

Decl.

2008-0310

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

ORDINANCE NO. 08-7-10

An ordinance approving and authorizing the execution of an Act of Dedication for Lakewood Estates, Phase III Subdivision, Luling, St. Charles Parish, LA.

WHEREAS, Post Street, LLC are the owners and developers of property located in Section 38, T14S R21E and Section 46, T13S R21E, Luling, St. Charles Parish, LA and indicated on a Final Plat prepared by Michael D. Bernard, P.L.S., and dated June 30, 2008 as a Resubdivision of a portion of Lone Star Plantation, Section 38, T14S R21E and Section 46, T13S R21E, into Lots 36-47, and Lakewood Drive; and servitudes for sewer and drainage; 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 Act of Dedication for Post Street, LLC for Lakewood Estates Phase III, which includes Lots 36-47, and the dedication of an extension of Lakewood Drive; and utility servitude is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute the 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: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: NONE
ABSTAIN: HOGAN

And the ordinance was declared adopted this 21st day of July, 2008, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN [Signature]
SECRETARY [Signature]
DLVD/PARISH PRESIDENT July 22, 2008
APPROVED _____ DISAPPROVED _____
PARISH PRESIDENT [Signature]
RETD/SECRETARY July 22, 2008
AT 2:30 pm RECD BY [Signature]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON August 12, 2008
AS ENTRY NO. 345137
IN MORTGAGE/CONVEYANCE BOOK
NO. 718 FOLIO 257

ACT OF DEDICATION
BY: POST STREET, L.L.C
TO: ST. CHARLES PARISH

UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST CHARLES

BE IT KNOWN, that on this 8th day of August in the year of Our Lord Two
Thousand and Eight,

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

PERSONALLY CAME AND APPEARED:

POST STREET, L.L.C., a limited liability company organized and existing under
and by virtue of the laws of the State of Louisiana with its domicile in the Parish of St.
Charles, within said State, herein appearing by and through Stephen Vial & Francesca
Vial its Managers.

(Hereinafter sometimes referred to as "Post Street"),

MAILING ADDRESS: P. O. Box 47
Luling, Louisiana 70070

POST STREET declared unto me, Notary, that it is the owner of a certain tract of real
property situated on the West Bank of St. Charles Parish, which lands are designated as
Lakewood Estates, Phase III being a portion of Section 38, T14S, R21E., and Section 46,
T13S, R21E, St. Charles Parish, Louisiana, shown on a survey of said subdivision which
survey was prepared by Michael D. Bernard P.L.S., dated June 30, 2008, which survey is
entitled "Final Plat Lakewood Estates, Phase III" a copy of which is attached to and made part
of this ordinance; and

POST STREET further declared unto me that it has caused that portion of the above
property designated as Lakewood Estates Phase III, on the survey referred to above to be laid
out in lots on the plan of survey and/or re-subdivision referred to above, which plan of sub-
division creates Phase III, of Lakewood Estates Subdivision, a copy of which is attached and
made part hereof; and

POST STREET further declared unto me, Notary, that on aforesaid plan of re-
subdivision, it has laid out a certain street within Phase III of Lakewood Estates subdivision
named and identified in accordance with the annexed plan of Michael D. Bernard P.L.S Du

as Lakewood Drive, which street in regard to this dedication is more fully described in accordance with said plan as follows to wit:

