

Ord.

2014-0360

**INTRODUCED BY: V.J. ST. PIERRE, JR. PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. 14-11-7

An ordinance to approve and authorize the Parish President to acquire property identified as Lot 7-A, River Bend Business Park, St. Charles Parish, Louisiana which property is more particularly described in the Cash Sale, attached hereto and made a part hereof, from Eastgroup Properties, L.P. and/or all other owners of record, as their interests may appear, said property to be used by St. Charles Parish for drainage purposes in connection with the River Bend Drainage Improvement Project.

WHEREAS, River Bend Business Park in St. Rose, St. Charles Parish, Louisiana has a history of severe flooding and drainage problems, specifically the area between the Illinois Central Railroad and the Kansas City Southern Railroad; and,

WHEREAS, an Engineering Analysis was done on the River Bend Business Park, which included recommendations to improve drainage of said area by creating a detention pond and improving the drainage conveyance system in said area; and,

WHEREAS, the proposed drainage improvement project requires the acquisition of Lot 7-A, River Bend Business Park, St. Rose, St. Charles Parish, Louisiana, described in the Cash Sale attached hereto; and,

WHEREAS, the drainage project and the acquisition of the hereinafter described property 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 \$170,000.00 the property more particularly described in the Cash Sale attached hereto and made a part hereof, from Eastgroup Properties, L.P. and/or all other owners of record, as their interests may appear, said property is to be used by St. Charles Parish for drainage purposes, including but not limited to the placement and maintenance of a detention pond.

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: LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN,
FLETCHER, FISHER-PERRIER
NAYS: NONE
ABSENT: SCHEXNAYDRE

And the ordinance was declared adopted the 17th day of November, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: 11/19/14
APPROVED: [Signature] **DISAPPROVED:** _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: 11/19/14
AT: 10:50 a **RECD BY:** [Signature]

**RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE**
ON January 27, 2015
AS ENTRY NO. 403232
IN MORTGAGE/CONVEYANCE BOOK
NO. 812 **FOLIO** 170

CASH SALE

UNITED STATES OF AMERICA

FROM: EASTGROUP PROPERTIES, L.P.

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 9th day of January, in the year two thousand and fifteen (2015).

BEFORE ME, the undersigned notaries public, duly commissioned and qualified, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

EASTGROUP PROPERTIES, L.P., a Delaware limited partnership authorized to do business in the State of Louisiana, with a Taxpayer Identification No. 72-1368281, appearing herein by and through EastGroup Properties General Partners, Inc., its General Partner, represented by Bruce Corkern, its duly authorized Senior Vice President, Controller, Chief Accounting Officer and Assistant Secretary and STACI H. TYLER, its duly authorized Vice President and Assistant Controller, and whose mailing address is 190 E. Capital St., Suite 400, Jackson MS 39201; pursuant to a Certificate of Authority, a copy of which is attached hereto and made a part hereof;

hereinafter designated as "vendor" who declared that for the consideration and upon the terms and conditions hereinafter expressed, said vendors do by these presents sell, grant, bargain, assign, transfer, deliver, and abandon and set over under all lawful warranties and with substitution and subrogation to all rights and actions of warranty against all preceding owners and vendors, unto:

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by V. J. St. Pierre, Jr., its Parish President, and whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to Ordinance No. 14-11-7 adopted by the St. Charles Parish Council on November, 2014 a copy of which is attached hereto and made a part hereof;

hereinafter designated as "purchaser", here present, accepting, purchasing, and acknowledging delivery and possession of the following described property, to wit:

ALL OF ITS UNDIVIDED INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

A CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, situated in the Parish of St. Charles, State of Louisiana, in that area known as Riverbend Business Park and identified as Lot 7-A on a plan of resubdivision of Gerald W. Swanson, Land Surveyor, dated March 28, 1989, approved by the St. Charles parish Council on April 21, 1989, filed on April 25, 1989 in COB 404, folio 519, and in accordance with a plan of survey of Krebs,

LaSalle, LeMieux Consultants, Inc., Job No. 9701261, File NO. G-73-003-60, dated February 26, 1997 (the "Lot 7-A Survey"), Lot 7-A is more particularly described as follows:

Begin at the intersection of the easterly right of way line of Riverbend Boulevard and the northerly right of way line of Y. & M.V. Railroad, thence along the easterly right of way line of Riverbend Boulevard along a curve to the left, with a radius of 193.42 feet, an arc length of 118.17 feet, a chord of N 73° 40' 08"W, chord length of 116.35 feet, to a reverse curve;

Thence along a curve to the right having a radius of 125.40 feet, an arc length of 162.20 feet, a chord of N 54° 07' 20" W, a chord length of 151.13 feet to a point on the southerly right of way line of the L. & A. Railroad right of way line;

Thence along said right of way line N 72° 56' 16"E a distance of 434.62 feet to a point on the line common to Lots 7-A and 7-B;

Thence S 25° 02' 00" E a distance of 148.69 feet to a point on the northerly right of way line of Y. & M.V. Railroad;

Thence S 64° 58' 00" W a distance of 269.65 feet to the point of beginning.

