

**2025-0267**

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT  
(DEPARTMENT OF PUBLIC WORKS)**

**ORDINANCE NO. 25-9-4**

An ordinance to revoke and abandon the Drainage Right of Way along Davis Plantation granted by J. B. Levert Land Company, Inc. to St. Charles Parish on November 6, 1998.

**WHEREAS,** the Drainage Right of Way Map, Portion of Davis Plantation, Section 25, T.13 S., R.21 E, St. Charles Parish, LA, dated May 25, 1998, depicts a drainage right-of-way along the eastern border of Davis Heights Subdivision and northern border Southern Pacific Railroad (also known as BNSF Railroad) Right of Way; and,

**WHEREAS,** the Drainage Right of Way was intended to provide access to the Evelyn Drive Canal that stretches from BNSF Railroad to Union Pacific (UP) Railroad, which accepts the discharge from Nola Drainage Pump Station, and the canal running parallel to the BNSF Railroad that directs water from the Davis Barton Pump Station to the Davis Barton Pump Station Discharge Canal, both discharges ending up in Garland Canal being pumped by the Davis Diversion Drainage Pump Station; and,

**WHEREAS,** the 1998 Drainage Right of Way did not extend north of Nola Street, therefore did not provide access to the entire length of Evelyn Drive Canal; and,

**WHEREAS,** the 1998 Drainage Right of Way runs parallel to BNSF Railroad along Highway 90 and extends far beyond the area needed for maintenance, as St. Charles Parish only needs approximately 750 linear feet; and,

**WHEREAS,** the current owner, IMTT Luling, LLC, has granted St. Charles Parish a new and revised drainage servitude that corrects the deficiencies noted about with the 1998 Drainage Right of Way which the new servitude is recorded with the St. Charles Parish Clerk of Court under Instrument No. 491011; and,

**WHEREAS,** St. Charles Parish wishes to revoke and abandon said 1998 Drainage Right of Way pursuant to Chapter 2, Article I, Section 2-4 of the Code of Ordinances, as said property is no longer needed for public purposes.

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

**SECTION I.** That St. Charles Parish revokes and abandons all of its rights in and to the 1998 Drainage Right of Way as shown in the attached revocation.

**SECTION II.** That the Parish President is hereby authorized to execute an Act of Revocation and such other documents deemed necessary to carry out the intent of this ordinance.

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

YEAS: MOBLEY, FONSECA, WILSON, SKIBA, PILIE, COMARDELLE,  
O'DANIELS, FISHER, DEBRULER  
NAYS: NONE  
ABSENT NONE

And the ordinance was declared adopted this 22nd day of September, 2025, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Heely Fonseca

SECRETARY: Michelle S. S. S.

DLVD/PARISH PRESIDENT: September 23, 2025

APPROVED: ✓ DISAPPROVED:       

PARISH PRESIDENT: Math Jewell

RETD/SECRETARY: September 26, 2025

AT: 10:12 am RECD BY:



ACT OF REVOCATION

UNITED STATES OF AMERICA

BY: ST. CHARLES PARISH

STATE OF LOUISIANA

OF: DRAINAGE SERVITUDE

PARISH OF ST. CHARLES

IN FAVOR OF: IMTT LULING, LLC

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**BE IT KNOWN**, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**BEFORE** the undersigned Notary Public, duly commissioned and qualified in and for the Parish of St. Charles and State of Louisiana, therein residing, and in the presence of two competent witnesses hereinafter names and undersigned;

**PERSONALLY CAME AND APPEARED:**

**ST. CHARLES PARISH**, a political subdivision of the State of Louisiana, herein represented by its Parish President, Matthew Jewell, whose mailing address is P.O. Box 302, Hahnville, LA 70057; authorized pursuant to Ordinance No. 25-9-4 adopted by the St. Charles Parish Council on the 22<sup>nd</sup> day of September, 2025, a certified copy of which is attached hereto and made a part hereof;

That pursuant to the above related Ordinance, St. Charles Parish, through its governing authority, the St. Charles Parish Council, does hereby abandon and revoke the Drainage Right of Way granted in favor of St. Charles Parish on November 6, 1998, recorded in COB 546, folio 828 of the official records in the Clerk of Court for St. Charles Parish, by J. B. Levert Land Co. as set out in the following described property:

**A CERTAIN PIECE OR PORTION OF GROUND situated on the West Bank of the Mississippi River, in the State of Louisiana, Parish of St. Charles, Section 25, Township 13 South, Range 21 East, portion of Davis Plantation, designated as DRAINAGE RIGHT OF WAY and more fully described as follows:**

**Begin at the intersection of the northerly line of 100' Southern Pacific Railroad Right of Way and the westerly property line of J.B. Levert Co. Tract, said points having coordinates of North 455,285.65 and East 2,314,275.34, the point of beginning. Measure thence from the point of beginning along said westerly line of J. B. Levert Land Co. Tract N14°56'43"E a distance of 3340.00'; thence S75°03'17"E a distance of 80.00'; thence S14°56'14"W a distance of 340.00'; thence S04°56'14"W a distance of 86.31'; thence S14°56'43"W a distance of 2070.00'; thence S17°57'36"E a distance of 101.24'; thence S14°56'43"W a distance of 100.00'; thence S56°26'30"W a distance of 173.57'; thence S14°56'43"W a distance of 390.00'; thence S75°03'17"E a distance of 43.51'; thence N72°05'05"E a distance of 2640.02'; thence S17°54'55"E a distance of 75.00' to a point on the northerly line of 100' Southern Pacific Railroad Right of Way; thence along said northerly line S72°05'05"W a distance of**

**2781.93’ to a point on the westerly property line of J.B. Levert  
Land Co. Tract, the point of beginning.**  
**As more fully shown on Drainage Right of Way Plan by Krebs,  
LaSalle, LeMieux Consultants, Inc. dated May 25, 1998.**

**NOW THEREFORE, ST. CHARLES PARISH,** has duly determined in the above related Ordinance that the drainage servitude no longer serves a public purpose and that it is in the best interest of St. Charles Parish to revoke and abandon all of its rights in and to the drainage servitude as described above formerly owned by J. B. Levert Land, Co. and now currently owned by IMTT Luling, LLC pursuant to an Act of Sale recorded at Instrument No. 477372.

Further, that pursuant to LA R.S. 48-701 et seq, and the St. Charles Parish Code of Ordinances Chapter 2, Section 2-4(c) the revocation of the dedicated property is made unto the present owners of the land contiguous thereto.

**THUS DONE AND SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025 in the Parish of St. Charles, State of Louisiana in the presence of the undersigned named competent witnesses and me, Notary, after a reading of the whole.

