### 2022-0304

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

ORDINANCE NO. 22 - 11 - 5

> An ordinance to revoke and abandon unimproved Wood Court, Square H, Luling Heights Subdivision Section B, as shown on the map by Adloe Orr, Jr., CE,

dated September 13, 1956, revised June 1, 1957.

WHEREAS, the map of Luling Heights Subdivision Section B by Adloe Orr, Jr., CE, dated September 13, 1956, revised June 1, 1957 depicts a right-of-way labelled Wood Court: and.

WHEREAS, Wood Court was intended to provide access from Barton Avenue to Lots 97-113, Square H, Luling Heights Subdivision Section B; and,

WHEREAS, Wood Court has remained un-improved since its depiction on the 1956 Luling Heights Section B subdivision map; and,

WHEREAS, as required by Chapter 2, Article I, Section 2-4 of the St. Charles Parish Code of Ordinances, unimproved Wood Court, Square H, Luling Heights Subdivision Section B, has been determined to have no public use or benefit; and,

WHEREAS, the Planning and Zoning Department recommended approval of the revocation: and.

WHEREAS, the Planning and Zoning Commission recommended approval of the revocation at its regular meeting on October 13, 2022; and,

WHEREAS, the St. Charles Parish Council wishes to revoke said property pursuant to Chapter 2, Article I, Section 2-4 of the Code of Ordinances.

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

**SECTION I.** That unimproved Wood Court, Square H, Luling Heights Subdivision Section B, as shown on the map by Adloe Orr, Jr., CE, dated September 13, 1956, revised June 1, 1957, is hereby revoked.

SECTION II. That the Parish President is hereby authorized to execute the said Act of Revocation in favor of adjacent property owners.

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

YEAS:

BILLINGS, FONSECA, DARENSBOURG BELLOCK, FISHER, FISHER-CORMIER DARENSBOURG GORDON, CLULEE, GIBBS,

NAYS:

NONE

ABSENT: DUFRENE

And the ordinance was declared adopted this 21st day of November, 2022 to become effective five (5) days after publication in the Official Journal.

(-)	
CHAIRMAN: Poly Tibles  SECRETARY: Dichelle Smartato  DLVD/PARISH PRESIDENT: November 22, 2022	RECORDED IN THE ST. CHARLES PARISH CLERK OF COURT OFFICE ON 1/1/23
DEVEN ACTION REGISTRATION OF COLUMN	AS ENTRY NO. 472877
APPROVED: DISAPPROVED:	AS ENITH INV.
	IN MORTGAGE CONVEYANCE BOOK
PARISH PRESIDENT: Matty Jewell	NO. 928 FOLIO 20
PARISH PRESIDENT	INO.
RETD/SECRETARY: November 23, 2022	
AT: 11:51 OM RECD BY:	

**ACT OF REVOCATION** 

UNITED STATES OF AMERICA

BY: ST. CHARLES PARISH

STATE OF LOUISIANA

**WOOD COURT** 

PARISH OF ST. CHARLES

IN FAVOR OF:

DEE W. FEDRICK, JR

KAREN MATHERNE FEDRICK MICHAEL L. FEDRICK & SAMANTHA SIMS FEDRICK

**BE IT KNOWN**, that on this  $\frac{2^{\frac{1}{12}}}{2^{\frac{1}{12}}}$  day of  $\frac{1}{12^{\frac{1}{12}}}$ , in the year of Our Lord Two Thousand and Twenty- $\frac{2^{\frac{1}{12}}}{2^{\frac{1}{12}}}$ ,

BEFORE the undersigned Notaries Public, duly commissioned and qualified in and for the Parish and State aforesaid, therein residing, and in the presence of the two competent witnesses hereinafter named and undersigned,

#### PERSONALLY CAME AND APPEARED;

ST. CHARLES PARISH (\*\*-\*\*\*1208), a political subdivision of the State of Louisiana, herein represented by Matthew Jewell, its Parish President, whose mailing address is P.O. Box 302, Hahnville, LA 70057; authorized pursuant to Ordinance No. 22-11-5 adopted by St. Charles Parish Council on the 21st day of November, 2022, a certified copy of which is attached hereto and made a part hereof;

APPEARER declared unto me, Notary, as follows:

In 1957 by Ordinance No. 57-1-8 recorded in COB "H" Page 44 of the official records of St. Charles Parish, Barton Avenue was dedicated to and accepted by St. Charles Parish as a public street bearing the dimensions set out on that certain survey and resubdivision of Luling Heights Subdivision by Adloe Orr, Jr. & Associates, Consulting Engineers, dated September 13, 1956, and revised June 1, 1957 (the "Orr Survey").

