

Lkd.

2016-0103

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

ORDINANCE NO. 16-3-14

An ordinance to approve and authorize the Parish President to acquire a 1,088.46 SF perpetual drainage servitude over property identified as Parcel DS5-1b in Section 6, Township 12 South – Range 7 East, 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 Kelcey J. Simoneaux, 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 Coulee Canal Improvements.

WHEREAS, the area near Thoroughbred Avenue 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 a perpetual drainage servitude over Parcel DS5-1b in Section 6, Township 12 South – Range 7 East, 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 \$3,845.00 the property more particularly described in the Act of Servitude attached hereto and made a part hereof, from Kelcey J. Simoneaux 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: BENEDETTO, HOGAN, CLULEE, GIBBS, WOODRUFF, BELLOCK,
FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: WILSON

And the ordinance was declared adopted the 21st day of March, 2016, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Wendy Benedetto*
SECRETARY: *3/23/16*
DLVD/PARISH PRESIDENT: *3/23/16*
APPROVED: *✓* **DISAPPROVED:** _____

PARISH PRESIDENT: *3/23/16*
RETD/SECRETARY: *3/23/16*
AT: *9:00 a* **RECD BY:** *DCL*

**RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE**
ON *May 25, 2016*
AS ENTRY NO. *415100*
IN MORTGAGE/CONVEYANCE BOOK
NO. *832* **FOLIO** *425*

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

ACT OF SERVITUDE

BE IT KNOWN, that on this 19th day of May, in the year two thousand and sixteen (2016).

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

KELCEY J. SIMONEAUX being a person of the full age of majority, domiciled in the Parish of St. Charles, Stat of Louisiana, who declared unto me, Notary, that he has been married once and then to Lisa Layus Simoneaux, from whom he is divorced, in 2009, St. Charles Parish, LA, whose present mailing address is 132-B Thoroughbred Avenue, Montz LA, 70068;

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. 16-3-14 adopted by St. Charles Parish Council on the 21st day of March, 2016, 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 DS5-1b unto GRANTEE to locate, construct, maintain, repair, operate, patrol and 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

THAT PORTION of the **Coulee Canal Maintenance & Access Servitude** located across Lot A, Dwight Clement Subdivision, in Section 6, Township 12

South – Range 7 East, Town of MONTZ, St. Charles Parish, Louisiana, being the property of Kelcey J. Simoneaux, et ux and is more fully described as follows:

COMMENCE at the northeast corner of Lot 28-A, Dixieland Subdivision Extension;

THENCE, proceed along the northerly line of Lot 28-A, N 41°26'28" W a distance of 1.00 feet to a point that intersects with the easterly line of Thoroughbred Avenue (a 50' R.O.W.);

THENCE, proceed along the aforesaid easterly line, N 47°53'04" E a distance of 89.45 feet to the **POINT OF BEGINNING**;

THENCE, continue along the aforesaid easterly line, N 47°53'04" E a distance of 27.94 feet to a point;

THENCE, proceed S 10°16'29" E a distance of 41.14 feet to a point;

THENCE, proceed S 27°57'07" E a distance of 35.36 feet to point on a common property line;

THENCE, proceed along the aforesaid common property line, S 47°11'04" W a distance of 9.88 feet to a point;

THENCE, proceed N 32°03'18" W a distance of 70.44 feet to the **POINT OF BEGINNING**.

The above described portion of ground contains **1,088.46** square feet or **0.025** acres. All in accordance with the attached plan of **DRAINAGE SERVITUDES** by G.E.C., Inc., Job No. 413-2060106.004, dated April 21, 2015; revised August 25, 2015.

TO HAVE AND TO HOLD said servitude, 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 THREE THOUSAND EIGHT HUNDRED AND FORTY FIVE AND NO/100 (\$3,845.00) DOLLARS, which **GRANTEE** has paid cash in hand, in current money, to said **GRANTOR**, who acknowledge 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 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 the southwest line of the new servitude is roughly ten (10) feet away from the **GRANTOR's** house, there is no need for the **GRANTOR** to acquire a variance for the close proximity of the house to the servitude line.

THUS done, read and passed at my office in the City of Destrehan, Parish and State aforesaid, in the presence of undersigned competent witnesses who have hereunto signed their names with the parties and me, said Notary, the day, month and year first above written.

WITNESSES:

DAWN H. HIGDON
BOBBI CULLEN
BOBBI N. CULLEN

GRANTOR:

KELCEY J. SIMONEAUX
KELCEY J. SIMONEAUX

WITNESSES:

ROBIN S. DELAROUSSAYE
DAWN H. HIGDON
DAWN H. HIGDON

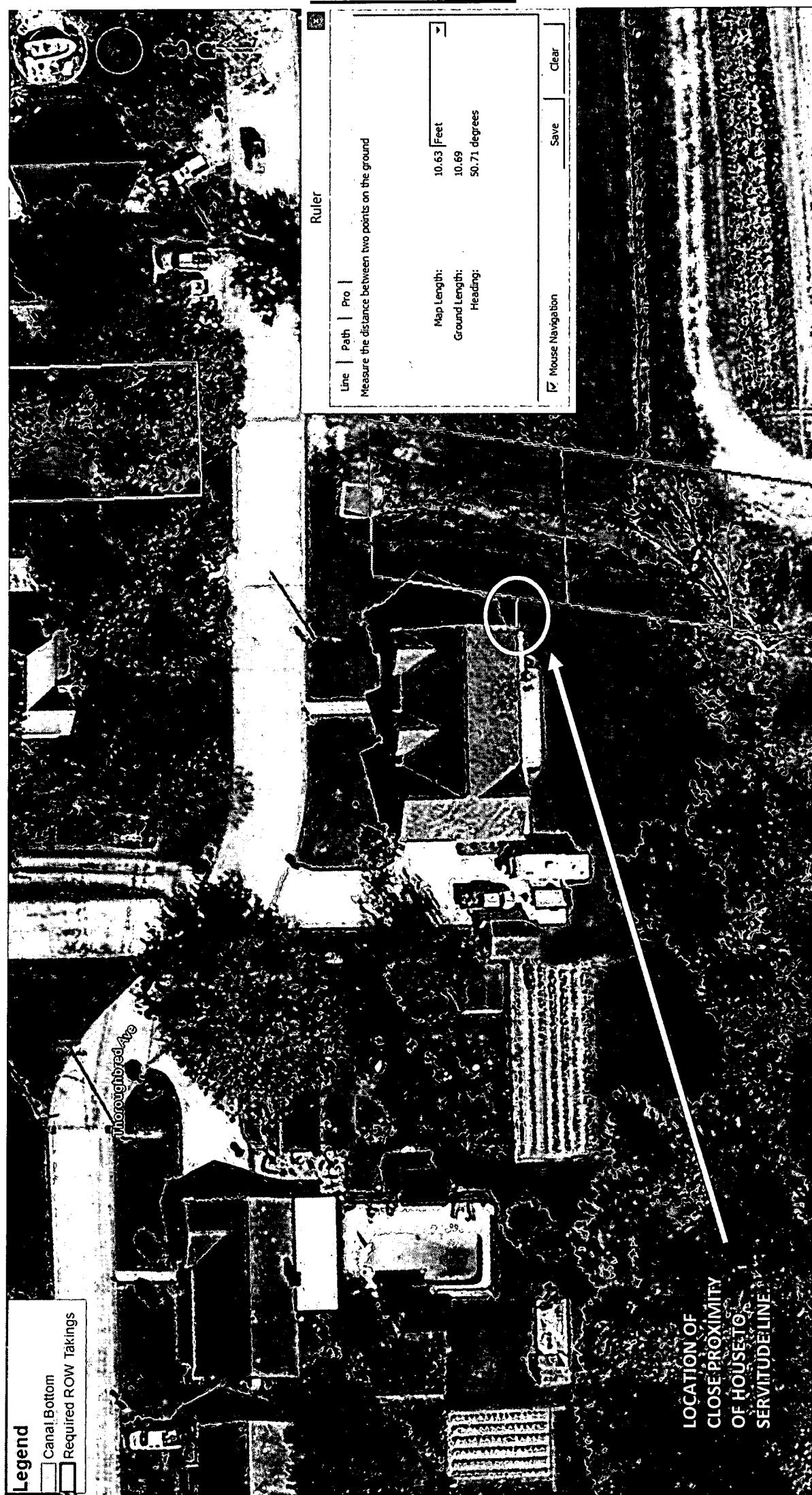
GRANTEE:

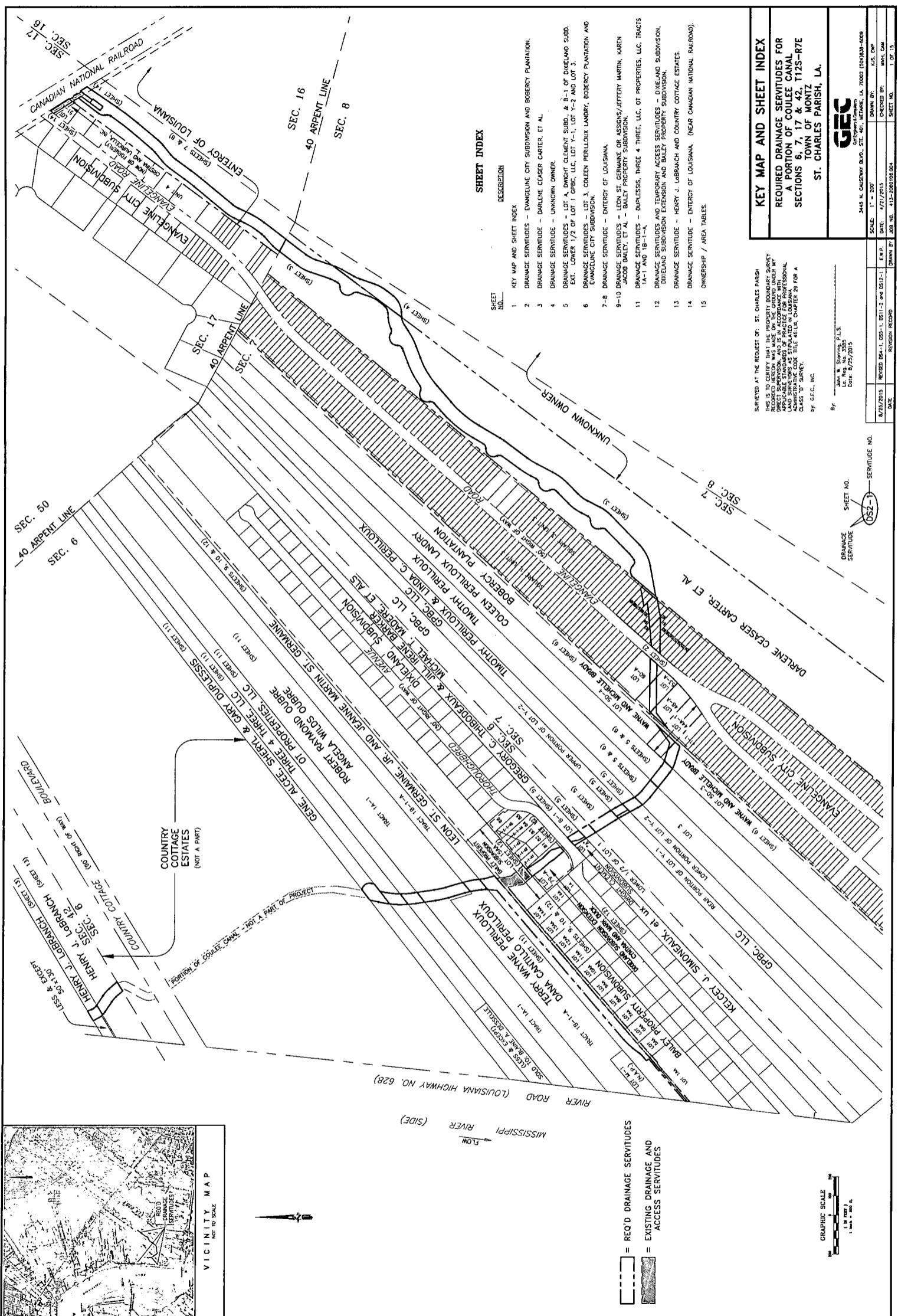
PARISH OF ST. CHARLES

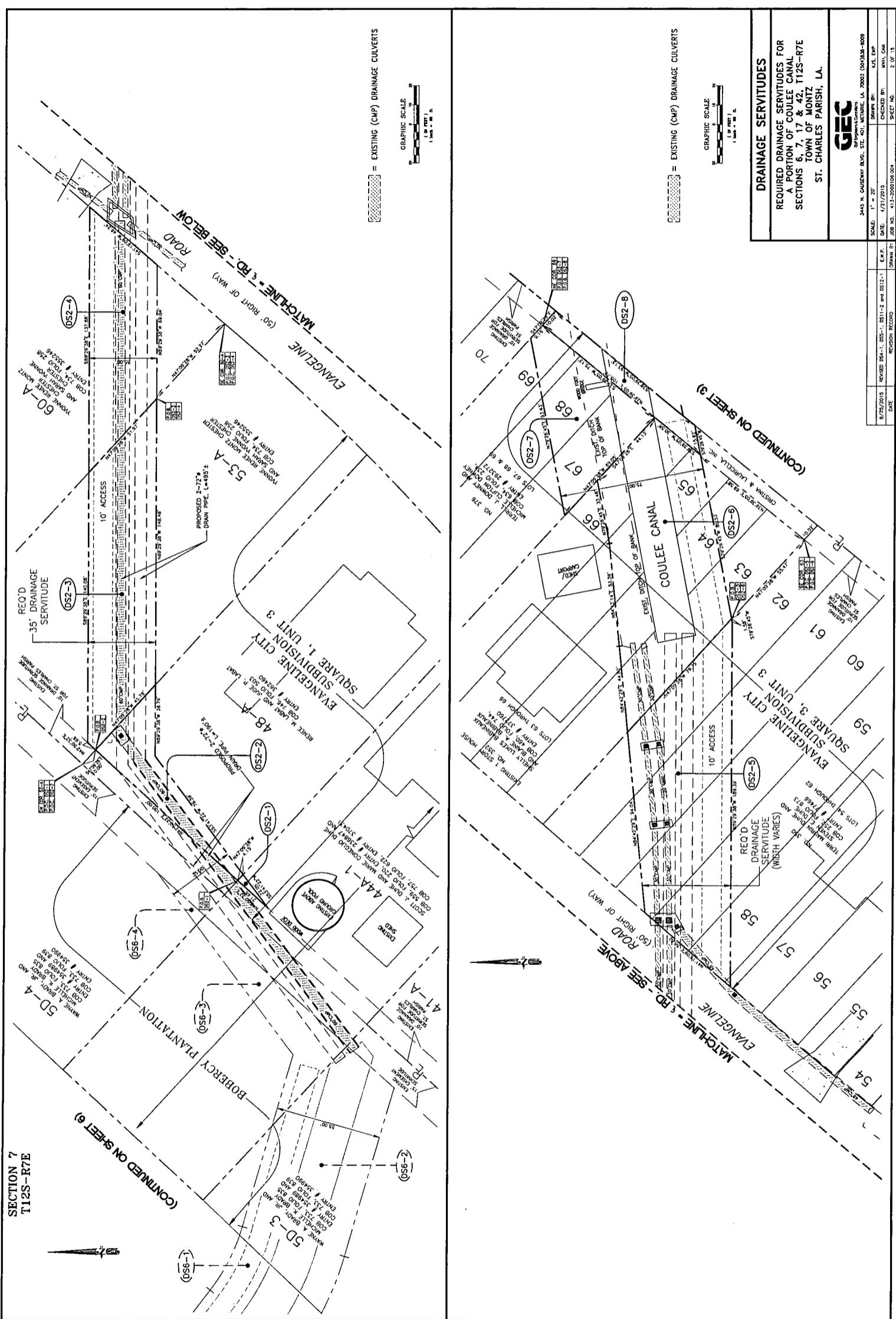
BY: LARRY COCHRAN
ITS: PARISH PRESIDENT

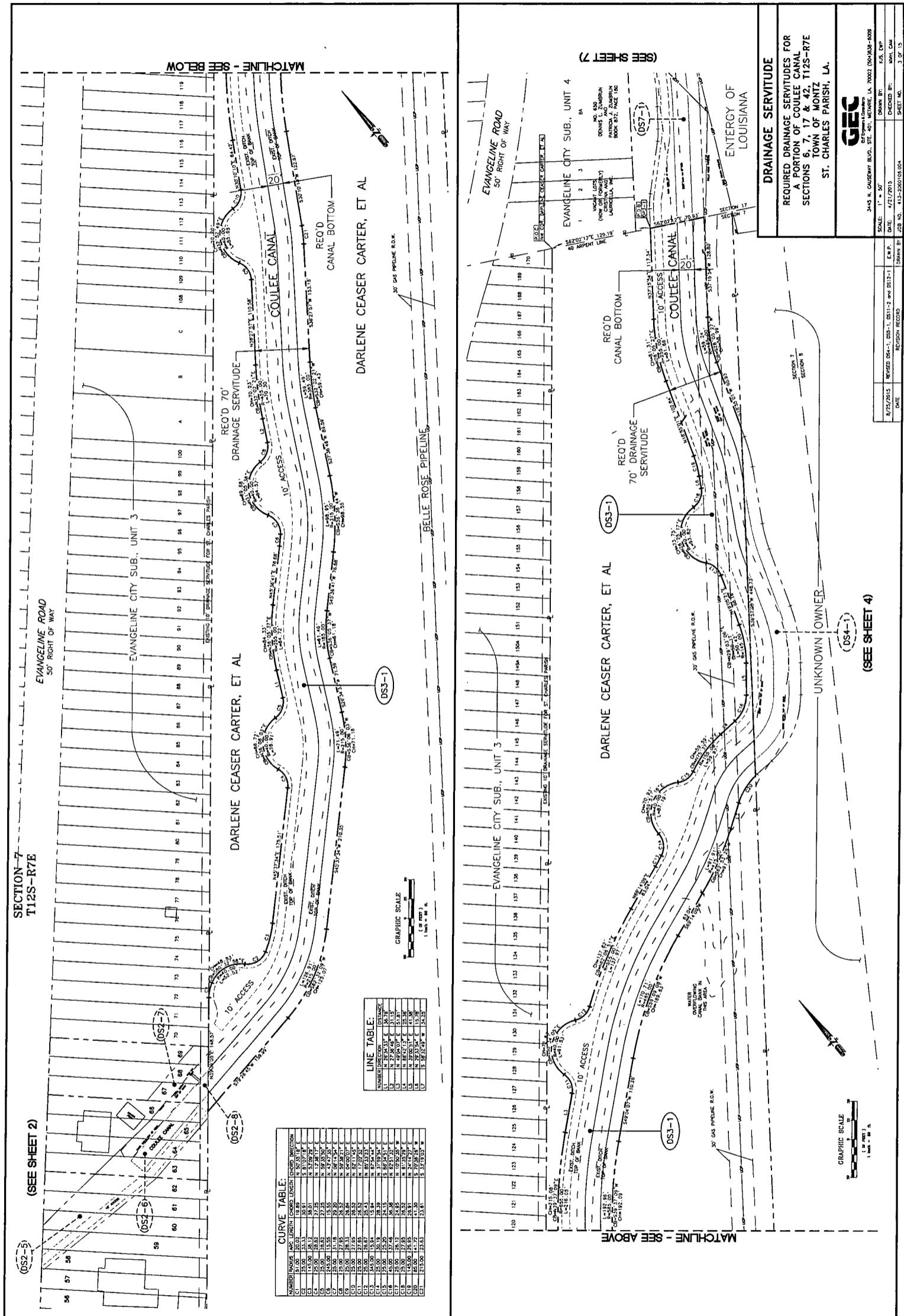
NOTARY PUBLIC
ROBERT L. RAYMOND - NO. 11408

EXHIBIT B









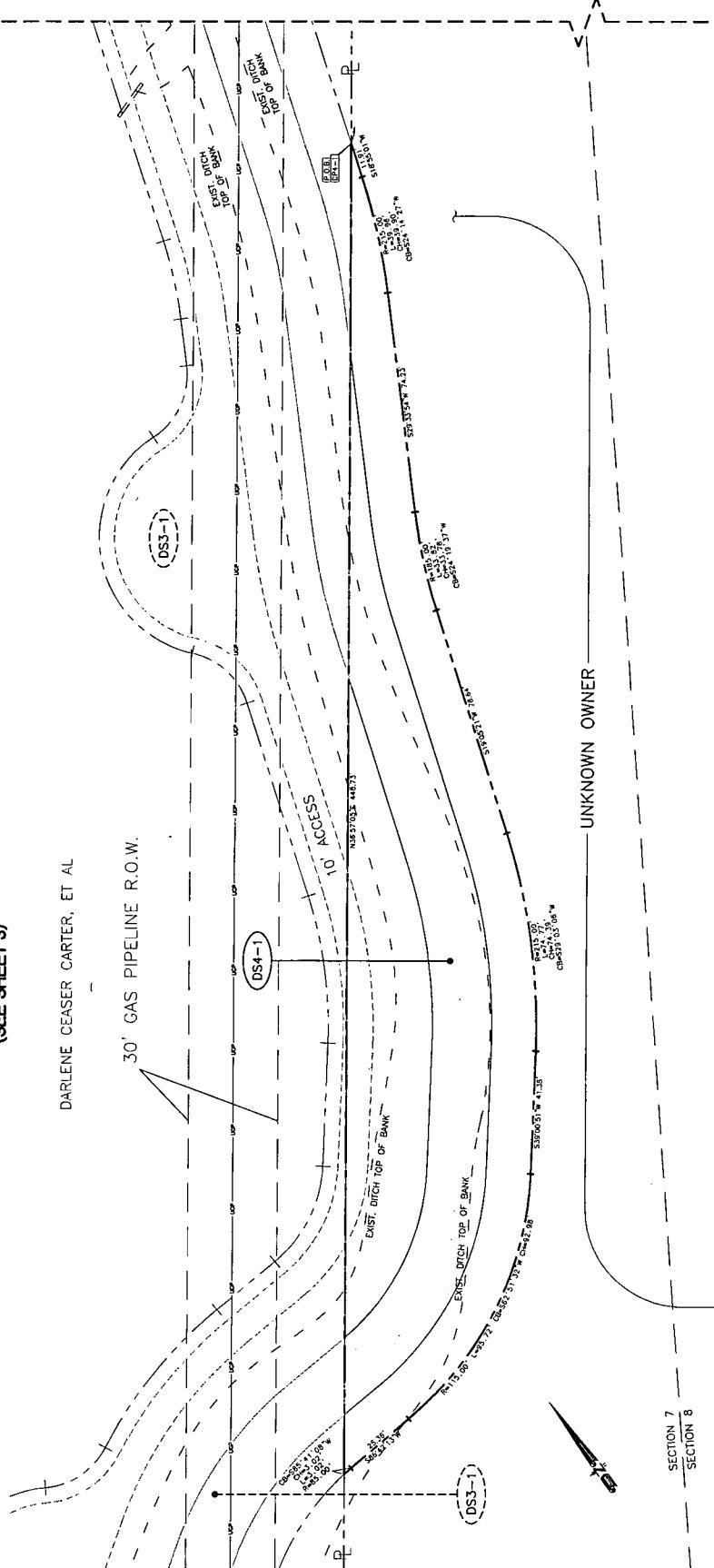
SECTION 7
T12S-R7E

EVANGELINE ROAD (SIDE)

(SEE SHEET 3)

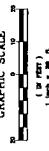
DARLENE CEASER CARTER, ET AL

30' GAS PIPELINE R.O.W.



DRAINAGE SERVITUDE

REQUIRED DRAINAGE SERVITUDES FOR
A PORTION OF COULEE CANAL
SECTIONS 6, 7, 17 & 42, T12S-R7E
TOWN OF MONTZ
ST. CHARLES PARISH, LA.



6/25/2013 REVISED DATE: 6/25/2013 1.051-1 - eng 1051-2-1
 6/25/2013 1.051-1 - eng 1051-2-1
 DRAWING RECORD
 DATE: 6/25/2013 BY: 411-2005-006
 DRAWN BY: D. BROWN
 CHECKED BY: J. H. COOPER
 DRAWER #: 4 OF 15
 SHEET #: 4 OF 5
 DATE: 6/25/2013
 JOB NO: 411-2005-006
 SCALE: 1" = 20'
 E.M.P.
 DRWNSH RECORD



