

2019-0362

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)

ORDINANCE NO. 19-12-8

An ordinance to revoke and abandon an unimproved street stub extending off of S. Fashion Boulevard and adjacent to Parcel F, Fashion Plantation Subdivision (900 S. Fashion Boulevard).

WHEREAS, Fashion Plantation Estates, Phase II was approved in 2002 with three unimproved street-stubs; and,

WHEREAS, two of the three street-stubs were revoked in 2006 as part of the act of dedication for Fashion Plantation Estates Phase III; and,

WHEREAS, the street-stub adjacent to Parcel F (900 S. Fashion Boulevard) has remained un-improved since its dedication in 2002; and,

WHEREAS, as required by Chapter 2, Article I, Section 2-4 of the St. Charles Parish Code of Ordinances, that certain property, the street-stub adjacent to Parcel F, has been determined to have no public use or benefit; and,

WHEREAS, the Planning and Zoning Department recommended approval of the revocation; and,

WHEREAS, the Planning and Zoning Commission recommended approval of the revocation at its regular meeting on November 5, 2019; and,

WHEREAS, the St. Charles Parish Council wishes to revoke said property pursuant to Chapter 2, Article I, Section 2-4 of the Code of Ordinances.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the unimproved street-stub extending off of S. Fashion Boulevard and adjacent to Parcel F, Fashion Plantation Subdivision (900 S. Fashion Boulevard), shown on the plat titled "Final Plat Fashion Plantation Estates, Phase II," by Lucien Gassen, PLS dated September 21, 2002 is hereby revoked.

SECTION II. That the Parish President is hereby authorized to execute said Act of Revocation in favor of adjacent property owners.

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

YEAS: BENEDETTO, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK,
FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

ABSTAIN: HOGAN

And the ordinance was declared adopted this 2nd day of December, 2019, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]

SECRETARY: Michelle Spastaro

DLVD/PARISH PRESIDENT: December 3, 2019

APPROVED: [Signature] DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: December 5, 2019

AT: 4:15 pm RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON February 6, 2020
AS ENTRY NO. 446808
IN MORTGAGE/CONVEYANCE BOOK
NO. 888 FOLIO 147

ACT OF REVOCATION

UNITED STATES OF AMERICA

BY: ST. CHARLES PARISH

STATE OF LOUISIA

OF: STUB-OUT ALONG
SOUTH FASHION BOULEVARD

PARISH OF ST. CH

IN FAVOR OF: FASHION PLANTATION ESTATES, LLC

BE IT KNOWN, that on this 27th day of January, in
Lord Two Thousand and Nineteen (2019),

*differs
from
original*

BEFORE ME, the undersigned authority, a Notary Public, duly commissioned and qualified in and for the Parish and State aforesaid, therein residing, and in the presence of the two competent witnesses hereinafter named and undersigned,

PERSONALLY CAME AND APPEARED;

ST. CHARLES PARISH, herein appearing by and through Larry Cochran, Parish President, duly authorized by virtue of Ordinance No. 19-12-8 of the St. Charles Parish Council adopted on December 2, 2019, a certified copy of which is annexed hereto and made part hereof,

APPEARER declared unto me, Notary, as follows: that by Ordinance No. 02-10-11 recorded on October 23, 2002, in COB 609, folio 560, Entry No. 271858 of the official records of St. Charles Parish, the residential development by Fashion Plantation Estates, LLC (the "Developer") known as FASHION PLANTATION ESTATES PHASE II was approved and the streets and public servitudes associated therewith were dedicated to the Parish of St. Charles.

