

ORD.

2004-0061

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

ORDINANCE NO. 04-2-9

An ordinance to approve and authorize the execution of a Cash Sale by Josie Ciravolo wife of/and Roy Savoy for Lot No. FE-3 located along LA 633 (Magnolia Ridge Road) in Boutte.

WHEREAS, the Parish is in the process of constructing the West Bank Hurricane Protection Levee in the Magnolia Ridge Area; and,

WHEREAS, it is necessary to acquire Lot FE-3, containing .490 acres, located along LA 633 in Boutte to provide access to said levee during construction and for its perpetual maintenance and up keep; and,

WHEREAS, the Parish has reached agreement with the property owners for said sale.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Cash Sale by Josie Ciravolo wife of/and Roy Savoy to St. Charles Parish, in the amount of \$25,000.00 is hereby approved.

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

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

YEAS: MARINO, FAUCHEUX, HILAIRE, FABRE, WALLS, BLACK, DUHE

NAYS: NONE

ABSENT: RAMCHANDRAN, MINNICH

And the ordinance was declared adopted this 16th day of February, 2004, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Larry J. Marino

SECRETARY: Barbara J. Smith

DLVD/PARISH PRESIDENT: February 17, 2004

APPROVED: ✓

DISAPPROVED:

PARISH PRESIDENT: Albert D. Laque

RETD/SECRETARY: 2-18-04

AT: 2:30

RECD BY: BST

CASH SALE

BY

JOSIE CIRAVOLO WIFE OF/AND
ROY SAVOY

TO

ST. CHARLES PARISH

UNITED STATES OF AMERICA

STATE OF LOUISIANA

PARISH OF ST. CHARLES

* * * * *

BE IT KNOWN, that on this 2nd day of the month of March in the year of our Lord,
Two Thousand and Four (2004);

BEFORE the undersigned Notary Public, Robert L. Raymond, duly commissioned and
qualified, in and for the Parish of St. Charles, and in the presence of the witnesses hereinafter
named and undersigned:

PERSONALLY CAME AND APPEARED:

JOSIE M. CIRAVOLO WIFE OF/AND (SS# 438-40-8234),
ROY SAVOY (SS# 435-30-0842), both persons of the full age of
majority and residents of the Parish of St. Charles, State of Louisiana who did
declare unto me, Notary, ROY SAVOY, has been married but once, to Josie M.
Ciravolo with whom he is presently living and residing, and JOSIE M.
CIRAVOLO, has been married but once, to Roy Savoy with whom she is
presently living and residing;

Mailing Address: 428 Magnolia Ridge Road, Boutte, Louisiana 70070

(hereinafter referred to as "Seller");

who declared that they do by these presents grant, bargain, sell, convey, transfer, assign, set over,
abandon and deliver, with all legal warranties and with full substitution and subrogation in and to
all the rights and actions of warranty which they have or may have against all preceding owners
and vendors, unto

ST. CHARLES PARISH (Tax ID# 72-6001208), a political subdivision of the
State of Louisiana, herein represented herein by Albert Laque, Parish President;
and pursuant to Ordinance No. 04-2-9 adopted by the St. Charles Parish
Council on Feb. 16, 2004, a copy of which is attached hereto and made a
part hereof.

Mailing Address: P.O. Box 302, Hahnville, Louisiana, 70057

(hereinafter referred to as "Purchaser");

here present, accepting and purchasing for St. Charles Parish, its successors and assigns, and
acknowledging due delivery and possession thereof, all and singular the following described
property to wit;

THAT CERTAIN PIECE OR PARCEL OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining thereto, located in Section 1, T14S, R20E, Southeastern Land District, West of Mississippi River, St. Charles Parish, Louisiana, as shown on map titled "Plat of Survey for St. Charles Parish showing Lot No. FE-3, East of La 633, of the Estate of S. Ciravolo", prepared by Shread-Kuyrkendall & Associates, Inc., Frank Robert Stagg, Surveyor, dated November 6, 2002, used for reference and more fully described as follows to-wit:

A CERTAIN PARCEL OF LAND, containing 0.490 acres, more or less, described as commencing at a point common to the eastern right of way line of La. Hwy 633 and the eastern boundary line of the Estate of S. Ciravolo, said point being marked on the ground with a found 1" iron pipe and being the point of beginning; thence S 00° 38' 12" E a distance of 233.84 feet to a point; thence S 89° 19' 30" W a distance of 169.31 feet to a point; thence N 31° 25' 51" E a distance of 122.60 feet to a point; thence N 35° 06' 07" E a distance of 97.37 feet to a point; thence N 41° 14' 48" E a distance of 70.47 feet to the point of beginning, heretofore set which parcel of land shown in the name of Roy Savoy (Lot FE-3) on the map hereinabove referred to contains 0.490 acres, more or less.

