

Ord.

2017-0395

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT

ORDINANCE NO. 17-12-5

An ordinance to approve and authorize the Parish President to execute a Quitclaim Deed in favor of Chevron U.S.A. Inc. covering property identified as S/2 of Lots 823, 824, 825 and 826, Lots 833 to 840 inclusive, and the S/2 of Lots 841, 842 and 843, all in Section 26, Township 14 South, Range 20 East, St. Charles Parish, Louisiana, and that portion of Lot 854 lying in Sec. 35, Township 14 South, Range 20 East, St. Charles Parish, Louisiana, as shown on map of the Sunset Drainage District, formerly the St. Charles Municipal Drainage District, prepared by James S. Webb and John A. Kruse, Civil Engineers, dated December 1, 1925 (hereinafter referred to as the "Subject Property"), a copy of said map being on file in the office of the Clerk of Court of St. Charles Parish, Louisiana which property is more particularly described in the Quitclaim Deed attached hereto and made a part hereof, from St. Charles Parish, agreed to and accepted by Chevron U.S.A. Inc. ("Chevron").

WHEREAS, Chevron's ownership in the Subject Property dates back to 1951. Chevron's corporate predecessor, The Texas Company, purchased over 8000 acres of property, including the Subject Property, by acquisition dated October 2, 1951 from Hibernia Bank & Trust Company, in Liquidation and Sunset Realty & Planting Company, Inc., the then holders of record title to the Subject Property. Since this acquisition, Chevron's corporate predecessors and Chevron have maintained continuous, open, uninterrupted, peaceable, public, and unequivocal possession of the Subject Property, and have timely paid all taxes due on the Subject Property; and,

WHEREAS, while Chevron and its predecessors have held title to the Subject Property since 1951, another chain of title for the Subject Property exists. This second chain of title began thirteen years after the 1951 transfer from Hibernia, et al to the Texas Co., Chevron's predecessor in title, by an instrument dated November 2, 1964, wherein Hibernia purported to transfer an interest in certain tracts of land, including the Subject Property, to Leonard J. Autin; and,

WHEREAS, Hibernia held no interest in the Subject Property at the time of the 1964 transfer to Leonard J. Autin, and any subsequent transfer, of which there were several ending in the Estate of Roy T. Boteler, by Autin or Autin's successors relying on the 1964 transfer of title would be ineffective in defeating Chevron's superior title; and,

WHEREAS, St. Charles Parish Clerk of Court and Assessor records show that the Subject Property was subject to a dual tax assessment to both Chevron's predecessors and the Estate of Roy T. Boteler up until 1990. Based on apparent unpaid taxes by the Estate of Roy T. Boteler, the Subject Property was adjudicated to St. Charles Parish on June 2, 1990. However, as Chevron and its predecessors have continuously paid the taxes on the Subject Property, any potential ownership claim by the Parish based on the 1990 adjudication would be inferior to Chevron's title; and,

WHEREAS, it is in the best interest of the Parish to execute the Quitclaim Deed, to remove any cloud on the title to the Subject Property.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Parish President is hereby authorized to execute the attached Quitclaim Deed to be agreed to and accepted by Chevron covering the Subject Property being more particularly described above and in the Quitclaim Deed attached hereto and made a part hereof.

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

YEAS: BENEDETTO, HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted the 11th day of December, 2017, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Tennell D. Wilson
SECRETARY: Diffany K. Clark
DLVD/PARISH PRESIDENT: _____
APPROVED: DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: [Signature]
AT: WSSa RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH CLERK OF COURT OFFICE
ON January 23, 2018
AS ENTRY NO. 429847
IN MORTGAGE/CONVEYANCE BOOK
857 PAGE 183

QUITCLAIM DEED

STATE OF LOUISIANA

PARISH OF ST. CHARLES

KNOW ALL MEN BY THESE PRESENTS:

This QUITCLAIM DEED (this "Quitclaim") is hereby executed by and on behalf of the Parish of St. Charles, Louisiana (hereinafter referred to as "Appearer"), acting herein through its duly authorized undersigned representative, official and/or agent.