Included within said dedication was the following described portion of ground forming a stub-out along South Fashion Blvd. (the "Stub-Out") on the Plan of Resubdivision recorded at COB 609, folio 560:

Commencing at the southwest corner of Parcel G at that point marked with a ½" iron rod (the "Point of Commencement"); thence proceed N57°01'15"E a distance of 291.60' to a point marked with a ½" iron rod; thence continue to proceed N57°01'15"E a distance of 395.77' to a point marked with a ½" iron rod (the "Point of Beginning"); thence proceed along a curve having a radius of 25' a distance of 39.27' to a point; thence proceed N32°58'45"W a distance of 25.00' to a point; thence proceed N57°01'15"E a distance of 50.00' to a point; thence proceed S32°58'45"E a distance of 25.00' to a point; thence proceed along a curve having a radius of 25' a distance of 39.27' back to the Point of Beginning.

The Stub-Out was dedicated by the Developer to St. Charles Parish as an extension of

South Fashion Blvd. in anticipation of further development of Fashion Subdivision. Since the dedication of the Stub-Out in 2002 until the present, the Developer has not extended the development of Fashion Subdivision to the area to be serviced by the Stub-Out, and the Developer has no future plans to do so. Therefore, the Stub-Out no longer serves a public function.

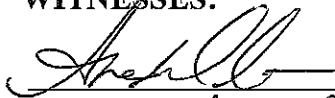
Because the Stub-Out serves no public function whatsoever, the Developer has requested the Parish of St. Charles to revoke the dedication of the Stub-Out. By operation of law, upon the revocation of the Stub-Out from the defined boundaries of South Fashion Blvd., the property comprising the Stub-Out will revert to the Developer as the owner of the land adjacent to each side of the Stub-Out. Because it has been determined by the St. Charles Parish Council that the Property in question serves no public purposes whatsoever and that it is in the best interest of St. Charles Parish to revoke the dedication of the Stub-Out from the defined boundaries of South Fashion Blvd. in accordance with La. R. S. 48:701:

NOW THEREFORE, ST. CHARLES PARISH, herein appearing by and through Larry Cochran, Parish President, duly authorized by virtue of Ordinance No. 19-12-8 of the St. Charles Parish Council adopted on December 2, 2019, a certified copy of which is annexed hereto and made part hereof, does hereby revoke the dedication of the Stub-Out from the defined boundaries of South Fashion Blvd. Without any warranty whatsoever, but with full substitution and subrogation in and to all the rights and actions of warranty which it has or may have, the said St. Charles Parish does hereby convey, transfer, assign, set over, abandon and quitclaim all of its rights, title and interests in and to the Stub-Out to and in favor of Fashion Plantation Estates, LLC, all in accordance with and as directed by the provisions of La. R. S. 48:701.

TO HAVE AND TO HOLD the above described property unto the said Fashion Plantation Estates, LLC, appearing herein to accept the transfer for itself, its successors, and assigns forever, and to acknowledge due delivery and possession thereof.

THUS DONE AND PASSED, in multiple originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles, 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.

WITNESSES:

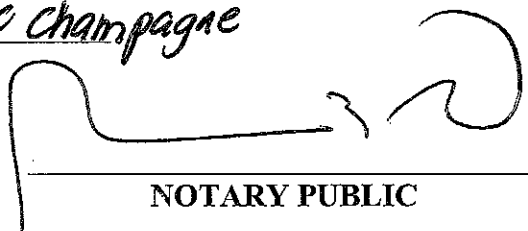

Printed Name: Aredra Coleman

ST. CHARLES PARISH


MATTHEW JEWELL
BY: ~~LARRY COCHRAN~~
ITS: PRESIDENT

Reckell C Champagne

Printed Name: Reckell C Champagne



NOTARY PUBLIC

Printed name: Robert L. Raymond

Notary/Bar No. 11408

THUS DONE AND PASSED, in multiple originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles, 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.

WITNESSES:

FASHION PLANTATION ESTATES, LLC

Melanie R. Schenkel Ray J. Matherne
Printed Name: Melanie R. Schenkel Ray J. Matherne, Manager

Patricia Comandelle
Printed Name: Patricia Comandelle

Louis G. Authement
NOTARY PUBLIC

Printed name: Louis G. Authement

Notary/Bar No. 25814

