

Okd.

2018-0051

INTRODUCED BY: LARRY COCHRAN PARISH PRESIDENT  
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. 18-3-4

An ordinance to approve and authorize the Parish President to acquire a 19,647.40 SF perpetual drainage servitude over property identified as Parcel No.1-1, in Sections 16 and 17, Township 12 South – Range 7 East; a 34,342.50 SF perpetual drainage servitude over property identified as Parcel No. 1-2, in Sections 15 and 16, Township 12 South – Range 7 East; a 823.50 SF perpetual drainage servitude over property identified as Parcel No. 9-2, in Section 50, Township 12 South – Range 8 East; and a 10,984.70 SF perpetual drainage servitude over property identified as Parcel No. 9-3, in Sections 51 and 53, Township 12 South – Range 8 East all in the Town of MONTZ, St. Charles Parish, Louisiana, which property is more particularly described in the Act of Servitude attached hereto and made a part hereof, from ENTERGY LOUISIANA, LLC, and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802-5 Coulee Canal Access for Maintenance - Phase II.

**WHEREAS,** the area near Evangeline Road in Montz, St. Charles Parish, Louisiana has a history of drainage problems; and,

**WHEREAS,** an Engineering Analysis was completed along the length of the Coulee Canal, which produced recommendations to improve the drainage conveyance system in said area including cleaning and reshaping the Coulee Canal; and,

**WHEREAS,** the proposed drainage improvement project requires the acquisition of perpetual drainage servitudes over Parcel No.1-1, in Sections 16 and 17, Township 12 South – Range 7 East; Parcel No. 1-2, in Sections 15 and 16, Township 12 South – Range 7 East; Parcel No. 9-2, in Section 50, Township 12 South – Range 8 East; and Parcel No. 9-3, in Sections 51 and 53, Township 12 South – Range 8 East all in the Town of Montz, St. Charles Parish, Louisiana, described in the Act of Servitude attached hereto; and,

**WHEREAS,** the drainage project and the acquisition of the hereinafter described servitude is in furtherance of the public's best interest and purpose, and is in satisfaction of a public need.

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

**SECTION I.** That the Parish President is hereby authorized to purchase at a price not to exceed its appraised value of \$7,465.50 the property more particularly described in the Act of Servitude attached hereto and made a part hereof, from ENTERGY LOUISIANA, LLC, and/or all other owners of record, as their interests may appear, said property is to be used by St. Charles Parish for drainage purposes, including but not limited to the cleaning and reshaping the Coulee Canal.

**SECTION II.** That the Parish President is hereby authorized to execute any and all documents necessary to complete said purchase.

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

YEAS: CLULEE, GIBBS, WOODRUFF, BELLOCK, FISHER-PERRIER

NAYS: NONE

ABSENT: BENEDETTO, HOGAN, WILSON, FLETCHER

And the ordinance was declared adopted the 26th day of March, 2018, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]  
INTERIM SECRETARY: Valerie Berthelot  
DLVD/PARISH PRESIDENT: March 27, 2018  
APPROVED: [Signature] DISAPPROVED: [Signature]  
PARISH PRESIDENT: [Signature]  
RETD/SECRETARY: [Signature]  
AT: 3:40pm RECD BY: VB March 28, 2018

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE  
ON May 17, 2018  
AS ENTRY NO 432511  
IN MORTGAGE/CONVEYANCE BOOK  
NO 862 FOLIO 498

UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF ST. CHARLES

ACT OF SERVITUDE

**BE IT KNOWN**, that on the dates below subscribed,

**BEFORE ME**, the undersigned Notaries Public, duly commissioned and qualified and in the presence of the two competent witnesses hereinafter undersigned; **PERSONALLY CAME**  
**AND APPEARED**:

**ENTERGY LOUISIANA, LLC**, a Texas limited liability company authorized to do and doing business in the State of Louisiana, Parish of St. Charles, whose mailing address is 639 Loyola Avenue, New Orleans, LA 70113, herein appearing through **JESSICA LANDRY DUFRENE**, its Supervisor, Transmission Lines - Louisiana, duly authorized by the Company's Board of Directors pursuant to the Entergy Approval Authority Policy, a copy hereto and made a part hereof;

Herein after referred to as "**GRANTOR**"

-and-

**PARISH OF ST. CHARLES**, a political subdivision of the State of Louisiana, herein represented by **LARRY COCHRAN**, its Parish President, whose mailing address is P.O. Box 302, Hahnville, Louisiana, 70057; authorized pursuant to Ordinance No. 18-3-4 adopted by St. Charles Parish Council on the 26th day of March, 2018, a copy of which is attached hereto and made a part hereof;

