

2021-0087

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. 21-4-6

An ordinance approving and authorizing the execution of an Act of Donation by River Road Estates, LLC to Parish of St. Charles for 52,245 sq. ft. of land designated Pretty Acres Park in River Road Estates Subdivision, Hahnville.

WHEREAS, River Road Estates, LLC is the owner of property identified as "PRETTY ACRES PARK" shown on a FINAL PLAT OF RIVER ROAD ESTATES SUBDIVISION, PHASE 1 by R. P. Fontcuberta, Jr., PLS, dated March 5, 2021; and,

WHEREAS, River Road Estates, LLC, wishes to donate "PRETTY ACRES PARK" to the Parish of St. Charles in order to satisfy a portion of the recreation obligation required by Section III, Paragraph F of the St. Charles Parish Subdivision Regulations of 1981, as amended; and,

WHEREAS, River Road Estates, LLC also paid a fee of \$26,340.15 in order to fully satisfy the recreation obligation required by Section III, Paragraph F of the St. Charles Parish Subdivision Regulations of 1981, as amended.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Donation by River Road Estates, LLC for River Road Estates Subdivision Phase 1, is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute the 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: DONALDSON, FONSECA, DARENSBOURG GORDON, CLUEE, GIBBS
DUFRENE, BELLOCK, FISHER, FISHER-PERRIER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 5th day of April, 2021, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Maribyn Bell
SECRETARY: Michelle Ingratato
DLVD/PARISH PRESIDENT: April 6, 2021
APPROVED: ✓ DISAPPROVED: _____
PARISH PRESIDENT: Matthew Jewell
RETD/SECRETARY: April 7, 2021
AT: 3:54 pm RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON April 19, 2021
AS ENTRY NO. 458180
IN MORTGAGE/CONVEYANCE BOOK
NO. 904 FOLIO 719

ACT OF DONATION

UNITED STATES OF AMERICA

BY RIVER ROAD ESTATES, LLC

STATE OF LOUISIANA

TO PARISH OF ST. CHARLES

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 14th day of April, in the year of Our Lord two thousand and twenty-one (2021), before me, undersigned, a Notary Public duly commissioned and qualified in and for the aforesaid State and Parish, and in the presence of the undersigned, competent witnesses,

PERSONALLY CAME AND APPEARED:

RIVER ROAD ESTATES, LLC, a Louisiana limited liability company, created under the laws of the State of Louisiana, whose tax identification number is 37-1826064 and whose mailing address is 270 West 5th Street, Laplace, LA 70068 herein represented by and through Richard C. Meyer, Manager, duly authorized as evidenced by the Certificate of Authority dated January 4, 2021, which is attached hereto and which is issued in accordance with the Articles of Organization dated April 20, 2016, and which are on file with the Louisiana Secretary of State.
(hereinafter referred to as "Donor")

who declared that Donor does by these presents, hereby give, grant and donate with full warranty of title, by Donor, River Road Estates, LLC, or their heirs or assigns, but with full substitution and subrogation in and to all the rights and actions of warranty which Donor has or may have against all preceding owners unto:

PARISH OF ST. CHARLES, herein represented by Matthew Jewell, the President of the Parish of St. Charles, duly authorized pursuant to an Ordinance No. 21-4-6 of the Council for the Parish of St. Charles; (hereinafter referred to as the "Parish")

here present and accepting for the Parish and the Parish's successors and assigns the donation made herein to the Parish, and acknowledging due delivery and possession thereof, all and singular the following described property (the "Property"), to-wit:

Commencing (POC) at a point located S65°43'49"E a distance of 8.48 feet from the intersection of the southerly right-of-way line of River Road and the Section line common to Section 7 & Section 5, Township 12 South, Range 20 East;

Thence proceed along said right-of-way S65°43'49"E a distance of 165.67 feet to a point;

Thence along a curve to the left, with an arc length of 35.60 feet, a radius of 33.00 feet, a delta angle of 61°48'26", a chord bearing of S83°21'58"W, and a chord length of 33.90 feet, to a point;

Thence S52°27'45"W a distance of 65.95 feet to a point;

Thence along a curve to the left, with an arc length of 188.59 feet, a radius of 1320.00 feet, a delta angle of 8°11'10", a chord bearing of S48°41'57"W, and a chord length of 188.43 feet, to the point of beginning (POB-3);

From the Point of Beginning, proceed S45°11'20"E a distance of 157.13 feet to a point;

Thence S43°26'12"W a distance of 120.03 feet to a point;

Thence S70°19'31"E a distance of 86.00 feet to a point;

Thence S46°32'22"W a distance of 172.17 feet to a point;

Thence N45°11'20"W a distance of 217.54 feet to a point;

