

D.D.
2006-0250

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

ORDINANCE NO. 06-8-6

An ordinance approving and authorizing the execution
of an Act of Dedication for Highland Oaks Phase 2
Subdivision, St. Rose, St. Charles Parish, LA.

WHEREAS, Landcraft Inc. are the owners and developers of property indicated on a
Final Plat prepared by Riverland Surveying Company, and dated
June 24, 2006 as a Survey Plat and Resubdivision of a Part of Square 6,
Square 7 & Tract 2 of the T.L. James Properties in Lots Herein
designated as Lots 1 thru 3, 29 thru 32, 57, 58, & 69 thru 92 of the
T.L. James Properties situated in Section 39T12S R9E., St. Rose,
St. Charles Parish LA; and,

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 for Highland Oaks Phase 1
Subdivision, which includes Lots 1 thru 3, 29 thru 32, 57, 58, & 69 thru 92; and the
dedication of White Oak Drive, an extension of North Pin Oak Drive, and an extension
of South Pin Oak Drive; and servitudes for drainage is hereby approved and accepted;
and,

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: MARINO, FAUCHEUX, HILAIRE, FABRE, RAMCHANDRAN, WALLS,
BLACK, DUHE, MINNICH

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 21st day of August, 2006,
to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Brian C. Fal

SECRETARY: Barbara J. Tucker

DLVD/PARISH PRESIDENT: August 22, 2006

APPROVED: ✓

DISAPPROVED: _____

PARISH PRESIDENT: Albert D. Laque

RETD/SECRETARY: August 22, 2006

AT: 3:52 pm

RECD BY: Bjt

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE

ON August 25, 2006

AS ENTRY NO. 321997

IN MORTGAGE/CONVEYANCE BOOK

NO. 677 FOLIO 98

ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: HIGHLAND OAKS

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this ^{26th} 27th day of August, in the year of our Lord Two Thousand and Six (2006).

BEFORE ME, the undersigned authority, a Notary 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:

LANDCRAFT, INC., TAX IDENTIFICATION NUMBER 72-1187250, a Louisiana Corporation validly existing and in good standing under the laws of the State of Louisiana, having as its principal office, an address of 107 Fairway Drive, LaPlace, LA 70068, appearing herein through its duly authorized member, Joseph M. Scontrino, III, as per certificate of authority recorded at COB 652, Folio 394, records of St. Charles Parish, Louisiana;

(Hereinafter sometimes referred to as "Landcraft")

Mailing Address: 107 Fairway Drive, LaPlace and LA 70068

LANDCRAFT declared unto me Notary, that it is the owner of a certain tract immovable property situated on the East Bank of St. Charles Parish, which land is designated as "**HIGHLAND OAKS PHASE II, FORMERLY TERRE HAUTE**", being a portion of Section 39, Township 12 South, Range 9 East, St. Charles Parish, Louisiana, as shown on a survey of said resubdivision prepared by Riverlands Surveying Company, Land Surveyor, dated June 24, 2006, a copy of which survey is attached hereto and made a part of this Act of Dedication; and

LANDCRAFT further declared unto me that it has caused a portion of the above property designated as **HIGHLAND OAKS SUBDIVISION, PHASE II**, on the survey referred to above to be laid out into lots, in order to create the **HIGHLAND OAKS SUBDIVISION, PHASE II** and

LANDCRAFT further declared unto me, Notary that on the aforesaid plan of resubdivision it has laid out certain streets within the **HIGHLAND OAKS SUBDIVISION, PHASE II**, which are named and identified as South Pin Oak Drive, North Pin Oak and White Oak Drive, which streets in regard to this dedication are more fully described in Exhibit "A" attached hereto and made a part hereof. On all matters of the description of the property on which the streets above named are located, the attached survey shall be controlling.

