

*Ord.*

**2016-0072**

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

**ORDINANCE NO. 16-2-16**

An ordinance to approve and authorize the Parish President to acquire a 1,651.15 SF perpetual drainage servitude over property identified as Parcel DS2-2 in Section 7, 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 Renee M. Labat and Jude P. Labat, 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 Evangeline Road 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 DS2-2 in in Section 7, 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 \$2,900.00 the property more particularly described in the Act of Servitude attached hereto and made a part hereof, from Renee M. Labat and Jude P. Labat 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, WILSON, CLULEE, GIBBS, WOODRUFF,  
              BELLOCK, FLETCHER  
NAYS:       NONE  
ABSENT:     FISHER-PERRIER

And the ordinance was declared adopted the 15th day of February, 2016, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]  
SECRETARY: [Signature]  
DLVD/PARISH PRESIDENT: 2/16/16  
APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_  
  
PARISH PRESIDENT: [Signature]  
RETD/SECRETARY: 2/16/16  
AT: 10:40a RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE  
ON May 13, 2016  
AS ENTRY NO. 414 793  
IN MORTGAGE/CONVEYANCE BOOK  
NO. 831 FOLIO 820

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

ACT OF SERVITUDE

BE IT KNOWN, that on this 27<sup>th</sup> day of April, 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:

**RENEE M. LABAT WIFE OF/AND JUDE P. LABAT**, both being of the full age and majority, domiciled in the Parish of St. Charles, State of Louisiana who declared unto me, Notary, that they have been married but once, and then to each other and that they are presently living and residing together, whose present mailing address is 335 Evangeline Road, 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. 16-2-16 adopted by St. Charles Parish Council on the 15<sup>th</sup> day of February, 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 DS2-2 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 48-A, Square 1, Unit 3 of Evangeline City Subdivision, in Section 7, Township 12 South – Range 7 East, Town of MONTZ, St. Charles Parish, Louisiana, being the property of Renee M. Labat and Jude P. Labat and is more fully described as follows:

**COMMENCE** at the southwest corner of Lot 53-A, Square 1, Unit 3 of Evangeline City Subdivision;

THENCE, proceed along the common property line of Lots 48-A and 53-A, S 47°09'28" E a distance of 10.00 feet to the **POINT OF BEGINNING**;

THENCE, continue along the aforesaid common property line, S 47°09'28" E a distance of 45.76 feet to a point;

THENCE, proceed N 89°29'38" W a distance of 36.79 feet to a point;

THENCE, proceed S 53°41'22" W a distance of 76.59 feet to a point on the common property line of Lots 48-A and 44A-1;

THENCE, proceed along the aforesaid common property line, N 47°09'28" W a distance of 4.15 feet to a point on the easterly line of a 10' Drainage Servitude for St. Charles Parish which passes through Lot 48-A;

THENCE, proceed along the aforesaid easterly line, N 42°50'32" E a distance of 100.00 feet to the **POINT OF BEGINNING**.

The above described portion of ground contains 1,651.15 square feet or 0.038 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 TWO THOUSAND NINE HUNDRED AND NO/100 (\$2,900.00) 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.

THUS done, read and passed at my office in the City of Hahnville, 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. Stegler*  
*ARI MARKS*

*ARI MARKS*

WITNESSES:

*ARI MARKS*  
*ARI MARKS*

*Dawn H. Stegler*

WITNESSES:

*Robin S. Delahoussaye*  
ROBIN S. DELAHOUSSEY

*Dawn H. Stegler*

GRANTOR:

*Renée M. Labat*  
RENEE M. LABAT

GRANTOR:

