

St. Charles Parish Recording Page

Lance Marino
Clerk of Court
St. Charles Parish Courthouse
PO Box 424
Hahnville, LA 70057
(985) 783-6632

Received From :
J MAC MORGAN
735 CRYSTAL ST
NEW ORLEANS, LA 70124

First VENDOR
BAYOU FLEET PARTNERSHIP LLP

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Index Type : Conveyance
Type of Document : Dedication

Entry Number : 392556

Book : 792 Page : 602

Recording Pages : 4

Recorded Information

I hereby certify that the attached document was filed for registry and recorded in the Clerk of Court's office for St. Charles Parish, Louisiana

Dana Adams

Deputy Clerk

On (Recorded Date) : 10/07/2013
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LANCE MARINO
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Additional Index Recordings			
Index Type	Book	Page	Entry Number
MTG	1550	213	392556

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HAHNVILLE, LA 70057

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**ACT OF DEDICATION OF PREDIAL SERVITUDE AND/OR
RESTRICTIVE COVENANT LIMITING USES OF THE PROPERTY**

BEFORE ME, the undersigned Notary Public in and for the State of Louisiana and the Parish of Jefferson, and in the presence of the undersigned witnesses, personally came and appeared, Bayou Fleet Partnership, L.L.P. (hereinafter "Bayou Fleet"), appearing herein through its duly authorized managing partner, Robin B. Durant, who submits the following Act of Dedication of Predial Servitude and/or Restrictive Covenant Limiting Uses of the Property.

WHEREAS, Bayou Fleet is the owner of the following described property (hereinafter "the property"), to wit:

Commence at U.S. Engineers Levee Monument No. 363 located in the center of the Mississippi River levee, thence along the centerline of the levee North 49 degrees 19 minutes 14 seconds West a distance of 86.0 feet to a point on the upper line of lot 3 and the point of beginning, thence run North 54 degrees 45 minutes East a distance of 173.0 feet, more or less to the right descending bank of the Mississippi River, thence along the river bank South 69 degrees 6 minutes East a distance of 236.7 feet to the lower line of lot 3, thence along this lower line South 56 degrees 10 minutes West a distance of 463 feet, more or less to a point on the Northerly right of way line on River Road , La. Hwy, 18, thence along this line in a curve to the left to the upper line of lot 3, the chord of which bears North 31 degrees 24 minutes West a distance of 186.53 feet, thence along the upper line of lot 3 North 54 degrees 45 minutes East a distance of 88 feet to the point of beginning. This property is a portion of the following described property:

A certain lot of ground, situated in the Parish of St. Charles, on the right bank of the Mississippi River, measuring 182 feet in width by a depth of about 40 arpents, which property is bounded above by the property now or formerly of Widow Charles Madere and below by that of Louisiana Materials Co., and is designated as Lot Number 3 on a plat of subdivision of a larger tract, annexed to an act of partition between T.T. Baudoin, Mrs. Charles Madere, and Placide Baudoin, passed before J.B. Martin, Clerk of Court and Ex-Officio Notary in and for the Parish of St. Charles on January 30, 1892, which act of partition is duly recorded in this office in COB 1, FOLIO 642.

WHEREAS, the property was zoned B-1 (Non-Industrial Batture) with legal non-conforming uses.

WHEREAS, on July 23, 2013, Bayou Fleet filed an application with the St. Charles Department of Planning & Zoning, Case No. PZR-2013-18 (hereinafter "the rezoning application"), to rezone the property from B-1 (Non-Industrial Batture) to B-2 (Industrial Batture).

WHEREAS, in the rezoning application Bayou Fleet stated that, "[i]f the property is rezoned, Bayou Fleet will agree to place a restriction in its property deeds that the following B-2 activities cannot be performed on the property, in perpetuity, as follows: (1) no electrical generating plants; (2) no coal handling, transfer and storage facilities; (3) no petroleum and petroleum by-products and storage facilities; (4) no seaplane facilities; and, (5) no hazardous waste storage or facilities.