THIS ACT IS MADE AND ACCEPTED SUBJECT TO:

1. Any and all applicable restrictions, servitudes, rights-of-way and outstanding mineral interest contained in the chain of title, without in any way renewing the same or acknowledging the validity thereof.

It is agreed that the property herein conveyed including all improvements and component parts and all other items located thereon are conveyed by Seller and accepted by Purchaser "AS IS, WHERE IS" and "WITH ALL FAULTS", without any warranty of any kind whatsoever, even as to the operation or suitability of such property for the use intended by Purchasers, and without regard to the presence of apparent or hidden defects and with Purchasers' full and complete waiver of any and all rights for the return of all or any part of the purchase price by the reason of any such defects.

Purchaser expressly waive the warranty of fitness and the warranty against redhibitory vices and defects, whether apparent or latent, imposed by Louisiana Civil Code Article 2475, any other applicable state or federal law and jurisprudence thereunder. Purchaser also waive any rights they may have in redhibition or to a reduction of purchase price pursuant to Louisiana Civil Code Articles 2520 through 2548, inclusive, in connection with the property. Purchasers declare and acknowledge that these waivers have been brought to their attention and explained in detail and they have voluntarily and knowingly consented to these waivers. By their signatures, Purchasers expressly acknowledge all such waivers.

To have and to hold the above described property unto the said purchaser, its heirs, successors and assigns forever.

This sale is made and accepted for and in consideration of the price and sum of **TWENTY-FIVE THOUSAND AND NO/100 — (\$25,000.00) DOLLARS** paid on the terms of cash, which said purchaser has well and truly paid, in ready and current money to the said seller who hereby acknowledges the receipt thereof and grants full acquittance and discharge therefore.

The parties hereby waive the production of Mortgage, Conveyance and Paving Certificates and relieve and release me, Notary from any responsibility therewith.

The parties herein acknowledge and agree that the Notary Public hereto has not been requested to examine title to the Property, or render an opinion of title with respect thereto, or to order mortgage, conveyance, tax research or any other certificates, and hereby relieve and release me, Notary from any and all responsibility and/or liability in connection therewith.

Taxes for 2003 are paid.

THUS DONE AND PASSED, in my office at Destrehan, Louisiana, on the day, month and year herein first above written, in the presence of competent witnesses, who hereunto sign their names with the said appearers, and me, Notary, after reading of the whole.

WITNESSES:

Dawn H. Heydon

[Signature]

Nicole Breau

Sandra H. Miguez

APPEARERS:

Roy Savoy
ROY SAVOY

Josie M. Savoy
JOSIE M. CIRAVOLO SAVOY

ST. CHARLES PARISH

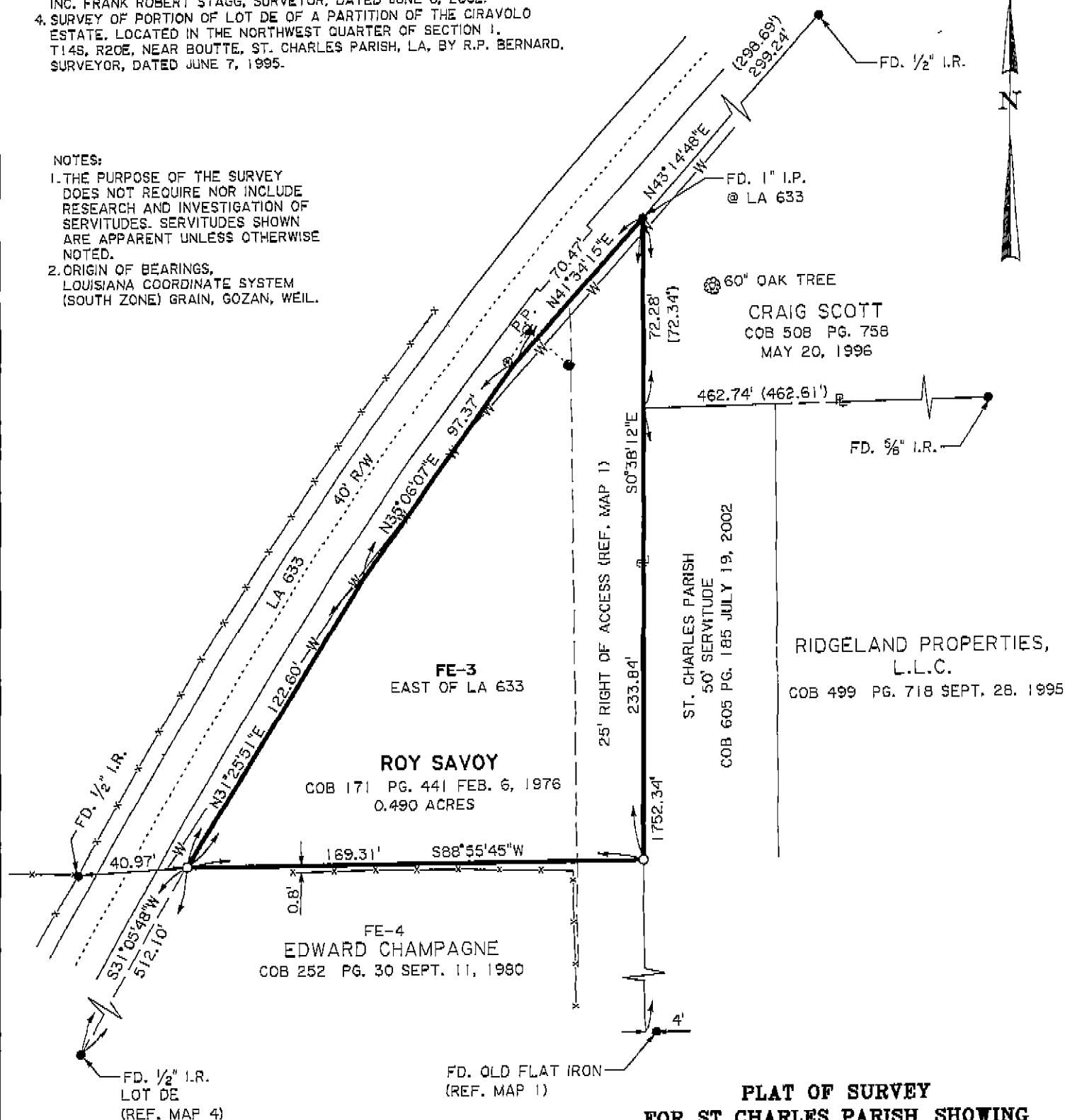
Albert Laque
BY: ALBERT LAQUE, PARISH PRESIDENT

