

*Ord.*

2002-0203

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

ORDINANCE NO. 02-9-17

An ordinance approving and authorizing the execution of an Act of Dedication for Lesseigne Subdivision, St. Rose, St. Charles Parish, La.

WHEREAS, Opal A. Hunt and Jack Dienes are the owners and developers of a certain portion of property located in portion of Section 38 T13S, R9E, St. Charles Parish, on a Final Plat prepared by J. Michael Dixon, P.E., and dated November 28, 2001, as a Portion of Lesseigne Subdivision, Bar None Ranch Estates, Parcels X and Y, Section 38, T13S, R9E, St. Charles Parish, Louisiana resubdivided into Lots 1-10 and Parcel Y-1, and the Dedication of Opal Lane and Pony Lane.

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 of Lesseigne Subdivision which includes Lots 1-10 and Parcel Y-1 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, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT, BLACK, MARINO, MINNICH  
NAYS: NONE  
ABSENT: NONE

And the ordinance was declared adopted this 23rd day of September, 2002, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Albert D. Laque*  
SECRETARY: *Barbara J. Hunt*  
DLVD/PARISH PRESIDENT: *September 24, 2002*  
APPROVED:  DISAPPROVED:   
PARISH PRESIDENT: *Albert D. Laque*  
RETD/SECRETARY: *September 24, 2002*  
AT: *B.D. Pitt* RECD BY: *B.D.*

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE  
ON 9-30-02  
AS ENTRY NO. 271057  
IN MORTGAGE/CONVEYANCE BOOK  
NO 608 FOLIO 357

**ACT OF DEDICATION  
AMERICA**

**UNITED STATES OF**

**BY: OPAL A. HUNT AND JACK DIENES**

**STATE OF LOUISIANA**

**TO: ST. CHARLES PARISH**

**PARISH OF ST. CHARLES**

**BE IT KNOWN**, that on this 24<sup>th</sup> day of September, in the year of Our Lord, Two Thousand and two ,

**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 witnesses hereinafter named and undersigned,

**PERSONALLY CAME AND APPEARED;**

**OPAL A. HUNT, Appearing herein through her Agent and Attorney-in-Fact, NORMAN S. HUNT, III, AND JACK DIENES**

**MAILING ADDRESS:** 301 Magazine Street, 2<sup>nd</sup> Floor  
New Orleans, Louisiana 70130

**Opal A. Hunt and Jack Dienes** declared unto me that they are the owners of a certain tract of real property situated on the East Bank of St. Charles Parish, which lands are designated as Lesseigne Subdivision , Phase 1, being described as follows:

Commencing at the point of intersection of the westerly right of way line of Bar None Estates Subdivision and the northerly right of way line of Louisiana State Highway 48 (River Road), said point being the **Point of Beginning**; thence N41°26'04"E a distance of 438.20' to a point, said point being the intersection of the northerly right of way line of Louisiana State Highway 48 (River Road) and the westerly right of way line of Palomino Lane; thence N44°54'24"W a distance of 76.86' to a point; thence N21°30'24"W a distance of 273.09' to a point; thence N49°36'36"E a distance of 5.28' to a point; thence N21°30'24"W a distance of 110.00' to a point; thence S49°36'36"W a distance of 418.22' to a point, thence S24°55'24"W a distance 520.25' to a point, said point being the **Point of Beginning**.

Said parcel being further described as , Lesseigne Subdivision, Phase 1 said parcel having a area of 189,783.24 sq ft (4.357 acres)

a copy of which is attached to and made part of this ordinance

**Opal A. Hunt and Jack Dienes** further declared unto me that it has caused that portion of the above property designated as Lesseigne Subdivision on the survey referred to above to be laid out in 10 lots and which plan of subdivision creates Lesseigne Subdivision;

and

**Opal A. Hunt and Jack Dienes** further declared unto me, Notary, that on the aforesaid plan of re-subdivision it has laid out certain streets and servitudes within Lesseigne Subdivision which are named and identified in accordance with the annexed plan of J. Michael Dixon, Land Surveyor as Opal Lane and Pony Lane which streets and servitudes in regard to this dedication, all in accordance with the survey dated November 28, 2001 attached hereto and incorporated by reference and are more fully described in accordance with said plan as follows to wit:

**1) OPAL LANE AND PONY LANE, LESSEIGNE SUBDIVISION, ST. CHARLES PARISH, LOUISIANA**

A certain piece or portion of ground situated in the State of Louisiana, Parish of St. Charles, portion of Section 38, T13S-R9E, Lesseigne Subdivision, designated as Opal Lane and Pony Lane and more fully described as follows:

