

08d.

2007-0308

**INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. 07-10-11

An ordinance approving and authorizing the execution of an Act of Dedication for Belle Ormond Subdivision, in Destrehan, St. Charles Parish, LA, as requested by James Pettigrew.

WHEREAS, James Pettigrew is the owner and developer of property indicated on a Final Plat dated 10/01/2007 and prepared by Riverlands Surveying Company, as a Survey Plat and Resubdivision of Parcel 8-A-2 of Ormond Club Estates into Lots herein designated as Lots 1 thru 47 of Ormond Country Club Estates; and,

WHEREAS, said subdivision has been constructed in accordance with the St. Charles Parish Subdivision Regulations of 1981, as amended; and,

WHEREAS, all required administrative reviews and approvals have been effected relative to said subdivision.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the attached Act of Dedication for Belle Ormond Subdivision, which includes Lots 1 thru 47, the dedication of Belle Ormond Circle, Belle Lane, and servitudes for utility is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute the attached Final Plat and Act of Dedication on behalf of St. Charles Parish.

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

- YEAS: MARINO, FAUCHEUX, HILAIRE, FABRE, BLACK, MINNICH
- NAYS: RAMCHANDRAN
- ABSENT: WALLS, DUHE

And the ordinance was declared adopted this 15th day of October, 2007, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: October 16, 2007
 APPROVED: [Signature] DISAPPROVED: _____
 PARISH PRESIDENT: Albert D. Laque
 RETD/SECRETARY: October 16, 2007
 AT: 2:15pm RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH
 CLERK OF COURT OFFICE
 ON October 23, 2007
 AS ENTRY NO. 3316412
 IN MORTGAGE/CONVEYANCE BOOK
 NO. 700 FOLIO 133

ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: JAMES PETTIGREW

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 23rd day of October, in the year of Our Lord Two Thousand and Seven (2007),

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;

JAMES PETTIGREW (***-**-9472), (hereinafter referred to as "Developer") a person of the full age of majority, whose mailing address is 4132 Bayou Savage Drive, Kenner, Louisiana 70065;

DEVELOPER declared unto me, Notary, that he is the owner of a certain tract of immovable property situated on the East Bank of St. Charles Parish, which land is designated as "**BELLE ORMOND SUBDIVISION**" being Parcel 8-A-2 of Ormond Country Club Estates, situated in Sections 13 & 14, T-12-S, R-8-E, Destrehan, St. Charles Parish, Louisiana, as shown on the Final Plat of Belle Ormond Subdivision prepared by Riverlands Surveying Company, dated 10/01/2007 (hereinafter the "Final Plat"), a copy of which is attached to and made part of this Act of Dedication; and

DEVELOPER further declared unto me that he has caused a portion of the above property designated as "Belle Ormond Subdivision" on the Final Plat referred to above to be laid out into Lots 1 through 47 in order to create the Belle Ormond Subdivision; and

DEVELOPER further declared unto me, Notary, that on the aforesaid Final Plat he has laid out a certain street within Belle Ormond Subdivision which is named and identified as Belle Ormond Circle, which street in regard to this dedication is more fully described in Exhibit "A" attached hereto and made a part hereof. On all matters of the description of the property on which the street above named is located, the attached Final Plat shall be controlling.

DEVELOPER further declared unto me, Notary, that on the aforesaid Final Plat, he has also designated and labeled various servitudes for utility, sewer and drainage purposes; and

DEVELOPER further declared unto me, Notary, that under the covenants, conditions and

stipulations hereinafter recited he does, by these presents, dedicate Belle Ormond Circle located within Belle Ormond Subdivision, as hereinabove described and does hereby grant and dedicate the various servitudes for utility, sewer and drainage purposes, all as shown on the annexed Final Plat, to public use, unto and in favor of the Parish of St. Charles, the inhabitants of the Parish of St. Charles, and to the public in general; and

DEVELOPER further declared unto me, Notary, that the aforesaid dedication and grant are subject to all of the following terms and conditions, to wit:

1. The dedication of the fee ownership of the property covered by the street identified hereinabove as Belle Ormond Circle is only as far as said street is located in Belle Ormond Subdivision.
2. The herein grant of the various servitudes for utility, sewer and drainage purposes shall constitute the granting only of a "personal servitude of right of use" being a "limited personal servitude" in favor of St. Charles Parish. DEVELOPER does hereby reserve all rights of fee ownership to that portion of the aforesaid Belle Ormond Subdivision, which comprises the various servitudes for utility, sewer and drainage purposes.
3. DEVELOPER does hereby reserve all rights of ownership to all of the oil, gas and other minerals in, on and under the property covered and affected by the street identified hereinabove and by the aforesaid utility, sewer and drainage servitudes granted herein. In that connection, DEVELOPER does, however, agree to prohibit the use of any part of the surface of any of the property covered by the street and servitudes with respect to the exploration, development or production of minerals pursuant to this reservation.