Being the same property acquired by Eastgroup Properties, L.P. from The Prudential Insurance Company of America by Act of Cash Sale dated September 22, 1997, recorded in COB 527, folio 341, Entry #214395 on September 25, 1997, St. Charles Parish, Louisiana.

To have and to hold the said property unto the said purchaser forever. This present sale and conveyance is made and accepted for and in consideration of the sum and price of **ONE HUNDRED SEVENTY THOUSAND DOLLARS AND NO/100 (\$170,000.00)**, lawful current money of the United States of America, which amount the said purchaser has paid in ready CASH, receipt of which is hereby acknowledged by the vendor, and full discharge and acquittance granted therefor.

All State, Parish, and City taxes up to and including the taxes due and payable in 2011, 2012, 2013 and 2014 are paid. The parties have prorate taxes due for year 2015 to the date of the act of sale hereto. The parties hereto waive any conveyance, mortgage, tax and any other certificates and relieve and release the undersigned notaries public from any and all responsibility in connection therewith. The parties also acknowledge that no examination of the title has been made by the undersigned notaries public and agree to relieve, release, defend, save, hold harmless, and indemnify the undersigned notaries public from any and all claims, liabilities, and responsibilities in connection therewith.

Whenever the word "vendor" is used in this act, it shall be construed to include "vendors", and whenever the word "purchaser" is used, it shall be construed to include

"purchasers".

All the agreements and stipulations herein contained, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, and assigns of the respective parties hereto.

The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is hereby dispensed with by the parties hereto.

THUS done, read, and passed at my office in the City of Jackson, Hinds County, State of Mississippi, in the presence of undersigned competent witnesses who have hereunto signed their names with the parties and me, said Notary, on the 9th day of January, 2015.

WITNESSES:

[Signature]
Catherine B. Sherin

EASTGROUP PROPERTIES, L.P.

BY: EASTGROUP PROPERTIES
GENERAL PARTNERS, INC.

[Signature]
BY: BRUCE CORKERN
ITS: SENIOR VICE PRESIDENT,
CONTROLLER, CHIEF ACCOUNTING
OFFICER & ASST. SECRETARY

[Signature]
BY: STACI H. TYLER
ITS: VICE PRESIDENT, ASSISTANT
CONTROLLER

[Signature]
NOTARY PUBLIC
Name: Don H. Lockett
Bar/Notary ID: 61191

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 61191
DON H. LUCKETT
Commission Expires
Nov. 9, 2018
HINDS COUNTY

THUS done, read, and passed at my office in the City of Hahnville, St. Charles Parish, State of Louisiana, in the presence of undersigned competent witnesses who have hereunto signed their names with the parties and me, said Notary, on the 18th day of January, 2015.

WITNESSES:

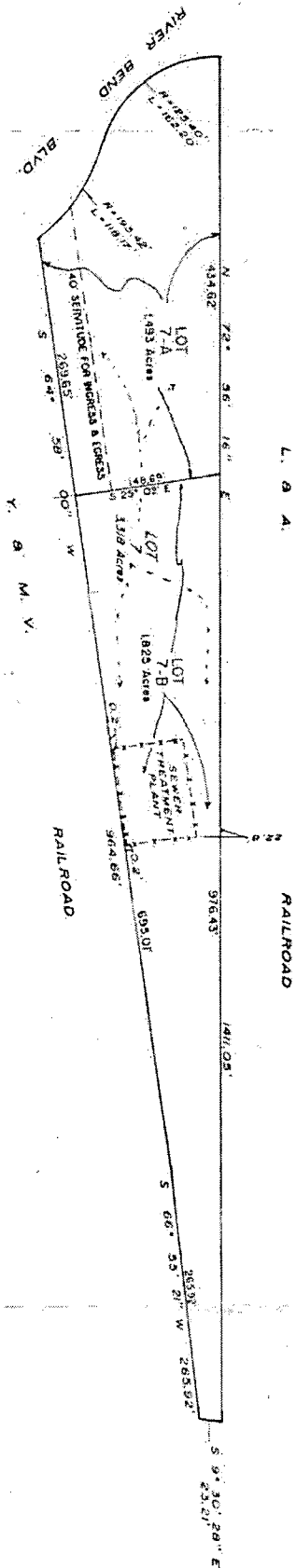
[Signature]
[Signature]

PARISH OF ST. CHARLES

[Signature]
BY: V. J. ST. PIERRE, JR.
PARISH PRESIDENT

[Signature]
NOTARY PUBLIC
DAVID S. MOYER
NO. 28166

ST. CHARLES PARISH, LA.



