

ORD

2005-0149

**INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. 05-6-11

An ordinance to approve Amendment No. 1 to Easement No. DACW29-2-95-08, the Department of the Army Permit for the Engineers Canal Pump Station, to authorize the installation of a bypass culvert in Engineers Canal, Norco.

WHEREAS, the St. Charles Parish Council adopted Ordinance No. 95-9-14 on September 18, 1995 approving Department of Army Easement No. DACW29-2-95-08 for the Engineers Canal Pump Station located at 981 West Pine Street in Norco; and,

WHEREAS, the Department of Public Works has proposed to install a sixty-inch (60") corrugated metal bypass culvert to help move water through Engineers Canal past the pump station, to the Bayou Trepagnier Pump Station; and,

WHEREAS, the Department of Army Corps of Engineers has prepared Amendment No. 1 to the original Easement agreement to allow said culvert installation; and,

WHEREAS, it is the desire of the Parish Council to approve said Amendment No. 1.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Amendment No. 1 to Easement No. DACW29-2-95-08 is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Amendment on behalf of St. Charles Parish.

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

YEAS: FAUCHEUX, RAMCHANDRAN, WALLS, BLACK, DUHE, MINNICH

NAYS: NONE

ABSENT: MARINO, HILAIRE, FABRE

And the ordinance was declared adopted this 20th day of June, 2005, to become effective five (5) days after publication in the Official Journal.

2005-0149 Canal Pump Station

ACTING CHAIRMAN: Benny Minnich
SECRETARY: Richard Jacob Tucker
DLVD/PARISH PRESIDENT: June 21, 2005
APPROVED: ✓ DISAPPROVED: _____

PARISH PRESIDENT: Albert D. Laque
RET/SECRETARY: June 21, 2005
AT: 3:30 pm RECD BY: BJD

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON June 3, 2016
AS ENTRY NO. 415344
IN MORTGAGE/CONVEYANCE BOOK
NO. 833 FOLIO 171

**AMENDMENT NO. 1
TO
EASEMENT NO. DACW29-2-95-08**

WHEREAS, on August 29, 1995, Easement No. DACW29-2-95-08, was entered into between the Government, as Grantor, and St. Charles Parish Council, as Grantee, to construct, use, maintain, control, operate and repair a stormwater pump station along Engineer's Canal, including two 26-inch pipelines across the Bonnet Carre Spillway lower guide levee at approximate levee station 69+84, and a discharge swale inside the spillway, within our Bonnet Carre Spillway Project, in Section 5, Township 12 South, Range 8 East, St. Charles Parish, Louisiana.

WHEREAS, a modification of said easement is desirable for the improvement of drainage in the area.

NOW THEREFORE, said easement is hereby amended to add on Page 1, first paragraph, a sixty-inch (60") corrugated metal bypass culvert to help move water through Engineers Canal past the pump station, under Airline Highway (U.S. Highway 61), and into the newly-constructed Bayou Trepagnier pump station on the north side of Highway 61, and to reflect the location of the bypass culvert in Section 5, Township 12 South, Range 8 East, St. Charles Parish, Louisiana, subject to the condition below:

St. Charles Parish and/or its agent will perform all work in accordance with the plans and specifications stated on the enclosed Exhibit A, Drawings 1 and 2 of 2, prepared by Shread-Kuyrkendall and Associates, Inc., which includes the provision that backfill material shall be compacted to the same density as the existing material.

All other terms and conditions of the original easement remain unchanged.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army this 15th day of July 2005.

WITNESSES:

Signed: Sheryl B. Austin

Printed Name: SHERYL B. AUSTIN

Signed: Sheila B. Mills

Printed Name: Sheila B. Mills

Linda C. Labure
LINDA C. LABURE
Acting Chief, Real Estate Division
U.S. Army Corps of Engineers
New Orleans District

APPROVED AS TO LEGAL SUFFICIENCY:

Mike Hays
Mike Hays
ATTORNEY/ADVISOR
U.S. Army Engineer District
New Orleans

The above Amendment No.1 is hereby accepted this 21st day of June 2005.