WHEREAS, by virtue of that certain act of adjudication dated June 2, 1990, recorded in Conveyance Book 425, page 196, under Entry Number 151233, in the public records of St. Charles, Parish, Louisiana (the "Adjudication"), certain real property in St. Charles Parish was adjudicated to Appearer based on unpaid taxes by the Estate of Roy T. Boteler;

WHEREAS, among the several properties included in the Adjudication were the following:

Section 26, Township 14 South, Range 20 East, St. Charles Parish, Louisiana

S/2 of Lots 823, 824, 825 and 826
Lots 833 to 840
S/2 of Lots 841, 842 and 843

Section 35, Township 14 South, Range 20 East, St. Charles Parish, Louisiana

Portion of Lot 854 lying in Sec. 35

(collectively referred to herein as the "Subject Property");

WHEREAS, Chevron U.S.A. Inc claims valid title to the Subject Property by virtue of a transfer from Sunset Realty & Planting Company, Inc. and Hibernia Bank & Trust Company, in Liquidation to The Texas Company by instrument dated October 12, 1951, recorded in Conveyance Book VVV, page 305, under Entry Number 8618, in the public records of St.

Charles, Parish, Louisiana and subsequent transfers into Chevron U.S.A. Inc., and has timely paid all taxes on the Subject Property since its acquisition;

WHEREAS, Appearer wishes to remove any cloud on the title to the Subject Property.

THEREFORE, by these presents, Appearer, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby transfer, assign, convey, quit-claim and relinquish unto Chevron U.S.A. Inc. forever all the right, title and interest, claim and demand which Appearer has in and to the Subject Property.

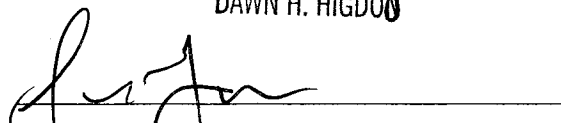
TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever, without any warranty whatsoever of any nature or description, but with full substitution and subrogation in and to all rights and actions of warranty that Appearer may have against all preceding owners or vendors.

IN WITNESS WHEREOF, this Quitclaim is executed in the presence of the undersigned competent witnesses on the date specified beneath its signature, and shall be effective, for all purposes, as of the date signed below.

WITNESSES:

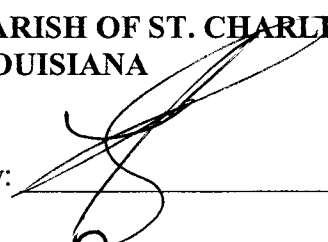


DAWN H. HIGDON



Sara Fos

PARISH OF ST. CHARLES,
LOUISIANA

By: 

Title: President

Date: January 4, 2018

STATE OF LOUISIANA

PARISH OF ST. CHARLES

On this 4th day of January, 2018 before me, Notary Public for the above Parish and State, and the witnesses above, appeared LARRY COCHRAN, to me personally known, who, being by me duly sworn, did say that he is the PRESIDENT of the Parish of St. Charles, Louisiana, and that the foregoing instrument was signed before me and the above witnesses on behalf of the Parish of St. Charles, Louisiana, and said Appearer acknowledged said instrument to be the free act and deed of said parish, duly authorized by ORD. NO 112-5

My commission expires at death

NOTARY PUBLIC

AGREED TO AND ACCEPTED BY CHEVRON U.S.A. INC.

WITNESSES:

CHEVRON U.S.A. INC.

Danielle L. Brocato
Danielle L. Brocato

By: Ryan Schneider
Ryan Schneider

Jared Scott Ritter
Jared Scott Ritter

Title: Land Management Officer

Date: Jan 16, 2018

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

On this 16th day of January, 2017, before me, Notary Public for the above Parish and State, and the witnesses above, appeared Ryan Schneider, to me personally known, who, being by me duly sworn, did say that he is the Land Management Officer of Chevron U.S.A. Inc., and that the foregoing acceptance was signed before me and the above witnesses on behalf of Chevron U.S.A. Inc., and acknowledged said instrument to be the free act and deed of said Corporation.

My commission expires:

Malcolm B. Sonnier
NOTARY PUBLIC

