

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

**DONATION OF TEMPORARY
CONSTRUCTION SERVITUDE**

**BY AND BETWEEN
MARY ANN VIAL WIFE OF/ AND
HARRY T. LEMMON**

AND

ST. CHARLES PARISH

BE IT KNOWN, that on this ___ day of ___, in the year two thousand and sixteen (2016).

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for the Parish of St. Charles, State of Louisiana, therein residing, and in the presence of the two competent witnesses hereinafter undersigned; **PERSONALLY CAME AND**

APPEARED:

MARY ANN VIAL, WIFE OF/AND HARRY T. LEMMON, both persons of legal age and residents of the Parish of St. Charles, State of Louisiana, who have declared unto me that they have been married but once and then to each other and that they are presently living and residing together;

hereinafter designated as "GRANTOR", does hereby make a donation unto:

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by Larry Cochran, its Parish President, whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to Ordinance No. _____, adopted by St. Charles Parish Council on _____, 2016 a copy of which is attached hereto and made a part hereof;

hereinafter designated as "GRANTEE", here present, accepting and acknowledging the following donation of a grant of temporary servitude for the purposes of constructing, installing, repairing and/or replacing a drainage culvert, driveway, and temporary bypass,

through, around, under and/or over the following described property, as shown in Exhibit A, situated in St. Charles Parish, to wit: 2

A parcel of land located in St. Charles Parish, Louisiana in Section 47, Township 13 South, Range 21 East, West of the Mississippi River, in St. Charles Parish, Louisiana and more particularly described as follows:

Commencing at a point on the south pavement edge of Primrose Drive, having coordinates X=3,589,853.95, Y=510,832.85, also known as the point of beginning. Thence S66°27'16"E a distance of 70.48 feet to a point; thence S64°47'38"E a distance of 47.56 feet to a point; thence S63°24'23"E a distance of 16.93 feet to a point; thence S17°32'36"W a distance of 120.60 feet to a point; thence N65°20'08"W a distance of 135.00 feet to a point; thence N17°32'36"E a distance of 120.24 feet to a point, the point of beginning.

Said parcel contains 0.37 acres of land, as shown on a sketch by GCR Inc. titled "Culvert Replacement, Mimosa Drive (P090201-3), St. Charles Parish, Louisiana – Mary Ann Vial, Wife of/And, Harry T. Lemmon", dated August 4, 2015.

This temporary servitude is being granted for the purposes of constructing, installing, repairing and/or replacing a drainage culvert, driveway, and temporary bypass and GRANTOR grants unto GRANTEE the right of ingress and egress to and from said servitude for the purpose of constructing, installing, repairing and/or replacing of said drainage culvert, driveway, and temporary bypass. GRANTOR further retains the rights to fully use and enjoy the above-described property, except as to the rights here and above granted.

In the event a third party suffers injury in the construction, installation, repair or replacement of a drainage culvert, driveway or temporary bypass, GRANTEE agrees to indemnify and hold harmless GRANTOR for any and all damages.

To have and to hold said temporary servitude, easement, and right of way unto said GRANTEE, its successors and assigns for a period not to exceed three (3) months, beginning with the first date of possession of the land by GRANTEE or until said easement shall be no longer useful for the above named purposes, whichever occurs first.

[Remainder of page intentionally left blank] 3

THUS DONE AND SIGNED by the parties hereto at my office in _____, Louisiana,
on the date first above written, in the presence of me, Notary, and the following competent
witnesses who have signed in the presence of the parties and me, Notary.

WITNESSES:

Robin Frieze Cortez
Robin Frieze Cortez
Print Name

Cesyle Nelson
Cesyle Nelson
Print Name

WITNESSES:

Print Name

Print Name:

NOTARY PUBLIC
My Commission Expires: _____

Notary Identification or Bar Roll No.: _____

GRANTOR:

Mary Ann Vial Lemmon
MARY ANN VIAL LEMMON

Harry T. Lemmon
HARRY T. LEMMON

GRANTEE:
ST CHARLES PARISH

LARRY COCHRAN
PARISH PRESIDENT