

2002-0111

INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF LEGAL SERVICES)

ORDINANCE NO. 02-3-13

An ordinance to authorize the Parish President to purchase and/or expropriate a servitude from Ashton Plantation Estates, L.L.C. and Union Pacific Railroad Company.

WHEREAS, The economic development of St. Charles Parish is paramount to the health, safety and welfare of its residents; and

WHEREAS, The development of available real estate in St. Charles Parish is essential to the economic development of St. Charles Parish; and

WHEREAS, Ashton Plantation Estates, L.L.C., as required by the Development Agreement between it and St. Charles Parish, will have donated certain tracts of land to St. Charles Parish and to the St. Charles Parish School Board, access to which land requires a grade crossing over the Union Pacific Railroad; and

WHEREAS, It is necessary to purchase and/or expropriate from Ashton Plantation Estates, L.L.C. and/or the Union Pacific Railroad Company, a servitude over certain property owned by Ashton Plantation Estates, L.L.C. which is subject to a railroad servitude in favor of Union Pacific Railroad Company; and

WHEREAS, The property over which the servitude is needed is located in Luling, Louisiana at the intersection of Ashton Plantation Boulevard (under construction) and the Union Pacific Railroad as shown on the attached drawing;

WHEREAS, The expropriation of said servitude for a grade crossing is for a public purpose, namely economic development and for access to publicly owned property; and,

WHEREAS, The Developer will reimburse the Parish for any and all expenses incurred in obtaining servitude.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS, that the Parish President through the Department of Legal Services, is hereby authorized to purchase and/or expropriate a servitude over certain land owned by Ashton Plantation Estates, L.L.C. which is subject to a railroad servitude, for the purpose of construction of a grade crossing over the Union Pacific Railroad Company at Luling, Louisiana at the intersection of Ashton Plantation Boulevard (under construction) and the Union Pacific Railroad ; further that the Parish President is hereby authorized to execute all documents necessary to complete said purchase and/or expropriation; and further, that should the expropriation process be necessary, said expropriation should be in accordance with state law.

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

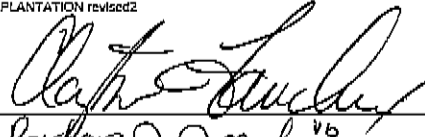
YEAS: FAUCHEUX, HILAIRE, FABRE, MARINO, MINNICH

NAYS: RAMCHANDRAN, ABADIE

ABSENT: AUTHEMENT, BLACK

And the ordinance was declared adopted this 25th day of March, 2002, to become effective five (5) days after publication in the Official Journal.

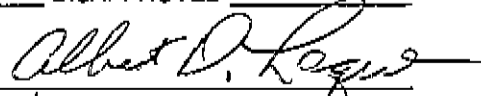
EXPROPRIATION ASHTON PLANTATION revised2

CHAIRMAN: 

SECRETARY: Barbara J. Jacob ^{vb}

DLVD/PARISH PRESIDENT: March 26, 2002

APPROVED: 2 DISAPPROVED:

PARISH PRESIDENT 

RETD/SECRETARY: March 27, 2002

AT: 9:30 am RECD BY: BGG ^{vb}

FIBER OPTIC CABLE



Call Before You Work or Dig On R.R. RAW! POC-3369193

- NOTES:
- 1) Applicant to perform all grading, drainage, paving, & utility adjustments at its expense
 - 2) Construction of Electronic Signaling and Standard Rail Crossing Surface To Be Completed By Railroad At The Applicant's Expense

