

Arch.

2015-0416

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. 15-11-29

An ordinance approving and authorizing the execution of a Donation of Servitude acquiring additional width to an existing public right-of-way over property identified as a Tract in St Charles Parish, on the East Bank of the Mississippi River, located in section 11, Township 12 south, Range 8 East being more particularly described in survey by Lucien C. Gassen, PLS, dated June 17, 2015, to improve the drainage in the area.

WHEREAS, St Charles Parish School Board has agreed to donate property for the purpose of improving the drainage in the Ormond Trace area; and,

WHEREAS, the Donation of Servitude and survey referenced above is attached hereto and made a part hereof.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Parish President is hereby authorized to execute the Donation of Servitude and any all other documents required to carry out the provisions of this ordinance.

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

YEAS: LEWIS, WILSON, BENEDETTO, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: SCHEXNAYDRE, TASTET, HOGAN

And the ordinance was declared adopted this 16th day of November, 2015 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: 11/18/15

APPROVED: ☒ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: 11/18/15

AT 10:50 ~ RECD BY: \_\_\_\_\_

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE  
ON January 28, 2016  
AS ENTRY NO. 412233  
IN MORTGAGE/CONVEYANCE BOOK  
NO. 827 FOLIO 659

Signed 1-27-16  
Donation  
differs from  
encl. attachment

Approved by  
Legal.

15-11-29 as

UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF ST. CHARLES

**DONATION OF SERVITUDE**

BE IT KNOWN, that on this 11<sup>th</sup> day of December, in the year two thousand and Five (2016).

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified and in the presence of the two competent witnesses hereinafter undersigned; PERSONALLY CAME AND APPEARED:

**ST. CHARLES PARISH SCHOOL BOARD**, 13855 River Road, Luling, Louisiana, 70070, herein represented by **Arthur A. Aucoin**, President, duly authorized by resolution of the St. Charles Parish School Board, without date, a copy of which is attached hereto and made a part hereof;

Herein after referred to as "**GRANTOR**"

-and-

**PARISH OF ST. CHARLES**, a political subdivision of the State of Louisiana, herein represented by **V. J. ST. PIERRE, JR.**, its Parish President, whose mailing address is P.O. Box 302, Hahnville, Louisiana, 70057; authorized pursuant to Ordinance No. 15-11-29 adopted by St. Charles Parish Council on the 11<sup>th</sup> day of NOVEMBER, 2015, a copy of which is attached hereto and made a part hereof;

