

*Ord.*  
**2010-0024**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)**

**ORDINANCE NO. 10-1-15**

An ordinance to approve and authorize the execution of an Act of Donation by Landcraft, Inc. to St. Charles Parish for a certain parcel of property, identified as Lot 1AA, Highland Oaks Subdivision, Phase 3, in St. Rose.

**WHEREAS,** on June 15, 2009 the St. Charles Parish Council adopted Ordinance No. 09-6-9 which approved and accepted the Act of Dedication by Landcraft, Inc. for Highland Oaks Subdivision, Phase 3; and,

**WHEREAS,** said Lot 1AA of said subdivision is located adjacent to Lot 1A of Square 1A, Fairfield Plantation Oaks Subdivision in St. Rose, which was acquired by St. Charles Parish by Ordinance No. 66-3-226 adopted by the St. Charles Parish Police Jury on May 10, 1976; and,

**WHEREAS,** it is the desire of the Parish Council to approve said Act of Dedication.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Act of Donation by Landcraft, Inc. to St. Charles Parish for Lot 1AA, of Highland Oaks Subdivision, Phase 3 located adjacent to Lot 1A of Square 1A, Fairfield Plantation Oaks Subdivision in St. Rose is hereby approved.

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

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

YEAS: SCHEXNAYDRE, AUTHEMNT, RAYMOND, BENEDETTO, HOGAN, COCHRAN, NUSS

NAYS: NONE

ABSENT: TASTET, LAMBERT

And the ordinance was declared adopted this 25th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, Sr.

SECRETARY: Barbara Jane Tucker

DLVD/PARISH PRESIDENT: January 26, 2010

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: WJL

RETD/SECRETARY: January 26, 2010

AT: 1:30pm REC'D BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE

ON February 1, 2010

AS ENTRY NO. 358345

IN MORTGAGE/CONVEYANCE BOOK

NO. 739 FOLIO 655

**ACT OF DONATION**

**UNITED STATES OF AMERICA**

**BY: LANDCRAFT, INC.**

**STATE OF LOUISIANA**

**TO: ST. CHARLES PARISH**

**PARISH OF ST. CHARLES**

**BE IT KNOWN**, that on the dates set forth below in the year of Our Lord two thousand ten (2010).

**BEFORE THE UNDERSIGNED NOTARIES PUBLIC**, duly commissioned and qualified, in and for their respective Parishes and State therein residing, and in the presence of the witnesses hereinafter named and undersigned:

**PERSONALLY CAME AND APPEARED:**

**LANDCRAFT, INC. (TIN#\*\*-\*\*\*7250)**, a Louisiana corporation whose mailing address is 107 Fairway Drive, LaPlace, Louisiana 70068, represented herein by Joseph M. Scontrino, per a resolution of its Board of Directors, a copy of which attached hereto and made a part hereof;

hereinafter referred to as DONOR, which declared that, in consideration of the settlement of a pending dispute concerning the ownership and possession of the following described property, it does by these presents donate, give, grant, bargain, convey, transfer, assign, set over, abandon and deliver, without any warranties whatsoever, but with full substitution and subrogation in and to all the rights and actions of warranty which it has or may have against all preceding owners and vendors, unto:

**ST. CHARLES PARISH**, a political subdivision of the State of Louisiana, herein represented by its President, V. J. St. Pierre, Jr. and whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to File No.2010-0024 Ordinance No. 10-1-15 adopted by the St. Charles Parish Council on Jan. 25, 2010 a copy of which is attached hereto and made a part hereof;

hereinafter referred to as DONEE, here present accepting for itself, its successors and assigns, and acknowledging due delivery and possession thereof, all and singular the following described property, to-wit:

**ONE CERTAIN LOT OR PORTION OF GROUND**, together with all of the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Charles, State of Louisiana, in that part thereof known as Highland Oaks Subdivision in Section 39, T12S – R9E being designated as **LOT 1AA** on a Survey Plat and Resubdivision to dispose of a gap of land of an undesignated portion of Highland Oaks Subdivision Phase 3, which Survey Plat was drawn by Riverlands Surveying Company, dated November 19, 2008 and recorded at Entry No. 353091 COB 730 folio 466, and according to which the property conveyed herein measures 219.56' along the rear boundary of Lot 1A of

Fairfield Plantation Oaks Subdivision Square 1A (which fronts on Stephen Drive), with a width in the rear of 217.05', with a depth next to Lot 2AA of 5.16', and a depth along the opposite sideline of 6.09', which said Lot 1AA has been further resubdivided into Lot 1A-1 according to that certain Survey Plat and Resubdivision by Riverlands Surveying Company dated August 26, 2009 and recorded at COB 739, folio 614.

**TO HAVE AND TO HOLD** the above described property unto the said Donee, its successors and assigns forever. Donee accepts this donation, with gratitude, of the above described property and acknowledge delivery and possession thereof.