C:\DMCS\4

SECTIONS 6 AND 7
T12S-R7E

DRAINAGE SERVITUDES

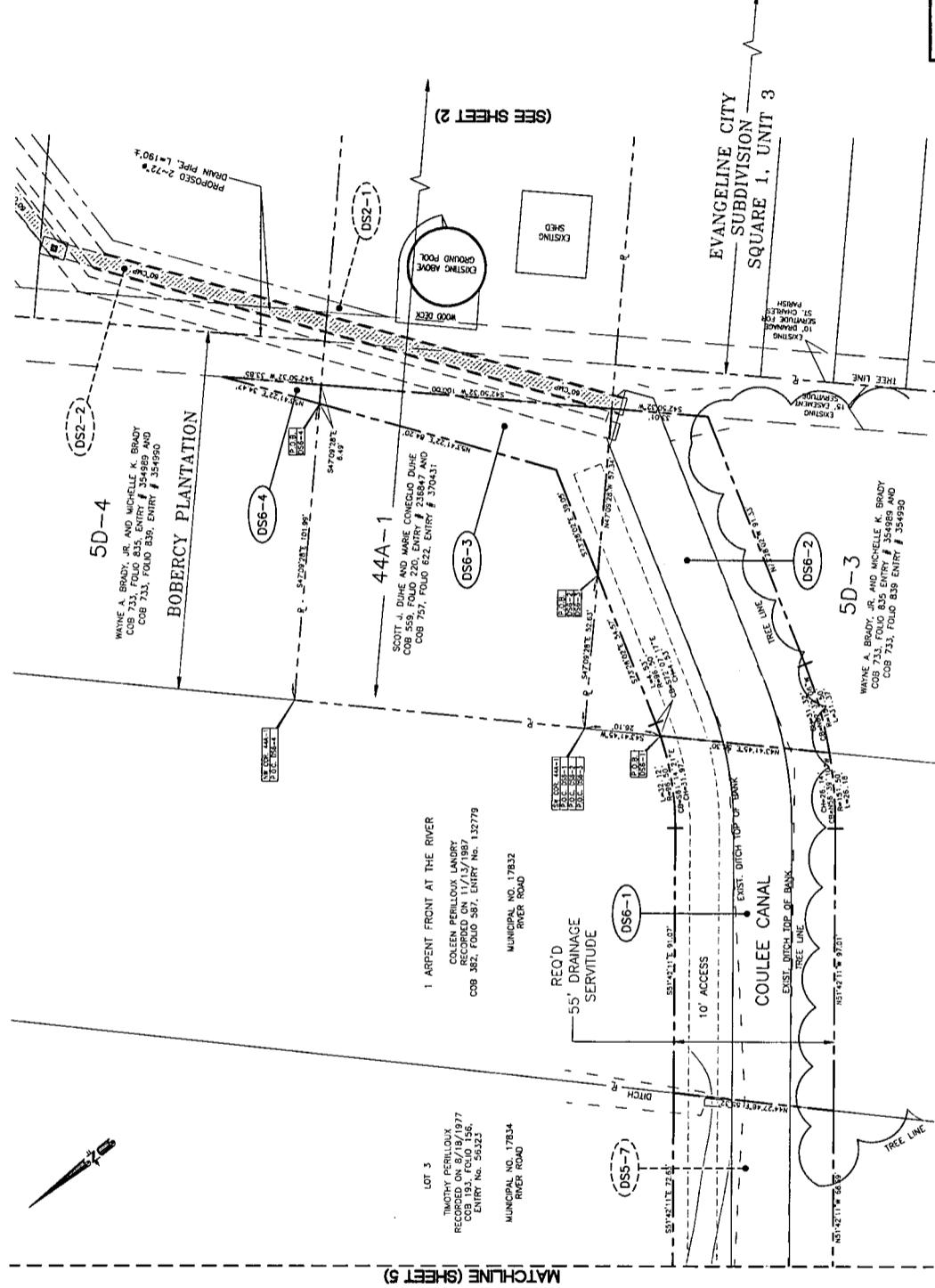
**REQUIRED DRAINAGE SERVITUDES FOR
A PORTION OF COULEE CANAL
SECTIONS 6, 7, 17 & 42, T12S-R7E
TOWN OF MONTZ
ST. CHARLES PARISH, LA.**



Call Experts & Contractors
STE. 401, METarie, LA 70002 (504)838-6009

DIXIELAND SUBDIVISION EXTENSION

SECTION 7

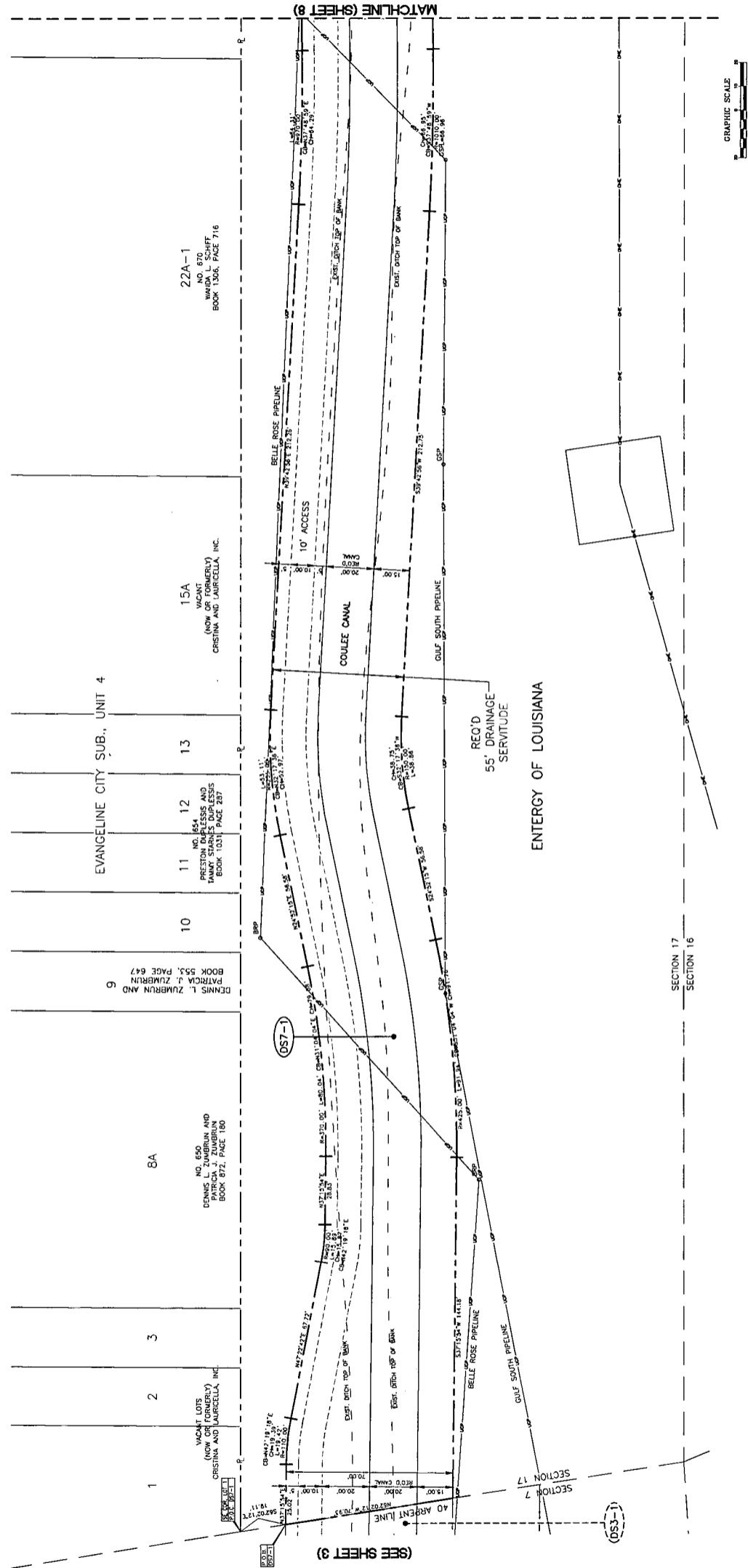


REQUIRED DRAINAGE SERVITUDES FOR
A PORTION OF COULEE CANAL
SECTIONS 6, 7, 17 & 42, T12S-R7E
TOWN OF MONTZ
ST. CHARLES PARISH, LA.

GEC		3445 N CHASINSON BLVD. STE. 401, NEWBIE, IA 70022 (563) 248-4629
SCALE	1" = 20'	DRAWN BY:
DATE	1/27/2015	CHECKED BY:
DRWNO.	41-100705-004	SHEET NO.:
REVNO.	00000000	6 of 13
REMOVED:	REMOVED: 05/11/2012	
DATE:	05/11/2012	

SECTION 17

EVANGELINE ROAD (SIDE)



DRAINAGE SERVITUDE

**REQUIRED DRAINAGE SERVITUDES FOR
A PORTION OF COULEE CANAL
SECTIONS 6, 7, 17 & 42, T12S-R7E
TOWN OF MONTZ**



GEICO
GEICO INSURANCE COMPANY
1000 AIRWAY BLVD., STE. 401, METairie, LA. 70002 (504) 838-6009

DATE	REVISION RECORD	SCALE	DRAWN BY	DWY
8/25/2015	REVISED D4A-1, D54-1, D55-1, D61-1, D62-1	1" = 20'	JOB NO. 413-2060105.004	CHEKED BY: 7 OF 15 SHEET NO. -

SECTION 17
T12S-R7E

EVANGELINE ROAD (SIDE)

EVANGELINE CITY SUB., UNIT 4

27A

NO. 674, DIRECESS
BOOK 1351, PG. 8

30A
VACANT
(NOW OR FORMERLY)
CHRISTIAN AND LAURELLA,
INC.