This reservation is made in accordance with DEVELOPER's plan and intention to reserve all of the mineral rights in, on and under all of the lots in the Belle Ormond Subdivision, whereby, however, DEVELOPER will likewise impose a restriction on the entire subdivision against any use of the surface of any lot for the

exploration, development or production of minerals, or by any other binding means of strict surface operations in regard to mineral exploration in this subdivision.

4. The herein dedication of the street and the dedication and grant of servitudes for utility, sewer and drainage purposes are made by DEVELOPER without any warranty whatsoever except as provided for herein.
5. St. Charles Parish must bind and obligate itself not to use the property dedicated herein for street purposes in any manner that would be inconsistent with or detrimental to such use as a public street. St. Charles Parish must further bind and obligate itself to use the utility, sewer and drainage servitudes granted herein only for utility, sewer and drainage purposes.
6. This dedication and grant are conditioned upon St. Charles Parish maintaining and policing the street dedicated herein and maintaining the various utility, sewer and drainage facilities within the various utility, sewer and drainage servitudes areas.
7. The grant herein of various servitudes for utility, sewer and drainage purposes shall be used exclusively for those purposes and DEVELOPER reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitudes for utility, sewer and drainage purposes. The herein granted utility, sewer and drainage servitudes shall not be utilized so as to unreasonably interfere with or impair ingress and egress to any of the lots in the Belle Ormond Subdivision.
8. DEVELOPER warrants that the herein dedication of street and grant of servitudes are free of any liens and/or encumbrances and that no lots have been sold or alienated prior to the date hereof.
9. The dedication and grant made herein are made subject to any existing servitudes affecting the Belle Ormond Subdivision.

10. The herein dedication and grant shall inure to the benefit of St. Charles Parish or any successor governmental body of St. Charles Parish, which shall be bound by all of the terms and conditions

THUS DONE AND PASSED, in triplicate 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:

Gayle Schexnayder
Printed Name: Gayle Schexnayder

James Pettigrew
JAMES PETTIGREW

Patricia Comandelle
Printed Name: Patricia Comandelle

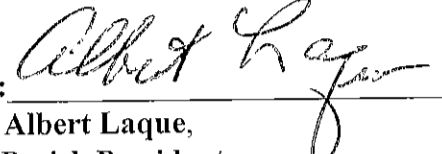
Louis G. Authement
NOTARY PUBLIC
LOUIS G. AUTHEMENT
Notary/Bar No.25814

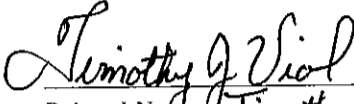
THUS DONE AND PASSED, in triplicate originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles on the day, month and year herein first above written, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers and me, Notary, after reading the whole.

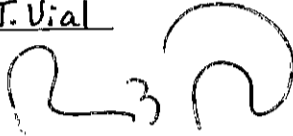
WITNESSES:

ST. CHARLES PARISH


Printed Name: Barbara Jacob Tucker

BY: 
Albert Laque,
Parish President


Printed Name: Timothy J. Vial



Notary Public
Printed Name: Robert L. Raymond
Notary/Bar No. 11408

EXHIBIT A
DESCRIPTION OF
BELLE ORMOND CIRCLE & BELLE LANE
OF BELLE ORMOND SUBDIVISION
DESTREHAN, ST. CHARLES PARISH, LOUISIANA

DESCRIPTION: THAT PIECE OR PORTION OF GROUND BEING BELLE ORMOND CIRCLE & BELLE LANE OF BELLE ORMOND SUBDIVISION, BEING PARCEL 8-A-2 OF ORMOND COUNTRY CLUB ESTATES, SITUATED IN SECTIONS 13 & 14, T-12-S, R-8-E, DESTREHAN, ST. CHARLES PARISH, LOUISIANA PER A FINAL PLAT BY STEPHEN P. FLYNN, P.L.S. WITH RIVERLANDS SURVEYING COMPANY DATED SEPTEMBER 12, 2005 LAST REVISED OCTOBER 01, 2007

BEGINNING AT A POINT SAID POINT BEING THE SOUTHEAST CORNER OF LOT 31 OF BELLE ORMOND SUBDIVISION

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 176.37 FEET, A CURVE LENGTH OF 66.01 FEET AND CHORD OF N13°58'22"W A DISTANCE OF 65.63 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE LEFT WITH THE RADIUS OF 98.20 FEET, A CURVE LENGTH OF 36.61 FEET AND CHORD OF N13°55'53"W A DISTANCE OF 36.41 FEET TO A POINT;

