

2003-0072

INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)

ORDINANCE NO. 03-4-25

An ordinance approving and authorizing the execution of an Act of Dedication for Riverbend Estates Subdivision, St. Rose, St. Charles Parish, LA.

WHEREAS, R-Bend Estates, L.L.C. are the owners and developers of property located in portions of Section 43, 12S R9E and Section 38, T13S R9E, St. Rose, St. Charles Parish, LA and indicated on a Final Plat prepared by Krebs, LaSalle, and LeMeiux Consultants, Inc. and dated February 19, 2003 (revised 3/10/03), as a Resubdivision of Parcel T5 into Riverbend Estates, Lots 1 thru 94, Parcels X & Y and the Dedication of Rue Shannon and portion of Wagon Train Lane; and,

WHEREAS, said subdivision has been constructed in accordance with the St. Charles Parish Subdivision Regulations of 1981, as amended; and,

WHEREAS, all required administrative reviews and approvals have been effected relative to said subdivision.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the attached Act of Dedication for R-Bend Estates, L.L.C. for Riverbend Estates Subdivision which includes Lots 1-94, Parcel X & Y, Rue Shannon, and portion of Wagon Train Lane is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute the attached Final Plat and Act of Dedication on behalf of St. Charles Parish.

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

YEAS: RAMCHANDRAN, HILAIRE, ABADIE, AUTHEMENT, BLACK, MARINO, MINNICH
NAYS: NONE
ABSENT: FAUCHEUX, FABRE

And the ordinance was declared adopted this 21st day of April, 2003, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN.

SECRETARY:

DLVD/PARISH PRESIDENT:

APPROVED:

DISAPPROVED:

PARISH PRESIDENT:

RETD/SECRETARY:

AT. 3:30 pm

RECD BY:

RECORDED IN THE ST CHARLES PARISH
CLERK OF COURT OFFICE
ON May 1, 2003
AS ENTRY NO. 279252
IN MORTGAGE/CONVEYANCE BOOK
NO. 618 FOLIO 295

ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: R BEND, L.L.C.

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 1st day of May, in the year of
Our Lord Two Thousand Three (2003),

BEFORE ME, the undersigned authority, a Notary Public, duly commissioned
and qualified in and for the Parish and State aforesaid, therein residing, and in the
presence of the two competent witnessed hereinafter named and undersigned,

PERSONALLY CAME AND APPEARED;

R BEND ESTATES L.L.C. (Tax I.D. No 22-1486674), a Louisiana
Corporation domiciled in the Parish of St. Charles, being represented
herein by and through Warren G. Treme and Ashton J. Ryan, Jr. by virtue
of a Certificate of Authority and Unanimous Consent of Members, which
is attached hereto and made a part hereof;

(Hereinafter sometimes referred to as "R BEND");

MAILING ADDRESS: 651 Richard Street, Suite 2A
New Orleans, Louisiana 70130

R BEND declared unto me, Notary, that it is the owner of a certain tract of
immovable property situated on the East Bank of St. Charles Parish, which land is
designated as "Riverbend Estates" being a portion of Section 38, Township 13 South,
Range 9 East, St. Charles Parish, Louisiana, as shown on a survey of said subdivision
prepared by Krebs, LaSalle, LeMicux Consultants, Inc., dated April 9, 2002, a copy of
which survey is attached to and made part of this Act of Dedication; and

R BEND further declared unto me that it has caused a portion of the above
property designated as "Riverbend Estates" on the survey referred to above to be laid out
into lots in order to create the Riverbend Estates subdivision; and

R BEND further declared unto me, Notary, that on the aforesaid plan of
resubdivision it has laid out certain streets within the Riverbend Estates Subdivision
which are named and identified as Rue Shannon and Wagon Train Lane, which streets
and Parcel in regard to this dedication are more fully described in Exhibit "A" attached
hereto and made a part hereof. On all matters of the description of the property on which
the streets above named are located, the attached survey shall be controlling.