**WITNESSES:**

\_\_\_\_\_  
  
\_\_\_\_\_

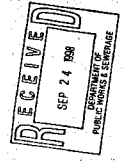
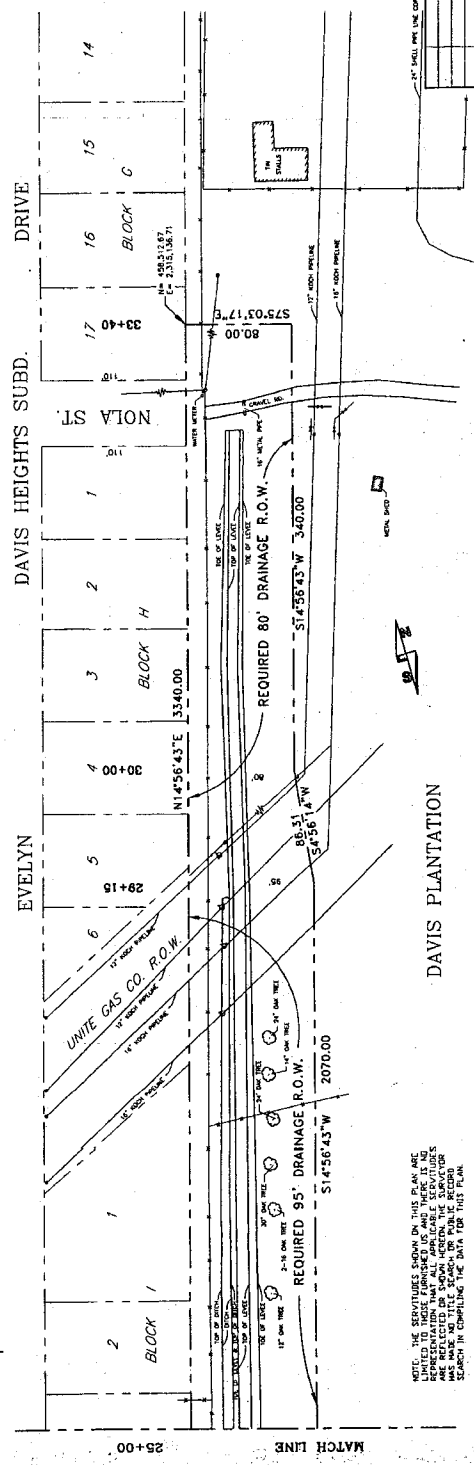
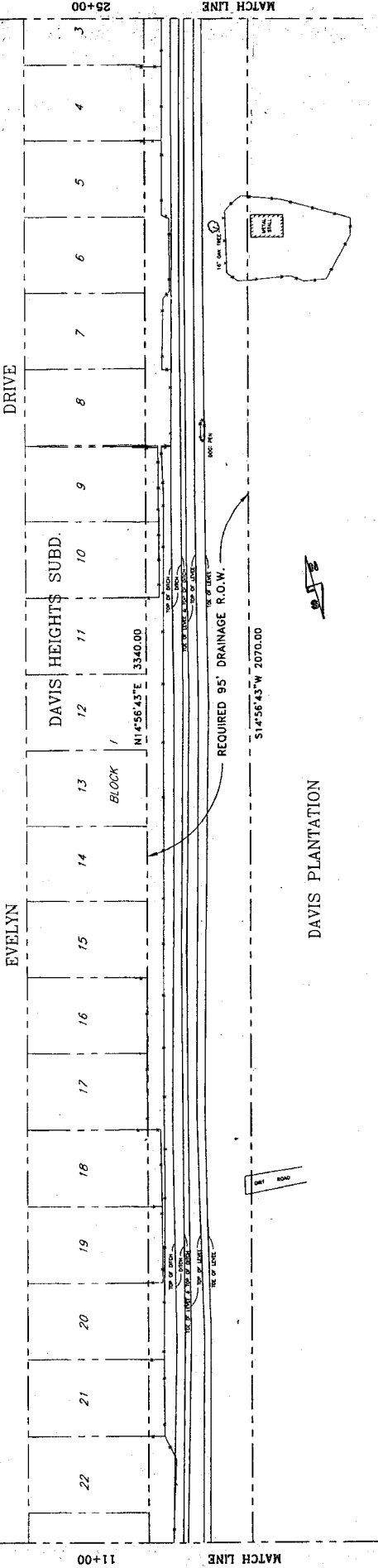
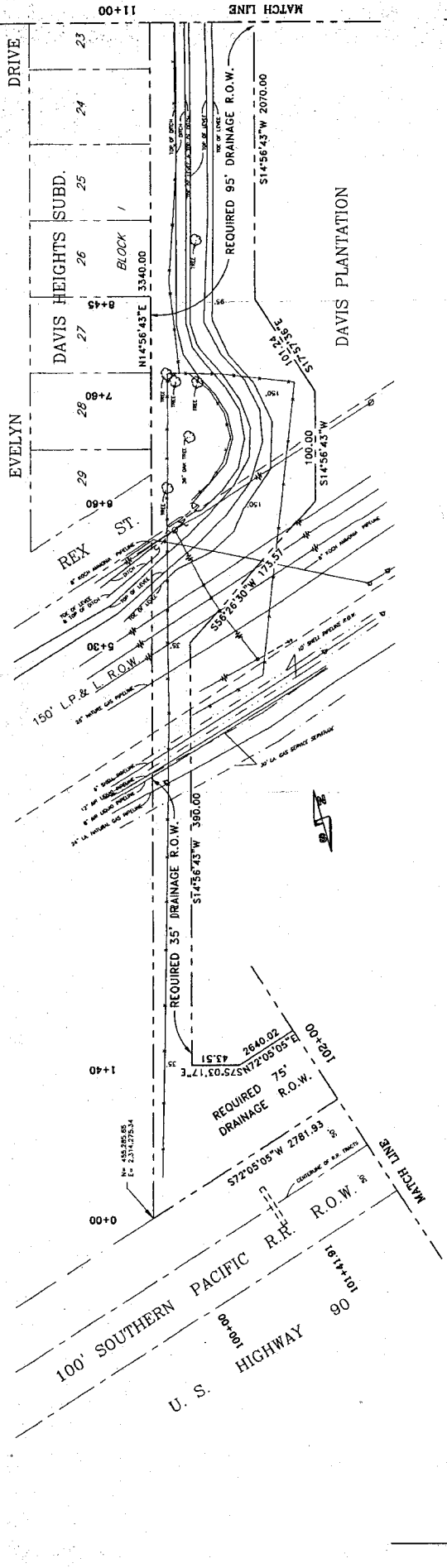
**ST. CHARLES PARISH**

