

**2005-0010**

**INTRODUCED BY: CLAYTON FAUCHEUX, COUNCILMAN-AT-LARGE, DIVISION B  
ALBERT D. LAQUE, PARISH PRESIDENT**

**ORDINANCE NO. 05-1-9**

An ordinance to approve and authorize the execution of an Act of Donation by the Pontchartrain Levee District to St. Charles Parish for the Bayou Labranche Scenic Areas Recreational Park.

**WHEREAS**, the Pontchartrain Levee District is the owner of two certain tracts of land identified as "Bayou Labranche Scenic Areas SA-1 and SA-2", located along the shore of Lake Pontchartrain near the East Guide Levee of the Bonnet Carre' Spillway; and,

**WHEREAS**, it is the desire of the Pontchartrain Levee District to donate said land to St. Charles Parish to be used as a Recreational Park; and,

**WHEREAS**, it is the desire of the Parish Council to approve and accept said Donation.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Act of Donation by the Pontchartrain Levee District to St. Charles Parish is hereby approved.

**SECTION II.** That the Parish President is hereby authorized to execute said Act of Donation 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, RAMCHANDRAN, WALLS, DUHE, MINNICH

NAYS: NONE

ABSENT: FABRE, BLACK

And the ordinance was declared adopted this 24th day of January, 2005, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]  
SECRETARY: [Signature]  
DLVD/PARISH PRESIDENT: January 25, 2005  
APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: Albert D. Laque  
RETD/SECRETARY: January 25, 2005  
AT: 1:49 P.M. RECD BY: Bjo

**RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE**  
ON April 20, 2005  
AS ENTRY NO. 306576  
IN MORTGAGE/CONVEYANCE BOOK  
NO. 649 FOLIO 773

PONTCHARTRAIN LEVEE DISTRICT

UNITED STATES OF AMERICA

TO

STATE OF LOUISIANA

ST. CHARLES PARISH

PARISH OF ST. CHARLES

ACT OF DONATION

STATE OF LOUISIANA

PARISH OF ST. CHARLES

BE IT KNOWN that on this 19<sup>th</sup> day of April, 2005, before me, the

undersigned authority, in the presence of the undersigned competent witnesses, personally came and appeared:

PONTCHARTRAIN LEVEE DISTRICT, 2204 Albert Street, P.O. Box 426, Litcher, La 70071, herein represented by Steve Wilson, its President, duly authorized by Resolution of the Board of Commissioners adopted on 12-20-04, 2004, who declared that for and in consideration of the benefit of St. Charles Parish; they do by these presence irrevocably give, grant and donate unto

ST. CHARLES PARISH, 15045 River Road, P.O. Box 302, Hahnville, La 70057, herein represented by Albert D. Laque, Parish President, duly authorized by Ordinance No. 05-1-9 of the St. Charles Parish Council adopted on January 24, 2005

all interest, right and title, in and to the following described property, as follows:

**A certain portion of the Pontchartrain Levee District Property, described as SA-1 (Scenic Area 1) located in Sections 38 and 39, T-11 S, R-8 E, Southeastern Land District East of the Mississippi River in St. Charles Parish, Louisiana more particularly described as follows: Commencing at a point on the centerline of the Corp of Engineers Lower Bonnet Carre Spillway Levee having State Plane Coordinates, Louisiana South Zone  $x = 3585273.981$ ,  $y = 567324.023$  also being the point of commencement; thence S  $60^{\circ}36'36.6''$  E, 277.13' (feet) to the point of beginning; thence N  $36^{\circ}10'03.3''$  E, 289.76' (feet); thence S  $57^{\circ}39'40.2''$  E, 576.03' (feet); thence S  $62^{\circ}08'22.4''$  E, 141.632' (feet); thence proceed along a nontangential curve to the right having a radius of 331.07' (feet), whose length is 527.00' (feet) and whose chord length is 473.10' (feet) and bears S  $38^{\circ}44'52.9''$  E; thence S  $06^{\circ}31'19.0''$  W, 182.85' (feet); thence N  $84^{\circ}02'13.6''$  W, 897.54' (feet); thence N  $52^{\circ}46'45.9''$  W, 486.53' (feet); thence N  $36^{\circ}10'03.3''$  E, 375.95' (feet) to the point of beginning, containing 16.3 acres more or less, and shown more fully on a map entitled "Bayou Labranche Recreation Areas, SA-1 and SA-2", in Sections 38 and 39, T-11 S, R-8 E, Southeastern Land District East of the Mississippi River in St. Charles Parish, Louisiana, dated Dec. 2004, by Shread -Kuyrkendall and Associates, L. Lyles Budden, P.L.S.**