33A
VACANT
(NOW OR FORMERLY)
CHRISTIAN AND LAURELLA,
INC.

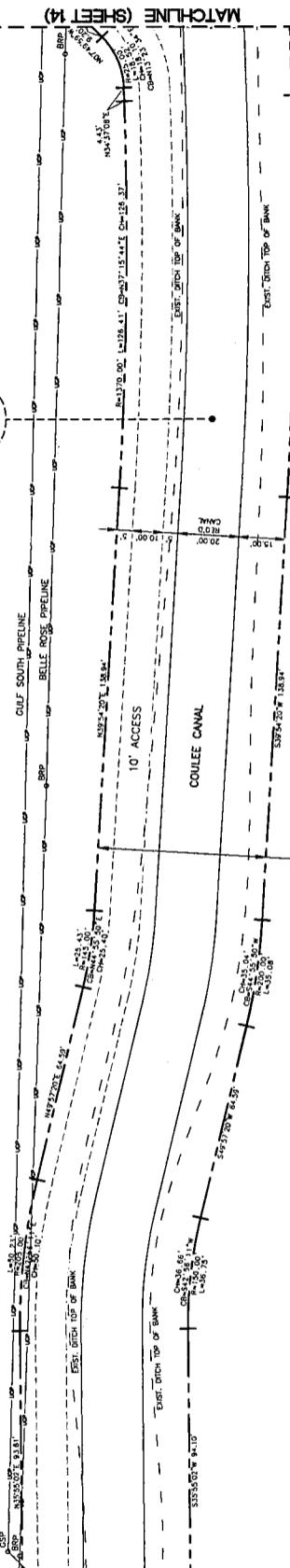
37A
DERRICK GENETRIS, MINER
BOOK 1312, PG. 159

40A
NO. 720
SUB ECT J, RICHIE
BOOK 1365, PG. 561

44A
NO. 740
DENSE MTEL BREWER
BOOK 1260, PAGE 555

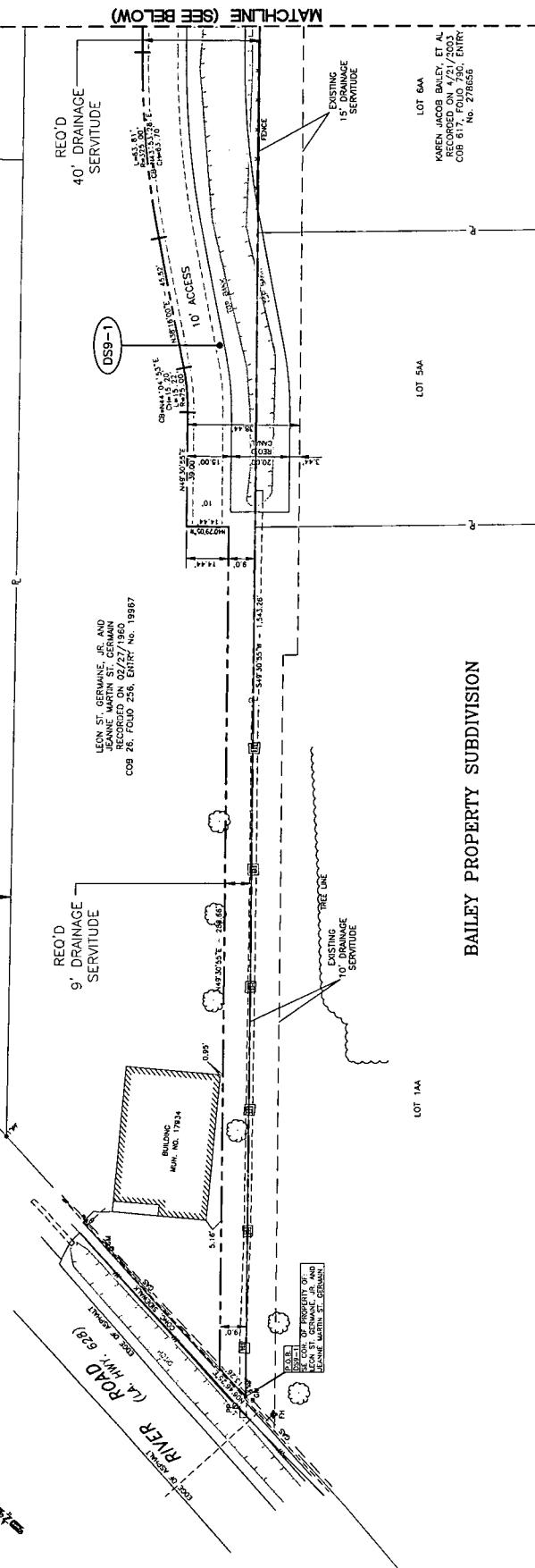
MATCHLINE (SHEET 7)

(OS7-1)