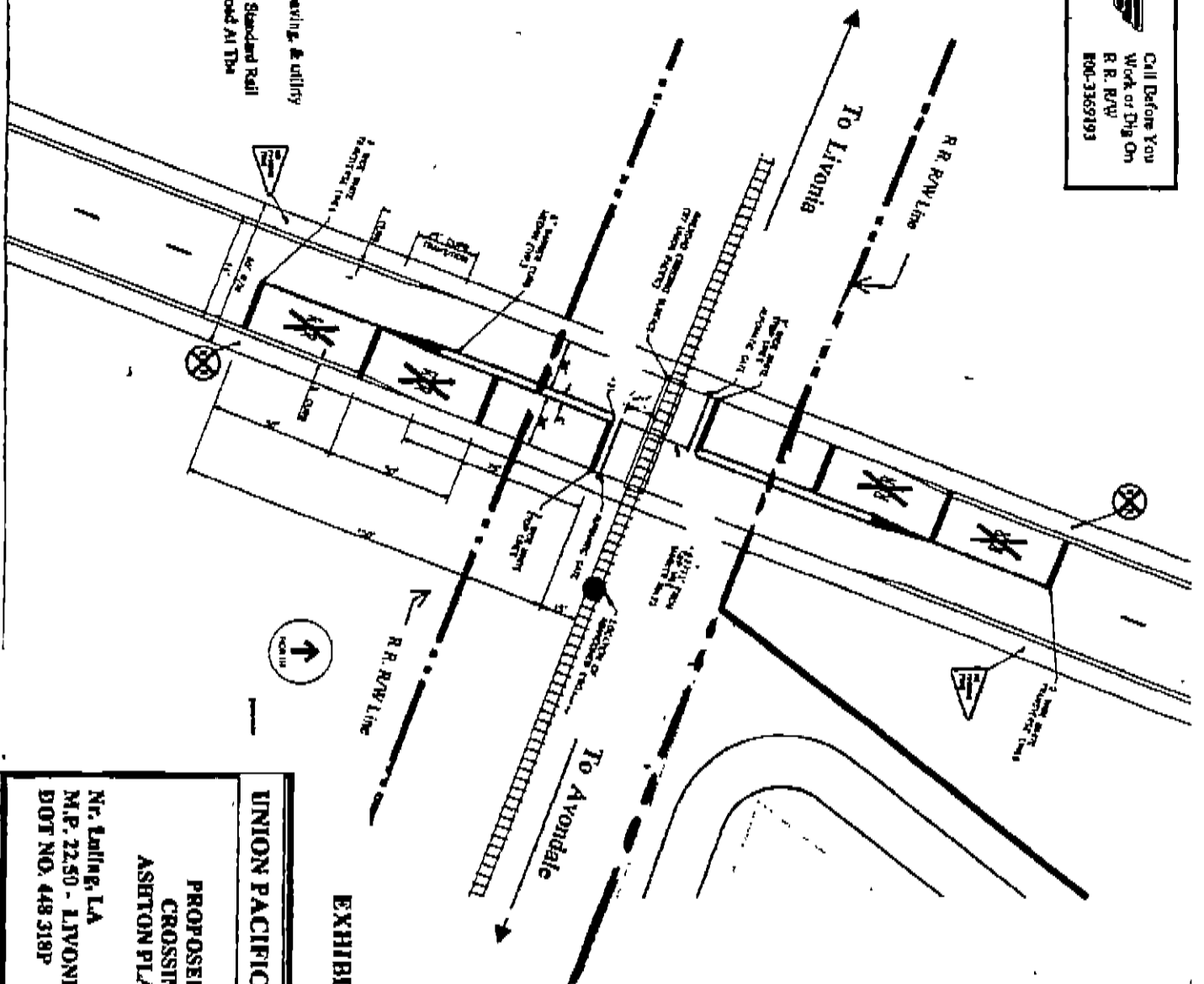
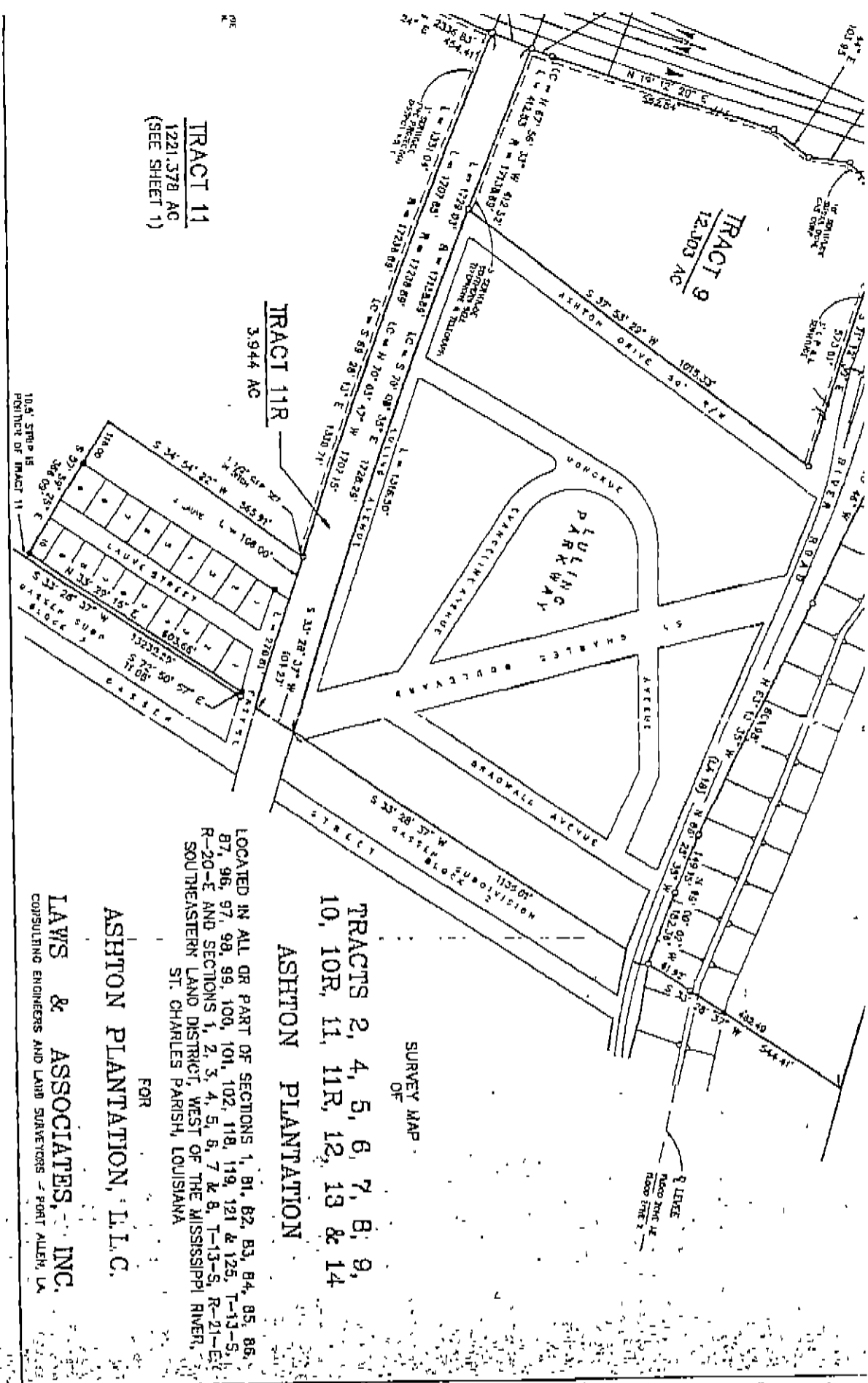


EXHIBIT A

UNION PACIFIC RAILROAD

PROPOSED ROAD CROSSING BY ASHTON PLANTATION

Mr. Lelling, LA
M.P. 22.50 - LIVONIA Subdivision
BOT NO. 448 318P



TRACT 11
1,221,378 AC
(SEE SHEET 1)

TRACT 11R
3,944 AC

TRACT 9
12,303 AC

TRACTS 2, 4, 5, 6, 7, 8, 9,
10, 10R, 11, 11R, 12, 13 & 14
ASHTON PLANTATION

SURVEY MAP
OF

ASHTON PLANTATION, L.L.C.

FOR
LAWYERS & ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS - FORT ALLEN, LA

LOCATED IN ALL OR PART OF SECTIONS 1, 81, 82, 83, 84, 85, 86,
87, 96, 97, 98, 99, 100, 101, 102, 118, 119, 121 & 125, T-13-S,
R-20-E AND SECTIONS 1, 2, 3, 4, 5, 6, 7 & 8, T-13-S, R-21-E
SOUTHEASTERN LAND DISTRICT, WEST OF THE MISSISSIPPI RIVER,
ST. CHARLES PARISH, LOUISIANA

100-10