**BY: \_\_\_\_\_  
MATTHEW JEWELL  
PARISH PRESIDENT**

\_\_\_\_\_  
**NOTARY PUBLIC**

54.1414  
C-20-002-04

CS-27398 Page 2, Filed 12/8/1988 12:00 AM (Public)



METairie, LA  
KREBS, LAMIEUX CONSULTANTS, INC.  
3011 27th St Metairie, LA 70002  
2107 N. Causeway Blvd. Suite F Metairie, LA 70148  
Scale: 1"=50'  
Date: May 25, 1988  
Drawn By: D.E.R.  
File No. G-20-002-04  
Job No. 486,0091

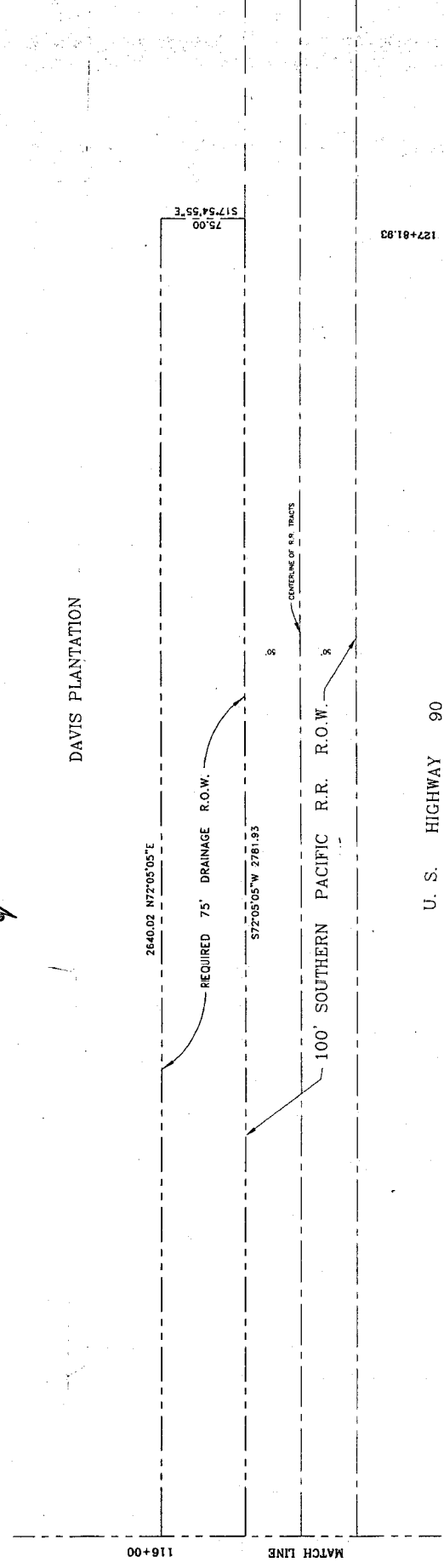
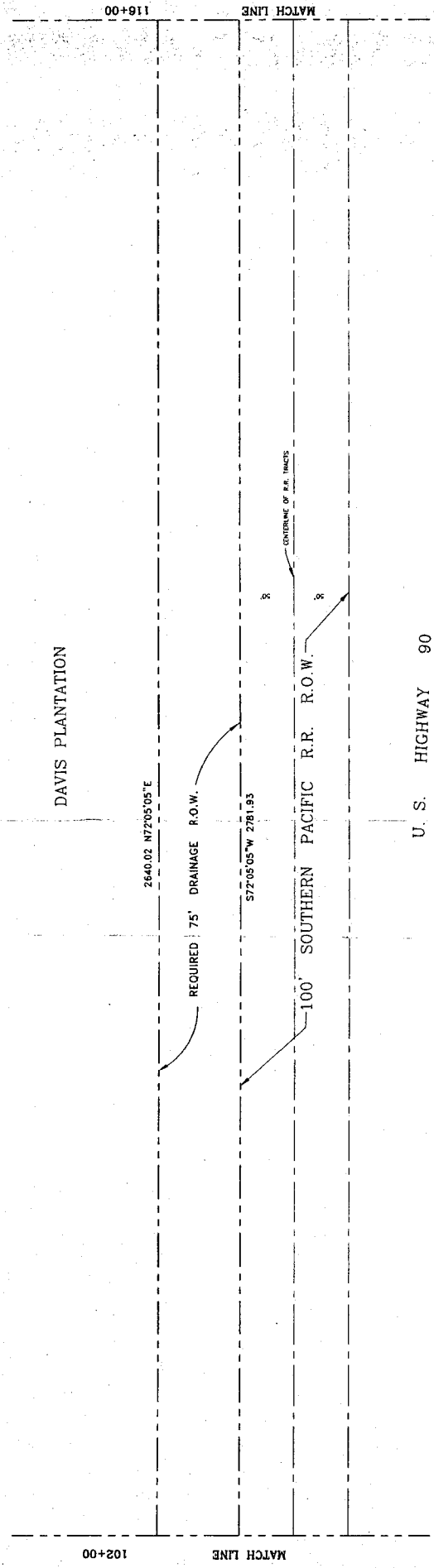
**DRAINAGE RIGHT OF WAY MAP**  
**PORTION OF DAVIS PLANTATION**  
**SECTION 25 T.13 S.R.21 E**  
**ST. CHARLES PARISH, LA.**