Landcraft further declared unto me, Notary, that on the aforesaid plan of resubdivision, it has also designated and labeled various servitudes for water, utility and drainage purposes; and

Landcraft further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does by these presents, dedicate the following streets located all within Highland Oaks, Phase II namely: South Pin Oak Drive, North

Pin Oak and White Oak Drive, as hereinabove described and does hereby grant the various servitudes for water, utility and drainage purposes, all as shown on the annexed plan of subdivision, 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

Landcraft further declared unto me, Notary, that the aforesaid dedication and grant is subject to all the following terms and conditions, to-wit:

1. The dedication of the fee ownership of the property to Parish of St. Charles is covered by the streets identified hereinabove as South Pin Oak Drive, North Pin Oak and White Oak Drive, but only as far as said streets are located in Highland Oaks Subdivision, Phase II.
2. The herein grant of the various servitudes for water, utility and drainage purposes shall constitute the granting only of a personal servitude of right of use being a "limited personal servitude" in favor of St. Charles Parish. Landcraft does hereby reserve all rights of fee ownership to that portion of the aforesaid Highland Oaks Subdivision, Phase II, which comprises the various servitudes for water, utility and drainage purposes.
3. Landcraft does 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 street identified hereinabove and by the aforesaid water, utility and drainage servitudes granted herein. In that connection, Landcraft does, however, agree to prohibit the use of any part of the surface of any of the property covered by the street and servitudes with respect to the exploration, development or production of minerals pursuant to this reservation. This reservation is made in accordance with Landcraft's plan and intention to reserve all of the mineral rights in, on and under all of the lots in the Highland Oaks Subdivision, whereby, however, Landcraft will likewise impose a restriction on the entire subdivision against any use of the surface of any lot for exploration, development or productions of minerals, pursuant to this reservation. This reservation is made in accordance with Landcraft's plan and intention to reserve all of the mineral rights in, on and under all of the lots in the Highland Oaks Subdivision, Phase II whereby, however, Landcraft will likewise impose a restriction of 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 this subdivision.
4. The herein dedication of street and grant of servitudes for water, utility and drainage purposes are made by Landcraft without any warranty whatsoever except as provided for herein areas.
5. 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 uses as a public street. St. Charles Parish must further bind and obligate itself to use the water, utility and drainage servitudes for water, utility and drainage purposes.

6. This dedication and granted are conditioned upon St. Charles Parish maintaining and policing the streets dedicated herein, and maintaining the various water, utility and drainage facilities within the various water, utility and drainage servitudes areas.
7. The grant herein of various servitudes for water, utility and drainage purposes shall be used exclusively for those purposes and Landcraft reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitudes for water, utility and drainage purposes. There herein granted water, utility and drainage servitudes shall not be utilized so as to unreasonably interfere with or impair ingress and egress from the street dedication herein to any of the lots in the Highland Oaks Subdivision, Phase II.
8. Landcraft warrants that the herein dedication of street and grant of servitudes are free of any liens and/encumbrances and that no lots have been sold or alienated prior to the date hereof.
9. The dedication and grant made herein are made subject to any existing servitudes affecting the Highland Oaks Subdivision, Phase II such as by way of illustration but not limitation, pipeline servitudes and levees.
10. The herein dedication and grant shall insure to the benefit of St. Charles Parish of any successor governmental body of St. Charles Parish, which shall be bound by all of the terms and conditions hereof.
11. Landcraft warrants that all utilities and streets have been placed within the servitude(s) granted herein.

AND NOW, these presents, personally came and intervened:

ST. CHARLES PARISH, herein appearing by and through Albert Laque, Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on August 21, 2006, 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 hereinabove, and does also hereby acknowledge that the construction of the street dedicated herein has been satisfactorily completed in accordance with all requirements and that all water, utility and drainage facilities have been likewise satisfactorily completed in accordance with all requirements, and St. Charles Parish does hereby accept all of said street and water, 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 06-8-6 on the 21st day of August, 2006, a photocopy of which is attached and made a part hereof.

THIS DONE AND PASSED in triplicate 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;

LANDCRAFT, INC.

John Stuyvesant
Sumner Waggoner

BY: [Signature]
Joseph M. Scontrino, III

[Signature]
NOTARY PUBLIC

THUS DONE AND PASSED in triplicate 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

San Louis
Carolyn H. Lauriere

BY: Albert D. Laque
Albert D. Laque, Parish President

[Signature]
Robert L. Raymond
NOTARY PUBLIC LS 884 11408