ST. CHARLES PARISH

WITNESSES:

Signed: Barbara Jane Tucker

Printed name: Barbara Jane Tucker

Signed: Valerie Berthelot

Printed name: Valerie Berthelot

Albert D. Laque

Printed Name: Albert D. Laque

Title: Parish President

ACKNOWLEDGEMENT OF WITNESS FOR AMENDMENT NO. 1
TO EASEMENT NO. DACW29-2-95-08

BEFORE ME, the undersigned authority, this day personally came and appeared the undersigned person, duly sworn, who did depose and state that he/she executed the foregoing amendment as subscribing witness thereto, and that the amendment was signed and executed by LINDA C. LABURE and that he/she knows LINDA C. LABURE to be the identical person who executed the same and saw LINDA C. LABURE sign his name in her capacity as ~~Acting~~ Chief, Real Estate Division, CEMVN, on behalf of the United States, as the voluntary act and deed of the United States, and for the purposes and considerations therein expressed, in her presence and in the presence of the other subscribing witness.

Signed: *Sheryl B. Austin* (Appearer)

Printed Name: SHERYL B. AUSTIN

SWORN TO AND SUBSCRIBED BEFORE ME this 18th day of July 2005.

Signed: *Mike Hays* (Notary)

Printed name: Mike Hays

Louisiana Bar Association Number: 06700

TERRY MICHAEL HAYS
ATTORNEY / NOTARY PUBLIC
ST. TAMMANY PARISH
LOUISIANA

CERTIFICATE OF AUTHORITY

I, Albert D. Laque, do hereby certify that I am the principle legal officer of the St. Charles Parish (Parish), that the Parish is a legally constituted public body with full authority and legal capability to adhere and comply with the terms and conditions for Amendment No. 1 to Easement No. DACW29-2-95-08, and subsequent amendments thereto, for the purposes of improving drainage through the Engineers Canal within the Bonnet Carre Spillway Project, and that the persons who executed Amendment No. 1 to Easement No. DACW29-2-~~9~~⁵-08 on behalf of the Parish have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification on this 21st day of June, 2005.

Signed: Albert D. Laque
Printed Name: Albert D. Laque
Title: Parish President

ACKNOWLEDGMENT

STATE OF LOUISIANA

PARISH OF St. Charles

On this 21st day of June, 2005, before me appeared ALBERT D. LAQUE, to me personally known, who, being by me duly sworn, did say that he is the PARISH PRESIDENT of the St. Charles Parish (Parish), by authority duly and legally granted and bestowed upon him, and that the Parish acknowledged the Amendment No. 1 to Easement No. DACW29-2-95-08 to be the free act and deed of the Parish and that the Parish has no seal.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Signed: 

