

Ord.

2015-0183

INTRODUCED BY: **V.J. ST. PIERRE, JR., PARISH PRESIDENT**
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. 15-6-10

An ordinance to approve and authorize the Lafourche Basin Levee District to purchase and/or expropriate the necessary real estate interest to a portion of land owned by Karen Majoria Gervais, et al, designated as Parcels 7-1 and 7-1-A-1 for the West Bank Hurricane Protection Levee, Phase III - Ellington, St. Charles Parish, Louisiana, Sta. 10+00.00 to Sta. 170+62.80, 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 of the Ellington Plantation Subdivision from flooding of tidal water of the Gulf of Mexico with the construction of the West Bank Hurricane Protection Levee, Phase III - Ellington, St. Charles Parish, Louisiana, Sta. 10+00.00 to Sta. 170+62.80 "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 the project; and,
- WHEREAS,** it is necessary for Lafourche Basin Levee District to acquire the identified real estate interest from landowners to begin construction of the Project without delay; and,
- WHEREAS,** the Lafourche Basin Levee District will provide just compensation offers and negotiate in good faith with the landowners, Karen Majoria Gervais, et al, to acquire the necessary real estate interest to Parcels 7-1 and 7-1-A-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 as evidenced by written authorization of the Parish President and the transfer of funds required for deposit in the registry of the court delivered by the Parish to the Lafourche Basin Levee District prior to filing of the expropriation proceedings; and,
- WHEREAS,** the fair market value of the required real estate interest that needs to be acquired for the West Bank Hurricane Protection Levee, Phase III - Ellington, as established by two (2) licensed MAI appraisers and reviewed by an independent third-party licensed MAI Appraiser, is \$3,400.00.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That there is hereby a public need for the above described property to construct and maintain the West Bank Hurricane Protection Levee, Phase III - Ellington.

SECTION II. That the Lafourche Basin Levee District is hereby authorized to purchase and/or expropriate the necessary real estate interest to a portion of land owned by Karen Majoria Gervais, et al, designated as Parcels 7-1 and 7-1-A-1 for the West Bank Hurricane Protection Levee, Phase III - Ellington, St. Charles Parish, Louisiana, Sta. 10+00.00 to Sta. 170+62.80.

SECTION III. That the Parish hereby authorizes the transfer of \$3,400.00 in project funding to the Lafourche Basin Levee District for the acquisition of said property.

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

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

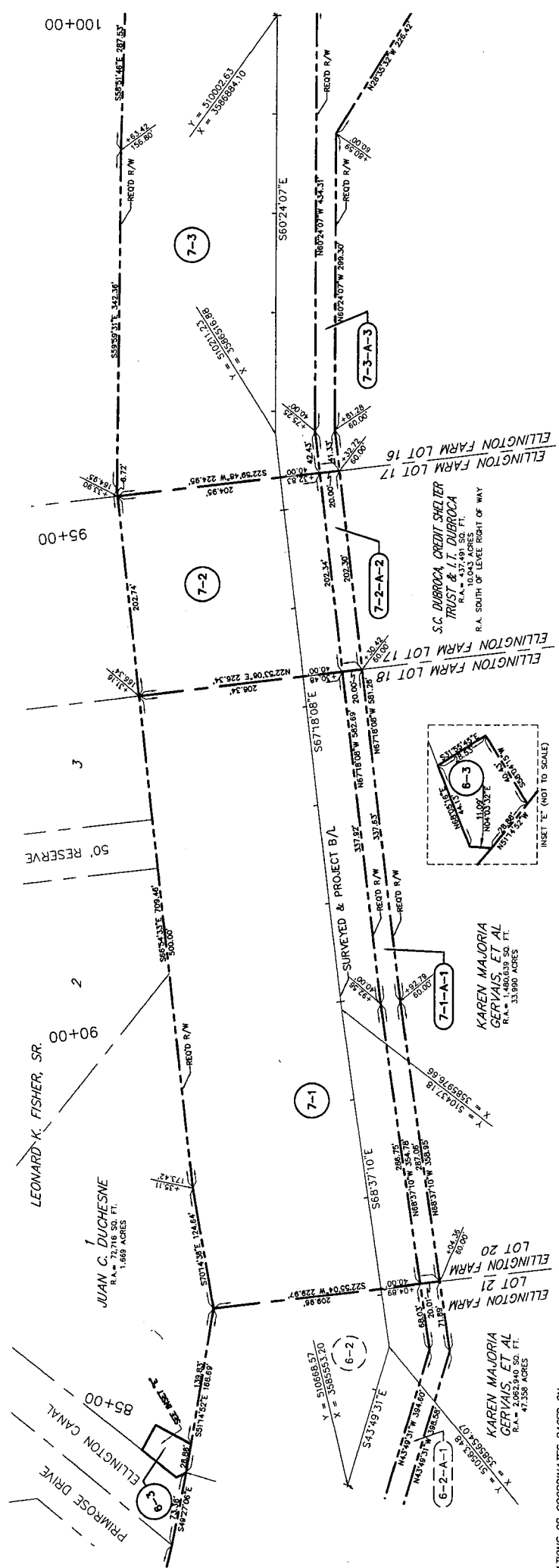
YEAS: SCHEXNAYDRE, LEWIS, BENEDETTO, HOGAN, COCHRAN, FLETCHER
 NAYS: NONE
 ABSENT: WILSON, WOODRUFF
 ABSTAIN: FISHER-PERRIER