Herein after referred to as "**GRANTEE**"

**GRANTOR** does hereby grant, present, dedicate, assign, transfer, deliver, and set over a drainage servitude, easement, and right-of-way described as Parcel Nos. 1-1 & 9-3; 1-2 & 9-2 unto **GRANTEE** to locate, construct, maintain, repair, operate, patrol and/or replace a drainage channel, including all appurtenances thereto, through, around, under, and/or over the following described property situated in St. Charles Parish, reserving, however, to the **GRANTOR**, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines, said property being more particularly described as follows:

## LEGAL DESCRIPTION

### Parcel 1-1

THAT PORTION of the Coulee Canal Project Access for Maintenance, Phase II in Sections 16 & 17, Township 12 South – Range 7 East, Town of MONTZ, St. Charles Parish, Louisiana, being the property of Entergy Louisiana, LLC and is more fully described as follows:

From a point on the centerline of Coulee Canal Access for Maintenance, Phase II, at Station 100+00.00, which is the point of beginning,

Proceed N36°35'33"E a distance of 63.63 feet to a point and corner;

thence proceed S32°07'49"E a distance of 323.40 feet to a point and corner;

thence proceed S37°05'36"W a distance of 66.67 feet to a point and corner;

thence proceed N31°35'34"W a distance of 323.97 feet to the point of beginning.

The above described portion of ground contains 19,647.40 square feet or 0.451 acres. All in accordance with sheet #1 of the Right of Way Map of Coulee Canal Project Access for Maintenance, Phase II by registered land surveyor Stephen P. Flynn, P.L.S. of Riverlands Surveying Co., LLC, dated July 24, 2017.

### Parcel 1-2

THAT PORTION of the Coulee Canal Project Access for Maintenance, Phase II in Sections 15 & 16, Township 12 South – Range 7 East, Town of MONTZ, St. Charles Parish, Louisiana, being the property of Entergy Louisiana, LLC and is more fully described as follows:

From a point on the centerline of Coulee Canal Access for Maintenance, Phase II, at Station 103+23.97, which is the point of beginning,

Proceed N37°05'36"E a distance of 66.67 feet to a point and corner;

thence proceed S32°07'49"E a distance of 529.71 feet to a point and corner;

thence proceed S36°58'36"W a distance of 72.06 feet to a point and corner;

thence proceed N31°35'34"W a distance of 531.78 feet to the point of beginning.

The above described portion of ground contains 34,342.50 square feet or 0.788 acres. All in accordance with sheet #1 of the Right of Way Map of Coulee Canal Project Access for Maintenance, Phase II by registered land surveyor Stephen P. Flynn, P.L.S. of Riverlands Surveying Co., LLC, dated July 24, 2017.

### Parcel 9-2

THAT PORTION of the Coulee Canal Project Access for Maintenance, Phase II in Section 50, Township 12 South – Range 8 East, Town of MONTZ, St. Charles Parish, Louisiana, being the property of Entergy Louisiana, LLC and is more fully described as follows:

From a point on the centerline of Coulee Canal Access for Maintenance, Phase II, at Station 213+45.98 proceed S37°33'37"W a distance of 205.29 feet to the point of beginning,

thence proceed S36°58'36"W a distance of 7.20 feet to a point and corner;

thence proceed N46°19'31"W a distance of 217.38 feet to a point and corner;

thence proceed N36°25'18"E a distance of 0.43 feet to a point and corner;

thence proceed S48°06'05"E a distance of 216.70 feet to the point of beginning.

The above described portion of ground contains 823.50 square feet or 0.019 acres. All in accordance with sheet #9 of the Right of Way Map of Coulee Canal Project Access for Maintenance, Phase II by registered land surveyor Stephen P. Flynn, P.L.S. of Riverlands Surveying Co., LLC, dated July 24, 2017.

Parcel 9-3

THAT PORTION of the Coulee Canal Project Access for Maintenance, Phase II in Sections 51 & 53, Township 12 South – Range 8 East, Town of MONTZ, St. Charles Parish, Louisiana, being the property of Entergy Louisiana, LLC and is more fully described as follows:

From a point on the centerline of Coulee Canal Access for Maintenance, Phase II, at Station 174+76.33, proceed N53°33'54"W a distance of 1603.88 feet to the point of beginning,,

thence proceed S36°35'33"W a distance of 37.08 feet to a point and corner;

thence proceed N53°07'30"W a distance of 251.24 feet to a point and corner;

thence proceed N36°35'33"E a distance of 50.36 feet to a point and corner;

thence proceed S50°06'04"E a distance of 251.66 feet to the point of beginning.

