

2008-0045

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)

ORDINANCE NO. 08-1-6

An ordinance to amend Ordinance No. 07-12-25,  
an Act of Dedication for Evangeline City Phase 2  
Subdivision in Montz, St. Charles Parish LA by  
approving an additional plat for the Final Plan.

**WHEREAS**, Ordinance No. 07-12-25, adopted on December 17, 2007,  
approved and authorized the execution of an Act of Dedication for  
Evangeline City Phase 2 Subdivision in Montz, St. Charles Parish,  
LA; and,

**WHEREAS**, the Act of Dedication correctly referred to the Final Plan as  
consisting of two (2) pages; and,

**WHEREAS**, the submitted Ordinance for Final Plat Approval referred to a Final  
Plan as consisting of a single page; and,

**WHEREAS**, the Act of Dedication required revisions to comply with the Final  
Plat.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That Ordinance No. 07-12-25 is hereby amended by  
approving and accepting the additional plat for Final Plat Approval of Evangeline  
Estates Phase 2 Subdivision as indicated on the plat dated 11/27/07 and  
prepared by Riverlands Surveying Company, as a Survey Plat and  
Resubdivision of Lots 4-74, Square 1, Unit 7 and the adjacent 4' strip (reserved)  
and an unimproved road, Lots 2-24, 33-68, & 71-75 & a portion of Lot 1, Square  
2, Unit 7 and the adjacent 4' strip (reserved) and an unimproved road & a portion  
of the United Gas Pipeline Corridor & a portion of Tract 5A of the C.L. Bougere  
Estate into Lots herein designated as 6A, 12A, 18A, 24A, 30A, 36A, 42A, 48A,  
54A, 60A, 67A, 72A of Square 1 of Unit No. 7 & Lots 2B, 6B, 10B, 13B, 17B,  
22B, 34B, 39B, 44B, 46B, 51B, 55B, 58B, 62B, 66B, and 74B of Square 2 of  
Unit No. 7 of Evangeline City situated in Section 17, T-12-S, R-7-E, Section 53,  
T-12-S, R-8-E, Montz, St. Charles Parish, Louisiana.

**SECTION II.** That the revisions to the original Act of Dedication are  
hereby confirmed and approved.

**SECTION III.** That the Parish President is hereby authorized to execute  
the amended ordinance 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: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO,  
HOGAN, COCHRAN, LAMBERT, NUSS

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 28th day of  
January, 2008, to become effective five (5) days after publication in the  
Official Journal.

Amended ORD Evangeline City Ph 2

CHAIRMAN

SECRETARY:

DLVD/PARISH PRESIDENT

APPROVED:

DISAPPROVED:

PARISH PRESIDENT

RETD/SECRETARY:

AT. 10:02 AM

RECD BY.

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE  
ON February 1, 2008  
AS ENTRY NO. 339896  
IN MORTGAGE/CONVEYANCE BOOK  
NO. 707 FOLIO 424

ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: **CRISTINA & LAURICELLA, INC.**

STATE OF LOUISIANA

TO: **ST. CHARLES PARISH**

PARISH OF JEFFERSON

BE IT KNOWN, That before me, the undersigned, Notaries Public, duly commissioned and qualified, in and for the Parishes and State set out herein, therein residing and in the presence of the witnesses hereinafter named and undersigned,

PERSONALLY CAME AND APPEARED:

**CRISTINA & LAURICELLA, INC. (TIN#XX-XXX6904), a Louisiana Corporation, domiciled in the Parish of Jefferson, State of Louisiana, whose mailing address is 608 Barataria Boulevard, Marrero, Louisiana 70072, herein appearing through its Vice-President, Calvin J. Cristina, duly authorized by resolution of the directors of the Corporation, dated April 6, 2004; (hereinafter "Appearer")**

who declared unto me, Notary, that it is the owner of a certain tracts of real property situated on the East Bank of St. Charles Parish, which lands are designated as Evangeline City, being the resubdivision of

**Lots 4-74, Square 1, Unit 7 and the adjacent 4' strip (reserved) and an unimproved road, Lots 2-24, 33-68, & 71-75 and a portion of lot 1, Square 2, Unit 7 and the adjacent 4' strip (reserved) and an unimproved road, a portion of the United Gas Pipeline corridor, & a portion of tract 5A of the C.L. Bougere Estate, into Lots hereon designated as 6A, 12A, 18A, 24A, 30A, 36A, 42A, 48A, 54A, 60A, 67A and 72A of Square 1 of Unit No. 7 and Lots 2B, 6B, 10B, 13B, 17B, 22B, 34B, 39B, 44B, 46B, 51B, 55B, 58B, 62B, 66B and 74B of Square 2 of Unit No. 7 of Evangeline City situated in Section 17, T-12-S, R-7-E, Section 53, T-12-S, R-8-E, Montz, St. Charles Parish, Louisiana.**