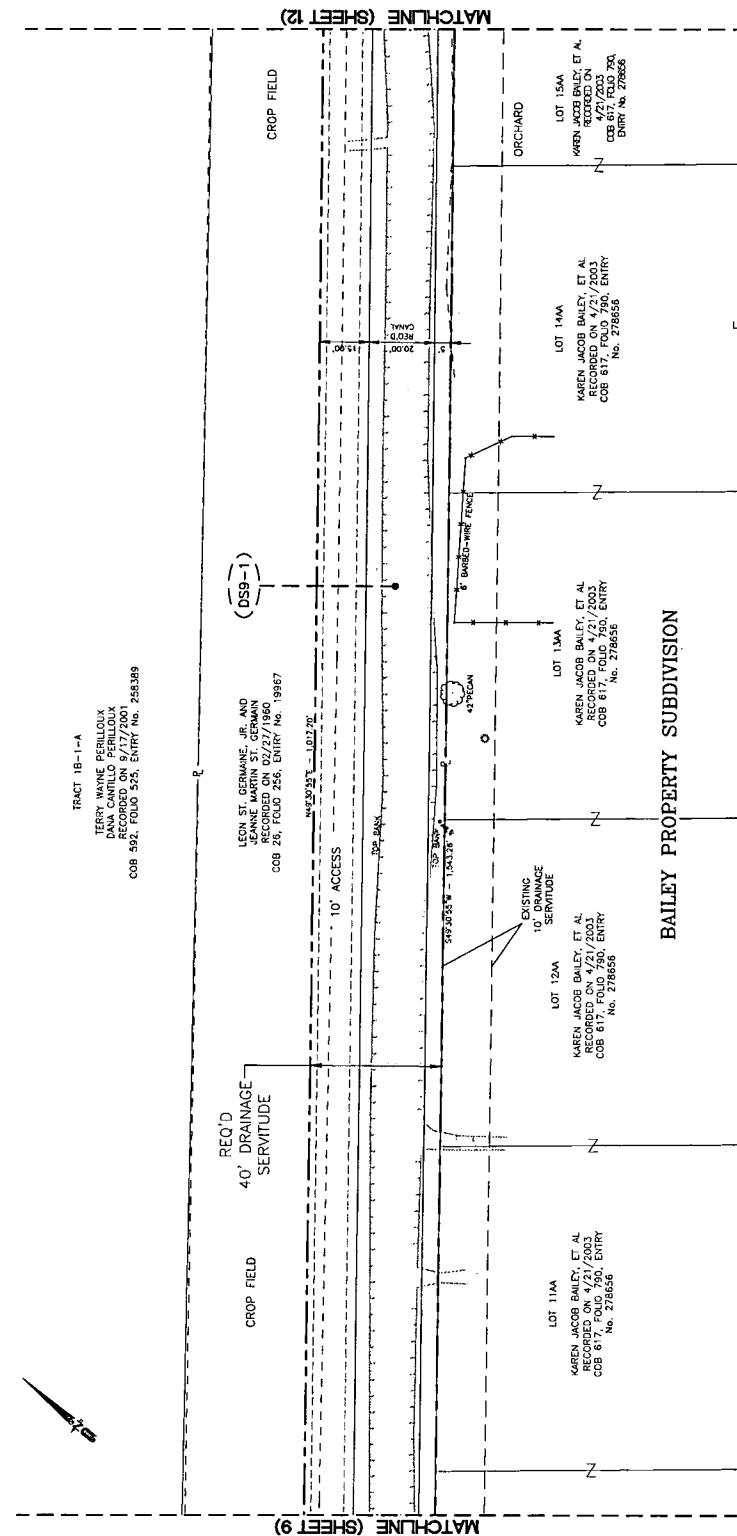
SECTION 6
T12S-R7E

LOT M-1



SECTION 6
T12S-R7E

TRACT 1B-1-A
TERRY WAYNE PERILLOUX
DANA CANTILLO PERILLOUX
RECORDED ON 9/17/2001
COB 592, FOLIO 525, ENTRY NO. 258388



DRAINAGE SERVITUDE

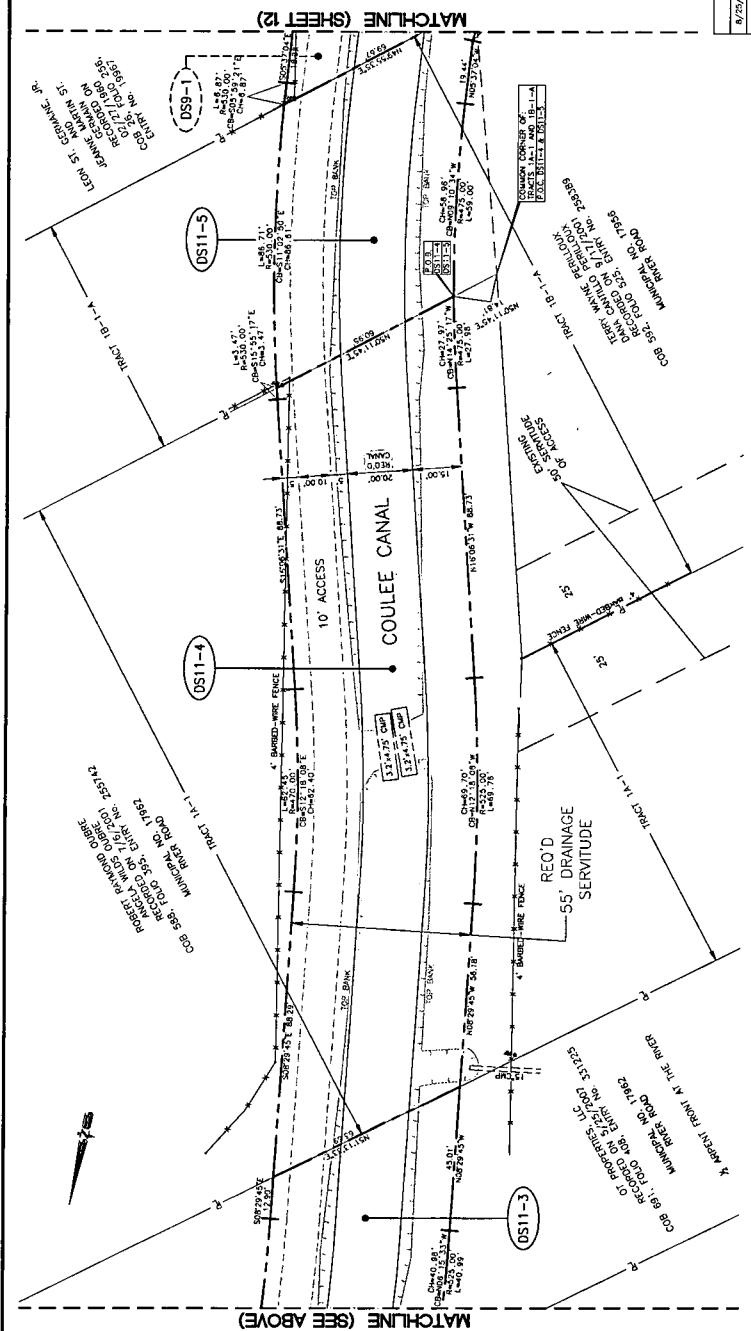
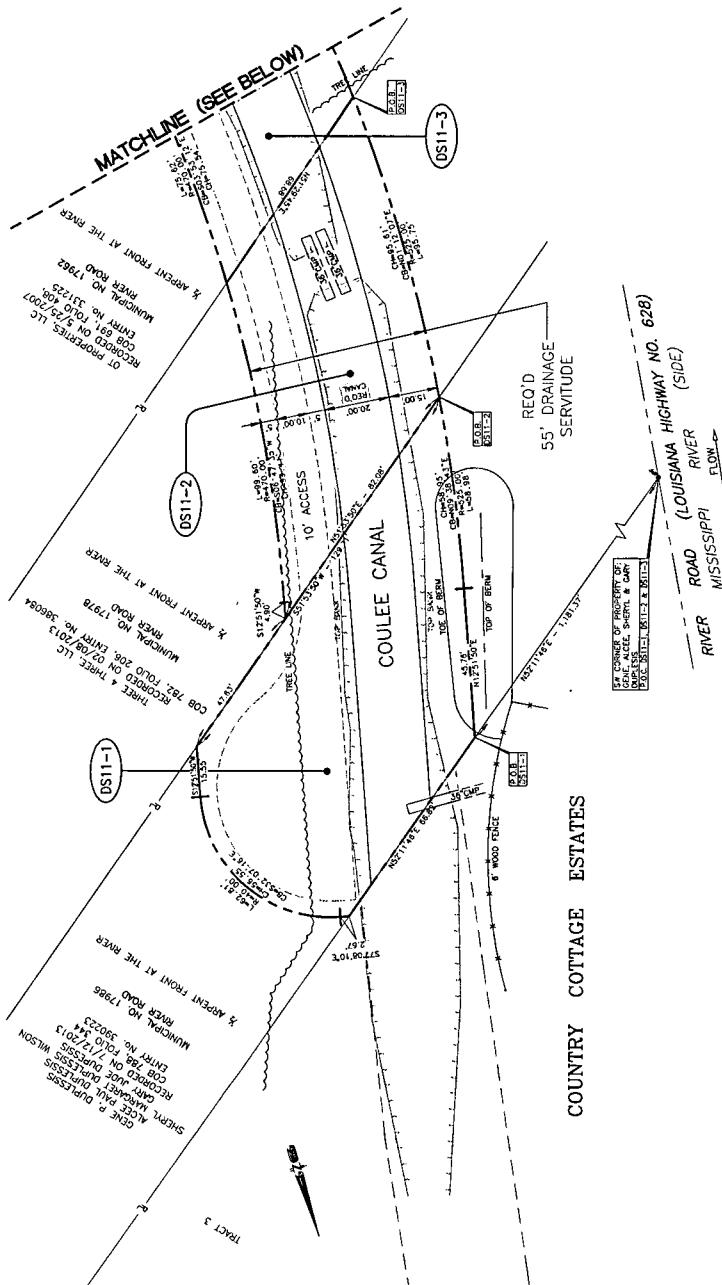
RE-REQUIRED DRAINAGE SERVITUDES FOR
A PORTION OF COULEE CANAL
SECTIONS 6, 7, 17 & 42, T12S-R7E
TOWN OF MONTZ
ST. CHARLES PARISH, LA.

3445 N. CAUSEWAY BLVD., STE. 401, METairie, LA 70002 (504) 836-0009

DATE	REVISION RECORD	E.W.P.	DATE	4/21/2015	CHECKED BY:	CAN
8/29/2015	REVISED DSA-1, DSA-2, DS1-2 and DS2-1	DRAWN BY	JOB NO.	411-20601/06.004	SHEET NO.	10 OF 15