Thence along a curve to the right, with an arc length of 41.71 feet, a radius of 720.50 feet, a delta angle of 03°19'02", a chord bearing of N29°59'20"E, and a chord length of 41.71 feet, to a point;

Thence along a curve to the left, with an arc length of 101.05 feet, a radius of 250.00 feet, a delta angle of 23°09'29", a chord bearing of N39°54'34"E, and a chord length of 100.36 feet, to a point;

Thence along a curve to the right, with an arc length of 92.29 feet, a radius of 670.50 feet, a delta angle of 07°53'12", a chord bearing of N47°32'43"E, and a chord length of 92.22 feet, to a point;

Thence along a curve to the left, with an arc length of 23.14 feet, a radius of 1320.00 feet, a delta angle of 01°00'15", a chord bearing of N44°06'15"E, and a chord length of 23.14 feet, back to the point of beginning;

Altogether containing 1.199 acres or 52,245 square feet, more or less.

The above description is taken from a River Road Estates Final Plat for Phase 1.

To have and to hold the Property unto the said parish, and its successors and assigns forever.

Donor declared that the value of the Property donated herein is Fifty Two Thousand Two Hundred Forty-Five and Ten/100 (\$52,245.10) Dollars.

Donor hereby further declared that the Property is donated by Donor to Donee in full ownership, and that this Act of Donation shall be binding upon it, its successors and assigns.

Donor and the Parish hereby acknowledge that the donation of the Property is in full satisfaction of all current and future obligations of Donor (or its successors or assigns) to provide recreational facilities in favor of the Parish in connection with the development of the 21.431 acres of land owned by Donor, as required by Section III, Paragraph F of the St. Charles Subdivision of Regulations of 1981 adopted pursuant to Ordinance 81-8-2 by the St. Charles Parish Council of the St. Charles Parish (the "Ordinance").

This donation of the Property is subject to the condition that the Parish shall use the Property solely as a park and recreational facility and the Property shall be known and designated as Pretty Acres.

Donor hereby reserves a mineral servitude covering all forms of minerals, including oil and gas, in, on or as a part of the soil or geological formations on or underlying the Property, however without the right to utilize the surface to explore for minerals but with the right to explore for minerals by off-site directional drilling or other means not involving the surface of the Property. This mineral servitude specifically reserves to Seller all executive rights and/or other rights to grant mineral leases or conveyances encumbering and/or affecting the Property. The parties acknowledge that the prescription for non-use shall not run against this reservation of mineral servitude in accordance with La R.S. 31:149. Nevertheless, the parties hereto further agree, as provided in La. R.S. 31:75, that an interruption of prescription for the nonuse of the above described mineral servitude resulting from unit operations, whether conventional or compulsory, shall extend to the entirety of the Property regardless of the location of the well or of whether all or only part of the hereinabove described tract of land is included in the unit.

All taxes up to and including the taxes due and exigible in 2020 are paid.

Donor declares, represents and warrants that there are no judgments, general or particular, of record or otherwise against the Donor, which may affect the Property, and there are no liens, privileges, mortgages, pledges or other encumbrances of record or otherwise which may affect or burden the Property.

The parties hereto do hereby waive and dispense with the production of any and all certificates and/or researches required by law and relieve and release me, Notary, and the surety on my notarial bond from any and all liability and/or responsibility of the nonproduction thereof.

THUS DONE AND PASSED in my office at Metairie, Louisiana, on the day, month, and year hereinabove first written, in the presence of the undersigned competent witnesses who have signed their names, together with appearers and me, Notary.

WITNESSES:

RIVER ROAD ESTATES, LLC

Tiffany Trahan
Tiffany Trahan
Georgia A. Dufresne
Georgia A. Dufresne

BY: [Signature] 3/10/21
RICHARD C. MEYER
MEMBER, MANAGER

[Signature]
KENNETH BELOU, JR.
NOTARY PUBLIC
NOTARY ID NO. 151190
STATE OF LOUISIANA

THUS DONE AND PASSED in my office at Hahnville, Louisiana, on the day, month, and year hereinabove first written, in the presence of the undersigned competent witnesses who have signed their names, together with appearers and me, Notary.

WITNESSES:

PARISH OF ST. CHARLES

Billy Raymond
Billy Raymond
Matthew Jewell
Matthew Jewell

BY: [Signature]
MATTHEW JEWELL
PARISH PRESIDENT

[Signature]
NOTARY PUBLIC

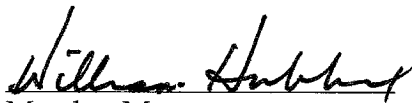
RESOLUTION OF RIVER ROAD ESTATES, LLC

As of this day, January 4, 2021 and,

WHEREAS, Richard Meyer is a manager of River Road Estates, LLC and,

WHEREAS, St. Charles Parish requires a Certificate of Authority to submit final acceptance of the subdivision to the Parish,

By vote of all members, Richard Meyer has the authority to act on behalf of River Road Estates, LLC for the express purpose of Act of Dedication to the Parish of St. Charles.



