

Ord.

2017-0370

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

ORDINANCE NO. 17-11-9

An ordinance to approve and authorize the Lafourche Basin Levee District to expropriate the necessary real estate interest to a portion of land designated as Parcel 26-1-R-1 for the Sunset Drainage District Levee in St. Charles Parish, Louisiana, and to authorize the transfer of the necessary funding thereof.

WHEREAS, the Parish of St. Charles has determined a public need to protect the property owners within the Sunset Drainage District from flooding of tidal water of the Gulf of Mexico with the West Bank Hurricane Protection Levee, Sunset Drainage District Levee, Burlington Northern Santa Fe Railroad to LA Highway 306, Paradis & Bayou Gauche, St. Charles Parish, Louisiana, STA. 830+00.00 to 962+07.17 (North) 10+00.00 (South) to 310+00.00 "Project"; and,

WHEREAS, the Parish of St. Charles has entered into a Cooperative Endeavour Agreement with the Lafourche Basin Levee District per Ordinance No. 09-8-2 on August 3, 2009 to acquire the necessary real estate interest to construct, operate, and maintain the project; and,

WHEREAS, it is necessary for Lafourche Basin Levee District to acquire the real estate interest from landowners for the Project without delay; and,

WHEREAS, the Lafourche Basin Levee District has provided just compensation offers and negotiated in good faith with the landowners Terri and Murray L. Dufrene to acquire the necessary real estate interests identified as Parcel 26-1-R-1 at fair market values established by two (2) certified independent appraisals; and,

WHEREAS, in the event landowners refuse to grant the necessary rights and the required real estate cannot be amicably acquired, the Lafourche Basin Levee District will be forced to expropriate to acquire the interests; and,

WHEREAS, Article 5, Item C of the Cooperative Endeavour Agreement states the decision to expropriate shall be at the sole discretion of the Parish of St. Charles as evidenced by written authorization of the Parish President and the transfer of funds required for deposit in the registry of the court prior to filing of the expropriation proceedings; and,

WHEREAS, the fair market value of the required real estate interest to be acquired for the Project designated as Parcel 26-1-R-1 has been established as \$5,100 by the higher of two (2) appraisal reports prepared by licensed appraisers and reviewed by an independent third-party licensed appraiser.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That there is hereby a public need for the property designated as Parcel 26-1-R-1 to construct, maintain, and operate the Project.

SECTION II. That the Lafourche Basin Levee District is hereby authorized to expropriate the required real estate interest designated as Parcel 26-1-R-1 in the event the landowner refuses to grant the necessary rights.

SECTION III. That the Parish hereby authorizes the transfer of \$5,100.00 in project funding to the Lafourche Basin Levee District for the expropriation of said property.

SECTION IV. That the Parish President is hereby authorized to execute any and all documents necessary to complete said expropriation on behalf of the Parish of St. Charles.

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 27th day of November, 2017, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Terrill Wilson

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: 11/28/17

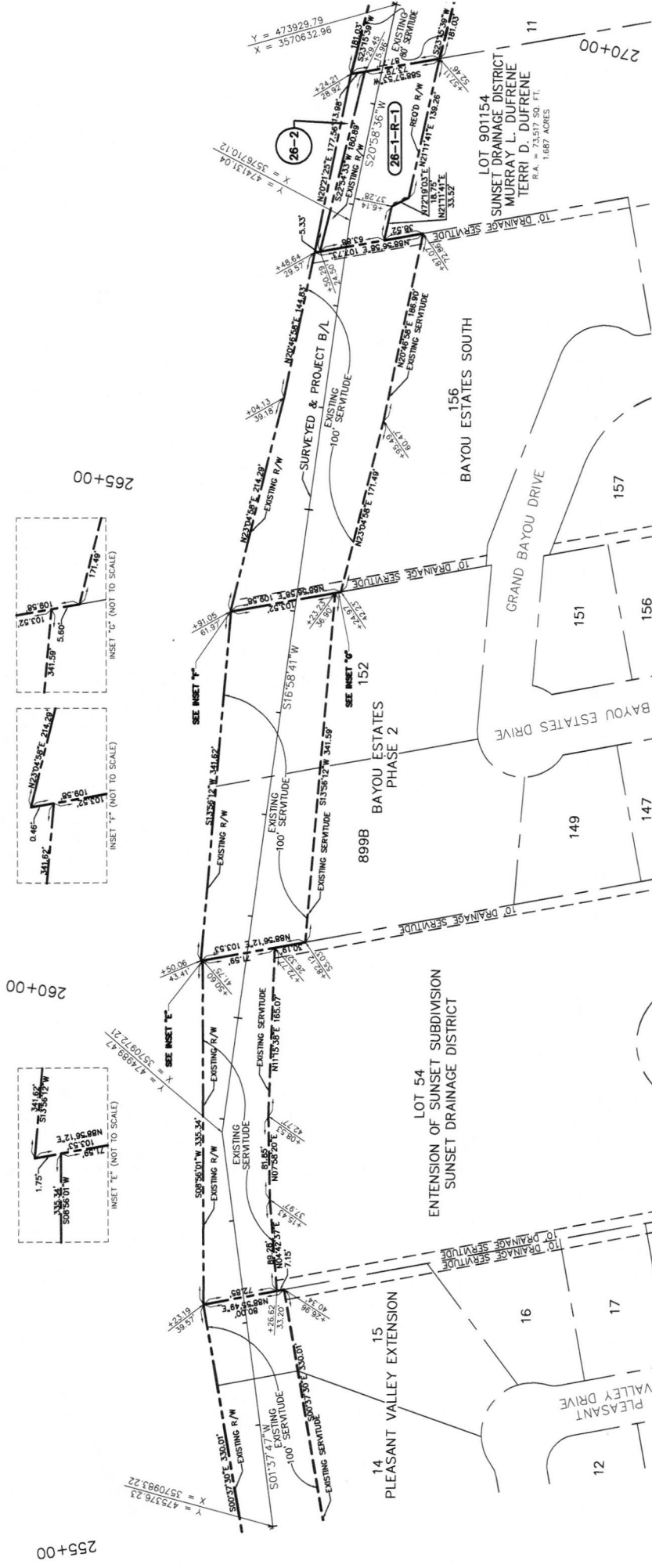
APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: 11/29/17