Printed Name: Robert L. Raymon

Notary Public

State of Louisiana

Parish of St. Charles

My Commission Expires: at death

Bar Association Number: 11408

USACE

J. H. NOVEMBER 19, 2004

by MICHAEL WINDHAM

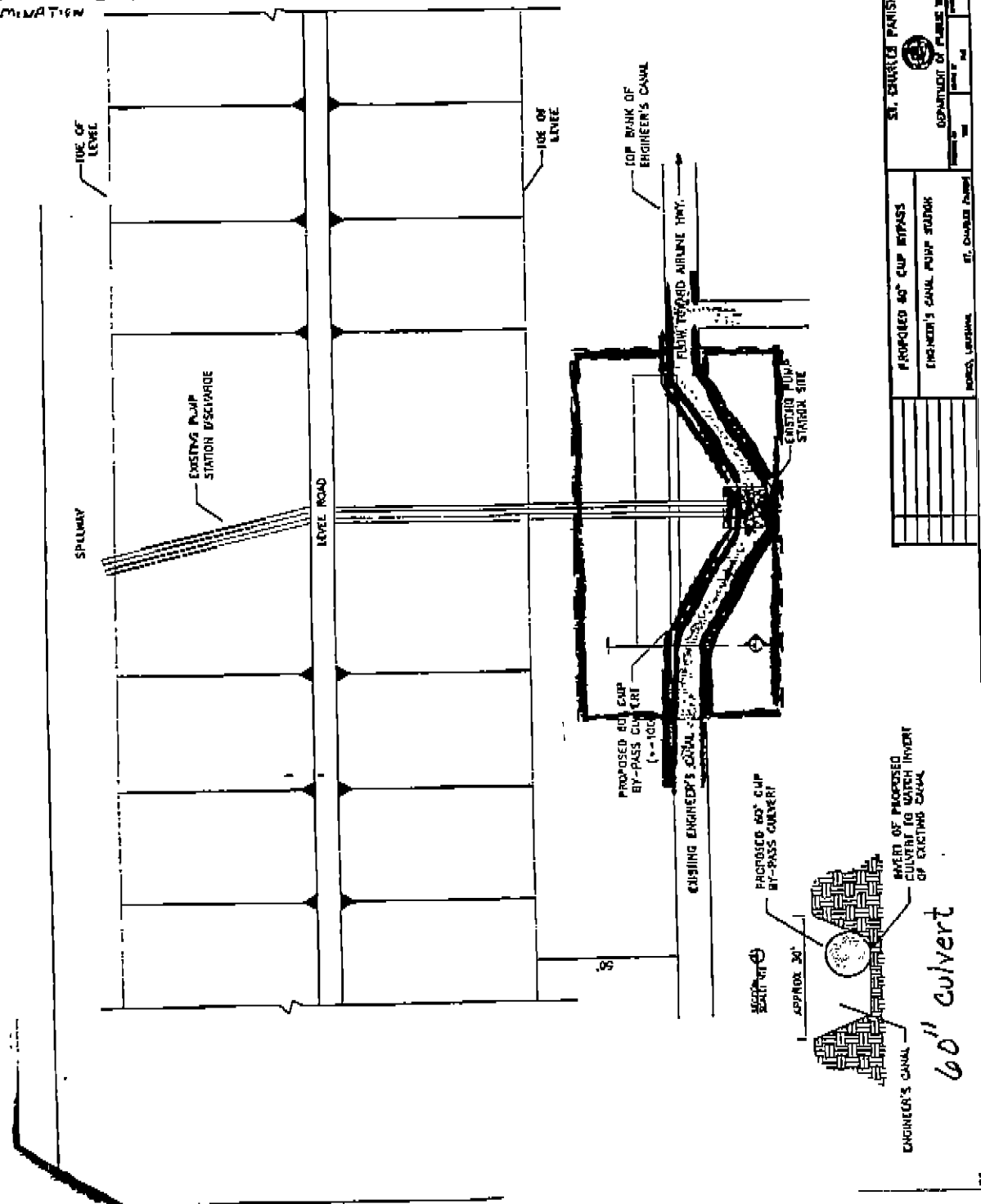
FOR RAUDOIN

(#MUN-2004-4638) SK

☐ = NON-WETLAND
☐ = OTHER WATERS (W01)

--- = LIMITS OF WETLANDS DETERMINATION

APPROVED JURISDICTIONAL DETERMINATION



DATE	BY	APP'D	SCALE
ST. CHARLES PARISH DEPARTMENT OF PUBLIC WORKS			
PROJECTED 60" CUP BYPASS		ENGINEER'S CANAL PUMP STATION	
WORKS, LAFAYETTE		ST. CHARLES PARISH	