R BEND further declared unto me, Notary, that on the aforesaid plan of resubdivision, it has also designated and labeled various servitudes for water, utility and drainage purposes; and

R BEND further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does, by these presents, dedicate the following streets located all within Riverbend Estates, namely: Rue Shannon and Wagon Train Lane, as hereinabove described and does hereby grant the various servitudes for water, utility and drainage purposes, all as shown on the annexed plan of subdivision, to public use, unto and in favor of the Parish of St. Charles, the inhabitants of the Parish of St. Charles, and to the public in general; and

R BEND further declared unto me, Notary, that the aforesaid dedication and grant is subject to all of the following terms and conditions, to wit:

1. The dedication of the fee ownership of the property to Parish of St. Charles is covered by the streets identified hereinabove as Rue Shannon and Wagon Train Lane, and Parcel X and Parcel Y, but only as far as said street and Parcels are located in Riverbend Estates Subdivision.
2. The herein grant of the various servitudes for water, utility and drainage purposes shall constitute the granting only of a "personal servitude of right of use" being a "limited personal servitude" in favor of St. Charles Parish. R BEND does hereby reserve all rights of fee ownership to that portion of the aforesaid Riverbend Estates Subdivision which comprises the various servitudes for water, utility and drainage purposes.
3. R BEND does hereby reserve all rights of ownership to all of the oil, gas and other minerals in, on and under the property covered and affected by the street identified hereinabove and by the aforesaid water, utility and drainage servitudes granted herein. In that connection, R BEND does, however, agree to prohibit the use of any part of the surface of any of the property covered by the street and servitudes with respect to the exploration, development

or production of minerals pursuant to this reservation. This reservation is made in accordance with R BEND's plan and intention to reserve all of the mineral rights in, on and under all of the lots in the Riverbend Estates Subdivision, whereby, however, Riverbend Estates will likewise impose a restriction on the entire subdivision against any use of the surface of any lot for the exploration, development or production of minerals, or by any other binding means of strict surface operations in regard to mineral exploration in this subdivision.

4. The herein dedication of streets and grant of servitudes for water, utility and drainage purposes are made by R BEND without any warranty whatsoever except as provided for herein.
5. St. Charles Parish must bind and obligate itself not to use the property dedicated herein for street purposes in any manner which would be inconsistent with or detrimental to such use as a public street. St. Charles Parish must further bind and obligate itself to use the water, utility and drainage servitudes granted herein only for water, utility and drainage purposes.
6. This dedication and grant are conditioned upon St. Charles Parish maintaining and policing the street dedicated herein, and maintaining the various water, utility and drainage facilities within the various water, utility and drainage servitudes areas.
7. The grant herein of various servitudes for water, utility and drainage purposes shall be used exclusively for those purposes and R BEND reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitudes for water, utility and drainage purposes. The herein granted water, utility and drainage servitudes shall not be utilized so as to unreasonably interfere with or impair ingress and egress from the street dedicated herein to any of the lots in the Riverbend Estates Subdivision.

8. R BEND warrants that the herein dedication of street and grant of servitudes are free of any liens and/or encumbrances and that no lots have been sold or alienated prior to the date hereof.
9. The dedication and grant made herein are made subject to any existing servitudes affecting the Riverbend Estates Subdivision, such as by way of illustration but not limitation, pipeline servitudes and levees.
10. The herein dedication and grant shall inure to the benefit of St. Charles Parish or any successor governmental body of St. Charles Parish, which shall be bound by all of the terms and conditions hereof.
11. R BEND warrants that all utilities and streets have been placed within the servitude(s) granted herein.

AND NOW, to these presents, personally came and intervened:

ST. CHARLES PARISH, herein appearing by and through Albert Laque, Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on April 21, 2003, a certified copy of which is annexed hereto and made part hereof, and said St. Charles Parish does hereby accept, approve and ratify the herein dedication and grant under all of the terms and conditions as contained hereinabove, and does also hereby acknowledge that the construction of the street dedicated herein has been satisfactorily completed in accordance with all requirements and that all water, utility and drainage facilities have been likewise satisfactorily completed in accordance with all requirements, and St. Charles Parish does hereby accept all of said street and water, utility and drainage facilities and assumes the maintenance thereof.

This Act of Dedication and Acceptance was approved and accepted by the St. Charles Parish Council by Ordinance 03-4-25 the 21st day of April, 2003, a photocopy of which is attached and made part hereof.

THUS DONE AND PASSED, in triplicate originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles, on the day, month and year herein first above written, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers and me, Notary, after reading the whole.

WITNESSES;

R BEND ESTATES, L.L.C.