THEREFORE, in order to satisfy its aforesaid agreement in the rezoning application to limit the aforesaid B-2 uses on the property, and in consideration of the rezoning of the property from B-1 (Non-Industrial Batture) to B-2 (Industrial Batture), if that rezoning occurs at the meeting of the St. Charles Parish Council on October 7, 2013, Bayou Fleet hereby establishes the following predial servitude and/or restrictive covenant limiting uses of the property.


1. It is hereby stipulated that Bayou Fleet, its heirs, successors and assigns, shall never be allowed to perform the following B-2 activities on the property, in perpetuity, as follows: (1) no electrical generating plants; (2) no coal handling, transfer and storage facilities; (3) no petroleum and petroleum by-products and storage facilities; (4) no seaplane facilities; and, (5) no hazardous waste storage or facilities.


2. This predial servitude and/or restrictive covenant limiting the aforesaid uses of the property is for the benefit of the following described dominant estates, to wit:

- A. All property along both sides of River Road, La. Hwy. 18, from its intersection with Hahn Street to its intersection with River Park Drive, in the Village of Hahnville, Louisiana; and,
- B. All property along the following streets in the Village of Hahnville, Louisiana, and including the property lying underneath and along side these streets: River Park Drive, Nicholas Street, St. Charles Place, Gourgues Street, Aquarius Street, Elm Street, Oak Street, Julia Street, Lincoln Street, Shaw Street, Hahn Street, Plum Street, Peach Street, Pine Street, Maple Street, Sycamore Street, Pecan Street, Ash Street, Hickory Street, Gum Street, Walnut Street, King Street, and Butternut Street.

3. It is the intention of this Act of Dedication of Predial Servitude and/or Restrictive Covenant Limiting Uses of the Property to create a real right bearing upon and running with the property as to Bayou Fleet and all subsequent owners of the property, in perpetuity.

THUS DONE AND PASSED, in Metairie, Louisiana, on this ____ day of October, 2013, in the presence of the undersigned competent witnesses, who have hereto signed their names with Bayou Fleet Partnership, L.L.P., and me, Notary Public, after due reading of the whole.


WITNESS


WITNESS


BAYOU FLEET PARTNERSHIP, L.L.P.,
By Its Duly Authorized Managing
Partner, Robin B. Durant


NOTARY PUBLIC

JULIAN R. MURRAY
BAR # 7526, NOTARY PUBLIC
PARISH OF JEFFERSON, STATE OF LOUISIANA
MY COMMISSION IS ISSUED FOR LIFE

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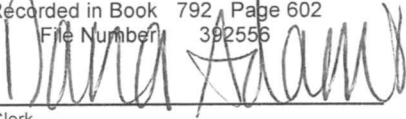
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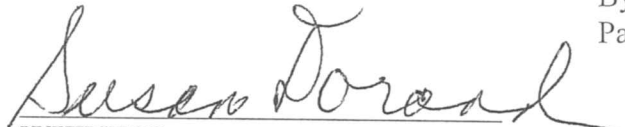
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- B. All property along the following streets in the Village of Hahnville, Louisiana, and including the property lying underneath and along side these streets: River Park Drive, Nicholas Street, St. Charles Place, Gourgues Street, Aquarius Street, Elm Street, Oak Street, Julia Street, Lincoln Street, Shaw Street, Hahn Street, Plum Street, Peach Street, Pine Street, Maple Street, Sycamore Street, Pecan Street, Ash Street, Hickory Street, Gum Street, Walnut Street, King Street, and Butternut Street.

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WITNESS


WITNESS


BAYOU FLEET PARTNERSHIP, L.L.P.,
By Its Duly Authorized Managing
Partner, Robin B. Durant


NOTARY PUBLIC

JULIAN R. MURRAY
BAR # 7526, NOTARY PUBLIC
GRISH OF JEFFERSON, STATE OF LOUISIANA
MY COMMISSION IS ISSUED FOR LIFE