The above described portion of ground contains 10,984.70 square feet or 0.252 acres. All in accordance with sheet #9 of the Right of Way Map of Coulee Canal Project Access for Maintenance, Phase II by registered land surveyor Stephen P. Flynn, P.L.S. of Riverlands Surveying Co., LLC, dated July 24, 2017.

**TO HAVE AND TO HOLD** said servitudes, easements, and rights-of-way unto said **GRANTEE**, and its successors and assigns forever. The consideration for the herein described servitude is the price and sum of SEVEN THOUSAND FOUR HUNDRED SIXTY FIVE AND 50/100 (\$7,465.50) DOLLARS, which **GRANTEE** has paid cash in hand, in current money, to said **GRANTOR**, who acknowledges the receipt thereof and grant full acquittance and discharge thereof.

**GRANTOR** grants unto **GRANTEE** the right of ingress and egress to and from said servitude to locate, construct, maintain, repair, operate, patrol and/or replace a drainage channel, including all appurtenances thereto. **GRANTOR** retains the rights to fully use and enjoy the above-described property, except as to the rights here and above granted. **GRANTEE** agrees to indemnify and hold harmless **GRANTOR** from any and all damages, which **GRANTOR** may suffer, caused either wholly or in part, by reason of the negligence of the Parish of St. Charles, its agents or employees, in the installation, operation, and/or maintenance of this drainage servitude.

It is further understood and agreed that while **GRANTEE** has the right to maintain, clean and re-shape the Coulee Canal, **GRANTEE** will not change the profile or width of the Coulee Canal on the **GRANTOR's** property without prior notification to **GRANTOR**. **GRANTEE** will send notice ninety (90) days prior to any changes to the profile or width of the Coulee Canal to the **GRANTOR's** address as is listed in the assessment records at that time.

*THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.*

THUS done, read and passed in METairie, JEFFERSON Parish,  
State of LOUISIANA, in the presence of undersigned competent witnesses who  
have hereunto signed their names with the parties and me, said Notary, on this 18 day  
of APRIL, in the year two thousand and eighteen (2018).

WITNESSES:

David J. Moity

DAVID J. MOITY  
PRINT

Charles N. Haynes

CHARLES N. HAYNES  
PRINT

GRANTOR:

ENTERGY LOUISIANA, LLC

Jessica Dufrene  
BY:  
ITS:

JESSICA DUFRENE  
SUPV., TRANSMISSION LINES

Linda S. Marino

NOTARY PUBLIC #81879



LINDA S. MARINO  
Notary Public #81879  
State of Louisiana  
Commission Issued for Life

THUS done, read and passed at in Hahnville,  
St. Charles Parish, State of LOUISIANA, in the presence of undersigned  
competent witnesses who have hereunto signed their names with the parties and me, said  
Notary, on this 23rd day of April, in the year two thousand and eighteen (2018).

WITNESSES:

Dawn H. Higdon

DAWN H. HIGDON  
PRINT

Sara Fos

SARA FOS  
PRINT

GRANTEE:

PARISH OF ST. CHARLES

Billy Raymond-CAO

BY: LARRY COCHRAN  
ITS: PARISH PRESIDENT

Robert E. Raymond

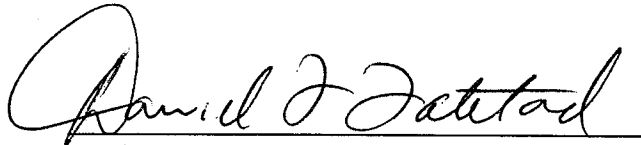
ROBERT E. RAYMOND  
NOTARY PUBLIC  
NOTARY #15331  
LSBA #11408

ENTERGY LOUISIANA, LLC

CERTIFICATE

The undersigned, Daniel T. Falstad, Secretary of Entergy Louisiana, LLC (the "**Company**"), a limited liability company organized under the laws of the State of Texas, hereby certifies that Jessica Landry Dufrene, Supervisor, Transmission Lines - Louisiana (the "**Authorized Person**"), has authority granted by the Company's Board of Directors pursuant to the Entergy Approval Authority Policy as in effect on the date hereof, to execute on behalf of the Company any and all documents, on such terms and conditions, as the Authorized Person, in her sole discretion, shall deem necessary or appropriate in connection with the granting of a drainage servitude, easement, and right-of-way to the Parish of St. Charles, Louisiana ("**Grantee**") over certain property of Company situated in Sections 15, 16 and 17, Township 12 South - Range 7 East and Sections 50, 51 and 53, Township 12 South - Range 8 East, Town of MONTZ, St. Charles Parish, Louisiana; and that as of this date, said policy had not been amended, rescinded or repealed and is in full force and effect.