**PROPERTY DESCRIPTION
LAKEWOOD DRIVE**

Commencing at the existing southeast corner of the existing Lakewood Drive, and at the end of a 60' section that was dedicated to the Parish as Lakewood Estates Phase I, thence S17°02'00"W a distance of 54.72' to a point of curvature, thence along a line of curvature with radius 150.00' to the left, and chord bearing S10°50'21"E, a distance of 145.94' to a point of reverse curvature, thence along a line of curvature with radius 270.00' to the right, and chord bearing S31°48'39"E, a distance of 65.04' to a point of reverse curvature, thence along a line of curvature with radius 20.00' to the left and chord bearing S65°06'59"E, a distance 28.07' to a point, and thus the **Point of Beginning**, thence S17°02'00"W a distance of 1295.48' along the eastern most boundary of the subdivision to a point, thence N72°58'00"W a distance of 45.00' crossing Lakewood Drive to the western edge of Lakewood Drive and a point, thence N17°02'00"E along the western edge of Lakewood Drive a distance of 1,072.41' to a point of curvature, thence 61.84' along a line of curvature, and the western edge of Lakewood Drive, to the left with radius 285.00' and chord distance of 61.72' and chord bearing N10°49'01"E to a point, thence N34°45'14"E crossing Lakewood Drive a distance of 169.78' to a point and thus the POINT OF BEGINNING, all containing 55,617 sq. ft. more or less, and as shown on final Plat of Survey titled 'FINAL PLAT LAKEWOOD ESTATES PHASE III' by Michael D. Bernard, PLS dated June 30, 2008.

The street dedicated herein is described on a plan of subdivision entitled "Lakewood Estates, Phase III" which plan of subdivision is certified correct by Michael D. Bernard P.L.S. On all matters of the description of the property on which the street is located, the above referred to survey shall be controlling.

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

POST STREET further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does, by these presents, dedicate portions of the following street located all with Phase III of Lakewood Estates, namely, Lakewood Drive, as hereinabove described and does hereby grant the various servitudes for utility and drainage purposes, all as shown on the annexed plan of resubdivision Michael D. Bernard, P.L.S., 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

POST STREET further declared unto me, Notary that the aforesaid dedication and grant are subject to all the following terms and conditions, to wit:

1. The dedication of the fee ownership of the property covered by the street identified hereinabove as Lakewood Drive, only as far as said street is located in Phase III of Lakewood Estates Subdivision.
2. The herein grant of the various servitudes for 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. **POST STREET** does hereby reserve all rights of fee ownership to that portion of the aforesaid Phase III of Lakewood Estates Subdivision which comprises the various servitudes for utility and drainage purposes.
3. **POST STREET** 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 utility and drainage servitudes granted herein. In that connection, **POST STREET** does, however, agree to prohibit the use of any part of the surface of any of the property covered by the street servitudes with respect to the exploration, development or production of minerals pursuant to this reservation. This reservation is made in accordance with **POST STREET's** plan and intention to reserve all of the mineral rights in, on and under all of the lots in Phase III of Lakewood Estates Subdivision, whereby, however, **POST STREET** 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 street and grant of servitudes for utility and drainage purposes are made by **POST STREET** 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 the use of servitudes granted herein only for 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 utility and drainage facilities within the various utility and drainage servitudes areas.
7. The grant herein of various servitudes for utility and drainage purposes shall be used exclusively for those purposes and **POST STREET** reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitude for utility and drainage purposes. The herein granted utility and drainage servitude 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 Phase III of Lakewood Estates Subdivision.
8. **POST STREET** warrants that the herein dedication of the 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 Phase III of Lakewood 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. **POST STREET** warrants that all utilities and street 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 V. J. St. Pierre, Jr Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on July 21, 2008, 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 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 utility and drainage and assumes the maintenance thereof.

This Act of Dedication and Acceptance was approved and accepted by the St Charles Parish Council by Ordinance # 08-7-10 on the 21st day of July, 2008 a photo copy of which is attached and made part hereof.

THUS DONE AND PASSED, in triplicate originals, in my office 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

POST STREET, L.L.C.

WITNESSES:

By: Stephen Vial & Francesca Vial

Its Managers

Nicole Breau
Print name Nicole Breau

BY: [Signature]
STEPHEN VIAL

Sandra G. Miguez
Print name Sandra G. Miguez

BY: Francesca Vial
FRANCESCA VIAL

[Signature]
Notary Public

WITNESSES

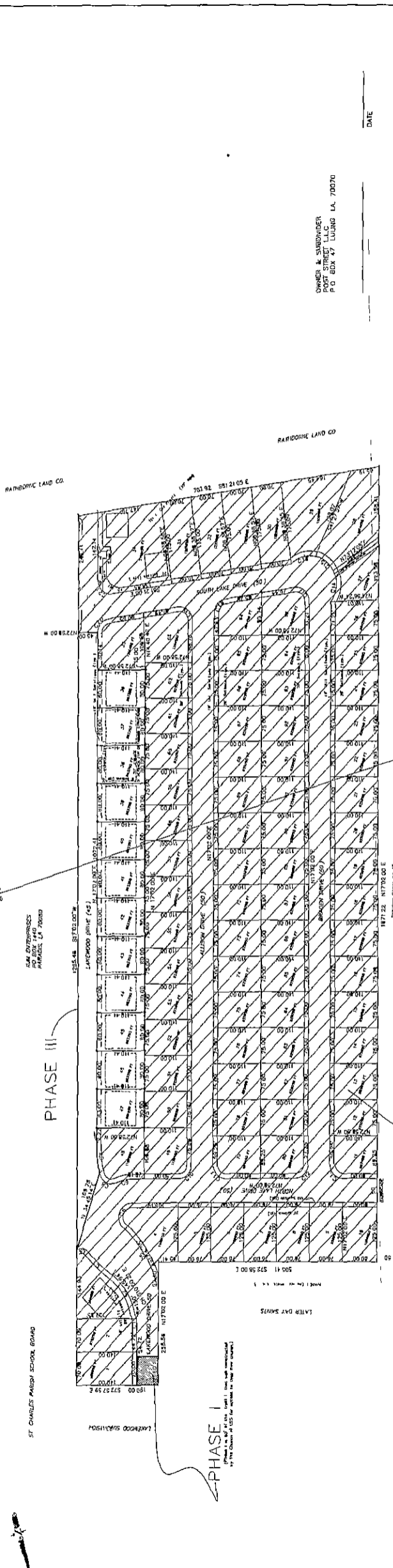
ST. CHARLES PARISH

[Signature]
Print name Amanda Coleman

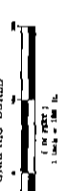
[Signature]
V. J. St. Pierre, Jr.
Parish President

[Signature]
Print name Barbara Jacob Tucker

[Signature]
Notary Public
[Signature]
Print Name
Bar No. 12061



PHASE II (cross-hatched area)



STATION	BENCH	LEAST	BEARING	TRAVEL	BOUND
101	1142	411.0	S55°E	155.00	1142
102	1142	411.0	S55°E	155.00	1142
103	1142	411.0	S55°E	155.00	1142
104	1142	411.0	S55°E	155.00	1142
105	1142	411.0	S55°E	155.00	1142
106	1142	411.0	S55°E	155.00	1142
107	1142	411.0	S55°E	155.00	1142
108	1142	411.0	S55°E	155.00	1142
109	1142	411.0	S55°E	155.00	1142
110	1142	411.0	S55°E	155.00	1142
111	1142	411.0	S55°E	155.00	1142
112	1142	411.0	S55°E	155.00	1142
113	1142	411.0	S55°E	155.00	1142
114	1142	411.0	S55°E	155.00	1142
115	1142	411.0	S55°E	155.00	1142
116	1142	411.0	S55°E	155.00	1142
117	1142	411.0	S55°E	155.00	1142
118	1142	411.0	S55°E	155.00	1142
119	1142	411.0	S55°E	155.00	1142
120	1142	411.0	S55°E	155.00	1142
121	1142	411.0	S55°E	155.00	1142
122	1142	411.0	S55°E	155.00	1142
123	1142	411.0	S55°E	155.00	1142
124	1142	411.0	S55°E	155.00	1142
125	1142	411.0	S55°E	155.00	1142
126	1142	411.0	S55°E	155.00	1142
127	1142	411.0	S55°E	155.00	1142
128	1142	411.0	S55°E	155.00	1142
129	1142	411.0	S55°E	155.00	1142
130	1142	411.0	S55°E	155.00	1142
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138	1142	411.0	S55°E	155.00	1142
139	1142	411.0	S55°E	155.00	1142
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143	1142	411.0	S55°E	155.00	1142
144	1142	411.0	S55°E	155.00	1142
145	1142	411.0	S55°E	155.00	1142
146	1142	411.0	S55°E	155.00	1142
147	1142	411.0	S55°E	155.00	1142
148	1142	411.0	S55°E	155.00	1142
149	1142	411.0	S55°E	155.00	1142
150	1142	411.0	S55°E	155.00	1142

