

ORD.

2017-0010

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(DEPARTMENT OF WASTEWATER)

ORDINANCE NO. 17-1-7

An ordinance to approve and authorize the Parish President to acquire a perpetual servitude over, through, along, and across property identified as Parcel 1-1 in Hahnville, LA, which property is more particularly described in the Grant of Servitude attached hereto and made a part hereof, said property is to be used for the installation of a 14" sewerage pipeline in connection with Parish Project Killona Force Main Extension (S030101).

WHEREAS, the sewer line extending from the Killona area along LA Highway 3127 towards LA Highway 3160 to the St. Charles Parish Wastewater Treatment Plant in Hahnville, St. Charles Parish, Louisiana has a history of problems competing with the sewer line extending along LA Highway 3127 coming from the other direction of I-310; and,

WHEREAS, a force main was designed to carry sewage conveyed by the line coming from the Killona area directly to the Hahnville Wastewater Treatment Plant to eliminate this competition; and,

WHEREAS, the proposed force main requires the acquisition of a perpetual servitude ten feet (10') in width over, through, along, and across Parcel 1-1 in in Section 10, Township 13 South – Range 20 East, Hahnville, St. Charles Parish, Louisiana, described in the Grant of Servitude attached hereto, from Richard Weil, John Weil, Maureen Weil Stein, George Kantor and/or all other owners of record, as their interests may appear; and,

WHEREAS, the force main project and the acquisition of the hereinafter described servitude is in furtherance of the public's best interest and purpose, and is in satisfaction of a public need.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Parish President is hereby authorized to purchase at a price not to exceed its appraised value of \$200.00 the property more particularly described in the Grant of Servitude attached hereto and made a part hereof, from Richard Weil, John Weil, Maureen Weil Stein, George Kantor and/or all other owners of record, as their interests may appear, said property is to be used by St. Charles Parish for installation, operation, maintenance, inspection, repair, change, replacement and/or removal of said sewerage improvements.

SECTION II. That the Parish President is hereby authorized to execute any and all documents necessary to complete said purchase.

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

YEAS: BENEDETTO, HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK, FLETCHER, FISHER-PERRIER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted the 23rd day of January, 2017, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Jemell D. Wilson
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: 1/25/17
APPROVED: [Signature] DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: 1/26/17
AT: 1:52a RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON February 3, 2017
AS ENTRY NO. 421505
IN MORTGAGE/CONVEYANCE BOOK
NO. 842 FOLIO 683

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

GRANT OF SERVITUDE
BY AND BETWEEN
RICHARD L. WEIL, JOHN L. WEIL,
MAUREEN WEIL STEIN &
DR. GEORGES. KANTOR
AND
ST. CHARLES PARISH

BE IT KNOWN, that on this _____ day of _____, the year two thousand and seventeen (2017).

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:

RICHARD L. WEIL, a person of legal age and resident of Larimer County, Colorado, who declared unto the undersigned Notary, that he has been married but _____ and then to _____ whom he currently lives and resides with, and further that his mailing address is 1910 Lakeside Resort Lane, Fort Collins, Colorado 80524; and

JOHN L. WEIL, Louisiana, who declared unto the undersigned Notary, that he has been married but _____ and then to _____ whom he currently lives and resides with, and further that his mailing address is 373 Broadway Street, New Orleans, Louisiana 70118; and

MAUREEN WEIL STEIN, a person of legal age and resident of Orleans Parish, Louisiana, who declared unto the undersigned Notary, that she has been married but _____ and then to _____ whom she currently lives and resides with, and further that her mailing address is 1505 Calhoun Street, New Orleans, Louisiana 70118; and

DR. GEORGE S. KANTOR, a person of legal age and resident of Palm Beach County, Florida, who declared unto the undersigned Notary, that he has been married but _____ and then to _____ whom he currently lives and resides with, and further that his mailing address is 11211 Prosperity Farms Road, Palm Beach Gardens, Florida 33410;

hereinafter collectively designated as "GRANTOR", and;

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. 17-1-7, adopted by St. Charles Parish Council on January 23, 2017 a copy of which is attached hereto and made a part hereof;

hereinafter designated as "GRANTEE",

GRANTOR does hereby grant, present, dedicate, assign, transfer, deliver, and set over a perpetual sewer servitude, easement, and right-of-way unto GRANTEE to locate, construct, maintain, repair, alter, operate, patrol and replace a sewerage pipeline, including all appurtenances thereto; together with the right to trim, cut, fell and remove therefore all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; 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, servitude 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:

KILLONA FORCE MAIN EXTENSION

Parcel 1-1

A right of way and easement ten feet (10') in width extending over, through, along and across a portion of Roswell J. Weil, et al, tract of land being part of Section 10, Township 13 South, Range 20 East, bounded now or formerly as follows: above by property owned by Leon J. Heurtin or assigns and below by Richard J. Keller or assigns; all being in the Southeastern District of Louisiana, West of the Mississippi River, about 31 miles above New Orleans, Louisiana.