[Signature]
ROBERT L. RAYMOND - NOTARY PUBLIC
BAR NO. 11408

REFERENCES MAPS:

1. SUBDIVISION OF THE ESTATE OF S. CIRAVOLO IN THE NORTHWEST QUARTER OF SECTION 1, T14S, R20E, BOUTTE, ST. CHARLES PARISH, LA., PREPARED BY LUCIEN C. GASSEN, SURVEYOR, DATED MAY 25, 1971.
2. PLAT OF SURVEY OF A PORTION OF ELLINGTON - FRIEDLANDER AND LONE STAR PLANTATIONS IN ST. CHARLES PARISH, LA. PREPARED BY J.J. KREBS & SONS, INC., DATED JULY 17, 1970.
3. GRANT OF SERVITUDE FOR ST. CHARLES PARISH ACROSS PROPERTY OF RIDGELAND PROPERTIES, L.L.C. LOCATED IN SECTION 1, T14S, R20E, SOUTHWESTERN LAND DISTRICT, WEST OF MISSISSIPPI RIVER, ST. CHARLES PARISH, LA. PREPARED BY SHREAD-KUYKENDALL & ASSOC.. INC. FRANK ROBERT STAGG, SURVEYOR, DATED JUNE 6, 2002.
4. SURVEY OF PORTION OF LOT DE OF A PARTITION OF THE CIRAVOLO ESTATE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, T14S, R20E, NEAR BOUTTE, ST. CHARLES PARISH, LA, BY R.P. BERNARD, SURVEYOR, DATED JUNE 7, 1995.

1. THE PURPOSE OF THE SURVEY DOES NOT REQUIRE NOR INCLUDE RESEARCH AND INVESTIGATION OF SERVITUDES. SERVITUDES SHOWN ARE APPARENT UNLESS OTHERWISE NOTED.
2. ORIGIN OF BEARINGS, LOUISIANA COORDINATE SYSTEM (SOUTH ZONE) GRAIN, GOZAN, WEIL.



THIS SURVEY WAS PERFORMED
BY MYSELF OR UNDER MY DIRECT
SUPERVISION AND CONTROL AND
MEETS THE MINIMUM STANDARDS
OF PRACTICE FOR A CLASS D
SURVEY.

STATE OF LOUISIANA

★ ★

FRANK ROBERT STAGG
REG. No. 04529
REGISTERED
PROFESSIONAL
LAND SURVEYOR

BOOK NOS. 1045 SCALE: 1" = 50'
8 2001-3 DATE: NOV. 6, 2002
PROJECT NO. 89071.51 CALC. BY: F.R.S.
DRAWN BY: J.J.B. CHECKED BY: [Signature]

SHREAD-KUYRKENDALL & ASSOC.
ENGINEERS, SURVEYORS, AND PLANNERS
13000 JUSTICE AVENUE, SUITE 16
BATON ROUGE, LOUISIANA 70816