

ord.

2009-0122

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

ORDINANCE NO. 09-4-12

An ordinance approve and authorize execution of an Act of Sale by Jeanne Crosby wife of/and Darrell J. Long for Lot 5 Ormond Plantation Estates, Section 1, Square No. 11, 108 Thomas Colby, Drive, Destrehan, Louisiana.

WHEREAS, St. Charles Parish is participating in the Hazard Mitigation Grant Program of the Federal Emergency Management Agency; and,

WHEREAS, the property located at 108 Thomas Colby, Destrehan, Louisiana has been accepted into the program and can now be acquired by the Parish; and,

WHEREAS, it is the desire of the Parish Council to approve said Act of Sale within the guidelines of the program.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Sale by and between Jeanne Crosby wife of/and Darrell J. Long and St. Charles Parish in the amount of \$268,141.00 is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Act of Sale on behalf of 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, COCHRAN, LAMBERT.

NAYS: NONE

ABSENT: NUSS

And the ordinance was declared adopted this 20th day of April, 2009, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: T. J. Smith
SECRETARY: Barbara Joseph Tucker
DLVD/PARISH PRESIDENT: April 21, 2009
APPROVED: _____ DISAPPROVED: _____
PARISH PRESIDENT: W. Smith
RETD/SECRETARY: April 22, 2009
AT: 10:15 AM RECD BY: B. J.

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON May 1, 2009
AS ENTRY NO. 351673
IN MORTGAGE/CONVEYANCE BOOK
NO. 728 FOLIO 24

CASH SALE

UNITED STATES OF AMERICA

**FROM: JEANNE CROSBY WIFE OF/AND
DARRELL J. LONG**

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 5th day of May, in the year of two thousand and ~~eight~~^{nine} (2009).

BEFORE ME, a Notary Public in and for the Parish of St. Charles, State of Louisiana, duly commissioned and qualified, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

JEANNE CROSBY WIFE OF/AND DARRELL J. LONG, (SS NO. XXX-XX-2916 AND XXX-XX-8125), both persons of the full age of majority and residents of and domiciled in St. Charles Parish, State of Louisiana, who declared before me, Notary, as follows: Jeanne Crosby has been married but twice, first to Thomas H. Yarbrough from whom she was divorced by Judgment of the District Court of El Paso County, Texas, 41st Judicial District, No. 102988, dated September 12, 1952, and secondly to Darrell J. Long with whom she is presently living and residing; Darrell J. Long has been married but once and then to Jeanne Crosby with whom he is presently living and residing; their mailing address is 47046 Hidden Lane, Hammond, LA 70401,

hereinafter designated as "vendors" who declared that for the consideration and upon the terms and conditions hereinafter expressed, said vendors do by these presents sell, grant, bargain, assign, transfer, deliver and abandon and set over under all lawful warranties and with substitution and subrogation to all rights and actions of warranty against all preceding owners and vendors, unto:

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by V. J. St. Pierre, Jr., its Parish President, and whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to Ordinance No. 09-4-12, adopted by the St. Charles Parish Council on April 20, 2009, a copy of which is annexed hereto and made a part hereof,

hereinafter designated as "purchaser", here present, accepting and purchasing and acknowledging delivery and possession of the following described property, to-wit:

A CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon and all of the rights, ways, privileges, prescriptions, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situate in the Parish of St. Charles, State of Louisiana, in Square 11, Ormond

Plantation Estates, Section 1, designated as Lot No. 5, on the survey of DeLaureal Engineers, inc., and according to survey, said lot measures as follows: Lot No. 5, fronts 80 feet on Thomas Colby Drive, same distance in width in the rear, by a depth of 175 feet between equal and parallel lines. All as more fully shown on survey by Lucien C. Gassen, Land Surveyor, dated October 8, 1977 and resurveyed to show improvements on April 3, 1978. Said lot is situated in square bounded by Thomas Colby Drive, Ormond Boulevard (side) Y. & M.V. Railroad R/W and Schexnaydre Land (side).

Municipal Address: 108 Thomas Colby Drive, Destrehan, Louisiana.

Being the same property acquired by Jeanne Crosby wife of/and Darrell J. Long by Act passed before Harry C. Stumpf, Notary Public, dated June 15, 1978, and duly recorded at COB 206, folio 497, St. Charles Parish, Louisiana.

THIS SALE IS MADE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. The property shall be dedicated and maintained in perpetuity for uses compatible with open space, recreational, or wetlands management practices; and
2. No new structure(s) will be built on the property except as indicated below:
 - (a) A public facility that is open on all sides and functionally related to a designated open space or recreational use;
 - (b) A rest room; or
 - (c) A structure that is compatible with open space, recreational or wetlands management usage and proper floodplain management policies and practices, which the Director approves in writing before the construction of the structure begins.
3. After completion of the project, no application for additional disaster assistance will be made for any purpose with respect to the property to any Federal entity or source, and no Federal entity or source will provide such assistance.

To have and to hold the said property unto the said purchaser forever. This present sale and conveyance is made and accepted for and in consideration of the sum and price of **TWO HUNDRED SIXTY-EIGHT THOUSAND ONE HUNDRED FORTY-ONE AND 00/100THS (\$268,141.00) DOLLARS**, lawful current money of the United States of America, which amount the said purchaser has paid in ready CASH, receipt of which is hereby acknowledged by the vendor, and full discharge and acquittance granted therefore.

Taxes for 2008 are paid. The parties hereto waive any conveyance, mortgage, tax and any other certificates and relieve and release me, Notary, from any and all responsibility in connection therewith. The parties also acknowledge that no examination of the title has been

made by me, Notary, and agree to relieve, release, defend, save, hold harmless, and indemnify me, Notary, from any and all claims, liabilities, and responsibilities in connection therewith.

Whenever the word "vendor" is used in this act, it shall be construed to include "vendors", and whenever the word "purchaser" is used it shall be construed to include "purchasers".

All the agreements and stipulations herein contained, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, and assigns of the respective parties hereto.

The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is hereby dispensed with by the parties hereto.

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:

Jaune H. Acyden
Marianne P. Mader

Jeanne Crosby Long
JEANNE CROSBY LONG
Darrell J. Long
DARRELL J. LONG

Barbara Jacob Junker
Valerie Berthelet

ST. CHARLES PARISH

BY: *W. J. St. Pierre, Jr.*

V. J. ST. PIERRE, JR.
Parish President

Leon C. Vial, III
LEON C. VIAL, III
NOTARY PUBLIC
BAR NO. 13061
14999 RIVER ROAD
HAHNVILLE, LA 70057