

2002-0280

INTRODUCED BY: DARNELL "DEE" ABADIE, COUNCILWOMAN, DISTRICT III
ORDINANCE NO. 02-8-11

An ordinance authorizing the execution of a Lease with the East Side St. Charles Parish Volunteer Fire Department, Inc. for property located in Ormond Country Club Estates.

WHEREAS, in 1975, the St. Charles Parish Police Jury purchased approximately 4.7 acres of land in Ormond Plantation Estates, Phase II; and,

WHEREAS, on October 4, 1982, the St. Charles Parish Council approved and authorized the Parish President to execute an Act of Exchange with Dorvin Developments, Inc. in connection with this property; and,

WHEREAS, the East Side St. Charles Parish Volunteer Fire Department, Inc. has requested the use of a portion of this property for the purpose of constructing a fire house and performing other services in connection therewith; and,

WHEREAS, the St. Charles Parish Council adopted Ordinance No. 82-11-3 on November 1, 1982, approving a Lease with the East Side St. Charles Parish Volunteer Fire Department for the property located in Ormond Country Club Estates; and,

WHEREAS, the St. Charles Parish Council adopted Ordinance No. 00-9-2 on September 5, 2000, approving Amendment No. 1 to expand the site leased for the Fire Station at 1901 Ormond Boulevard in Destrehan.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the lease with East Side St. Charles Parish Volunteer Fire Department, Inc. in connection with property owned by the Parish and located in Ormond Country Club Estates is hereby approved.

SECTION II. That the lease executed with East Side St. Charles Parish Volunteer Fire Department on November 5, 1982, will expire on November 5, 2002, and it is in the best interest of the citizens of St. Charles Parish to approve and authorize the execution of a new lease.

SECTION III. That the Parish President is hereby authorized to execute said lease on behalf of St. Charles Parish.

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

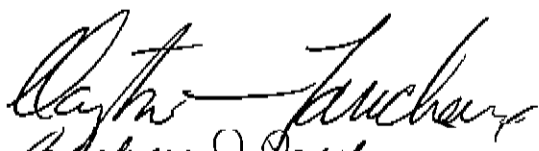
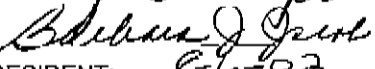
YEAS: RAMCHANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT, BLACK

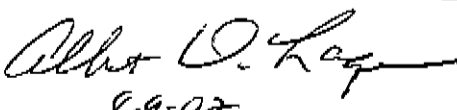
NAYS: NONE

ABSENT: MARINO, MINNICH

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

Lease East Side Vol Fire Dept

CHAIRMAN. 
SECRETARY. 
DLVD/PARISH PRESIDENT: 8-6-02
APPROVED: DISAPPROVED:

PARISH PRESIDENT. 
RETD/SECRETARY: 8-9-02
AT: 9:45 AM RECD BY: ABJ

LEASE OF COMMERCIAL PROPERTY *
BY: ST. CHARLES PARISH *
TO: EASE SIDE ST. CHARLES *
PARISH VOLUNTEER FIRE *
DEPARTMENT, INC. *

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

ST. CHARLES PARISH, herein represented by Albert D. Laque, Parish President, hereinafter called "Lessor", hereby leases to EAST SIDE ST. CHARLES PARISH VOLUNTEER FIRE DEPARTMENT, INC., herein represented by its President, Donald E. Peyton, pursuant to a resolution of its Board of Directors adopted August 14, 2002, hereinafter called "Lessee", the following described property, to-wit:

A CERTAIN PIECE OR PORTION OF GROUND, situated in the State of Louisiana, Parish of St. Charles, located in Parcel T-1A of Ormond Country Club Estates, commercial area, and is more fully described as follows:

Commences at the intersection of the easterly right of way line of the Y & MV Railroad at the northerly right of way line of Ormond Boulevard, thence along said northerly line in a north - easterly direction along the arc of a curve to the right for a radius of 168.67 feet, a distance of 76.10 feet to a point, the point beginning, thence from the point of beginning N 23° 37' 34" W for a distance of 186.22 feet, thence N 47° 27' 09" E, a distance of 198 feet, thence S 89° 26' 47" E, for a distance of 16 feet thence S 23° 37' 34" E, a distance of 114.80' to a point on the easterly right of way line of Ormond Boulevard, thence along said easterly line in a southwesterly direction along the arc of a curve to the left for a radius of 1687.67 feet, a distance of 239 83 feet to a point, the point of beginning.

1. Lessor is the governing authority of St. Charles Parish and Lessee is a private non-profit corporation which operates for the purpose of providing emergency and fire services to St. Charles Parish, and, therefore, the consideration for this agreement is the benefit that is to run between the Lessor and the Lessee resulting from this agreement.

2. The term of this lease is for twenty (20) years, commencing November 5, 2002, subject to renewal by both parties as long as the fire department utilizes the property for a fire house and for other services in connection therewith.

3. The property which is the subject of this lease is to be utilized as public property and for the public need and no private use of this property is to be made subject to immediate cancellation hereof.

4. Lessee agrees to comply with all of the laws and ordinances of the United States, the State of Louisiana, and the Parish of St. Charles, in the utilization of the subject property, and to notify Lessor of any change in its status as a legal entity.

5. Lessee is not permitted to rent or sub-let or grant use or possession of the premises to any other party without the written consent of the Lessor, and then only in accordance with the terms of this lease.

6. Should the Lessee at any time violate any of the conditions of this lease, or discontinue the use of the premises for the purpose for which they are rented, or fail to pay the utilities or other expenses promptly when due; and should such violation continue for a period of ten (10) days after written notice has been given Lessee, then Lessor shall have the option to immediately cancel this lease.

Executed at Hahnville, St. Charles Parish, Louisiana, this 14th day of August, 2002.

WITNESSES:
Barbara J. Jew

ST. CHARLES PARISH
BY: *Albert D. Laque*
Albert D. Laque
Parish President

Valarie Berthelot

EAST SIDE ST. CHARLES
PARISH VOLUNTEER FIRE
DEPARTMENT, INC.
BY: *Donald E. Peyton*
Donald E. Peyton
President