Witness my hand hereto and seal of Entergy Louisiana, LLC this 16<sup>th</sup> day of February, 2018.

A handwritten signature in black ink, reading "Daniel T. Falstad", written over a horizontal line.

Daniel T. Falstad  
Secretary



BEARINGS ARE ESTABLISHED BY THE LOUISIANA STATE PLANE  
COORDINATE SYSTEM, LOUISIANA SOUTH ZONE 1702 USING LEICA  
SMARTNET SOLUTION DATED 8/22/2016 NAD 83.

Stephen P. Flynn

I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL ROUTE SURVEY MADE BY ME, OR BY THOSE UNDER MY DIRECTION, IN COMPLIANCE WITH THE REQUIREMENTS OF LOUISIANA'S "STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS D ROUTE SURVEY SPECIFICALLY CHAPTER 2009 - ROUTE SURVEY.

RESIDUAL ACREAGE NOTE  
RESIDUAL ACREAGE'S SHOWN ARE CALCULATED FOR INFORMATION PURPOSES ONLY.  
THE RESIDUAL ACREAGE'S ARE SUBJECT TO REMEASUREMENT AND VERIFICATION BY TITLE AND SURVEY.


[illegible]

PARISH OF ST. CHARLES

RIGHT OF WAY MAP  
COULEE CANAL ACCESS FOR MAINTENANCE  
PHASE II  
MONTZ, ST. CHARLES PARISH, LOUISIANA  
STA. 100+00.00 TO 223+69.69

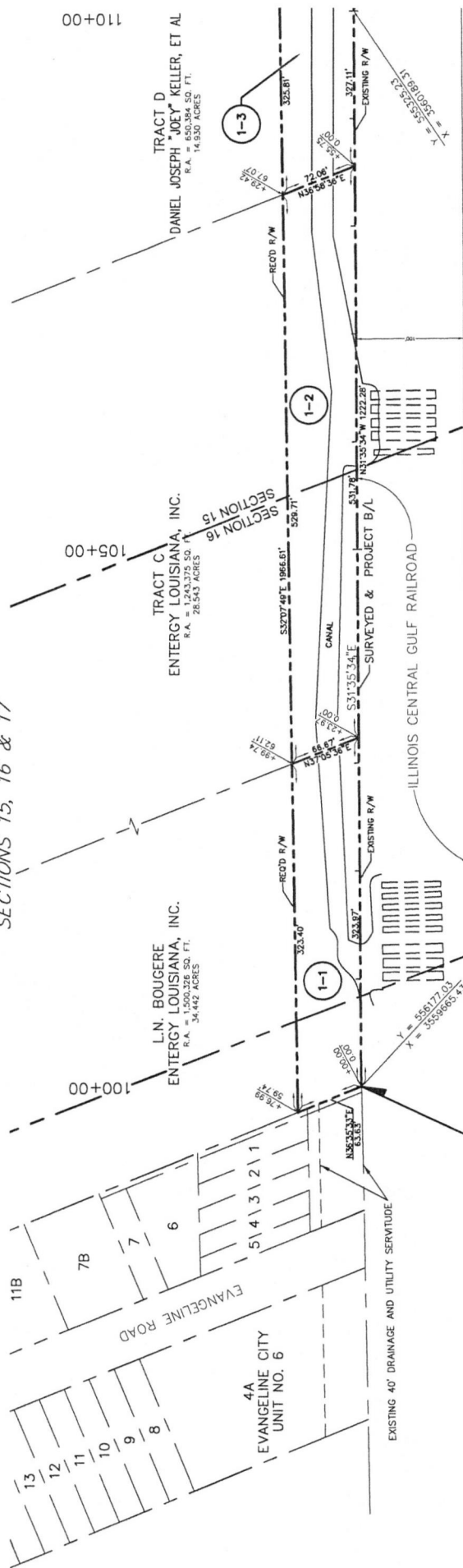


**RIVERLANDS  
SURVEYING  
COMPANY**  
805 HEMLOCK STREET  
LAPLACE, LA 70088  
1-800-248-0482  
601-652-6356

 <b>PYTERLANDS SURVIVING COMPANY</b> 505 JIMMIE L. STOUT 1800-448-4096 1800-448-4096	STEPHEN P. BLANK, P.L.S. P.L.S. # 10, N.E. 1/4, S48 P.L.A. S1; REG. NO. 46681	
	DATE: 07/24/2007 100% DRAWN BY: T.P.T.	
SCALE: 1" = 50' COMPUTED BY: S.P.F.		SHEET 9