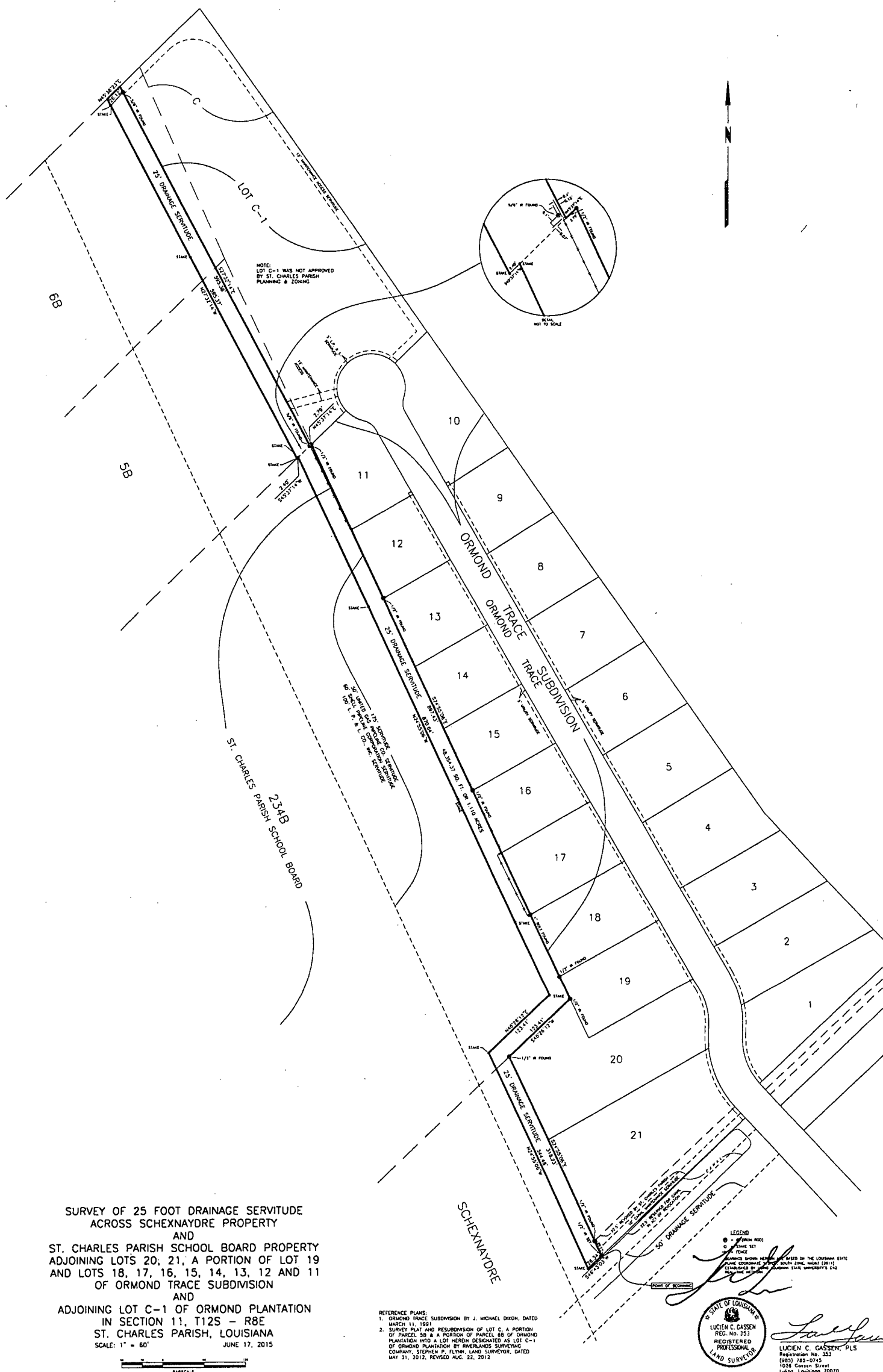
Herein after referred to as "**GRANTEE**"

**GRANTOR** does hereby donate, grant, present, dedicate, assign, transfer, deliver, and set over a servitude, easement, and right-of-way unto **GRANTEE** for the purposes of constructing, installing, operating, maintaining, repairing, and/or replacing drainage through, around, under, and/or over the following described property situated in St. Charles Parish, reserving, however, to the **GRANTOR**, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines, said property being more particularly described as follows:

**LEGAL DESCRIPTION**

A certain tract of land situated in the Parish of St. Charles, State of Louisiana, on the East Bank of the Mississippi River, located in Section 11, Township 12 South, Range 8 East, and being more particularly described as follows:

From a ½ inch iron rod at the southernmost corner of Lot 21 of Ormond Trace Subdivision, the POINT OF BEGINNING, proceed S46°43'03"W a distance of 26.34 feet, thence N24°55'06"W a distance of 344.48 feet, thence N 46°26'12"E a distance of 123.41 feet, thence N24°55'06"W a distance of 870.64 feet, thence



distance of 595.37 feet, thence N45°36'23"E a distance of 26.12 feet, thence S27°32'14"E a distance of 595.38 feet, thence N45°37'14"E a distance of 2.79 feet, thence S24°55'06"E a distance of 897.43 feet, thence S46°26'12"W a distance of 123.41 feet, thence S24°55'06"E a distance of 318.23 feet to the point of beginning, containing 48,354.37 square feet or 1.110 acres all in accordance with a plan by Lucien C. Gassen, PLS, dated June 17, 2015 attached hereto and made a part hereof.

