curvature, thence along a line of curvature with radius 25 ft. to the left a distance of 39.27 ft. to a point and thus the Point of Beginning, thence North 17 degrees to minutes East a distance of 705.38 ft. to a point, thence North 84 degrees 24 minutes 48 seconds East a distance of 65 ft. to a point, thence South 17 degrees 02 minutes West a distance of 755.38 ft. to a point, thence North 50 degrees 20 minutes 48 seconds West a distance of 65 ft. to a point and thus the Point of

Beginning all containing 1.01 Acres more or less as shown on a plat of survey entitled Lakewood East Phase II Street Dedication by Michael D. Bernard Professional Land Surveyor dated March 11, 2002, attached hereto as sheet no. 2 of the above referenced plan of resubdivision.

All of the streets dedicated herein are described on a two sheet plan of subdivision entitled "A Survey of the Resubdivision Parcel "X", a Portion of Lone Star Plantation into Lakewood East Subdivision – Phase I, Lots 1-13 and 37-41, Square 1, Lots 1-13 and 19-20, Square 2 and Lots 1 and 20, Square 3; and into Lakewood East Subdivision – Phase II, Lots 14-36, Square 1; Lots 9-18, Square 2; and Lots 2-19, Square 3; all in Section 46, T13S-R21E, St. Charles Parish, Louisiana, and Lakewood East Phase I and II Street Dedication and Partial Revocation of Streets", a copy of which is attached to and made part of this ordinance; On all matters of the description of the property on which the streets are located, the above referred to survey shall be controlling, and shall replace and supercede, in full, the plan of subdivision prepared by J. Michael Dixon, dated March 17, 2000, entitled "Subdivision Plan Lakewood East – Phase I", attached to Act of Dedication recorded at COB 567, folio 421.

Luling 22/LA further declared unto me, Notary, that on the aforesaid plan of resubdivision, it has also designated and labeled various servitudes for utility, drainage and levee purposes; and

Luling 22/LA 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 within Phase I and Phase II of Lakewood East Subdivision, namely: Bethany Drive (Phase I & II), Elderberry Drive (formerly Elderberry Court – Phase I), Hawthorn Drive (formerly Tupelo Drive – Phase I & II), Barrett Drive (Phase II) and Browning Drive (Phase II), as hereinabove described and does hereby grant the various servitudes for utility, drainage and levee 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

Luling 22/LA further declared that it does by this Act amend, restate and reconstitute that certain Act of Dedication in favor of St. Charles Parish, dated April 18, 2000, approved by Ordinance No. 00-4-22, and recorded at COB 567, folio 421, passed in connection with the development of Lakewood East Subdivision – Phase I. In connection with the development of

Phase II of Lakewood East Subdivision, the following changes were made to the Plan of Subdivision for Phase I attached to and made a part of the Act of Dedication recorded at COB 567, folio 421:

- 1) The cul-da-sac at the east end of Elderberry Drive (formerly Elderberry Court) was removed and replaced by a curvature in the road connecting Elderberry Drive (formerly Elderberry Court) to Browning Drive.
- 2) The street name Elderberry Court was changed to Elderberry Drive.
- 3) The utility servitude running along the front of Lots 37 – 41 of Square 1 of Phase I was incorrectly shown as a 10 foot servitude, when in truth and in fact the servitude was actually a 15 foot servitude as shown on the plan attached hereto.
- 4) The original Plan of Subdivision for Phase I failed to reflect the 15 foot utility servitude running along the front of Lot 1 and Lot 20 of Square 3 of Phase I. Said 15 foot utility servitude is correctly shown on the attached Plan of Resubdivision.
- 5) The interior sideline boundary shared by Lot 4 and Lot 5 of Square 1 was omitted and is now correctly shown on the attached Plan of Resubdivision as a distance of 183.98 feet along a bearing of N61°12'11"E.
- 6) The street name Tupelo Drive was changed to Hawthorn Drive.
- 7) The cul-da-sac at the north end of Hawthorn Drive (formerly Tupelo Drive) was removed and replaced by an extension of Hawthorn Drive.
- 8) The Peterson Canal and existing levee were not shown along the eastern boundary of Phase I, particularly Lot 37 and Lot 38 of Square I, both of which are now correctly shown on the attached Plan of Resubdivision.