Also in 1957 by Ordinance No. 57-1-53, recorded in COB "H" Page 287 of the official records of St. Charles Parish, Marcia Drive and Nola Street were dedicated to and accepted by St. Charles Parish as public streets within Luling Heights Subdivision bearing the dimensions set out on the Orr Survey.

At the time of the above-referenced dedications, the recorded Orr Survey also depicted Wood Court as a separate street and cul-de-sac within Luling Heights Subdivision, resulting in a tacit dedication of Wood Court to St. Charles Parish. The Orr Survey further depicted numbered lots fronting along Wood Court, which lots presently bear the designations of Lots 104 thru 110, Lot 112A and Lot X.

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Since the tacit dedication of Wood Court in 1957 until the present, the area of land tacitly dedicated to St. Charles Parish as Wood Court has not been improved into a hard-surfaced public street and has never served a public function. The landowners adjoining the area tacitly dedicated as Wood Court are as follows (the "Adjoining Landowners"): Dee W. Fedrick, Jr., husband of/and, Karen Matherne Fedrick are the owners of Lot X and Lots 104 thru 110, and Michael L. Fedrick, husband of/and, Samantha Sims Fedrick are the owners of Lot 112A.

Because the undeveloped area tacitly dedicated as Wood Court serves no public function whatsoever, the Adjoining Landowners have requested the Parish of St. Charles to revoke the tacit dedication of Wood Court. By operation of law, upon the revocation of Wood Court, the one half of Wood Court fronting on Lot 112A will revert to Michael L. Fedrick, husband of/and, Samantha Sims Fedrick, as the owners of Lot 112A, which will then become Lot 112B according to the attached Plan of Resubdivision of Lots 104, 105, 106, 107, 108, 109, 110, 112A, X and Wood Court into Lots 112B and X-1, dated August 20, 2021, by Dading, Marques & Associates, LLC (the "Resubdivision"). The remainder of Wood Court, by operation of law, will revert to Dee W. Fedrick, Jr., husband of/and, Karen Matherne Fedrick as the owners of Lot X and Lots 104 thru 110, all of which will be consolidated into Lot X-1 pursuant to the Resubdivision.

The present dimensions of Wood Court are as follows:

THAT CERTAIN PIECE OR PORTION OF GROUND WITH ALL THE RIGHTS, WAYS, PRIVILEGES, SERVITUDES, APPURTENANCES, AND ADVANTAGES THEREUNTO BELONGING OR IN ANYWISE APPERTAINING, SITUATED IN THE PARISH OF ST. CHARLES, STATE OF LOUISIANA, IN THAT PART THEREOF KNOWN AS SQUARE H, LULING HEIGHTS SUBDIVISION, DESIGNATED AS WOOD COURT, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD AND THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, THENCE PROCEED IN A NORTHWESTERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, A BEARING OF N15°57'16"W, A DISTANCE OF 95.00 FEET TO A POINT,

# THE POINT OF BEGINNING;

THENCE PROCEED IN A NORTHWESTERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, A BEARING OF N15°57'16"W, A DISTANCE OF 47.12 FEET TO A POINT;

THENCE PROCEED IN A NORTHEASTERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, A BEARING N14°50'00"E, A DISTANCE OF 75.58 FEET TO A POINT;

THENCE PROCEED IN A SOUTHEASTERLY DIRECTION ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 53.58 FEET, RADIUS OF 25.00 FEET, A CHORD BEARING OF S46°33'38"E, A CHORD DISTANCE OF 43.90 FEET TO A POINT;

THENCE PROCEED IN A NORTHEASTERLY DIRECTION, A BEARING OF N72°02'44"E, A DISTANCE OF 222.19 FEET TO A POINT;

THENCE PROCEED IN A NORTHEASTERLY DIRECTION ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 27.59 FEET, RADIUS OF 27.64 FEET, A CHORD BEARING OF N34°22'21"E, A CHORD DISTANCE OF 39.26 FEET TO A POINT;

THENCE PROCEED IN A SOUTHEASTERLY DIRECTION ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 325.42 FEET, RADIUS OF 60.00 FEET, A CHORD BEARING OF S75°09'24"E, A CHORD DISTANCE OF 50.00' FEET TO A POINT;

THENCE PROCEED IN A SOUTHWESTERLY DIRECTION ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 77.51 FEET, RADIUS OF 77.64 FEET, A CHORD BEARING S43°26'40"W, A CHORD DISTANCE OF 74.33 FEET TO A POINT;

THENCE PROCEED IN A SOUTHEASTERLY DIRECTION, A BEARING S72°02'44"W A DISTANCE OF 260.99 FEET TO A POINT;

THENCE PROCEED IN A SOUTHWESTERLY DIRECTION ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 39.27 FEET, RADIUS OF 25.00 FEET, A CHORD BEARING OF S27°02'44"W, A CHORD DISTANCE OF 35.36 FEET TO A POINT,

THE POINT OF BEGINNING.