RSC DWG NO.: L1552\_W02874

SOUTHEASTERN LAND DISTRICT  
EAST OF THE MISSISSIPPI RIVER  
T 12 S - R 7 E  
SECTIONS 15, 16 & 17



STA. 100+00.00  
BEGIN COULEE CANAL ACCESS  
FOR MAINTENANCE, PHASE II

LEGEND

- REQUIRED RIGHT OF WAY LINE
- PROPERTY LINE
- LOT LINE
- LIMITS OF CONSTRUCTION
- EXISTING RIGHT OF WAY LINE
- SECTION LINE
- DRAINAGE SERVITUDE
- EXISTING SERVITUDE

PARCEL	OWNER	ACQUISITION	AREA	ESTATE TYPE
1-3	DANIEL JOSEPH "JOEY" KELLER, ET AL	C.O.B. 809 PG. 572 ENTRY NO. 401684 C.O.B. 694 PG. 205 ENTRY NO. 332628 C.O.B. 48 PG. 423 ENTRY NO. 274501 C.O.B. 693 PG. 20 ENTRY NO. 332106 C.O.B. 662 PG. 378 ENTRY NO. 314657 C.O.B. 610 PG. 527 ENTRY NO. 272506 C.O.B. 560 PG. 208 ENTRY NO. 237615 C.O.B. 141 PG. 187 ENTRY NO. 44348 C.O.B. KK PG. 126 ENTRY NO. N/A C.O.B. 3 PG. 82 ENTRY NO. 14935 C.O.B. 13 PG. 560 ENTRY NO. 14988 C.O.B. 64 PG. 365 ENTRY NO. 30412 C.O.B. 66 PG. 388 ENTRY NO. 30756	0.515 AC.	SERVITUDE
1-2	ENTERGY LOUISIANA, INC.	C.O.B. 3 PG. 82 ENTRY NO. 14935 C.O.B. 13 PG. 560 ENTRY NO. 14988 C.O.B. 64 PG. 365 ENTRY NO. 30412 C.O.B. 66 PG. 388 ENTRY NO. 30756	0.788 AC.	SERVITUDE
1-1	ENTERGY LOUISIANA, INC.	C.O.B. 3 PG. 82 ENTRY NO. 14935 C.O.B. 13 PG. 560 ENTRY NO. 14988 C.O.B. 64 PG. 365 ENTRY NO. 30412 C.O.B. 66 PG. 388 ENTRY NO. 30756	0.451 AC.	SERVITUDE

BEARINGS ARE ESTABLISHED BY THE LOUISIANA STATE PLANE  
COORDINATE SYSTEM, LOUISIANA SOUTH ZONE 1702 USING LEICA  
SMARTNET SOLUTION DATED 8/22/2016 NAD 83.



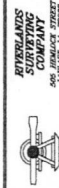
Stephen P. Flynn

I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL ROUTE  
SURVEY MADE BY ME, OR BY THOSE UNDER MY DIRECTION AND  
COMPLIES WITH THE REQUIREMENTS OF LOUISIANA'S "STANDARDS  
OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS D ROUTE  
SURVEY SPECIFICALLY CHAPTER 2909 - ROUTE SURVEY.

RESIDUAL ACRES NOTE  
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VERIFICATION BY TITLE AND SURVEY.

PARISH OF ST. CHARLES

RIGHT OF WAY MAP  
COULEE CANAL ACCESS FOR MAINTENANCE  
PHASE II  
MONTEZ, ST. CHARLES PARISH, LOUISIANA  
STA. 100+00.00 TO 223+69.69



DATE: 07/24/2017 100% SCALE: 1" = 50'  
DRAWN BY: T.P.T. COMPUTED BY: S.P.F.  
STEPHEN P. FLYNN, P.E.  
LA. ST. REG. NO. 4668  
SHEET NO. 1  
RSC DWG NO.: L1552-W02874