Lori Sander

BY: *Ashton J. Ryan, Jr.*
Ashton J. Ryan, Jr. Member

Laune Vetter

BY: *Warren G. Treme*
Warren G. Treme

[Signature]
NOTARY PUBLIC

ALVIN CHARLES MIESTER, III
NOTARY PUBLIC
State of Louisiana Parish of Orleans
My commission is issued for life

THUS DONE AND PASSED, in triplicate originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles, on the day, month and year herein first above written, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers and me, Notary, after reading the whole.

WITNESSES;

ST. CHARLES PARISH

Valarie Berthelot

BY: *Albert Laque*
Albert Laque,
Parish President


Nicole Breau

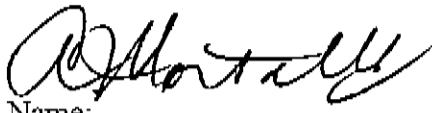
[Signature]
NOTARY PUBLIC

THUS DONE AND PASSED in Vachrie, Louisiana, on the day, month and year herein first above written, 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;

FIRST AMERICAN BANK & TRUST

Two handwritten signatures in black ink. The top signature is large and stylized, while the bottom signature is smaller and more compact.

BY: 
Name:
Title:


NOTARY PUBLIC

EXHIBIT "A"

TWO CERTAIN PIECES OF GROUND, situated in Section 43, Township 12, South Range 9 East and Section 38, Township 13 South, Range 9 East, St. Charles Parish, Louisiana designated as **PARCEL X** and **PARCEL Y** on a plan of resubdivision of **RIVERBEND ESTATES**, dated August 2, 2002, which is filed in the public records of St. Charles Parish in COB 1618, folio 295 and which are more fully described as follows:

PARCEL X – Commencing at the point of intersection of the northerly right of way line of River Road (La. State Highway No. 48) and the westerly line of the St. Charles Parish School Board property, proceed thence North 21 degrees 12 minutes 03 inches West a distance of 3809.20' feet to a point, which point is the point of beginning; proceed thence South 21 degrees 12 minutes 03 inches East a distance of 15.87' feet to a point; proceed thence South 49 degrees 41 minutes 48 inches West a distance of 128.05' feet to a point; proceed thence South 21 degrees 12 minutes 03 inches East a distance of 21.88' feet to a point; proceed thence along a curve to the left having a radius of 60' feet a distance of 50.57' feet to a point; proceed thence South 49 degrees 41 minutes 48 inches West a distance of 173.85' feet to a point; proceed thence North 21 degrees 32 minutes 00 inches West a distance of 15.84' feet to a point; proceed thence North 49 degrees 41 minutes 48 inches East a distance of 355.31' feet to a point, which point is the Point of Beginning.:

PARCEL Y – Commencing at the point of intersection of the Northerly right of way line of River Road (La. State Highway No. 48) and the westerly line of Lot T2-A, proceed thence North 21 degrees 32 minutes 00 inches West a distance of 427.80' feet to a point which is the Point of Beginning; proceed thence North 21 degrees 32 minutes 00 inches West a distance of 3336.70' feet to a point; proceed thence North 49 degrees 41 minutes 48 inches East a distance of 21.12' feet to a point; proceed thence South 21 degrees 32 minutes 00 inches East a distance of 3343.50' feet to a point; proceed thence South 68 degrees 28 minutes 00 inches West a distance of 20 feet to a point which is the Point of Beginning.

Krebs, LaSalle, LeMieux Consultants, Inc.

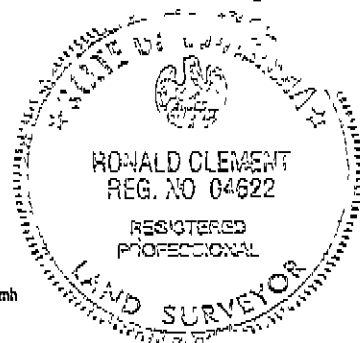
POST OFFICE BOX 19688 • NEW ORLEANS, LOUISIANA 70179 • FAX (504) 837-9477
RUE SHANNON

A certain piece or portion of ground situated in Section 43, Township 12 South, Range 9 East and Section 38, Township 13 South, Range 9 East, St. Charles Parish, Louisiana, being a portion of Riverbend Estates Subdivision, designated as Rue Shannon and more fully described as follows:

Commence at the northerly right of way line of River Road (La. State Highway No. 48) and the westerly line of the St. Charles Parish School Board property for the point of beginning; thence along said northerly right of way line, S42°14'20"W a distance of 55.90' to a point; thence N21°12'03"W a distance of 189.94' to the point of curvature; thence along the arc of a curve to the left, having a radius of 250.00', an arc length of 126.70', a chord bearing of N35°43'09"W and a chord distance of 125.35' to a point of tangency; thence N50°14'16"W a distance of 140.41' to a point of curvature; thence along the arc of a curve to the right, having a radius of 250.00', an arc length of 126.70', a chord bearing of N35°43'09"W and a chord distance of 125.35' to a point of tangency; thence N21°12'03"W a distance of 3032.46' to a point on the southerly line of Wagon Train Lane; thence continue N21°12'03"W a distance of 167.78' to a point; thence N49°41'48"E a distance of 10.18' to a point of curvature; thence along the arc of a curve to the right, having a radius of 60.00', an arc length of 167.19', a chord bearing of S51°17'35"E and a chord distance of 118.11' to a point of reverse curvature; thence along the arc of a curve to the left, having a radius of 25.00', an arc length of 21.70', a chord bearing of S03°39'56"W and a chord distance of 21.03' to a point of tangency; thence S21°12'03"E a distance of 3082.30' to a point of curvature; thence along the arc of a curve to the left, having a radius of 190.00', an arc length of 96.29', a chord bearing of S35°43'09"E and a chord distance of 95.26' to a point of tangency; thence S50°14'16"E a distance of 135.35' to a point of curvature; thence along the arc of a curve to the right, having a radius of 250.00', an arc length of 126.70', a chord bearing of S35°43'09"E and a chord distance of 125.35' to a point on the westerly line of the St. Charles Parish School Board property, the point of tangency; thence along said westerly line, S21°12'03"E, a distance of 198.50' to a point on the northerly right of way line of River Road (La. State Highway No. 48), the point of beginning.

Said portion of ground contains 226,312.51 square feet or 5.1954 acres, more or less.

All as more fully shown on a plan of subdivision of Riverbend Estates by Krebs, LaSalle, LeMieux Consultants, Inc., dated April 8, 2003.



Krebs, LaSalle, LeMieux Consultants, Inc.

By: *Ronald Clement*
Ronald Clement, P.L.S.
La. Reg. No. 4622
April 21, 2003

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WAGON TRAIN LANE

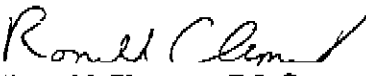
A certain piece or portion of ground situated in Section 43, Township 12 South, Range 9 East and Section 38, Township 13 South, Range 9 East, St. Charles Parish, Louisiana, being a portion of Riverbend Estates Subdivision, designated as Wagon Train Lane and more fully described as follows:

Commence at the northerly right of way line of River Road (La. State Highway No. 48) and the westerly line of the St. Charles Parish School Board property and measure along said northerly right of way line, S42°14'20"W a distance of 55.90' to a point; thence N21°12'03"W a distance of 189.94' to the point of curvature; thence along the arc of a curve to the left, having a radius of 250.00', an arc length of 126.70', a chord bearing of N35°43'09"W and a chord distance of 125.35' to a point of tangency; thence N50°14'16"W a distance of 140.41' to a point of curvature; thence along the arc of a curve to the right, having a radius of 250.00', an arc length of 126.70', a chord bearing of N35°43'09"W and a chord distance of 125.35' to a point of tangency; thence N21°12'03"W a distance of 3032.46' to a point, the point of beginning; measure thence from the point of beginning along the arc of a curve to the left, having a radius of 70.00', an arc length of 133.29', a chord bearing of N75°45'07"W and a chord distance of 114.05' to a point of tangency; thence S49°41'48"W a distance of 64.92' to the easterly line of Bar-None Ranch Estates; thence along said easterly line, N21°32'00"W a distance of 69.32' to a point; thence N49°41'48"E a distance of 163.67' to a point on a projection of the westerly line of Rue Shannon; thence along said line, S21°12'03"E, a distance of 167.78' to a point, the point of beginning.

Said portion of ground contains 12,944.58 square feet.

All as more fully shown on a plan of subdivision of Riverbend Estates by Krebs, LaSalle, LeMieux Consultants, Inc., dated April 8, 2003.

Krebs, LaSalle, LeMieux Consultants, Inc.

By: 
Ronald Clement, P.L.S.
La. Reg. No. 4622
April 21, 2003



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