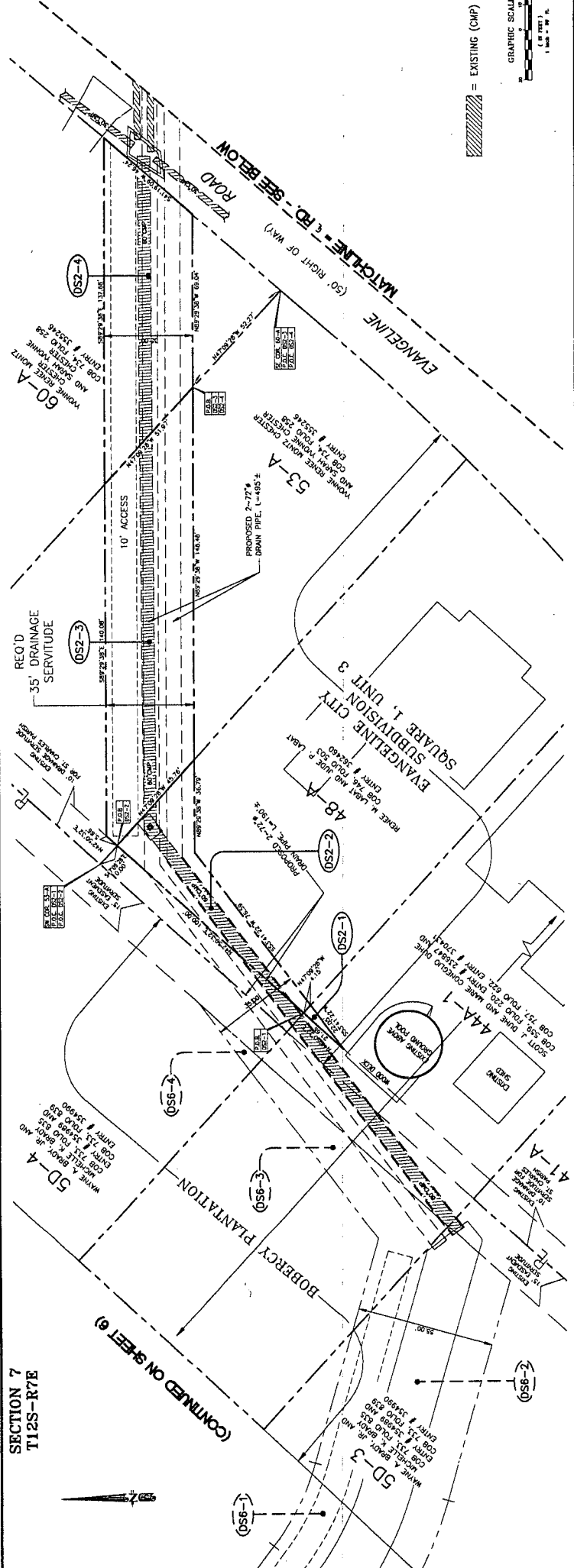
*Joe P. Labat*  
JOE P. LABAT

GRANTEE:  
PARISH OF ST. CHARLES

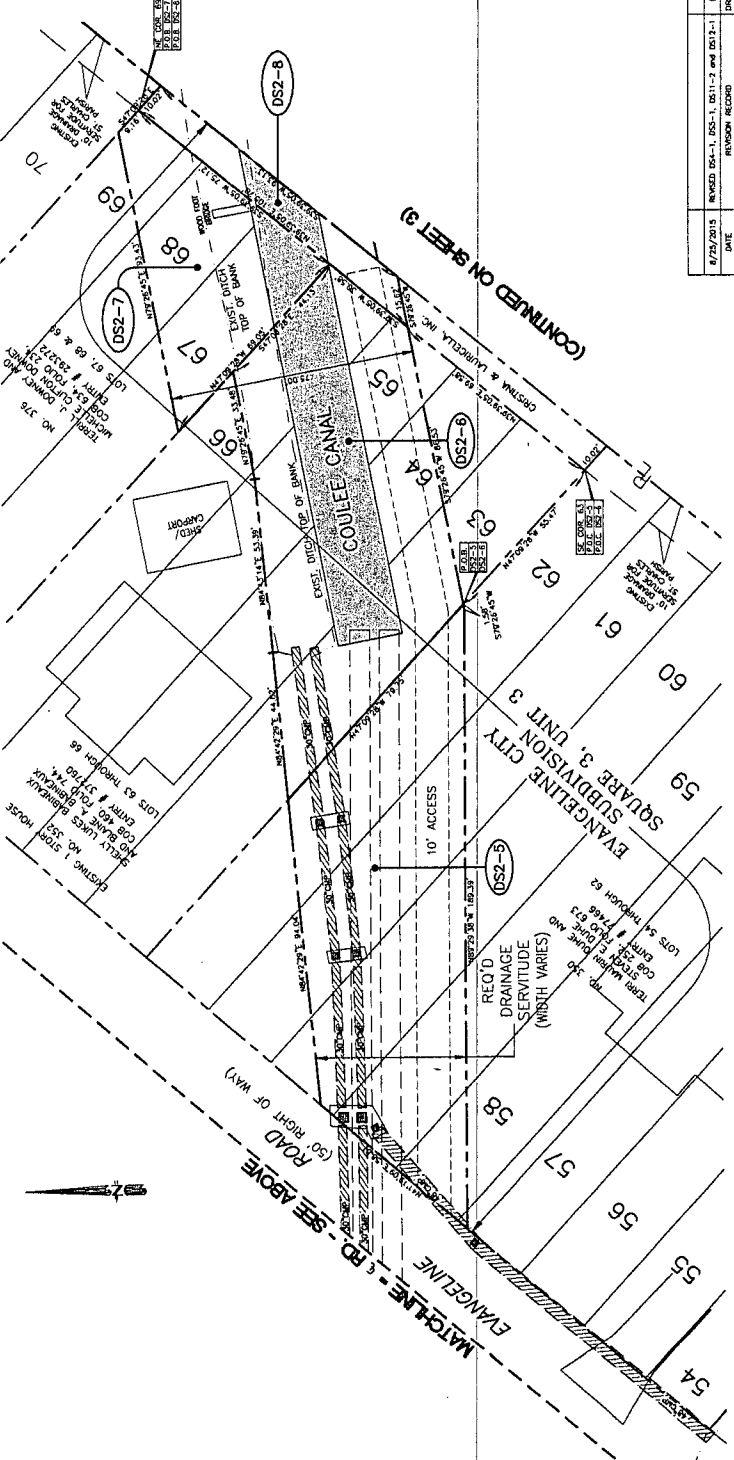
*Larry Cochran*  
BY: LARRY COCHRAN  
ITS: PARISH PRESIDENT

*Robert L. Raymond*  
NOTARY PUBLIC  
ROBERT L. RAYMOND - NO. 11408

SECTION 7  
T12S-R7E



EXISTING (CMP) DRAINAGE CULVERTS



EXISTING (CMP) DRAINAGE CULVERTS



**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.

**GEC**

3414 N. CAUSEWAY BLVD., STE. 401, LAKE CHARLES, LA. 70607 (504) 684-9209  
 DRAWN BY: MCE, TWP  
 DATE: 1/17/2015  
 CHECKED BY: MCE, TWP  
 PROJECT NO.: 412-200106204  
 SHEET NO.: 2 OF 15

\\pwc\1130051206181004\Drawings\Civil\Improvements\DWG - Revised 8-25-2015\Coulee Canal Bend Drainage Servitudes with Property and Loop Survey - Revised 8-25-15.dwg Aug 26, 2015 - 8:28am