

Ord.

2012-0393

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. 12-11-18

An ordinance approving and authorizing the execution of a Resubdivision of Lakewood Ridge Subdivision (Luling LA), Lots 1 through 4, 13 through 25, 30 through 49 into Lots 1A through 4A, 13A through 25A, and 30A through 49A, as indicated on a Survey Plat prepared by Riverlands Surveying Company, dated September 24, 2012, and approving the execution of an Act of Amendment and Restatement of Act of Dedication by Willowridge Estates, LLC to St. Charles Parish, as requested by Willowridge Estates, LLC, Ryan & Ashley Brown, Rona Harris, Rena Harris, and Reve Inc.

- WHEREAS,** the Final Approval and an Act of Dedication for Lakewood Ridge Subdivision in Luling was approved by the St. Charles Parish Council by Ordinance 07-2-4; and,
- WHEREAS,** Willowridge Estates, LLC, Ryan & Ashley Brown, Rona Harris, Rena Harris, and Reve Inc. are the owners of Lots 1 through 4, 13 through 25, 30 through 49 of Lakewood Ridge Subdivision in Luling; and,
- WHEREAS,** Riverlands Surveying Company discovered an error with the manner in which said lots were staked in the ground and depicted on said survey of final plat dated December 13, 2006 for Lakewood Ridge Subdivision; and,
- WHEREAS,** said error resulted in the footprint of the subdivision not aligning with Lakewood Estates and South Lakewood Subdivisions to the north and Rathborne Park to the south; and;
- WHEREAS,** the error did not affect Lots 7 through 12, or Lots 26 through 29, or Lots 50 through 73; and,
- WHEREAS,** Riverlands prepared the revised survey dated September 24, 2012 for the dual purpose of correcting the street descriptions, and the corresponding dedication thereof, and for the purpose of resubdividing the outer perimeter lots to reflect the corrected dimensions thereof; and,
- WHEREAS,** all required administrative reviews and approvals have been completed relative to Lakewood Ridge subdivision.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Survey Plat and Resubdivision of Lakewood Ridge Subdivision of Lots 1, 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 into Lots 1A, 2A, 3A, 4A, 13A, 14A, 15A, 16A, 17A, 18A, 19A, 20A, 21A, 22A, 23A, 24A, 25A, 30A, 31A, 32A, 33A, 34A, 35A, 36A, 37A, 38A, 39A, 40A, 41A, 42A, 43A, 44A, 45A, 46A, 47A, 48A, 49A (dated September 24, 2012) and the Act of Amendment and Restatement of Act of Dedication By Willowridge LLC, to St. Charles Parish for Lakewood Ridge Subdivision, and the amended, restated and reconstituted descriptions of the streets within Lakewood Ridge Subdivision are hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Final Plat and Act of Amendment and Restatement of 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: SCHEXNAYDRE, FAUCHEUX, WILSON, BENEDETTO, HOGAN, COCHRAN, FLETCHER.

NAYS: NONE

ABSENT: TASTET, NUSS

And the ordinance was declared adopted this 19th day of November, 2012, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: 11/20/12

APPROVED: DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: 11/21/12

AT: 8:45am RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE -12-11-12

ON December 5, 2012

AS ENTRY NO. 384458

IN MORTGAGE/CONVEYANCE BOOK

NO. 779 FOLIO 569

Plat filed on 12/18/12 ("Act of Deposit")
Entry No. 384780
Conveyance Book #780 folio 196

ACT OF AMENDMENT AND
RESTATEMENT OF ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: WILLOWRIDGE ESTATES, L.L.C.