All parties hereby agree to waive the production of tax and mortgage certificates and hereby relieve and release the undersigned notaries for any liability regarding their non-production. Should any zoning, planning or other Parish ordinances affect this transfer, the parties hereto relieve the undersigned notaries from any liability or for any responsibility to determine or see to compliance of these regulations. The parties hereto further relieve said notaries from any liability or for any responsibility to determine the wetland delineation or flood zone determination pertaining to the above described property.

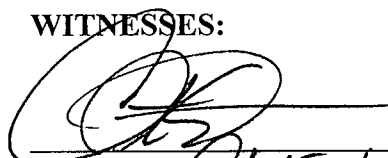
The parties hereto declare that they have not requested an Environmental Site Assessment and/or Environmental Impact Study of the herein conveyed property; nor have they requested any kind of study or evaluation of the property or the buildings thereon for any harmful pollutant or noxious substances (including asbestos); nor have they requested any opinion or evaluation of the usability of said property due to any considerations of the environment (including a declaration that the said property is "wetlands"). The parties further acknowledge that said Notaries have advised them of the availability of obtaining any of the above evaluations or studies and they have chosen to proceed without such studies; and they do hereby relieve and release said notaries from any responsibility in connection therewith.

No title examination was requested of or made by the undersigned notaries and the parties hereto hereby relieve and release said notaries from any and all liability in connection therewith.

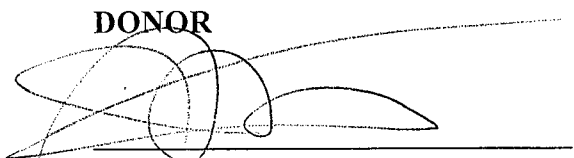
As the context herein may require, the singular shall be deemed to include the plural and the masculine form shall be deemed to include the feminine and neuter.

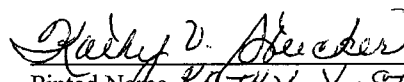
THUS DONE AND PASSED in St. <sup>John</sup>~~Charles~~ Parish, State of Louisiana, on the 5<sup>th</sup> day of January, 2010, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers, and me, Notary, after reading of the whole.


WITNESSES:

  
Printed Name Christ Szubinski

DONOR

  
LANDCRAFT, INC.

  
Printed Name KATHY V. STUCKER

  
NOTARY PUBLIC  
Printed Name: PAMELA L. LAVAL  
NOTARY ID# \_\_\_\_\_

PAMELA L. LAVAL  
NOTARY PUBLIC  
ST JOHN THE BAPTIST PARISH, LA.  
# 57172

THUS DONE AND PASSED in St. Charles Parish, State of Louisiana, on the 29<sup>th</sup> day of January, 2010, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers, and me, Notary, after reading of the whole.

**WITNESSES:**

Barbara Jacob Tucker  
Printed Name Barbara Jacob Tucker

Valarie Berthelot  
Printed Name Valarie Berthelot

**ACCEPTANCE BY DONEE:  
ST. CHARLES PARISH**

V. J. St. Pierre, Jr.  
BY: **V. J. ST. PIERRE, JR.**  
**PARISH PRESIDENT**

Leon C. Via Jr.  
**NOTARY PUBLIC**  
Printed Name: Leon C. Via Jr.  
**NOTARY ID# 13061**

CERTIFICATE OF AUTHORITY  
OF  
LANDCRAFT, LLC

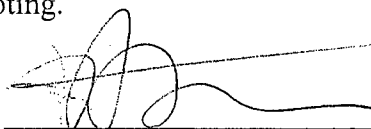
A meeting of the members of LANDCRAFT, LLC was held on this 1<sup>st</sup> day of April, 2009, at the municipal address of the limited liability company in the Parish of St. John the Baptist, State of Louisiana, after due notice, will all members present and voting. The following Resolution was adopted unanimously.

BE IT HEREBY RESOLVED, that **Joseph M. Scontrino, III** is hereby authorized and empowered for and on behalf of this company to donate, give, grant, bargain, convey, transfer, assign, set over, abandon and deliver property for such terms and conditions as he deems fit and proper.

BE IT FURTHER RESOLVED that the said **Joseph M. Scontrino, III** is hereby authorized to sell property on behalf of this company; to do any and all things they deem fit and proper in that capacity.

BE IT FURTHER RESOLVED that the said **Joseph M. Scontrino, III** is hereby authorized to sign and execute on behalf of this company any and all documents, notarial acts, or other instruments in order to carry out the purpose of this Certificate of Authority; to do any and all other things as they, in their sole discretion, deem fit or proper to carry out this Certificate of Authority.

I, the undersigned Managers of LANDCRAFT, LLC do hereby certify that the above and foregoing is a true and correct copy of an Excerpt of the Minutes of a meeting of the managers held at the municipal address of the limited liability company of the 1<sup>st</sup> day of April, 2009, with all managers present and voting.



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**Joseph M. Scontrino, III, Member**