THENCE PROCEED N24°55'05"W A DISTANCE OF 25.38 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE LEFT WITH THE RADIUS OF 25.00 FEET, A CURVE LENGTH OF 39.27 FEET AND CHORD OF N69°55'17"W A DISTANCE OF 35.35 FEET TO A POINT;

THENCE PROCEED S65°04'29"W A DISTANCE OF 192.02 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 46.00 FEET, A CURVE LENGTH OF 72.26 FEET AND CHORD OF N69°55'31"W A DISTANCE OF 65.05 FEET TO A POINT;

THENCE PROCEED N24°55'31"W A DISTANCE OF 459.34 FEET TO A POINT;

THENCE PROCEED S65°04'29"W A DISTANCE OF 100.00 FEET TO A POINT;

THENCE PROCEED N24°55'31"W A DISTANCE OF 50.00 FEET TO A POINT;

THENCE PROCEED N65°04'29"E A DISTANCE OF 100.00 FEET TO A POINT;

THENCE PROCEED N24°55'31"W A DISTANCE OF 23.06 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 46.00 FEET, A CURVE LENGTH OF 72.26 FEET AND CHORD OF S20°04'29"W A DISTANCE OF 65.05 FEET TO A POINT;

THENCE PROCEED N65°04'29"E A DISTANCE OF 221.60 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 46.00 FEET, A CURVE LENGTH OF 72.26 FEET AND CHORD OF S69°55'31"E A DISTANCE OF 65.05 FEET TO A POINT;

THENCE PROCEED S24°55'31"E A DISTANCE OF 628.96 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 100.00 FEET, A CURVE LENGTH OF 45.09 FEET AND CHORD OF S12°00'24"E A DISTANCE OF 44.71 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE LEFT WITH THE RADIUS OF 100.00 FEET, A CURVE LENGTH OF 45.09 FEET AND CHORD OF S12°00'24"E A DISTANCE OF 44.71 FEET TO A POINT;

THENCE PROCEED S24°55'31"E A DISTANCE OF 12.83 FEET TO A POINT;

THENCE PROCEED S65°04'29"W A DISTANCE OF 50.00 FEET TO A POINT;

THE POINT OF BEGINNING.

LESS AND EXCEPT:

COMMENCE AT A POINT SAID POINT BEING THE NORTHEAST OF CORNER OF LOT 31 OF BELLE ORMOND SUBDIVISION

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 176.37 FEET, A CURVE LENGTH OF 66.01 FEET AND CHORD OF N13°58'22"W A DISTANCE OF 65.63 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE LEFT WITH THE RADIUS OF 98.20 FEET, A CURVE LENGTH OF 36.61 FEET AND CHORD OF N13°55'53"W A DISTANCE OF 36.41 FEET TO A POINT;

THENCE PROCEED N24°55'05"W A DISTANCE OF 25.38 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE LEFT WITH THE RADIUS OF 25.00 FEET, A CURVE LENGTH OF 39.27 FEET AND CHORD OF N69°55'17"W A DISTANCE OF 35.35 FEET TO A POINT;

THENCE PROCEED N24°55'05"W A DISTANCE OF 50.00 FEET TO A POINT;

THE POINT OF BEGINNING.

THENCE PROCEED S65°04'29"W A DISTANCE OF 163.60 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 25.00 FEET, A CURVE LENGTH OF 39.27 FEET AND CHORD OF N69°55'30"W A DISTANCE OF 35.35 FEET TO A POINT;

THENCE PROCEED N24°55'31"W A DISTANCE OF 474.40 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 25.00 FEET, A CURVE LENGTH OF 39.27 FEET AND CHORD OF N20°04'29"E A DISTANCE OF 35.35 FEET TO A POINT;

THENCE PROCEED N65°04'29"E A DISTANCE OF 163.60 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 25.00 FEET, A CURVE LENGTH OF 39.27 FEET AND CHORD OF S69°55'30"E A DISTANCE OF 35.35 FEET TO A POINT;

THENCE PROCEED S24°55'31"E A DISTANCE OF 474.40 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE TO THE RIGHT WITH THE RADIUS OF 25.00 FEET, A CURVE LENGTH OF 39.27 FEET AND CHORD OF S20°04'29"W A DISTANCE OF 35.35 FEET TO A POINT;

THE POINT OF BEGINNING.

BEING LESS AND EXCEPT LOTS 32 THRU 47 OF BELLE ORMOND SUBDIVISION