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 5th day of December, in the
year of Our Lord Two Thousand and twelve,

BEFORE ME, the undersigned authority, a Notary Public, duly commissioned and qualified in and for the aforesaid Parish and State, therein residing, and in the presence of the two competent witnessed hereinafter named and undersigned, PERSONALLY CAME AND APPEARED;

Willowridge Estates, L.L.C., a limited liability company organized and existing under and by virtue of the laws of the State of Louisiana with its domicile in the Parish of Jefferson, within said State, herein appearing by and through Rathborne Properties, LLC, its Manager, herein appearing by and through Gregory C. Lier, its Executive Vice President. (Hereinafter sometimes referred to as "Willowridge");

MAILING ADDRESS: P.O. Box 157
Harvey, Louisiana 70059

Willowridge declared unto me, Notary, that it is the owner of a certain tract of real property situated on the West Bank of St. Charles Parish, which lands are designated as Lakewood Ridge Subdivision being a portion of Section 5, T14S, R21E, St. Charles Parish, Louisiana, shown on a survey of said subdivision which survey was prepared by Riverlands Surveying Company, dated December 13, 2006, signed by Stephen P. Flynn, Registered Land Surveyor, on behalf of Riverlands Surveying Company ("Riverlands"), which survey is entitled "Lakewood Ridge Subdivision, in Section 5, T14S, R21E, near Luling, St. Charles Parish, Louisiana" and was approved by the St. Charles Parish Council on February 5, 2007 by Ordinance No. 07-2-4, and recorded on March 7, 2007, in COB 687, folio 491, Entry No. 328640; and

Riverlands has discovered an error with the manner in which certain lots within Lakewood Ridge Subdivision were depicted on the original survey recorded at COB 687, folio 491. The error affected certain lots on the outer perimeter of the subdivision and the streets. The error did not affect Lots 7 - 12 or Lots 26 - 29 or Lots 50 - 73. Accordingly, Riverlands has prepared the attached revised survey, dated September 24, 2012, for the dual purpose of correcting the street descriptions, and the corresponding dedication thereof, and for the purpose of resubdividing the outer perimeter lots to reflect the corrected

dimensions thereof.

Therefore, by this Act, Willowridge amends, restates and reconstitutes, in full, the streets identified below as being a part of Lakewood Ridge Subdivision. The amended, restated and reconstituted descriptions of the streets are as follows, to wit:

Lakewood Drive, Gregory Drive and Debbie Court
of Lakewood Ridge Subdivision

The location of the property is described as being in St. Charles Parish, on the right descending bank of the Mississippi River in Section 5 of Township 14 South, Range 21 East, Southeast District of Louisiana, West of the Mississippi River, near Luling, Louisiana; being Lakewood Drive, Gregory Drive and Debbie Court of a Plan of survey plat and resubdivision of lots 1, 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49 of Lakewood Ridge Subdivision into lots herein designated as lots 1A, 2A, 3A, 4A, 13A, 14A, 15A, 16A, 17A, 18A, 19A, 20A, 21A, 22A, 23A, 24A, 25A, 30A, 31A, 32A, 33A, 34A, 35A, 36A, 37A, 38A, 39A, 40A, 41A, 42A, 43A, 44A, 45A, 46A, 47A, 48A and 49A of Lakewood Ridge Subdivision. All as more fully shown on a Survey Plat by Stephen P. Flynn P.L.S. dated September 24, 2012 and more particularly described as follows:

Beginning at a point said point being the southwest corner of Lot 43A of Lakewood Ridge Subdivision.

Thence proceed N08°57'20"E a distance of 100.16 feet to a point;

Thence proceed along a curve to the right having the radius of 30.00 feet, a length of 47.20 feet and a chord of N54°02'07"E a distance of 42.48 feet to a point;

Thence proceed N08°38'18"E a distance of 50.00 feet to a point;

Thence proceed along a curve to the right having the radius of 30.00 feet, a length of 47.07 feet and a chord of N36°24'08"W a distance of 42.39 feet to a point;

Thence proceed N08°42'34"E a distance of 42.04 feet to a point;

Thence proceed along a curve to the right having the radius of 196.34 feet, a length of 187.76 feet and a chord of N37°15'58"E a distance of 180.69 feet to a point;

Thence proceed N64°39'44"E a distance of 51.49 feet to a point;

Thence proceed along a curve to the right having the radius of 155.00 feet, a length of 110.99 feet and a chord of N85°10'32"E a distance of 108.63 feet to a point;