AND

**Lots 1-7, 23, Square 1, Unit 5 and the adjacent 4' strip (reserved) and an unimproved road, Lots 8-23, Square 2, Unit 5 and the adjacent 4' strip (reserved) and an unimproved road, Lots 1-83, Square 1, Unit 6 and the adjacent 4' strip (reserved), Lots 1-75, 80-83, Square 2, Unit 6 and the adjacent 4' strip (reserved) Lots 1, 2, 3, Square 1 Unit 7 and the adjacent 4' strip (reserved). A portion of Lot 1, Square 2, Unit 7 and the adjacent 4' strip (reserved), portions of the old Godchaux Cane Railroad, and portions of the United Gas Pipeline corridor, and a portion of tract 5A of the C. L. Bougere Estate, into lots hereon designated as Parcel A, Parcel B, Lot 4A of Square 1, of Unit No. 5, Lots 7B, 11B, 15B, 19B, 23B, of Square 2 of Unit No. 5 and Lots 5A, 11A, 17A, 23A, 29A, 35A, 41A, 47A, 53A, 59A, 65A, 71A, 77A and 83A of Square 1 of Unit No. 6 and Lots 3B, 8B, 12B, 16B, 20B, 25B, 27B, 32B, 35B, 40B, 43B, 47B, 52B, 56B, 60B, 62B, 65B, 73B, and 81B of Square 2 of Unit No. 6 of Evangeline City situated in Section 17, T-12-S, R-7-E, Montz, St. Charles Parish, Louisiana.**

Appearer further declared that on the aforesaid plan of Resubdivision, it has also designated and labeled various servitudes for utility and drainage purposes; and

Appearer further declared that under the covenants, conditions and stipulations hereinafter recited, it does, by these presents, grant the various servitudes for utility and drainage purposes, all as shown on the annexed plan of resubdivision consisting of two pages prepared by Riverlands Surveying Company dated May 27, 2003, latest revision November 11, 2007, to public use, unto and in favor of the St. Charles Parish, the inhabitants of St. Charles Parish, and to the public in general; and

Appearer further declared that the aforesaid grant is subject to all of the following terms and conditions, to wit.

1 The herein grant of the various servitudes for utility and drainage purposes shall constitute the granting of only a "personal servitude of right of use" being a "limited personal servitude" in favor of St. Charles Parish. Appearer does hereby reserve all rights of fee ownership to that portion of the lots described herein, which comprise the various servitudes for utility and drainage purposes.

2 The herein grant of servitudes for utility and drainage purposes is made by Appearer without any warranty whatsoever, except as provided for herein.

3. St Charles Parish agrees to bind and obligate itself to use the utility and drainage servitudes granted herein only for utility and drainage purposes

4. This grant is conditioned upon St. Charles Parish maintaining the various utility and drainage facilities within the various utility and drainage servitude areas.

5. The grant herein of various servitudes for utility and drainage purposes shall be used exclusively for those purposes, and Appearer reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitudes for utility and drainage purposes. The herein granted utility and drainage servitudes shall not be utilized as to unreasonably interfere with or impair ingress and egress from the streets of Evangeline City and any of the lots described herein

6 Appearer warrants that the herein grant of servitudes are free of any liens and/or encumbrances and that no lots have been sold or alienated prior to the date hereof.

7. The dedication and grant made herein are made subject to any existing servitudes affecting the lots described herein, such as by way of illustration, but not by limitation pipeline servitudes and levee servitudes

8. The herein 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.

AND NOW, to these presents, personally came and intervened, ST. CHARLES PARISH, herein appearing through and by V. J. St Pierre, Jr., Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on January 28, 2008, a certified copy of which is annexed hereto and made part hereof, and St. Charles Parish does hereby accept, approve and ratify the herein grant under all of the terms and conditions as contained herein above, and does also hereby acknowledge that all utility and drainage facilities have been satisfactorily completed in accordance with requirements, and St. Charles Parish does hereby accept all of the utility and drainage facilities and assumes the maintenance thereof

THIS ACT OF ACCEPTANCE was approved and accepted by the St Charles Parish Council by Ordinance # 07-12-25, dated, the 17<sup>th</sup> day of December, 2007, and amended by Ordinance #08-1-6, dated the 28<sup>th</sup> day of January, 2008, photo copies of which are attached and made part hereof.

THUS DONE AND PASSED, in duplicate originals, in my office in the Parish of Jefferson, State of Louisiana, on the 30<sup>th</sup> day of January, 2008, in the presence of the undersigned competent witnesses, Dina B. Marks and Henry W. Tatje, who hereunto sign their names with the parties and me, Notary, after reading of this act

WITNESSES:

Dina B. Marks  
Henry W. Tatje

CRISTINA & LAURICELLA, INC

BY: Calvin J. Cristina  
Calvin J. Cristina, Vice-President

T. Robert Lacour  
T. ROBERT LACOUR, #8077  
Notary Public

THUS DONE AND PASSED, in duplicate originals, in my office in the Parish of St. Charles , State of Louisiana, on the 1<sup>st</sup> day of February, 2008, in the presence of the undersigned competent witnesses, Sandra G. Miguez and Barbara Jacob-Tucker, who hereunto sign their names with the parties and me, Notary, after reading of this act.

WITNESSES

PARISH OF ST. CHARLES

Sandra G. Miguez

By W. J. St. Pierre, Jr.  
V. J. St. Pierre, Jr., Parish President

Barbara Jacob-Tucker

[Signature]

NOTARY PUBLIC

Printed Name. W. J. St. Pierre, Jr.

Bar Roll No.: 13061

My commission is for life.