

Ord.

2009-0492

INTRODUCED BY: V. J. ST. PIERRE, JR., PARISH PRESIDENT

ORDINANCE NO. 10-1-4

An ordinance to amend Ordinance No. 07-1-11, Department of the Army License No. DACW29-2-07-01, Easement for Boat Ramp, Access Road and Parking Lot in the Bonnet Carre' Spillway at Interstate 10 in Norco to approve Amendment No. 1, to add conditions 25 & 26 as requested by the Dept. of Army .

WHEREAS, St. Charles Parish currently has a Department of the Army License for use of the property at Interstate 10 in the Bonnet Carre' Spillway for a Boat Ramp, Access Road and Parking Lot (DACW29-2-07-01); and,

WHEREAS, the Department of the Army has proposed to amend said Easement to add conditions 25 and 26 as part of the permit for the improvements to the Wetlands Watchers Park; and,

WHEREAS, it is the desire of the Parish Council to approve said Amendment No. 1.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Amendment No. 1 to Easement No. DACW29-2-07-01 for the boat ramp, access road and parking lot in the Bonnet Carre' Spillway at Interstate 10 in Norco is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Amendment No. 1 on behalf of the St. Charles Parish.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: COCHRAN

And the ordinance was declared adopted this 11th day of January, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Billy Raymond, SR.
SECRETARY: William Jacob Tucker
DLVD/PARISH PRESIDENT: January 12, 2010
APPROVED: DISAPPROVED: _____
PARISH PRESIDENT: WJ
RETD/SECRETARY: January 13, 2010
AT: 12:05 pm RECD BY: [Signature]

AMENDED
Ord. 07-1-11
By: Ord. 11-4-29

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON June 3, 2010
AS ENTRY NO. 415346
IN MORTGAGE/CONVEYANCE BOOK
NO. 833 FOLIO 215

AMENDMENT NO. 1
TO EASEMENT NO. DACW29-2-07-01

WHEREAS, on 1 February 2007, Easement No. DACW29-2-07-01 was entered into between the Government, as Grantor, and St. Charles Parish Council, as Grantee, to construct, use, maintain, control, operate and repair a boat launching ramp, an access road to the ramp, and a parking area, in our Bonnet Carre Spillway Project, Sections 39 & 40, Township 11 South, Range 8 East, St. Charles Parish, Louisiana.


WHEREAS, it is acceptable to the Secretary of the Army to continue the easement until 1 October 2031.

NOW THEREFORE, Page 6 is being amended to include Conditions 25 and 26 which states:

25. The grantee is required to maintain and refurbish the existing access road along the top of the Bonnet Carre Spillway east guide levee, during construction activities.

26. This permit does not authorize interference with an existing or proposed federal project, therefore the grantee shall uphold coordination and conformity with the USACE, Bonnet Carre Spillway Manager, in order to maintain integrity of existing public access along the eastern guide levee and/or incorporate necessary improvements for public access to the recreational park.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army this 26th day of January 2010.


LINDA C. LABURE
Chief, Real Estate Division
U.S. Army Corps of Engineers
New Orleans District


WITNESSES:

Signed: Shela B. Mills

Printed Name: Shela B. Mills

Signed: Mark Selquist

Printed Name: Mark Selquist

APPROVED AS TO LEGAL SUFFICIENCY:

Mike Hays
ATTORNEY ADVISOR
U.S. Army Engineer District
New Orleans

The above Amendment is hereby accepted this 13th of January,
2010.

ST. CHARLES PARISH COUNCIL

Signed: 

Typed Name: V.J. St. Pierre, Jr.

Title: Parish President

WITNESSES:

Signed: 

Printed Name: Barbara Jacob-Tucker

Signed: 

Printed Name: Valarie Berthelot

**ACKNOWLEDGEMENT OF WITNESS FOR
AMENDMENT NO. 1 TO EASEMENT NO. DACW29-2-07-01**

BEFORE ME, the undersigned authority, this day personally came and appeared the undersigned person, duly sworn, who did depose and state that she executed the foregoing amendment agreement as subscribing witness thereto, and that the amendment agreement was signed and executed by LINDA C. LABURE, and that she knows LINDA C. LABURE to be the identical person who executed the same and saw LINDA C. LABURE sign her name in her capacity as Chief, Real Estate Division, CEMVN, on behalf of the United States, as the voluntary act and deed of the United States, and for the purposes and considerations therein expressed, in her presence and in the presence of the other subscribing witness.

Signed: Shaila B. Mills (Apparar)
Printed Name: Shaila B. Mills

SWORN TO AND SUBSCRIBED BEFORE ME this 28th day of JANUARY 2010.


Signed: Mike Hays (Notary)
Printed name: MIKE HAYS
Attorney - Notary Public
My Commission is For Life
Louisiana Bar Association Number: 06/00
My Commission expires is for life

CERTIFICATE OF AUTHORITY

I, Leon Vial, III, do hereby certify that I am the principle legal officer of the ST. CHARLES PARISH COUNCIL (SCPC), that the SCPC is a legally constituted public body with full authority and legal capability to adhere and comply with the terms and conditions for Easement No. DACW29-2-07-01, and subsequent amendments thereto, for a boat launching ramp, an access road to the ramp and a parking area, in connection with the Bonnet Carre Spillway Project, and that the persons who executed Easement No. DACW29-2-07-01 on behalf of the SCPC has acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification on this 15th day of

January, 20 10.

Signed: 
Printed name: LEON C VIAL III
Title: Mayor

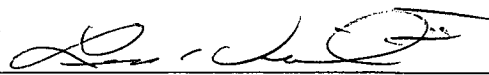
ACKNOWLEDGMENT

STATE OF Louisiana

COUNTY/PARISH OF St. Charles

On this 15th day of January, 2016, before me appeared V.J. St. Pierre, Jr.,
to me personally known, who, being by me duly sworn, did say that he is the Parish President
of St. Charles Parish Council (SCPC), and that the easement was signed in behalf of SCPC, by
authority duly and legally granted and bestowed upon him, and that SCPC acknowledged the
easement to be the free act and deed of SCPC and the SCPC has no seal.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Signed: 

Printed Name: LEON C. VIOLETTE

Notary Public

State of Louisiana

Parish of St. Charles

My Commission Expires: at death

Bar Association Number: 12061