AT: 10:45a RECD BY: [Signature]

SOUTHEASTERN LAND DISTRICT
WEST OF THE MISSISSIPPI RIVER
T 15 S - R 20 E
SECTION 3



ELEVATIONS OR COORDINATES BASED ON:
DATUM: NAD 83
PROJ: NAD 83
STATE/COUNTY: LA/ST. CHARLES PARISH
USGS QUAD: LULING (1992)
NAD 83 (2011): 29°55'01.64\"(N) 90°18'58.55\"(W) ADJUSTED
NAVD 88: 1.74 (METERS) 5.70 (FEET)
GPS OBS: 2006.81
RETRIEVAL DATE: DECEMBER 8, 2010
BEARINGS SHOWN HEREON ARE GRID
BEARINGS BASED ON THE LOUISIANA
PLANE COORDINATE SYSTEM SOUTH ZONE
NAD 83 (2011).

I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL ROUTE
SURVEY MADE BY ME, OR BY THOSE UNDER MY DIRECTION AND
COMPLIES WITH THE REQUIREMENTS OF LOUISIANA'S "STANDARDS
OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS D ROUTE
SURVEY SPECIFICALLY CHAPTER 2009 - ROUTE SURVEY.

RESIDUAL ACRES NOTE
RESIDUAL ACRES SHOWN ARE CALCULATED FOR INFORMATION
PURPOSES ONLY.
THE RESIDUAL ACRES ARE SUBJECT TO REVIEW AND
VERIFICATION BY TITLE AND SURVEY.

- LEGEND
- REQUIRED RIGHT OF WAY LINE
 - PROPERTY LINE
 - LOT LINE
 - LIMITS OF CONSTRUCTION
 - EXISTING RIGHT OF WAY LINE
 - SECTION LINE
 - DRAINAGE SERVITUDE
 - EXISTING SERVITUDE

PARCEL	OWNER	ACQUISITION	AREA	ESTATE TYPE
26-2	MURRAY L. DUFRENE ET AL	C.O.B. 594 PG. 408 ENTRY NO. 259878	0.037 AC.	SERVITUDE
26-1-R-1	MURRAY L. DUFRENE & TERRI D. DUFRENE	C.O.B. 590 PG. 608 ENTRY NO. 330898	0.279 AC.	SERVITUDE
		C.O.B. 498 PG. 105 ENTRY NO. 195782		

LAFOURCHE BASIN LEVEE DISTRICT
AND
PARISH OF ST. CHARLES

RIGHT OF WAY MAP
WEST BANK HURRICANE PROTECTION LEVEE
SUNSET DRAINAGE DISTRICT LEVEE
ST. CHARLES PARISH, LOUISIANA
STA. 830+00.00 TO 962+07.17 (NORTH SECTION)
10+00.00 TO 310+00.00 (SOUTH SECTION)

STEPHEN P. FLYNN
L.S. REG. NO. 4668
PROFESSIONAL ENGINEER

STEPHEN P. FLYNN
L.S. REG. NO. 4668
PROFESSIONAL ENGINEER

DATE: 10/6/2015 100%
DRAWN BY: T.P.T.
COMPUTED BY: S.P.F.
SHEET NO. 26
RSC DWG NO.: 11553_W02206_RSC_ROW