Because it has been determined by St. Charles Parish that Wood Court serves no public purposes whatsoever and that it is in the best interest of St. Charles Parish to revoke the dedication of Wood Court, in accordance with La. R. S. 48:701:

NOW THEREFORE, ST. CHARLES PARISH, herein appearing by and through Matthew Jewell, Parish President, duly authorized by virtue of Ordinance No. <u>22-11-5</u> of the St. Charles Parish Council adopted on <u>November 21</u>, 2022, a certified copy of which is annexed hereto and made part hereof, does hereby revoke the tacit dedication of Wood Court.

Without any warranty whatsoever, but with full substitution and subrogation in and to all the rights and actions of warranty which it has or may have, the said St. Charles Parish does hereby convey, transfer, assign, set over, abandon and quitclaim all of its rights, title and interests in and to Wood Court as follows, in accordance with and as directed by the provisions of La. R. S. 48:701:

TO MICHAEL L. FEDRICK, HUSBAND OF/AND, SAMANTHA SIMS FEDRICK that portion of Wood Court that has been incorporated into Lot 112B as depicted on the

Resubdivision, such that Lot 112B shall now measure as follows:

THAT CERTAIN PIECE OR PORTION OF GROUND WITH ALL THE RIGHTS, WAYS, PRIVILEGES, SERVITUDES, APPURTENANCES, AND ADVANTAGES THEREUNTO BELONGING OR IN ANYWISE APPERTAINING, SITUATED IN THE PARISH OF ST. CHARLES, STATE OF LOUISIANA, IN THAT PART THEREOF KNOWN AS SQUARE H, LULING HEIGHTS SUBDIVISION, DESIGNATED AS LOT 112B, AND MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD AND THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, THENCE PROCEED IN A NORTHWESTERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, A BEARING OF N15°57'16"W, A DISTANCE OF 142.12 FEET TO A POINT;

THENCE PROCEED IN A NORTHEASTERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY OF BARTON AVENUE, A BEARING N14°50'00"E, A DISTANCE OF 3.42 FEET TO A POINT;

THENCE PROCEED IN A NORTHEASTERLY DIRECTION, A BEARING OF N72°02'44"E, A DISTANCE OF 169.15 FEET TO A POINT;

THENCE PROCEED IN A SOUTHEASTERLY DIRECTION, A BEARING OF S17°57'16"E, A DISTANCE OF 145.00 FEET TO A POINT;

THENCE PROCEED IN A SOUTHWESTERLY DIRECTION ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD; A BEARING OF \$72°02'44"W, A DISTANCE OF 171.00 FEET TO A POINT,

THE POINT OF BEGINNING.

## TO DEE W. FEDRICK, JR., HUSBAND OF/AND, KAREN MATHERNE

**FEDRICK** that portion of Wood Court that has been incorporated into Lot X-1 as depicted on the Resubdivision, such that Lot X-1 shall now measure as follows:

THAT CERTAIN PIECE OR PORTION OF GROUND WITH ALL THE RIGHTS, WAYS, PRIVILEGES, SERVITUDES, APPURTENANCES, AND ADVANTAGES THEREUNTO BELONGING OR IN ANYWISE APPERTAINING, SITUATED IN THE PARISH OF ST. CHARLES, STATE OF LOUISIANA, IN THAT PART THEREOF KNOWN AS SQUARE H, LULING HEIGHTS SUBDIVISION, DESIGNATED AS LOT X-1, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD AND THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, THENCE PROCEED IN A NORTHWESTERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, A BEARING OF N15°57'16"W, A DISTANCE OF 142.12 FEET TO A POINT; THENCE PROCEED IN A NORTHEASTERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, A BEARING OF N14°50'00"E, A DISTANCE OF 3.42 FEET TO A POINT,

THE POINT OF BEGINNING;

THENCE PROCEED IN A NORTHEASTERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY LINE OF BARTON AVENUE, A BEARING N14°50'00"E, A DISTANCE OF 333.13 FEET TO A POINT;