Said ten foot (10') right of way and easement, being more particularly described as five feet (5') on either side of the centerline of the pipe and more fully shown on map prepared by Stephen P. Flynn, P.L.S. entitled "Proposed Sewer Force Main Parcel 1-1 Located in Section 10, T-13-S, R-20-E, Hahnville, St. Charles, Louisiana" dated July 27, 2015, attached as Exhibit "A".

TO HAVE AND TO HOLD said servitude, easements, and rights of way unto said **GRANTEE**, and its successors and assigns forever. The consideration for the herein described servitude is the price and sum of **TWO HUNDRED AND 00/100 (\$200.00) DOLLARS**, which **GRANTEE** has paid cash in hand, in current money, to said **GRANTOR**, who acknowledge the receipt thereof and grant full acquittance and discharge thereof.

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 sewer 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 sewer servitude.

This agreement may be executed in any number of counterparts, each of which shall constitute an original document which shall be binding upon any of the parties executing same. To facilitate recordation of this agreement, the parties hereto agree that individual signature and acknowledgement pages from the various counterparts may be merged and combined with signature and acknowledgement pages from other counterparts.

[Remainder of page intentionally left blank]

IN TESTIMONY WHEREOF, the party hereto has signed, executed, and acknowledged this instrument as his free and voluntary act, in triplicate originals, in the presence of the two undersigned competent witnesses, as of the 23 day of September, 2016, after a due reading of the whole.

WITNESSES:

GRANTOR: RICHARD L. WEIL

[Signature]

[Signature]

Laila Lambourne

Print Name

[Signature]

Mary Champa

Print Name

ACKNOWLEDGEMENT

STATE OF Colorado
PARISH/COUNTY OF Larimer

BEFORE ME, the undersigned authority, duly qualified in and for the aforesaid Parish/County and State, personally came and appeared **RICHARD L. WEIL**, a person of the full age of majority and personally known to me, Notary, who by me having been duly sworn, declared and acknowledged that **RICHARD L. WEIL**, signed the above and foregoing instrument on the date thereof for the objects and purposes therein expressed and acknowledged said instrument to be his voluntary act and deed.

IN FAITH WHEREOF, Appearer executed this acknowledgment in the aforesaid Parish/County of Larimer, State of Colorado, on this 23rd day of September, 2016, before me, the undersigned Notary Public, duly commissioned and qualified.

[Signature]

NOTARY PUBLIC

Printed Name: Caitlin Brennan

Notary Identification or Bar Roll No.: 20164007563

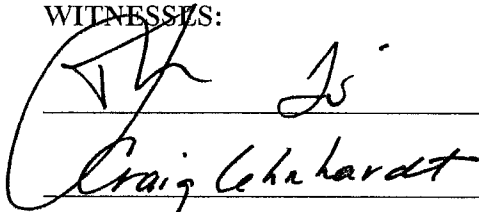
My Commission expires: February 24th, 2020

CAITLIN BRENNAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164007563
MY COMMISSION EXPIRES FEBRUARY 24, 2020

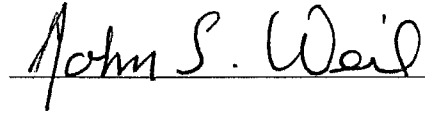
IN TESTIMONY WHEREOF, the party hereto has signed, executed, and acknowledged this instrument as his free and voluntary act, in triplicate originals, in the presence of the two undersigned competent witnesses, as of the 19th day of October, 2016, after a due reading of the whole.

WITNESSES:

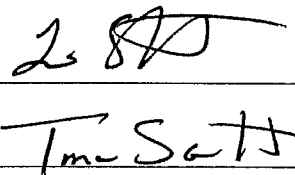
GRANTOR: JOHN L. WEIL



Print Name



Print Name




Print Name

ACKNOWLEDGEMENT

STATE OF Louisiana
PARISH/COUNTY OF Orleans

BEFORE ME, the undersigned authority, duly qualified in and for the aforesaid Parish/County and State, personally came and appeared **JOHN L. WEIL**, a person of the full age of majority and personally known to me, Notary, who by me having been duly sworn, declared and acknowledged that **JOHN L. WEIL**, signed the above and foregoing instrument on the date thereof for the objects and purposes therein expressed and acknowledged said instrument to be his voluntary act and deed.

IN FAITH WHEREOF, Appearer executed this acknowledgment in the aforesaid Parish/County of Orleans, State of Louisiana, on this 19th day of October, 2016, before me, the undersigned Notary Public, duly commissioned and qualified.