**KREBS, LAMIEUX CONSULTANTS, INC.**  
ENGINEERS AND SURVEYORS  
3011 27th St Metairie, LA 70002  
2107 N. Causeway Blvd. Suite F Metairie, LA 70148  
Scale: 1"=50'  
Date: May 25, 1988  
Drawn By: D.E.R.  
File No. G-20-002-04  
Job No. 486,0091

NOTE: THE SERVITUDES SHOWN ON THIS PLAN ARE  
ASSUMED TO BE THE SERVITUDES SHOWN ON THE  
PREVIOUS EDITIONS OF THIS PLAN AND THE SERVITUDES  
ARE NOT TO BE CHANGED WITHOUT THE SURVEYOR'S  
SEARCH IN COMPILING THE DATA FOR THIS PLAN

G-20-002-04

PK 1444  
008.831598



DRAINAGE RIGHT OF WAY MAP  
PORTION OF DAVIS PLANTATION  
SECTION 25 T.13 S.R.21 E  
ST. CHARLES PARISH, LA.

KREBS, LASALLE, LAMIEUX CONSULTANTS, INC.  
ENGINEERING  
2107 N. CAUSEWAY BLVD. SUITE F. MADEIRA, LA. 70448 (504) 924-5125

DATE: MAY 25, 1998  
SCALE: 1"=40'  
JOB NO. 498.0091  
DRAWN BY: D.E.R.  
FILE NO.  
SHEET NO. 2 of 2

STATE OF LOUISIANA  
LAWRENCE S. BOGGS  
REG. NO. 824  
LAND SURVEYOR

METairie, LA.  
KREBS, LASALLE, LAMIEUX CONSULTANTS, INC.  
MAY 25, 1998

BY: *Paul Badier*

DATE	DESCRIPTION	REVISIONS

NOTICE: THE SERVICES SHOWN ON THIS PLAN ARE  
BASED ON THE DATA PROVIDED BY THE CLIENT.  
REPRESENTATION THAT ALL APPLICABLE SECTIONS  
HAVE BEEN REVIEWED AND FOUND TO BE CORRECT  
HAS BEEN MADE AND THE DATA FOR THIS PLAN  
SEARCH IN COMPLYING THE DATA FOR THIS PLAN.