Thence proceed along a curve to the left having the radius of 2883.92 feet, a length of 715.82 feet and a chord of S81°25'19"E a distance of 713.99 feet to a point;

Thence proceed along a curve to the right having the radius of 25.00 feet, a length of 46.11 feet and a chord of S35°41'48"E a distance of 39.85 feet to a point;

Thence proceed S17°08'21"W a distance of 196.86 feet to a point;

Thence proceed along a curve to the right having the radius of 25.00 feet, a length of 32.86 feet and a chord of S54°47'42"W a distance of 30.55 feet to a point;

Thence proceed along a curve to the right having the radius of 3123.92 feet, a length of 542.87 feet and a chord of N82°34'15"W a distance of 542.19 feet to a point;

Thence proceed along a curve to the left having the radius of 350.00 feet, a length of 96.99 feet and a chord of N85°31'53"W a distance of 96.68 feet to a point;

Thence proceed S86°32'44"W a distance of 82.73 feet to a point;

Thence proceed along a curve to the right having the radius of 350.00 feet, a length of 50.60 feet and a chord of N87°19'07"W a distance of 50.56 feet to a point;

Thence proceed N81°21'42"W a distance of 126.02 feet to a point;

Thence proceed S08°38'18"W a distance of 50.00 feet to a point;

Thence proceed S81°21'42"E a distance of 127.04 feet to a point;

Thence proceed along a curve to the left having the radius of 400.00 feet, a length of 60.38 feet and a chord of S87°24'39"E a distance of 60.32 feet to a point;

Thence proceed N86°31'47"E a distance of 82.73 feet to a point;

Thence proceed along a curve to the right having the radius of 300.00 feet, a length of 82.32 feet and a chord of S85°36'35"E a distance of 82.06 feet to a point;

Thence proceed along a curve to the left having the radius of 3173.92 feet, a length of 527.02 feet and a chord of S82°20'05"E a distance of 526.41 feet to a point;

Thence proceed along a curve to the right having the radius of 25.00 feet, a length of 24.09 feet and a chord of S59°28'58"E a distance of 23.17 feet to a point;

Thence proceed along a curve to the left having the radius of 50.00 feet, a length of 155.95 feet and a chord of N58°46'04"E a distance of 99.99 feet to a point;

Thence proceed along a curve to the right having the radius of 25.00 feet, a length of 20.82 feet and a chord of N06°43'24"W a distance of 20.23 feet to a point;

Thence proceed N17°08'21"E a distance of 174.40 feet to a point;

Thence proceed along a curve to the right having the radius of 25.00 feet, a length of 19.80 feet and a chord of N39°49'31"E a distance of 19.28 feet to a point;

Thence proceed along a curve to the left having the radius of 50.00 feet, a length of 130.74 feet and a chord of N12°23'52"W a distance of 96.55 feet to a point;

Thence proceed N89°36'02"W a distance of 9.15 feet to a point;

Thence proceed along a curve to the right having the radius of 2833.92 feet, a length of 640.87 feet and a chord of N83°01'46"W a distance of 639.51 feet to a point;

Thence proceed along a curve to the right having the radius of 30.00 feet, a length of 49.00 feet and a chord of N29°45'32"W a distance of 43.73 feet to a point;

Thence proceed N17°02'00"E a distance of 96.33 feet to a point;

Thence proceed N82°24'58"W a distance of 101.38 feet to a point;

Thence proceed S17°02'00"W a distance of 91.11 feet to a point;

Thence proceed along a curve to the right having the radius of 30.00 feet, a length of 39.90 feet and a chord of S55°08'22"W a distance of 37.03 feet to a point;

Thence proceed along a curve to the left having the radius of 205.00 feet, a length of 102.27 feet and a chord of S78°57'13"W a distance of 101.21 feet to a point;

Thence proceed S64°39'44"W a distance of 51.49 feet to a point;

Thence proceed along a curve to the left having the radius of 246.34 feet, a length of 236.12 feet and a chord of S37°12'13"W a distance of 227.18 feet to a point;

Thence proceed S08°42'34"W a distance of 42.52 feet to a point;