THENCE PROCEED IN A NORTHEASTERLY DIRECTION, A BEARING OF N72°02'44"E, A DISTANCE OF 497.23 FEET TO A POINT;

THENCE PROCEED IN A SOUTHWESTERLY DIRECTION, A BEARING OF \$14°50'00"W, A DISTANCE OF 505.61 FEET TO A POINT;

THENCE PROCEED IN A SOUTHWESTERLY DIRECTION ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD, A BEARING OF S72°02'44"W, A DISTANCE OF 234.68 FEET TO A POINT;

THENCE PROCEED IN A NORTHWESTERLY DIRECTION, A BEARING OF N17°57'16"W, A DISTANCE OF 145.00 FEET TO A POINT;

THENCE PROCEED IN A SOUTHWESTERLY DIRECTION, A BEARING OF S72°02'44"W, A DISTANCE OF 169.15 FEET TO A POINT;

THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the above-described portions of Wood Court unto the said Adjoining Landowners, appearing herein to accept the transfer for themselves, their successors, and assigns forever, and to acknowledge due delivery and possession thereof.

THUS DONE AND PASSED, in multiple 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

Printed Name: Cor en M- Oubre

BY: MATTHEW JEWELI

**ITS: PRSIDENT** 

Printed nam

NOȚARY PUBLIC

rinted name: Fober

Notary/Bar No. 11 40 8

WITNESSES:

Printed Name: Bayleigh Comardelle

MICHAEL L. FEDRICK

Printed Name: Putition Comande

SAMANTHA SIMS FEDRICK

NOTARY PUBLIC

Printed name: Conis

Notary/Bar No.\_

THUS DONE AND PASSED, in multiple originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles, on the 19 day of 10 day of 10

WITNESSES:

Printed Name:

Patricial onardelle

omardelle DEE W. FEDRICK, JR.

bywh Conordelle Printed Name: Bayleigh Comurdelle

KAREN MATHERNE FEDRICK

NOTARY PUBLIC

Printed name: Cours & Huthe Notary/Bar No. 25814

### 2022-0304

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

ORDINANCE NO. 22-11-5

> An ordinance to revoke and abandon unimproved Wood Court, Square H, Luling Heights Subdivision Section B, as shown on the map by Adloe Orr, Jr., CE, dated September 13, 1956, revised June 1, 1957.

- WHEREAS, the map of Luling Heights Subdivision Section B by Adloe Orr, Jr., CE, dated September 13, 1956, revised June 1, 1957 depicts a right-of-way labelled Wood Court; and,
- WHEREAS, Wood Court was intended to provide access from Barton Avenue to Lots 97-113, Square H, Luling Heights Subdivision Section B; and,
- WHEREAS, Wood Court has remained un-improved since its depiction on the 1956 Luling Heights Section B subdivision map; and,
- WHEREAS, as required by Chapter 2, Article I, Section 2-4 of the St. Charles Parish Code of Ordinances, unimproved Wood Court, Square H, Luling Heights Subdivision Section B, has been determined to have no public use or benefit; and,
- WHEREAS, the Planning and Zoning Department recommended approval of the revocation; and,
- WHEREAS, the Planning and Zoning Commission recommended approval of the revocation at its regular meeting on October 13, 2022; and,
- WHEREAS, the St. Charles Parish Council wishes to revoke said property pursuant to Chapter 2, Article I, Section 2-4 of the Code of Ordinances.

# THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That unimproved Wood Court, Square H, Luling Heights Subdivision Section B, as shown on the map by Adloe Orr, Jr., CE, dated September 13, 1956, revised June 1, 1957, is hereby revoked.

SECTION II. That the Parish President is hereby authorized to execute the said Act of Revocation in favor of adjacent property owners.

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

YEAS:

BILLINGS, FONSECA, DARENSBOURG GORDON, CLULEE, GIBBS, BELLOCK, FISHER, FISHER-CORMIER

NAYS:

NONE

DUFRENE ABSENT:

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And the ordinance was declared adopted this 21st day of November, 2022 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: PON TISLES	CE
SECRETARY: // hichelle Compostato	CE MII
DLVD/PARISH PRESIDENT: November 22, 2022	4
APPROVED: DISAPPROVED:	V_1
PARISH PRESIDENT:	
REIDIOLOREITIE.	
AT: 11:51 am RECD BY:	

RTIFIED TRUE & CORRECT AS PER NUTES DATED 11/21/22

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SECRETARY ST. CHARLES PARISH COUNCIL

