

Ord.

2003-0350

INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT

ORDINANCE NO. 03-10-13

An ordinance to approve and authorize the execution of an Act of Donation and Quitclaim Deed by The Mitchell Company, Inc. and Ormond Country Club Estates Homeowners Association, Inc. to St. Charles Parish for recreational requirements of Ormond Country Club Estates, Section 12, Phase D-2.

WHEREAS, The Mitchell Company, Inc. has completed development of Phase D-2 of Section 12 in Ormond Country Club Estates; and,

WHEREAS, it is the desire of The Mitchell Company, Inc. to donate land to meet the Recreational requirements with the donation of the existing recreational area located at the corner of Nottaway Drive and Longview Drive; and,

WHEREAS, The Mitchell Company, Inc. had established the Ormond Country Club Estates Homeowners Association, Inc. and the property being donated herein was transferred to the Homeowners Association which was never active; and,

WHEREAS, it is the desire of the Parish Council to accept the Act of Donation and Quitclaim Deed by The Mitchell Company, Inc. and Ormond Country Club Estates Homeowners Association, Inc. to satisfy the recreational requirement for Phase D-2, Section 12, Ormond Country Club Estates.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Donation and Quitclaim Deed by The Mitchell Company, Inc. and Ormond Country Club Estates Homeowners Association, Inc. is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Donation on behalf of St. Charles Parish.

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

YEAS: FAUCHEUX, HILAIRE, FABRE, ABADIE, BLACK, MARINO, MINNICH

NAYS: NONE

ABSENT: RAMCHANDRAN, AUTHEMENT

And the ordinance was declared adopted this 20th day of October, 2003, to become effective five (5) days after publication in the Official Journal.

Act of Donation and Quitclaim Deed-Ormond Country Club

CHAIRMAN: *Lance J. Marné*  
 SECRETARY: *Barbara J. Jacob*  
 DLVD/PARISH PRESIDENT: *October 21, 2003*  
 APPROVED:  DISAPPROVED:   
 PARISH PRESIDENT: *Albert D. Laque*  
 RETD/SECRETARY: *October 21, 2003*  
 AT: *2:45 P.M.* RECD BY: *BJJ*

RECORDED IN THE ST. CHARLES PARISH  
 CLERK OF COURT OFFICE  
 ON *October 30, 2003*  
 AS ENTRY NO. *287741*  
 IN MORTGAGE CONVEYANCE BOOK  
 NO. *628* FOLIO *444*

ACT OF DONATION AND  
QUITCLAIM DEED

\* UNITED STATES OF AMERICA

BY

THE MITCHELL COMPANY, INC.  
AND  
ORMOND COUNTRY CLUB ESTATES  
HOMEOWNERS ASSOCIATION, INC.

TO

PARISH OF ST. CHARLES

\* \* \* \* \*

BE IT KNOWN, that on the dates and at the places as hereinafter set forth,  
BEFORE US, the undersigned Notaries Public, duly commissioned and  
qualified in and for the Parishes and State as hereinafter set forth, and before the  
undersigned competent witnesses, personally came and appeared:

THE MITCHELL COMPANY, INC., an Alabama corporation, duly  
authorized to do business in the State of Louisiana, appearing herein  
through its agent, duly authorized by virtue of a resolution of the  
Board of Directors of said corporation, a copy of which is annexed  
hereto;

Mailing Address: 41 North Belt Line Highway  
Third Floor  
Mobile, Alabama 36608

AND

ORMOND COUNTRY CLUB ESTATES HOMEOWNERS  
ASSOCIATION, INC., a Louisiana non-profit corporation, domiciled  
in the Parish of Jefferson, State of Louisiana, recorded with the  
Secretary of State in Non-Profit Corporations Book 344, and in  
Charter Book 34B, folio 137, Instrument No. 95-22027 of the  
conveyance records of Jefferson Parish, represented herein through  
its agent, duly authorized by virtue of a resolution of the Board of  
Directors of said corporation, a copy of which is annexed hereto.