RECOMMENDATION
APPROVAL/DISAPPROVAL

DIRECTOR OF PLANNING
DATE 4/22/89

PARISH PRESIDENT
DATE 4/22/89

Recorded in the Clerk of Court's Office at B&E, 1989
Entry # 153318

The plat is made in accordance with Louisiana
RS 33:505, et seq. and all regulations
pertaining thereto, and the same is
correctly and truthfully stated in
respect to facts and law.

SCALE 1" = 100'

MARCH 28, 1989

RIVER RIDGE, LA.
PLAN SHOWING THE RESUBDIVISION OF LOT 7 RIVER
BEND BUSINESS PARK, ST. CHARLES PARISH, LA. INTO
LOTS 7-A, 7-B, 7-C RIVER BEND BUSINESS PARK, ST.
CHARLES PARISH, LA.
MADE AT THE REQUEST OF ADAMS & REESE.

This is to certify that I have examined the Field Engineer's Application
for a Special Order of Survey and found that the same complies properly
with the provisions of the Louisiana Surveying Act of 1963.
Gerald W. Swanson
March 28, 1989

GERALD W. SWANSON, INC.
8719 SOUTHDOWN LANE
RIVER RIDGE, LA. 70123
737-1503



STATE OF MISSISSIPPI
COUNTY OF HINDS

CERTIFICATE OF AUTHORITY

BE IT KNOWN, that on November ___, 2014, personally came and appeared the undersigned N. Keith McKey, who did acknowledge and declare that he is the Executive Vice President, Chief Financial Officer, Secretary and Treasurer of EastGroup Properties General Partners, Inc., a Delaware corporation qualified to do business in the State of Louisiana, (the "Corporation"), the sole general partner of EastGroup Properties, L.P., a Delaware limited partnership qualified to do business in the State of Louisiana (the "Company"), and is authorized to certify the authority of the following persons to act on behalf of the Corporation and the Company:

Bruce Corkern, Senior Vice President, Controller, Chief
Accounting Officer and Assistant Secretary
and
Staci H. Tyler, Vice President and Assistant Controller

and each of the above named officers is authorized to sell, on behalf of the Corporation and the Company, on such terms and conditions as they in their sole discretion deem fit and proper, that certain real property known as Lot 7-A Riverbend Business Park located on Riverbend Boulevard, St. Rose, Parish of St. Charles, Louisiana (the "Property") described herein to-wit:

A CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, situated in the Parish of St. Charles, State of Louisiana, in that area known as Riverbend Business Park and identified as Lot 7-A on a plan of resubdivision of Gerald W. Swanson, Land Surveyor, dated March 28, 1989, approved by the St. Charles parish Council on April 21, 1989, filed on April 25, 1989 in COB 404, folio 519, and in accordance with a plan of survey of Krebs, LaSalle, LeMieux Consultants, Inc., Job No. 9701261, File NO. G-73-003-60, dated February 26, 1997 (the "Lot 7-A Survey"), Lot 7-A is more particularly described as follows:

Begin at the intersection of the easterly right of way line of Riverbend Boulevard and the northerly right of way line of Y. & M.V. Railroad, thence along the easterly right of way line of Riverbend Boulevard along a curve to the left, with a radius of 193.42 feet, an arc length of 118.17 feet, a chord of N 73° 40' 08" W, chord length of 116.35 feet, to a reverse curve;

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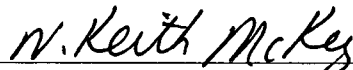
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Being the same property acquired by Eastgroup Properties, L.P. from The Prudential Insurance Company of America by Act of Cash Sale dated September 22, 1997, recorded in COB 527, folio 341, Entry #214395 on September 25, 1997, St. Charles Parish, Louisiana.

And each of the above named officers is authorized to execute all documents, of every kind whatsoever, for and in the name of the Corporation and Company, and to take all such actions as may be necessary to accomplish the sale of the Property.

Any person dealing with Bruce Corkern and Staci H. Tyler may assume that the authority conferred upon them by this document is still in full force and effect unless and until there is recorded in the conveyance records of St. Charles Parish an express revocation of such authority.

THUS DONE AND SIGNED on the day and date set forth above in Jackson, Hinds County, Mississippi, the party hereto having affixed his signature, after due reading of the whole.

A handwritten signature in black ink, reading "N. Keith McKey". The signature is written in a cursive style with a horizontal line underneath it.

N. Keith McKey, Executive Vice President,
Chief Financial Officer, Secretary and
Treasurer