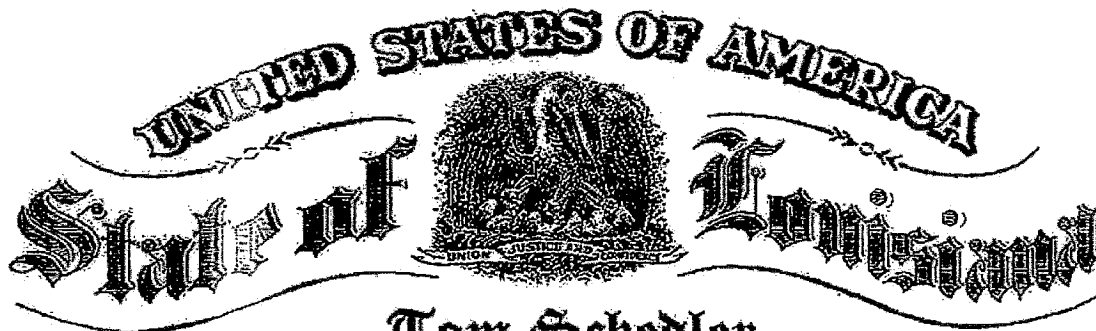
Member Manager
William Hubbard



Member Manager
Richard Meyer



Kenneth Belou, Jr.
Notary Public
Notary ID No. 151190
State of Louisiana



Tom Schedler

SECRETARY OF STATE

As Secretary of State of the State of Louisiana, I do hereby Certify that

a copy of the Articles of Organization and Initial Report of

RIVER ROAD ESTATES, LLC

Domiciled at LAPLACE, LOUISIANA,

Was filed and recorded in this Office on April 20, 2016,

And all fees having been paid as required by law, the limited liability company is authorized to transact business in this State, subject to the restrictions imposed by law, including the provisions of R.S. Title 12, Chapter 22.

In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on,

April 20, 2016

Secretary of State

SC 42241565K



Certificate ID: 10703464#ULJ62

To validate this certificate, visit the following web site, go to **Business Services**, **Search for Louisiana Business Filings**, **Validate a Certificate**, then follow the instructions displayed.
www.sos.la.gov

ARTICLES OF ORGANIZATION
OF
RIVER ROAD ESTATES, LLC

The undersigned, both persons of the full age of majority, acting as the organizers of a limited liability company under Chapter 22 of Title 12 of the Louisiana Revised Statutes Annotated, do hereby form, effective April 19, 2016, a limited liability company, under such law, and for such purposes, does hereby adopt the following Articles of Organization:

1. The name of the limited liability company organized pursuant to these Articles of Organization shall be **RIVER ROAD ESTATES, LLC**.


2. The object and purpose of which **RIVER ROAD ESTATES, LLC**, is formed shall be to engage in any lawful activity for which limited liability companies may be formed under Chapter 22 of Title 12 of the Louisiana Revised Statutes Annotated.


3. The full names and municipal address of the organizers are:

William J. Hubbard
270 West 5th Street
LaPlace, Louisiana 70068

Richard Meyer
101 Destin Lane
River Ridge, Louisiana 70123

Thus executed on April 19, 2016.


WILLIAM J. HUBBARD


RICHARD MEYER

ACKNOWLEDGMENT

STATE OF LOUISIANA

PARISH OF ST. JOHN THE BAPTIST

BE IT KNOWN, that on this 19 day of April, 2016, before me, the undersigned Notary Public, duly commissioned, qualified and sworn in and for the Parish and State aforesaid,

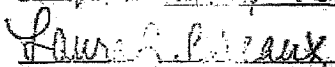
PERSONALLY CAME AND APPEARED:

WILLIAM J. HUBBARD and RICHARD MEYER,

who, after being duly sworn, declared and acknowledged to me, Notary, in the presence of the undersigned competent witnesses, that Appearers are the identical persons who executed the above and foregoing Articles of Organization and that Appearers executed the above and foregoing Articles of Organization of Appearers' own free will, as Appearers' own act and deed, for the uses, purposes and benefits therein expressed.


WITNESSES:


Print Name: Michael


Print Name: Laura A. Beauchamp


WILLIAM J. HUBBARD


RICHARD MEYER


E. JEFFREY PERILLOUX, 22586
NOTARY PUBLIC