Mailing Address: 212 Terry Parkway  
Gretna, Louisiana 70056-2525

(hereinafter referred to as "Donors")

who declare that they do by these presents, hereby give, donate, deliver, quitclaim  
and transfer, without any warranty of title, but with full rights of substitution

and subrogation, all rights Donors have herein and do by this formal Act of Donation and Quitclaim irrevocably give, donate, quitclaim and deliver unto:

ST. CHARLES PARISH, 18045 River Road, Hahnville, Louisiana, 70057, represented herein by Albert D. Lague, its Parish President,

Mailing Address: Post Office Box 302  
Hahnville, Louisiana 70057

(hereinafter referred to as "Donee"),

all of their right, title and interest which Donors have or may have in and to the following described property:

ONE CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in Section 14, T 12 S, R 8 E, and Section 3, T 13 S, R 8 E, ORMOND COUNTRY CLUB ESTATES, SECTION 12, St. Charles Parish, Louisiana, forming a portion of former Parcel 10A-2-A, all located and measuring as per plan of resubdivision made by J. J. Krebs & Sons, Inc., Job No. 4920041, dated January 25, 1994, revised July 13, 1994, registered in the Conveyance Records of St. Charles Parish in COB 488, folio 763, and being a portion of Parcel 11 and described as follows:

Commencing at the northwesterly most point of Parcel 11, which point is the point of beginning; thence running along a line South 30 degrees, 0 minutes, 24 seconds East, a distance of 68 feet to a point; thence running along a line South 59 degrees, 59 minutes, 36 seconds West, a distance of 105 feet to a point; thence running along a line fronting on proposed Nottaway Drive North 30 degrees, 0 minutes, 24 seconds West, a distance of 53.62 feet to a point; thence along a curve having a radius of 20 feet, a distance of 33.46 feet to a point; thence running along a line fronting on Longview Drive North 65 degrees, 51 minutes, 24 seconds East, a distance of 83.39 feet to the point of beginning.

This donation is made and accepted subject to the following:

1. All servitudes and restrictions of record;
2. The sewer lift station servitude located in the northwesterly part of the portion of ground; and
3. The five foot servitude running along Longview Drive.

Being the same property acquired by Donor herein by Act of Sale before Shirley H. Kirkes, Notary Public, dated October 1, 1993, registered in COB 471, folio 274, Instrument No. 178269, of the conveyance records of St. Charles Parish, Louisiana.

Further, pursuant to that certain plan of resubdivision of J. J. Krebs & Sons, Inc., dated September 9, 1996, approved by the St. Charles Parish Council on November 4, 1996, under Ordinance No. 96-11-1, said lot of ground is designated as Lot 224, in Square C of Ormond

Country Club Estates, Section 12, Phase D-1.  
(hereinafter the "Property").

TO HAVE AND TO HOLD the property unto Donee, its heirs, successors  
and assigns forever.

AND NOW INTO THESE PRESENTS COMES DONEE, who hereby  
acknowledges receipt of the said donation of said property with gratitude and  
appreciation.

The parties hereby waive tax researches issued by the Parish of St. Charles  
and the production of conveyance and mortgage certificates by the Parish of St.  
Charles and hereby release us, Notaries, of any liability therefrom. Further, no  
title examination has been performed whatsoever and the parties release us,  
Notaries, from any liability.

THUS DONE AND PASSED, in my office in New Orleans, Louisiana, on the  
23<sup>rd</sup> day of ~~September~~ <sup>October</sup>, 2003, in the presence of the undersigned competent  
witnesses, with the said appearer and me, Notary, after due reading of the whole.

WITNESSES:

*Darlene H. Walsh*

*Blanche Lusterman*

*Darlene H. Walsh*

*Blanche Lusterman*

DONORS:

THE MITCHELL COMPANY, INC.,  
An Alabama corporation

By:   
Randy Opatowsky, Agent

ORMOND COUNTRY CLUB ESTATES  
HOMEOWNERS ASSOCIATION, INC.,  
A Louisiana non-profit corporation

By:   
Randy Opatowsky, Agent

*Lillian E. Evrich*  
NOTARY PUBLIC

LILLIAN E. EVRICH  
Attorney/Notary Public  
Orleans Parish, Louisiana  
My Commission is Issued For Life  
La Bar Roll No 16905

THUS DONE AND PASSED, in my office in *Hahnville*, Louisiana, on the  
*22<sup>nd</sup>* day of *October*, 2003, in the presence of the undersigned competent  
witnesses, with the said appearer and me, Notary, after due reading of the whole.

WITNESSES:

ST. CHARLES PARISH

*Barbara J. Jones*

*Valerie Berthelot*

By: *Albert D. Laque*  
Name: *Albert D Laque*  
Title: *Parish President*  
Date: *10/21/03*

*Suenda M. Elbe*

NOTARY PUBLIC