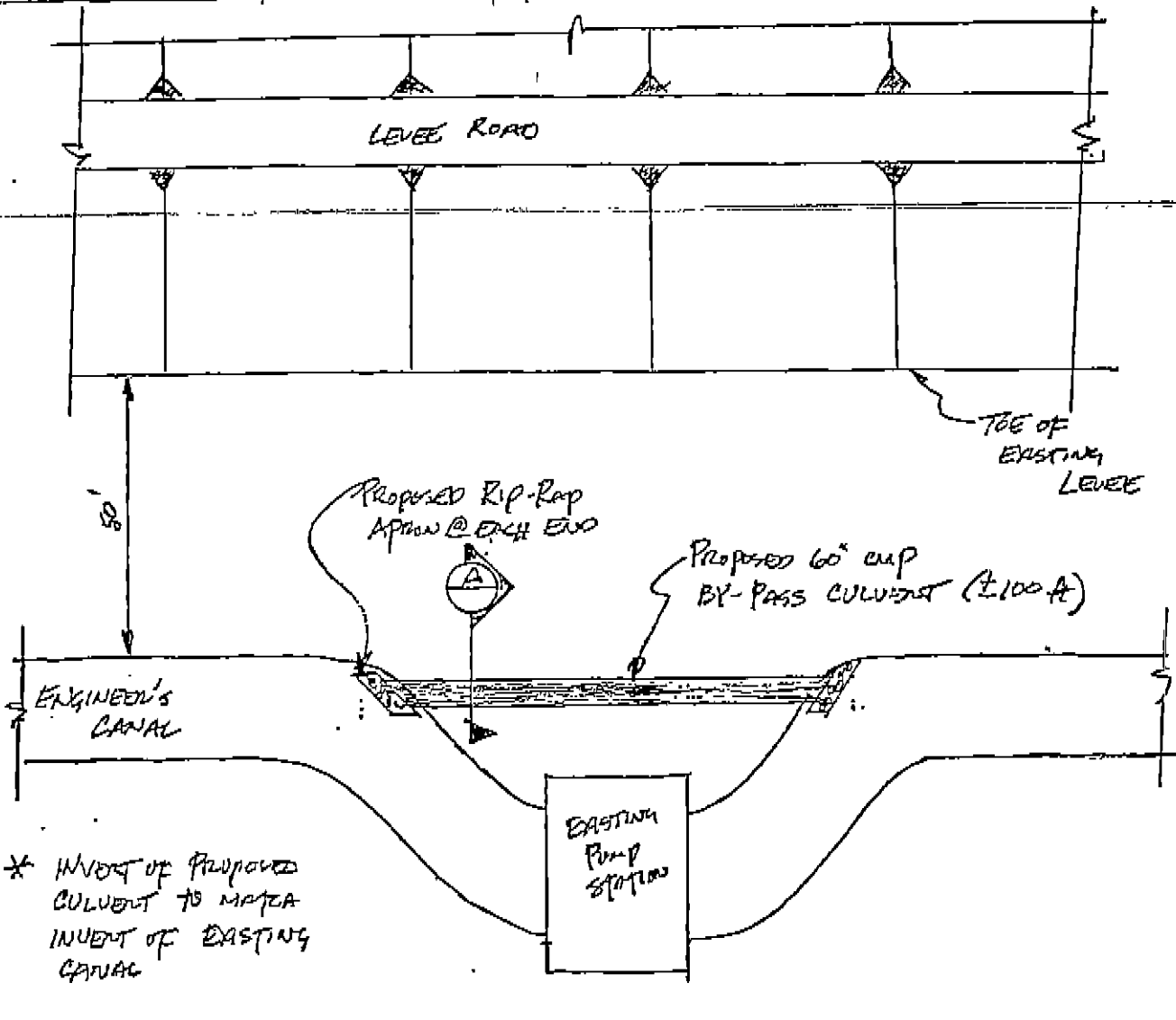
EXHIBIT A, Drawing 1 of 2 of Amendment No. 1 to Easement No. DACW29-2-95-08

ENGINEER'S CANAL
Proposed 60" P. BY-PASS

04/11/05 GAB

No. 937 811E
Engineer's Computation Pad

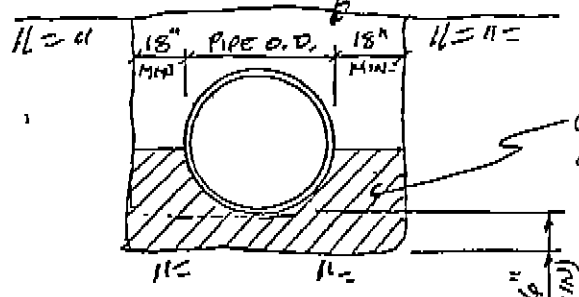
STAEDTLER



* INVERT OF PROPOSED
CULVERT TO MATCH
INVERT OF EXISTING
CANAL

PLAN VIEW
NTS

QUALITY EXCAVATED MATERIAL
COMPACTED TO A DENSITY
AT LEAST EQUAL TO THE
SURROUNDING UNDISTURBED SOIL



COMPACTED
GRAVULAR BEDDING
MATERIAL (COMPACTED
TO 95% STANDARD PROCTOR DENSITY)

SECTION A
NTS