By this Act, the Act of Dedication in favor of St. Charles Parish, dated April 18, 2000, approved by Ordinance No. 00-4-22, and recorded at COB 567, folio 421, is hereby amended, restated and reconstituted to incorporate the changes listed above.

In connection with the removal of the cul-da-sac at the eastern end of Elderberry Drive (formerly Elderberry Court), the following parcels of ground were created to designate the property no longer included within the boundary of said street: **Parcel A, Parcel B, Parcel C, and Parcel D**, each of which is more fully described on sheet no. 2 of the attached Plan of Resubdivision.

In connection with the removal of the cul-da-sac at the northern end of Hawthorn Drive (formerly Tupelo Drive), the following parcels of ground were created to designate the property no longer included within the boundary of said street: **Parcel E, Parcel F, Parcel G, and Parcel H**, each of which is more fully described on sheet no. 2 of the attached Plan of Resubdivision.

AND NOW, to these presents, personally came and appeared:

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 April 8, 2002, a certified copy of which is annexed hereto and made part hereof, and said St. Charles Parish does hereby acknowledge and consent to the removal of the above referenced cul-da-sacs and hereby revokes the dedication of the same by that certain Act of Dedication in favor of St. Charles Parish, dated April 18, 2000, approved by Ordinance No. 00-4-22, and recorded at COB 567, folio 421, passed in connection with the development of Lakewood East Subdivision – Phase I, as said cul-da-sacs are no longer needed for public purposes.

In furtherance of the revocation of said dedication, St. Charles Parish does by these presents grant, convey, transfer, assign, set over, abandon and deliver, without warranty, but with full substitution and subrogation in and to all the rights of action and warranty which it has or may have against all preceding owners and vendors, unto the following individuals, whose properties adjoin the parcels of ground created by the revocation and removal of said cul-da-sacs, the following parcels of ground, more fully described on the attached survey made a part hereof:

Parcel A to Rodney Felder, 7405 Stoneleigh Drive, Harahan, Louisiana 70123; being the current owner of Lot 39, Square 1, Phase I;

Parcel B to Scott Sirmon, 326 Beaupre Drive, Luling, Louisiana 70070; being the current owner of Lot 38, Square 1, Phase I;

Parcel C to Donald & Christy Salomon, 108 Elderberry Court, Luling, Louisiana 70070; being the current owners of Lot 37, Square 1, Phase I;

Parcel D to Luling 22/LA, L.P. being the current owner of Lot 36, Square 1, Phase II;

Parcel E to Samuel & Robyn deGeneres, 215 Hawthorn Drive, Luling, Louisiana 70070; being the current owner of Lot 13, Square 1, Phase I;

Parcel F to Luling 22/LA, L.P. being the current owner of Lot 14, Square 1, Phase II;

Parcel G to Lady Bird Homes, Inc., P.O. Box 533, Boutte, Louisiana 70039; being the current owner of Lot 8, Square 2, Phase I;

Parcel H to Luling 22/LA, L.P. being the current owner of Lot 9, Square 1, Phase II;

To have and to hold the above listed parcels unto the above listed parties, their heirs, successors and assigns forever, with said parties by their signatures below accepting and acknowledging the transfer to them of the parcels listed above. The parcels herein transferred are presently tax-exempt. The parties receiving said parcels by this Act assume any taxes to be

levied on said parcels in the future.