SECTION 6
T12S-R7E

SECTION 6



SECTION 6
T12S-R7E

BAILEY PROPERTY SUBDIVISION

LOT 15A
KAREN JACOB BAILEY, ET AL.
RECORDED ON 7/21/2003
COB 617, FOLIO 780, ENTRY No. 276526

EXISTING BAILEY 1 SERVITUDE NO. 3

EXISTING BAILEY 1 SERVITUDE

10' ACCESS

CROP FIELD

40' DRAINAGE SERVITUDE

10' DRAINAGE SERVITUDE

LEGACY OF GERMAN, INC. AND LORAN, INC. RECORDS
RECORDED ON 02/27/1960
COB 26, FOLIO 56
ENTRY No. 99867

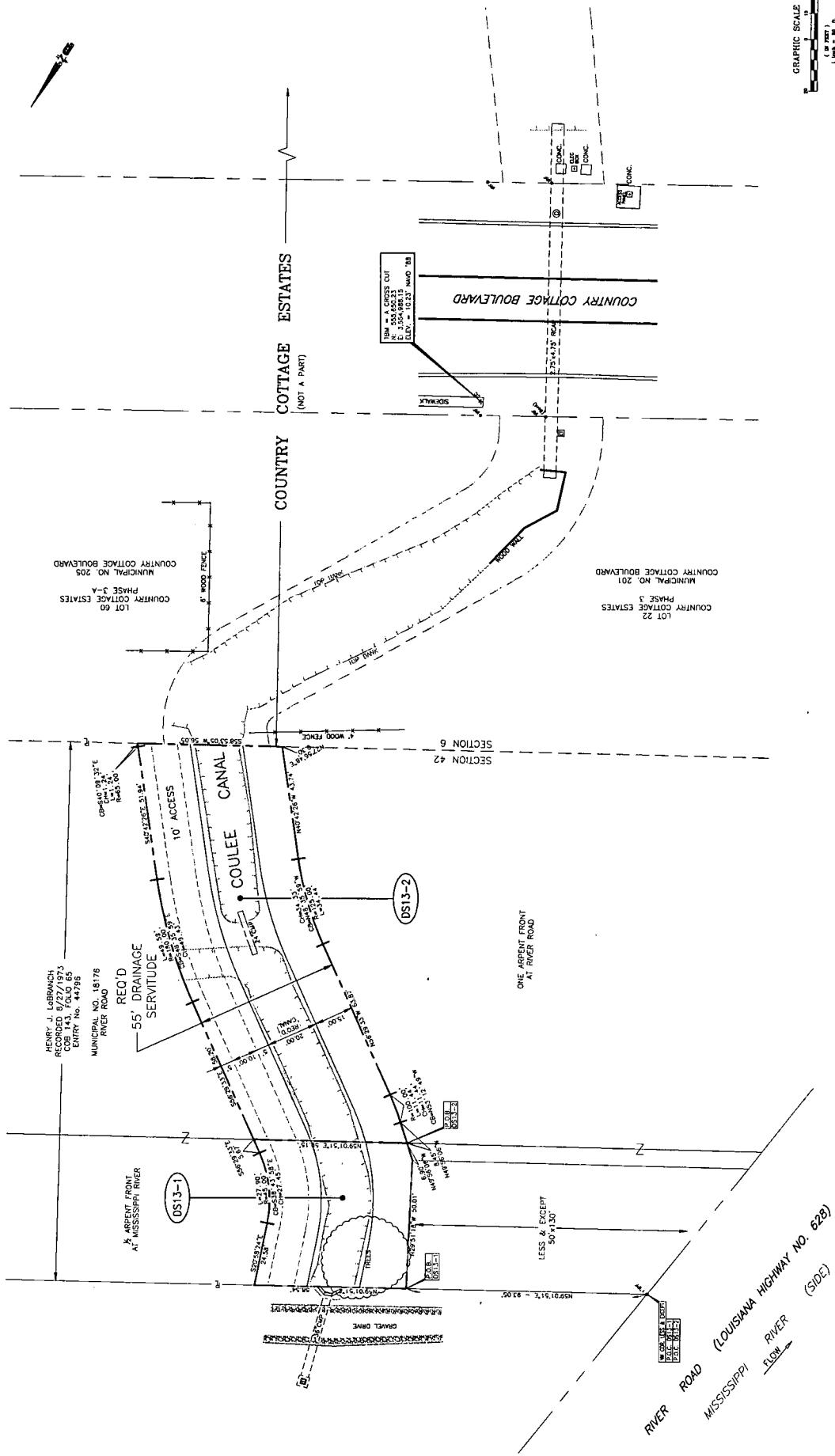
PS11-5

PS11-10

DRAINAGE SERVITUDES

3445 N. CANNERY BLVD., STE. 401, METROR, LA. 70022 (504) 549-0009
 SCALE: 1" = 20' DATE: 4/21/2015 DRAWN BY: DNP
 DRAWN BY: SPANN BY: CHECKED BY: CMM
 DATE: 8/25/2015 REVISION RECORD SHEET NO: 12 OF 15
 REVISED DS4-1, DS4-1, DS4-2 and DS4-2-1 E.W.P.

SECTIONS 6 & 42
T12S-R7E



DRAINAGE SERVITUDES

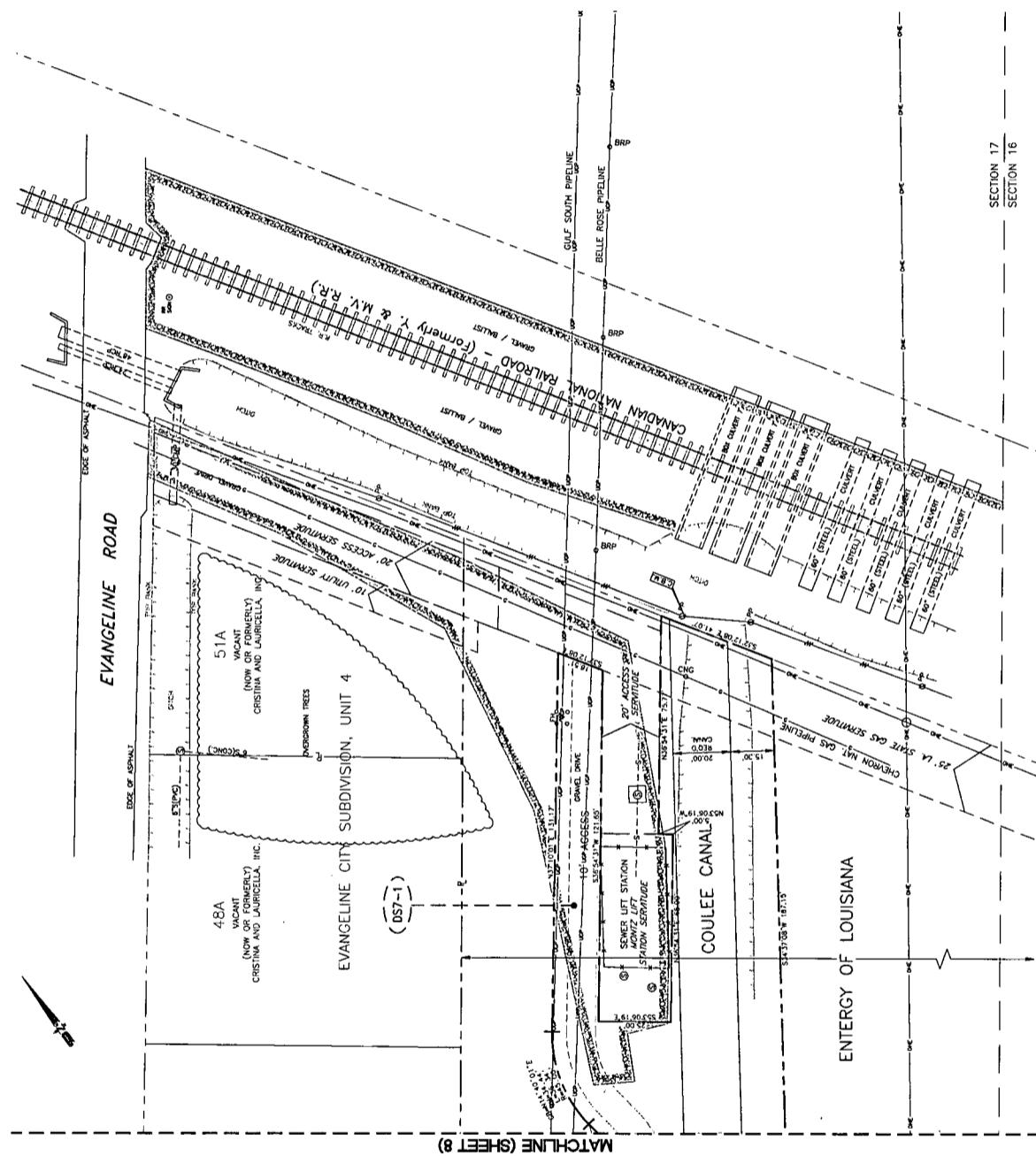
REQUERID DRAINAGE SERVITUDES FOR
A PORTION OF COULEE CANAL
CTIONS 6, 7, 17 & 42, T12S-R7E
TOWN OF MONTZ
ST. CHARLES PARISH, LA.



Cultivating a Sustainable Future

REVISION RECORD
DATE 8/27/2015 BY DWYANE B.
REVISION 1, DS11-2 and DS11-1

SECTION 17
T12S-R7E



DRAINAGE SERVITUDE

REQUIRED DRAINAGE SERVITUDES FOR
A PORTION OF COULEE CANAL
SECTIONS 6, 7, 17 & 42, T12S-R7E
TOWN OF MONTEZ
ST. CHARLES PARISH, LA.