And the ordinance was declared adopted the 1st day of June, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____
 SECRETARY: _____
 DLVD/PARISH PRESIDENT: 6/2/15
 APPROVED: _____ DISAPPROVED: _____
 PARISH PRESIDENT: V.J. St. Pierre
 RETD/SECRETARY: _____
 AT: 9/2/15 RECD BY: _____

REFERENCE
Ord. 09-8-2

SOUTHEASTERN LAND DISTRICT
WEST OF THE MISSISSIPPI RIVER
T 13 S - R 21 E
SECTION 57



ELEVATIONS OR COORDINATES BASED ON:
DESIGNATION: BAO1 SK01
PID: D13816
STATE/COUNTY: LA/ST. CHARLES PARISH
USGS QUAD: LULING (1992)
NAD 83 (2002): 29°51'01.64\"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 STATE
PLANE COORDINATE SYSTEM SOUTH ZONE
NAD 83 (1992).

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

PARCEL	OWNER	ACQUISITION	AREA	ESTATE TYPE
7-1-A-1	RIOCELAND PROPERTIES, L.L.C.	C.O.B. 499 PG. 718 ENTRY NO. 196872	0.881 AC.	PERPETUAL LEASE & CHANNEL EASEMENT
7-1-A-2	RIOCELAND PROPERTIES, L.L.C.	C.O.B. 499 PG. 718 ENTRY NO. 196872	3.078 AC.	PERPETUAL LEASE & CHANNEL EASEMENT
7-1-A-3	S.C. DUBROCCA CREDIT SHELTER TRUST & I.T. DUBROCCA	C.O.B. 502 PG. 739 ENTRY NO. 196500	0.093 AC.	PERPETUAL LEASE & CHANNEL EASEMENT
7-2	S.C. DUBROCCA CREDIT SHELTER TRUST & I.T. DUBROCCA	C.O.B. 502 PG. 739 ENTRY NO. 196500	0.936 AC.	PERPETUAL LEASE & CHANNEL EASEMENT
7-1-A-1	KAREN MAJORIA GERVAIS, ET AL	C.O.B. 201 PG. 565 ENTRY NO. 58972	0.287 AC.	PERPETUAL LEASE & CHANNEL EASEMENT
7-1	KAREN MAJORIA GERVAIS, ET AL	C.O.B. 201 PG. 565 ENTRY NO. 58972	3.000 AC.	PERPETUAL LEASE & CHANNEL EASEMENT

I CERTIFY THAT THIS PLAN 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 ACREAGE NOTE
RESIDUAL ACREAGE'S SHOWN ARE CALCULATED FOR INFORMATION PURPOSES ONLY.
THE RESIDUAL ACREAGE'S ARE SUBJECT TO REVIEW AND VERIFICATION BY TITLE AND SURVEY.

DATE	DESCRIPTION	BY
10/16/14	ADDED PARCELS 6-2-A-1, 7-1-A-1, 7-2-A-2 & 7-3-A-3, DELETED SEWER SERVITUDE	TPT

LAFOURCHE BASIN LEVEE DISTRICT
AND
PARISH OF ST. CHARLES
RIGHT OF WAY MAP
WEST BANK HURRICANE PROTECTION LEVEE - PHASE III
ELLINGTON

ST. CHARLES PARISH, LOUISIANA
STA. 10+00.00 TO 170+62.80

DATE: 04/17/2014 / 100% SCALE: 1" = 50'
DRAWN BY: T.P.T. COMPUTED BY: S.P.F.
SHEET NO. 7

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10/16/14 7-2-A-2 & 7-3-A-3, DELETED SEWER SERVITUDE TPT

DATE DESCRIPTION BY