Luling 22/LA further declared unto me, Notary, that this Act is 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 Bethany Drive (Phase I & II), Elderberry Drive (formerly Elderberry Court – Phase I), Hawthorn Drive (formerly Tupelo Drive – Phase I & II), Barrett Drive (Phase II) and Browning Drive (Phase II), only as far as said streets are located in Phase I and Phase II of Lakewood East Subdivision.
2. The herein grant of the various servitudes for utility, drainage and levee 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. Luling 22/LA does hereby reserve all rights of fee ownership to that portion of the aforesaid Phase I and Phase II of Lakewood East Subdivision which comprises the various servitudes for utility, drainage and levee purposes.
3. Luling 22/LA 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, drainage and levee servitudes granted herein. In that connection, Luling 22/LA 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 Luling 22/LA's plan and intention to reserve all of the mineral rights in, on and under all of the lots in the Lakewood East Subdivision Phase I and Phase II, whereby, however, Luling 22/LA 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, drainage and levee purposes are made by Luling 22/LA 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, drainage and levee servitudes granted herein only for utility, drainage and levee purposes.
6. This dedication and grant are conditioned upon St. Charles Parish maintaining and policing the streets dedicated herein, and maintaining the various utility, drainage and levee facilities within the various utility, drainage and levee servitudes areas.
7. The grant herein of various servitudes for utility, drainage and levee purposes shall be used exclusively for those purposes and Luling 22/LA reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitude for utility, drainage and levee purposes. The herein granted utility, drainage and levee servitudes 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 the Lakewood East Subdivision Phase I and Phase II.
8. Luling 22/LA warrants that the herein dedication of streets and grant of servitudes are free of any liens and/or encumbrances and that no lots in Phase II 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 "Lakewood East Subdivision, Phase I and Phase II", 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. Luling 22/LA 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 Laque, Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on April 8, 2002, 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, drainage and levee facilities have been likewise satisfactorily completed in accordance with all requirements, and St. Charles Parish does hereby accept all of said streets and utility, drainage and levee facilities and assumes the maintenance thereof.

This Act was approved and accepted by the St. Charles Parish Council by Ordinance 02-4-1 on the 8th day of April, 2002, a photo copy of which is attached and made part hereof.

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;

LULING 22/LA, L.P.

Stacey Peret

BY: William G. Dunaway
William G. Dunaway,
General Partner

Melissa Harris

Michael S. Carter
NOTARY PUBLIC

[SEAL]

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

Charles N. Lacombe

BY: Albert Laque
Albert Laque,
Parish President

Ali K. (Oin)

John S. Anthony
Notary Public
My Commission is issued for life

[SEAL]

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:

Melissa Denis

Rodney Felder
RODNEY FELDER

Dan Scheynaque

Louis B. Arthur
Notary Public
My Commission is issued for life

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:

Melissa Harris

Scott Sirmon
SCOTT SIRMON

Danfe Scheynaque

Louis S. Authier
Notary Public
My Commission is issued for life

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:

Dave Scheyraque

Melissa Hines

Honald Salomon
HONALD SALOMON

Christy Salomon
CHRISTY SALOMON

John S. Authier
Notary Public
My Commission is issued for life

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:

Melissa Harris

Stacey Perret

Samuel deGeneres

SAMUEL deGENERES

Robyn deGeneres

ROBYN deGENERES

L. S. Curtis

Notary Public

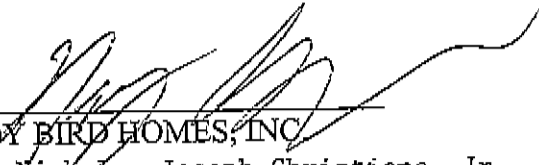
My Commission is issued for life

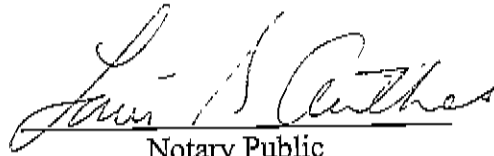
THUS DONE AND PASSED, in triplicate originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles on the day, month and year herein first above written, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers and me, Notary, after reading the whole.

WITNESSES:

M. Lisa Hines

Stacey Permet


LADY BIRD HOMES, INC.
BY: Nicholas Joseph Christiana, Jr.
ITS: President


Notary Public
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