NOTARY PUBLIC

Printed Name: _____
Notary Identification or Bar Roll No.: _____
My Commission expires: _____

CHARLES A. MARTS
Attorney at Law, Bar #34666
Notary Public #133805
Parish of Orleans, State of Louisiana
My Commission is for Life

IN TESTIMONY WHEREOF, the party hereto has signed, executed, and acknowledged this instrument as her free and voluntary act, in triplicate originals, in the presence of the two undersigned competent witnesses, as of the ____ day of _____, 2016, after a due reading of the whole.

WITNESSES:

GRANTOR: MAUREEN WEIL STEIN

[Signature]

Maureen Weil Stein

PETER A. NAES

Print Name

Tina Alagdon

Tina Alagdon

Print Name

ACKNOWLEDGEMENT

STATE OF _____
PARISH/COUNTY OF _____

BEFORE ME, the undersigned authority, duly qualified in and for the aforesaid Parish/County and State, personally came and appeared MAUREEN WEIL STEIN, a person of the full age of majority and personally known to me, Notary, who by me having been duly sworn, declared and acknowledged that MAUREEN WEIL STEIN, signed the above and foregoing instrument on the date thereof for the objects and purposes therein expressed and acknowledged said instrument to be her voluntary act and deed.

IN FAITH WHEREOF, Appearer executed this acknowledgment in the aforesaid Parish/County of Texas, State of LA, on this 25 day of April, 2016, before me, the undersigned Notary Public, duly commissioned and qualified.

[Signature]
NOTARY PUBLIC
Printed Name: _____
Notary Identification No. 345
My Commission expires 12/31/17
Commission is for Life
STATE OF LOUISIANA AT LARGE
BAR NO. 09891

In connection with Grant of Servitude

IN TESTIMONY WHEREOF, the party hereto has signed, executed, and acknowledged this instrument as his free and voluntary act, in triplicate originals, in the presence of the two undersigned competent witnesses, as of the 31 day of October, 2016, after a due reading of the whole.

WITNESSES:

GRANTOR: DR. GEORGE S. KANTOR

J. Barrett Carter

[Signature]

J. Barrett Carter

Print Name

Jane Dufour

Jane Dufour

Print Name

ACKNOWLEDGEMENT

STATE OF Louisiana
PARISH/COUNTY OF Orleans

BEFORE ME, the undersigned authority, duly qualified in and for the aforesaid Parish/County and State, personally came and appeared **DR. GEORGE S. KANTOR**, a person of the full age of majority and personally known to me, Notary, who by me having been duly sworn, declared and acknowledged that **DR. GEORGE S. KANTOR**, signed the above and foregoing instrument on the date thereof for the objects and purposes therein expressed and acknowledged said instrument to be his voluntary act and deed.

IN FAITH WHEREOF, Appearer executed this acknowledgment in the aforesaid Parish/County of Orleans, State of Louisiana, on this 31 day of October, 2016, before me, the undersigned Notary Public, duly commissioned and qualified.

[Signature]
NOTARY PUBLIC

Printed Name: _____
Notary Identification or Bar Roll No.: _____
My Commission expires: _____

DAVID R. RIZZO
NOTARY PUBLIC
(NOTARY ID 68756)
PARISH OF ORLEANS-STATE OF LOUISIANA
My Commission Expires is Issued For Life

IN TESTIMONY WHEREOF, the party hereto has signed, executed, and acknowledged this instrument as his free and voluntary act, in triplicate originals, in the presence of the two undersigned competent witnesses, as of the 2nd day of February, 2017, after a due reading of the whole.

WITNESSES:

Dawn H. Higdon
Dawn H. Higdon
Print Name

Billy Raymond
Billy Raymond
Print Name

GRANTEE: ST. CHARLES PARISH

[Signature]
LARRY COCHRAN

ACKNOWLEDGEMENT

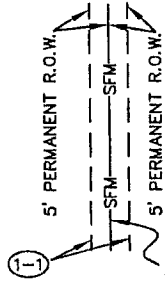
STATE OF LOUISIANA
PARISH OF ST. CHARLES

BEFORE ME, the undersigned authority, duly qualified in and for the aforesaid Parish and State, personally came and appeared LARRY COCHRAN, a person of the full age of majority and personally known to me, Notary, who by me having been duly sworn, declared and acknowledged that LARRY COCHRAN, signed the above and foregoing instrument on behalf of ST. CHARLES PARISH on the date thereof for the objects and purposes therein expressed, and acknowledged the same as their voluntary act and deed.

IN FAITH WHEREOF, Appearer executed this acknowledgment in the aforesaid Parish of St. Charles, State of Louisiana, on this 2nd day of February, 2017, before me, the undersigned Notary Public, duly commissioned and qualified.