Thence proceed along a curve to the right having the radius of 30.00 feet, a length of 47.12 feet and a chord of S53°38'55"W a distance of 42.43 feet to a point;

Thence proceed N81°21'05"W a distance of 178.84 feet to a point;

Thence proceed along a curve to the right having the radius of 30.00 feet, a length of 46.96 feet and a chord of N35°26'46"W a distance of 42.31 feet to a point;

Thence proceed along a curve to the right having the radius of 487.11 feet, a length of 206.67 feet and a chord of N16°32'08"E a distance of 205.12 feet to a point;

Thence proceed along a curve to the right having the radius of 25.00 feet, a length of 22.50 feet and a chord of N54°28'27"E a distance of 21.75 feet to a point;

Thence proceed along a curve to the left having the radius of 60.00 feet, a length of 306.19 feet and a chord of N57°51'17"W a distance of 66.77 feet to a point;

Thence proceed along a curve to the right having the radius of 25.00 feet, a length of 19.75 feet and a chord of S06°40'08"W a distance of 19.24 feet to a point;

Thence proceed along a curve to the left having the radius of 537.11 feet, a length of 202.31 feet and a chord of S18°30'54"W a distance of 201.11 feet to a point;

Thence proceed along a curve to the right having the radius of 30.00 feet, a length of 52.06 feet and a chord of S57°26'05"W a distance of 45.77 feet to a

point;

Thence proceed N72°51'19"W a distance of 78.12 feet to a point;

Thence proceed S16°48'55"W a distance of 71.01 feet to a point;

Thence proceed S16°33'07"W a distance of 8.99 feet to a point;

Thence proceed S72°51'19"E a distance of 129.86 feet to a point;

Thence proceed along a curve to the left having the radius of 65.00 feet, a length of 11.11 feet and a chord of S75°45'47"E a distance of 11.09 feet to a point;

Thence proceed along a curve to the left having the radius of 300.00 feet, a length of 52.65 feet and a chord of N88°59'09"E a distance of 52.58 feet to a point;

Thence proceed along a curve to the right having the radius of 65.00 feet, a length of 13.20 feet and a chord of S86°54'42"E a distance of 13.18 feet to a point;

Thence proceed S81°21'05"E a distance of 177.92 feet to a point;

Thence proceed along a curve to the right having the radius of 30.00 feet, a length of 47.28 feet and a chord of S36°11'53"E a distance of 42.54 feet to a point;

Thence proceed S08°57'20"W a distance of 100.36 feet to a point;

Thence proceed S81°56'39"E a distance of 50.00 feet to a point;

Back to the Point of Beginning.

On all matters of the description of the property on which the streets are located, the above referred to survey, dated September 24, 2012, shall be controlling.

Willowridge further declared unto me, Notary, that on the aforesaid revised plan of resubdivision, it has designated and labeled the same servitudes for water, utility and drainage as were depicted on the original plan; and

Willowridge further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does, by these presents, re-dedicate the following streets located all within Lakewood Ridge Subdivision, namely: Lakewood Drive, Gregory Drive, and Debbie Court as hereinabove described and does hereby re-grant the various servitudes for water, utility and drainage purposes, all as shown on the annexed plan of resubdivision by Riverlands Surveying Company, dated September 24, 2012, 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

Willowridge further declared unto me, Notary that the aforesaid dedication and grant are subject to all of the same terms and conditions as recited in the original dedication recorded on March 7, 2007, in COB 687, folio 491, Entry No. 328640, which are repeated herein, to wit:

1. The amended and restated dedication of the fee ownership of the property covered by the streets identified hereinabove as Lakewood Drive, Gregory Drive, and Debbie Court is only as far as said streets are located in Lakewood Ridge Subdivision.
2. The herein amended and restated 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. Willowridge does hereby reserve all rights of fee ownership to that portion of the aforesaid Lakewood Ridge Subdivision which comprises the various servitudes for water, utility and drainage purposes.
3. Willowridge 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 streets and drainage canals identified hereinabove and by the aforesaid water, utility and drainage servitudes granted herein. In that connection, Willowridge does, however, agree to prohibit the use of any part of the surface of any of the property covered by the streets, drainage canals and servitudes with respect to the exploration, development or production of minerals pursuant to this reservation. This reservation is made in accordance with Willowridge's plan and intention to reserve all of the mineral rights in, on and under all of the lots in the Lakewood Ridge Subdivision, whereby, however, Willowridge will likewise impose a restriction on 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 amended and restated dedication of streets and grant of servitudes for water, utility and drainage purposes are made by Willowridge without any warranty whatsoever except as provided for herein.
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 use as a public street.* St. Charles Parish must further bind and obligate itself to use the water, utility and drainage servitudes granted herein only for water, utility and drainage purposes.
6. This amended and restated dedication and grant 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 amended and restated grant herein of various servitudes for water, utility and drainage purposes shall be used *exclusively for those purposes* and Willowridge 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. The herein granted water, utility and drainage servitudes shall not be utilized so as to unreasonably interfere with or impair ingress and egress from the streets dedicated herein to any of the lots in the Lakewood Ridge Subdivision.
8. Willowridge warrants that the herein amended and restated dedication of streets and grant of servitudes are free of any liens and/or encumbrances and that all acts of sale for lots sold or alienated prior to the date hereof shall be corrected to reflect the dimensions shown on the attached survey dated

September 24, 2012.

9. The amended and restated dedication and grant made herein are made subject to any existing servitudes affecting the Lakewood Ridge Subdivision, such as by way of illustration by not limitation pipeline servitudes and levees.
10. The herein amended and restated dedication and grant shall inure to the benefit of St. Charles Parish or any successor governmental body of St. Charles Parish, which shall be bound by all of the terms and conditions hereof.
11. Willowridge warrants that all utilities and streets have been placed within the servitudes granted herein.

AND NOW, to these presents, personally came and intervened:

ST. CHARLES PARISH, herein appearing by and through V. J. St. Pierre, Jr., Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on November 19, 2012, 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 amended and restated dedication and grant under all of the terms and conditions as contained hereinabove, and does also hereby acknowledge that the construction of all of the streets and drainage canals as originally dedicated was satisfactorily completed in accordance with all requirements and that all utility and drainage facilities have been likewise satisfactorily completed in accordance with all requirements and St. Charles Parish does hereby accept the amended and restated description all of said streets and drainage canals and utility and drainage facilities and assumes the maintenance thereof.

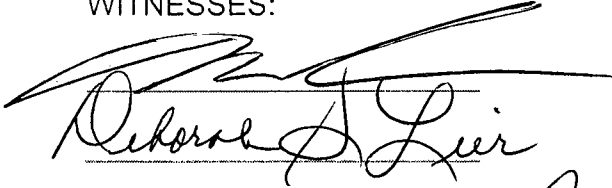
This Act of Dedication and Acceptance was approved and accepted by the St. Charles Parish Council by Ordinance 12-11-18 the 19th day of November, 2012, a photo copy of which is attached and made part hereof.


THUS DONE AND PASSED, in triplicate originals, in my office 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.

WILLOWRIDGE ESTATES, L.L.C.

WITNESSES:

By: Rathborne Properties, LLC, Its Manager

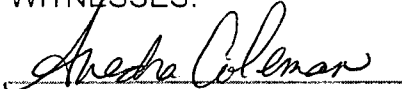
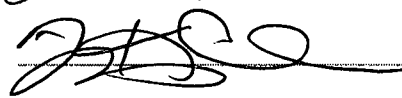

Deborah Lier

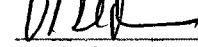
BY: 
Gregory C. Lier, Executive Vice President

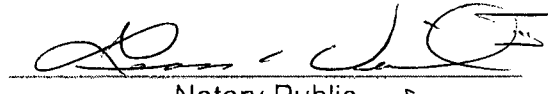

Louis G. Authement, Bar No 20089
Notary Public

WITNESSES:

ST. CHARLES PARISH


Andrea Coleman


BY: 
V. J. St. Pierre, Jr.
Parish President


Notary Public
Leon E. Vint
Print Name

Bar No.: 58825