OWNER & SUBDIVIDER
POST STREET LLC
P.O. BOX 47 LULING LA 70070

DATE _____ DATE _____ DATE _____

CHAIRMAN PLANNING & ZONING COMMISSION _____ DATE _____

CHAIRMAN ST. CHARLES PARISH COUNCIL _____ DATE _____

ST. CHARLES PARISH PRESIDENT _____ DATE _____

PROTECTIVE COCAINIS RECORDED IN THE CLERK'S OFFICE OF ST. CHARLES PARISH ON THE _____ DAY OF _____ 2008 IN BOOK _____ PAGE _____ ENTRY NO _____

PROVISION BE HAY OF STREETS, SHOWING HEREON, IF NOT PREVIOUSLY DEDICATED, IS HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC. ALL AREAS SHOWN AS SERVICED ARE GRANTED TO THE PUBLIC FOR USE OF UTILITIES DRAINAGE, SEWAGE REMOVAL, OR OTHER PROPER PURPOSE FOR GENERAL USE OF THE PUBLIC AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE. THE SURVEYOR'S LIABILITY IS LIMITED TO THE LIMITS OF ANY SEPARATE AND AS TO PRESIDENT OR LANDSCAPE ARCHITECTS, ENGINEERS, ARCHITECTS, OR OTHERS WHOSE SERVICES ARE GRANTED AS RESERVE ARE NOT INCLUDED IN DEDICATION TO ST. CHARLES PARISH.

SEWERAGE DISPOSAL: A METHOD OF SEWERAGE DISPOSAL, EXCEPT CONNECTION TO AN APPROVED SANITARY SEWER SYSTEM.

NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER 5 FEET TO ANY SIDE LINE THERE SHALL BE A DISTANCE OF AT LEAST 10 FEET BETWEEN HOUSES AND DWELLINGS TO THE REAR LOT LINE AND DWELLINGS SHALL BE LOCATED ON ANY LOT NEARER THAN 30 FEET FROM ANY PRELINE THAT IS USED FOR BUILDING. MEASUREMENTS SHALL BE FROM THE SILL LINES.

NO IMPROVEMENT CAN BE CONSTRUCTED THAT BLOWS THE STORM WATER RUNOFF FROM THE STREET OR THAT ALLOWS STORM WATER TO STAND ON THE STREET LOTS MUST BE GRADED TO THE STREET AND TO THE CURB. THE SURVEYOR HAS PROPERTY LINES THE STORM DRAINAGE RUNOFF WILL BE HANDLED BY STREET COLLECTION INTO SUBSURFACE DRAINAGE AND ULTIMATELY INTO CURBSIDE CANAL AND DISCHARGED BY THE CURBSIDE PUMPING STATION.

SEWAGE WILL BE HANDLED BY GRAVITY FLOW INTO AN EXTENSIVE LIFT STATION AND INTO THE ST. CHARLES PARISH SYSTEM AND ON TO A SEWAGE TREATMENT PLANT OPERATED BY ST. CHARLES PARISH DEPARTMENT OF WASTEWATER.

ST. CHARLES PARISH LAND USE REGULATIONS INCLUDING SETBACK STANDARDS, SUPERSEDE PRIVATE SUBDIVISION COVENANTS WHERE PARISH REGULATIONS ARE MORE RESTRICTIVE.

NO REVISIONS

DATE: JUNE 30 2008 PLOT SCALE 1" = 100' DRAWING NO. 1 OF 1
DESIGNED BY: MDS DRAWN BY: GGB CHECKED BY: VGB

Lakewood Estates Phase III
FINAL PLAT
RESUBDIVISION OF A PORTION OF LONE STAR PLANTATION
SECTION 29 T45E R05E AND SECTION 46 T05E R05E
PARISH LOTS 34-47 AND UNBUNDLED DRIVE
NEAR LAKING ST. CHARLES PARISH, LOUISIANA.

MICHAEL D. BERNARD, P.L.S.
LICENSED LAND SURVEYOR
29 E LEVERT DR LULING LOUISIANA 70070
PHONE (985) 331-8031 FAX (985) 788-5214