Geographic Engineering Company

3445 N CAUSEWAY BLVD., STE. 401, NEWORL, LA. 70022 (504) 848-4029

SCALE: 1" = 20'

DRAWN BY:

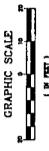
CAR

DATE: 4/21/2015

REVISION RECORD

JOB NO. 413-2000/05-004

SHEET NO. 11 OF 15



SHEET NO.	SHEET NO.	PROPERTY OWNERS	SHEET NO.	PROPERTY OWNERS	PARENT TRACT DESIGNATION		RECORDATION INFORMATION		REQUIRED DRAWING SERTIFICATE OF AREA SQ. FT.	ACRES
					REC'D BY	REC'D DATE	REC'D BY	REC'D DATE		
2	053-1	SCOTT, DUKE AND MARIE CORREGGIO DOME	1A-A, EVANGELINE CITY SUBD., SQUARE 1, UNIT 3	COR 550, FOLIO 220, ENTRY NO. 238567 AND COR 550, FOLIO 622, ENTRY NO. 370431					44,94	0.0071
	053-2	RENEE M. LABAT AND JUDGE P. LABAT	LOT 4B, A, EVANGELINE CITY SUBD., SQUARE 1, UNIT 3	COR 746, FOLIO 568, ENTRY NO. 352460					1,651,15	0.0258
	053-3	YVONNE RENE MONITZ-CHESTER AND SARAH YVONNE CHESTER	LOT 5, A, EVANGELINE CITY SUBD., SQUARE 1, UNIT 3	COR 746, FOLIO 568, ENTRY NO. 352460					5,179,33	0.1159
	053-4	YVONNE RENE MONITZ-CHESTER AND SARAH YVONNE CHESTER	LOT 6D-A, EVANGELINE CITY SUBD., SQUARE 1, UNIT 3	COR 746, FOLIO 568, ENTRY NO. 352460					3,417,70	0.0635
	053-5	TERI WALTER DURE AND STEVEN E. DURE	EVANGELINE CITY SUBD., SQUARE 1, UNIT 3	COR 520, FOLIO 743, ENTRY NO. 737666					7,664,73	0.1627
	053-6	SHELLY LUPES BARNETTAUX AND BLAINE A. BARNETTAUX	LOT 65, 66 & 66, EVANGELINE CITY SUBD., SQUARE 3, UNIT 3	COR 460, FOLIO 744, ENTRY NO. 377260					6,860,00	0.1558
	053-7	TERELL L. DOWNTON AND MICHELLE CLIFTON DOWNEY	LOT 67, 68 & 69, EVANGELINE CITY SUBD., SQUARE 3, UNIT 3	COR 634, FOLIO 234, ENTRY NO. 252372					2,312,59	0.0607
	053-8	CHRISTINA J. LAURICELLA, INC.	107 THIRTY EIGHT AVENUE IN EVANGELINE CITY SUBD., UNIT 3, UNIT 3						994,14	0.0235
3	053-1	DAILENE FEASER CARTER, ET AL		COR 780, FOLIO 367, ENTRY NO. 377213					109,559,16	4,352
4	054-1	UNKNOWN OWNER							15,956,61	0.389
5	055-1a	GREGORY C. THIBODEAU & JULIE RENE BAXTER	LOT 6-L, ORELANDO SUBD., EXTENSION	COR 604, FOLIO 752, ENTRY NO. 258493 (1FT. NORTH 11 FT. STRIP)					10,765,50	0.0564
	055-2b	HELETT SUMMERS, JR. & LIA	LOT 1, DOWNGATE CLEMENT SUBDIVISION	COR 531, FOLIO 143, DEC. 2004, FOLIO 39					1088,46	0.0195
	055-3	MARIALENE MADORE, ET AL'S	LOWER HALF OF LOT 1	COR 575, FOLIO 361, ENTRY NO. 212658					377,96	0.0774
	055-4	CORAL, LLC	(1/2) LOWER PORTION OF LOT 1	COR 777, FOLIO 373, ENTRY NO. 282735					754,35	0.1724
	055-5	THOMAS PERLICK & LINDA C. PERLICK	UPPER PORTION OF LOT 1	COR 777, FOLIO 371, ENTRY NO. 282735					277,31	0.0624
	055-7	THOMAS PERLICK, JR.	LOT 5, PORTION OF LOT 1-2	COR 777, FOLIO 365, ENTRY NO. 282897					945,50	0.2203
	056-1	COLLEN PERLICK, JR. AND ANTHONY WAYNE A. BRADY, JR. AND MICHELLE L. BRADY	(1/2) LOWER FRONT AT RIVER	COR 597, FOLIO 362, ENTRY NO. 282727					6483,14	0.1539
	056-2	SCOTT, DUKE AND MARIE CORREGGIO DOME	LOT SD-3, FOREST PLANTATION	COR 521, FOLIO 880, ENTRY NO. 282860 AND COR 521, FOLIO 881, ENTRY NO. 282861					6,747,63	0.1559
	056-3	WAYNE A. BRADY, JR. AND MICHELLE L. BRADY	44A-1, FOREST PLANTATION, 1 UNIT 3, UNIT 3, UNIT 3, FOREST PLANTATION	COR 550, FOLIO 254, ENTRY NO. 282856 AND COR 550, FOLIO 255, ENTRY NO. 282857					5,560,85	0.1377
	056-4	WAYNE A. BRADY, JR. AND MICHELLE L. BRADY	LOT SD-4, FOREST PLANTATION	COR 520, FOLIO 882, ENTRY NO. 282860 AND COR 520, FOLIO 883, ENTRY NO. 282861					1,880,97	0.0419
7,883-14	057-1	ENTRIES OF EUGENIA							109,81	0.0023
	10,10,11,12	LOU ST. GERMAIN, JR. AND DIANNE MARTIN, GERMANNE	LION ST. GERMAIN, JR. AND DIANNE MARTIN, GERMANNE	COR 265, FOLIO 256, ENTRY NO. 240527					53,789,96	1,234
11	051-1	GENE P. DUPLESSIS, ALICE PAUL DUPLESSIS, MERTI MARGARET DUPLESSIS WILSON, GARY DUPLASSIS	(1/2) APARTMENT FRONT AT RIVER	COR 788, FOLIO 344, ENTRY NO. 382223					7,667,71	0.1705
	051-2	THREE & THREE, LLC	(1/2) APARTMENT FRONT AT RIVER LESS LOAD	COR 782, FOLIO 256, ENTRY NO. 382058					5,610,00	0.1110
	051-3	OUT PROPERTY, LLC	(1/2) APARTMENT FRONT AT RIVER	COR 781, FOLIO 256, ENTRY NO. 331203					4,787,50	0.1110
	051-4	ROBERT RAYMOND O'BRIE AND ANGELA WHOOSE O'BRIE	TRACT 1B-1,	COR 588, FOLIO 256, ENTRY NO. 255742					11,350,16	0.3065
	051-5	TERRY WAYNE PERLICK & DANA CANTIL PERLICK	TRACT 1B-2,	COR 592, FOLIO 256, ENTRY NO. 255839					4,071,49	0.1112
	12	MARIE DUKE AND CYNTHIA PHINN DUCK	LOT 18, ORELANDO SUBDIVISION EXTENSION	COR 566, FOLIO 256, ENTRY NO. 241016					8,465,12	0.2059
13	051-1	HENRY L. LABRANCH	(1/2) APARTMENT FRONT AT RIVER	COR 143, FOLIO 165, ENTRY NO. 447956					17,381,42	0.0773
	051-2	HENRY L. LABRANCH	(1/2) APARTMENT FRONT AT RIVER	COR 143, FOLIO 165, ENTRY NO. 447956					8,830,85	0.0244

DS2-1 SERVITUDE NO.

OWNERSHIP / AREA TABLE

REQUIED DRAINAGE SERVITUTES FOR
A PORTION OF COUILLE CANAL
SECTIONS 6, 7, 17 & 42, T125-R7E
TOWN OF MONIZ
ST. CHARLES PARISH, LA.

343 N. CAISBERRY BLD., STE. #101, METairie, LA 70022 (504) 938-4009
SHEET NO. 15 OF 15

SURVEYED AT THE REQUEST OF: ST. CHARLES PARISH

RECORDED HEREON WAS MADE ON THE GROUND UNDER MY
DIRECT SUPERVISION, AND IN ACCORDANCE WITH
THE APPLICABLE STANDARDS OF PRACTICE FOR PROFESSIONAL
SERVICES AS SUPPLIED IN LOUISIANA
ADMINISTRATIVE CODE TITLE 46:10, CHAPTER 29 FOR A
CLASS "T" SURVEY.

343 N. CAISBERRY BLD., STE. #101, METairie, LA 70022 (504) 938-4009
SHEET NO. 15 OF 15