A CERTAIN PARCEL OF LAND, located in Bar None Ranch Estates, Parcels X and Y Section 38, T13S, R9E, St. Charles Parish, Louisiana, described more fully as follows:

From the point of intersection of the northerly Right of Way line of River Road (Louisiana State Highway 48) and the westerly Right of Way line of Bar None Estates Subdivision, thence along the northerly Right of Way line of River Road N41°26' 04"E a distance of 151.95' to a point, said point being the **Point of Beginning**, thence N45°13' 04"W a distance of 89.13'; thence N22°16' 54"W a distance of 301.85'; thence N49°36' 36"E a distance of 279.36'; thence S21°30' 24"E a distance of 63.41'; thence S49°36' 36"W a distance of 215.33'; thence S22°16' 54"E a distance of 246.18'; thence S45°13' 04"E a distance of 73.45'; thence S41°26' 04"W a distance of 60.10' to a point, said point being the **Point of Beginning**.

Said parcel being further described as , Opal Lane and Pony Lane right-of-way, Phase 1 said parcel having a area of 36,159.10 sq. ft. (0.830) acres

Said property is described in accordance with the plat and survey attached hereto. Hereinafter referred to as the "Plat", a full legal description of the property and the location of the said lot is shown by reference to the said subdivision plat dated November 28, 2001

**Opal A. Hunt and Jack Dienes** further declared unto me, Notary, that on the aforesaid plan of re-subdivision, it has also designated and labeled various servitudes for utility and drainage purposes described above; and

**Opal A. Hunt and Jack Dienes** further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does, by these presents, dedicate portions of the following streets and servitudes located all within Lesseigne Subdivision namely: Opal Lane and Pony Lane, together with the herein above described various servitudes for utility and drainage purposes, 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

**Opal A. Hunt and Jack Dienes** further declared unto me, Notary, that the aforesaid dedication and grant are subject to all of the following terms and conditions, to wit:

1. The dedication of the fee ownership of the property covered by the streets identified herein above as Opal Lane and Pony Lane, together with the grant of drainage servitudes as reflected on the attached map only as far as said streets and servitudes are located in Lesseigne Subdivision
2. **Opal A. Hunt and Jack Dienes** do 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 streets identified herein above. In that connection, **Opal A. Hunt and Jack Dienes** do, however, agree to prohibit the use of any part of the surface of any of the property covered by the streets with respect to the exploration, development or

production of minerals pursuant to this reservation. This reservation is made in accordance with **Opal A. Hunt and Jack Dienes**'s plan and intention to reserve all of the mineral rights in, on and under all of the lots in Lesseigne Subdivision, whereby, however **Opal A. Hunt and Jack Dienes** 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 the subdivision.

3. The herein dedication of streets and servitudes for utility and drainage purposes are made by **Opal A. Hunt and Jack Dienes** without any warranty whatsoever except as provided for herein.
4. 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 public street. St. Charles Parish must further bind and obligate itself to use the utility and drainage servitudes granted herein only for utility and drainage purposes.
5. This dedication and grant are conditioned up St. Charles Parish maintaining and policing the streets dedicated herein, and maintaining the various utility and drainage facilities within the various utility and drainage servitudes areas.
6. The grant herein of various servitudes for utility and drainage purposes shall be used exclusively for those purposes and **Opal A. Hunt and Jack Dienes** reserve 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 streets dedicated herein in any of the lots in Lesseigne Subdivision
7. **Opal A. Hunt and Jack Dienes** warrant 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.
8. The dedication and grant made herein are made subject to any existing servitudes affecting Lesseigne Subdivision, such as by way of illustration by not limitation pipeline servitudes and levees.
9. 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.

**AND NOW**, to these presents, personally came and intervened; ST. CHARLES PARISH, herein appearing through and by Albert D. Laque, Parish President, duly authorized by virtue of an Ordinance of the St Charles Parish Council adopted on September 23, 2002, 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 herein above, and does also hereby acknowledge that the construction of all 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 requirements and St Charles Parish does hereby accept all of said streets and 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 02-9-17 the 23rd day of September, 2002, a photo copy of which is attached and made part hereof.

**THUS DONE AND PASSED**, in triplicate originals, in my notarial domicile, 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 Appearer and me, Notary, after reading the whole.

**WITNESSES:**

*Christine M. ...*  
*J. ...*  
  
*[Signature]*  
NOTARY PUBLIC

**APPEARERS:**

**OPAL A. HUNT**, Appearing herein through her Agent and Attorney-in-Fact, **NORMAN S. HUNT, III**

*Norm S. Hunt III, Agent*

**JACK DIENES**

*[Signature]*

**PARISH OF ST. CHARLES**

by: *Albert D. Laque*  
**ALBERT D. LAQUE**  
Parish President