[Signature]
NOTARY PUBLIC

Printed Name: Robert L. Raymond
Notary Identification or Bar Roll No.: _____
My Commission expires: at death



INSERT "A"
NOT TO SCALE

T. & P. RAILROAD
100' RIGHT OF WAY

PROPOSED SEWER FORCE MAIN
+/- 20' EAST OF 16" GAS PIPELINE"

SIDNEY G. HYMEL

EUGENE GUIDRY
LOUISIANA RESOURCES COMPANY
PARCEL 2-1

ELPHEGE NICHOS

N: 534216.86
E: 3566010.52

P.O.E. OF CENTERLINE
OF PROPOSED
SEWER FORCE MAIN
PARCEL 1-1
N: 534124.33
E: 3565969.75

LINE	BEARING	DISTANCE (FT.)	RODS
L1	N17°29'43"E	90.99'	5.51
L2	N24°50'16"E	135.93'	8.24
L3	N17°13'58"E	227.35'	13.79
L4	N17°06'23"E	303.62'	18.40
L5	N17°25'34"E	272.53'	16.52
L6	N16°47'04"E	310.53'	18.82
L7	N16°43'35"E	274.76'	16.65
L8	N17°13'42"E	177.61'	10.76
L9	N17°00'31"E	147.36'	8.93
L10	N18°05'03"E	127.07'	7.70
L11	N17°26'21"E	107.65'	6.52
L12	N17°26'28"E	143.69'	8.71
L13	N17°23'40"E	171.31'	10.38
L14	N24°10'32"E	48.67'	2.95

LA HIGHWAY 3142 (SIDE)

LEON J. HEURTIN or assigns

ROSWELL J. WEIL TRACT

RICHARD J. KELLER or assigns

LA HIGHWAY 3160 (SIDE)

CURVE	CHORD BEARING	DISTANCE (FT.)	RODS	RADIUS	LENGTH
C1	N21°10'00"E	448.22'	27.18	3500.00'	448.53'
C2	N21°02'21"E	331.26'	20.09	2500.00'	331.50'
C3	N20°09'08"E	288.66'	17.50	3000.00'	288.77'
C4	N23°24'38"E	52.44'	3.18	3000.00'	52.44'

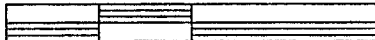
LEGEND:

P.O.B. POINT OF BEGINNING
P.O.E. POINT OF ENDING

● BRASS DISC IN NORTHWEST BRIDGE ABUTMENT

NOTE: FINAL ROUTE SUBJECT TO VERIFICATION BY CONTROLLING PIPELINE OPERATORS.

500 250 0 500



SCALE IN FEET
1"=500'

P.O.B. OF CENTERLINE
OF PROPOSED
SEWER FORCE MAIN
PARCEL 1-1
N: 530753.59
E: 3564836.33

N37°19'04"W
188.02'

APPARENT R.O.W.

N: 530604.06
E: 3564950.31

PARCEL 1-1 RIGHT OF WAY AREA=0.8171 ACRES
TOTAL LENGTH OF SEWER FORCE MAIN RIGHT OF WAY=3559.20' OR 215.71 RODS

GENERAL NOTES:

- I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL ROUTE SURVEY MADE BY ME, OR BY THOSE UNDER MY DIRECTION AND COMPLIES WITH THE REQUIREMENTS OF LOUISIANA'S "STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS D ROUTE SURVEY SPECIFICALLY CHAPTER 2909 - ROUTE SURVEY.
- DIRECTIONS, DISTANCES AND COORDINATES ARE BASED UPON LOUISIANA STATE PLANE COORDINATES NAD 1983, LOUISIANA SOUTH ZONE USING LIECA SMARTNET SOLUTION DATED 7/27/2015.

DATE: JULY 27, 2015, REVISED TO SHOW LATITUDE & LONGITUDE COORDINATES 10/1/2015

ST. CHARLES PARISH

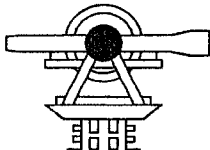
PROPOSED SEWER FORCE MAIN PARCEL 1-1
LOCATED IN SECTION 10, T-13-S, R-20-E,
HAHNVILLE, ST. CHARLES, LOUISIANA

Stephen P. Flynn
STEPHEN P. FLYNN
R.L.S. LA. ST. REG. NO. 4668

DRAWN BY: KPB

DRAWING NO. L1553_W02325-PARCEL 1-1

RIVERLANDS SURVEYING COMPANY



505 HEMLOCK STREET
LAPLACE, LA. 70068
1-800-248-6982
985-652-6356