**TO HAVE AND TO HOLD** said servitude, easements, and rights of way unto said **GRANTEE**, and its successors and assigns forever.

**GRANTOR** grants unto **GRANTEE** the right of ingress and egress to and from said servitude for the purpose of constructing, installing, operating, maintaining, repairing, and/or replacing drainage improvements. **GRANTOR** retains the rights to fully use and enjoy the above-described property, except as to the rights here and above granted. **GRANTEE** agrees to indemnify and hold harmless **GRANTOR** from any and all damages, which **GRANTOR** may suffer, caused either wholly or in part, by reason of the negligence of the Parish of St. Charles, its agents or employees, in the installation, operation, and/or maintenance of this drainage servitude.

**THUS** done, read and passed at my office in the City of Hahnville, 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.

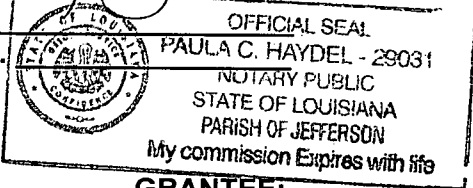
**WITNESSES:**

[Signature]  
[Signature]

**GRANTOR:**  
**ST. CHARLES PARISH SCHOOL BOARD**

[Signature]  
**BY: ARTHUR A. AUCOIN, PRESIDENT**

[Signature]  
**NOTARY PUBLIC**

**NAME:** \_\_\_\_\_  
**BAR NO.** \_\_\_\_\_  


**WITNESSES:**

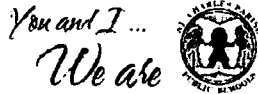
[Signature]  
[Signature]

**GRANTEE:**  
**PARISH OF ST. CHARLES**

[Signature]  
**BY: V. J. ST. PIERRE, JR.**  
**ITS: PARISH PRESIDENT**

[Signature]  
**NOTARY PUBLIC**

**NAME:** \_\_\_\_\_  
**BAR NO.** LEON C. VIAL III  
**NOTARY PUBLIC, BAR NO: 13061**



## RESOLUTION

### St. Charles Parish School Board

**WHEREAS**, Arthur A. Aucoin, President of St. Charles Parish School Board, be and he is hereby authorized and empowered for and on behalf of the St. Charles Parish School Board to execute any and all documents that he deems necessary and as required to grant a servitude to St. Charles Parish on property of the Board being a portion of ground.

**NOW THEREFORE BE IT RESOLVED**, that a certain tract of land situated in the Parish of St. Charles, State of Louisiana, on the East Bank of the Mississippi River, located in Section 11, township 12 South, Range 8 East, and being more particularly described as follows:

From a ½ inch iron rod at the southern most corner of Lot 21 of Ormond Trace Subdivision, the POINT OF BEGINNING, proceed S46degrees43'03"W a distance of 26.34 feet, thence N24degrees55'06"W a distance of 344.48 feet, thence N46degrees26'12"E a distance of 123.41 feet, thence N24degrees55'06"W a distance of 870.64 feet, thence S45degrees37'14"W a distance of 2.40 feet, thence N27degrees32'14"W a distance of 595.37 feet, thence N45degrees36'23"E a distance of 26.12 feet, thence S27degrees32'14"E a distance of 595.38 feet, thence N45degrees37'14"E a distance 2.79 feet, thence S24degrees55'06"E a distance of 897.43 feet, thence S46degrees26'12"W a distance of 123.41 feet, thence S24degrees55'06"E a distance of 318.23 feet to the point of beginning, containing 48,354.37 square feet or 1.110 acres all in accordance with a plan by Lucien C. Gassen, PLS, dated June 17, 2015.

### ST. CHARLES PARISH SCHOOL BOARD

By: Arthur A. Aucoin  
Arthur A. Aucoin, Board President

By: Felecia Gomez-Walker  
Felecia Gomez-Walker, Secretary-Treasurer