**AND**

**A certain portion of the Pontchartrain Levee District Property, described as SA-2 (Scenic Area 2) located in Sections 38 and 39, T-11 S, R-8 E, Southeastern Land District East of the Mississippi River in St. Charles Parish, Louisiana more particularly described as follows: Commencing at a point on the centerline of the Corp of Engineers Lower Bonnet Carre Spillway Levee having State Plane Coordinates, Louisiana South Zone  $x = 3585273.981$ ,  $y = 567324.023$  also being the point of commencement; thence S  $60^{\circ}36'36.6''$  E, 277.13' (feet); thence N  $36^{\circ}10'03.3''$  E, 289.76' (feet); thence S  $57^{\circ}39'40.2''$  E, 576.03' (feet)**

to the point of beginning; thence N 37°47'50.4" E, 102.74' (feet); thence N 55°18'31.0" E, 176.89' (feet); thence S 86°20'24.0" E, 244.00' (feet); thence N 70°09'32.0" E, 709.80' (feet); thence S 86°07'20.0" E, 388.94' (feet); S 38°18'31.4" W, 250.00' (feet); S 56°21'09.1" W, 1118.76' (feet); thence proceed along a nontangential curve to the left having a radius of 331.07' (feet), whose length is 527.00' (feet) and whose chord length is 473.10' (feet) and bears N 38°44'52.9" W; thence N 62°08'22.4" W, 141.63' (feet) to the point of beginning, containing 12.1 acres more or less, and shown more fully on a map entitled "Bayou Labranche Recreation Areas, SA-1 and SA-2", in Sections 38 and 39, T-11 S, R-8 E, Southeastern Land District East of the Mississippi River in St. Charles Parish, Louisiana, dated Dec. 2004, by Shread -Kuyrkendall and Associates, L. Lyles Budden, P.L.S.

ST. CHARLES PARISH accepts this donation with gratitude and acknowledges delivery and possession of the property described above.

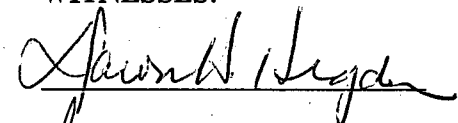
THE USE AND ACCESS OF SERVITUDE IS HEREIN RESERVED IN FAVOR OF THE PONTCHARTRAIN LEVEE DISTRICT FOR ANY AND ALL ACTIONS NECESSARY TO MAINTAIN, IMPROVE, CONSTRUCT OR SUPPORT THE LEVEE SYSTEM AND PROVIDE FLOOD PROTECTION UNDER THE LAWS OF LOUISIANA.

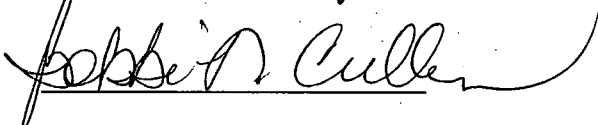
DONOR HEREIN RESERVES UNTO THEMSELVES, THEIR SUCCESSORS AND ASSIGNS ANY AND ALL MINERAL RIGHTS IN AND TO SAID PROPERTY, DONOR FURTHER WAIVES ALL SURFACE RIGHTS UNTO SAID PROPERTY.

NO TITLE EXAMINATION WAS REQUESTED OF AND NONE WAS PERFORMED BY THE UNDERSIGNED NOTARY PUBLIC.

THUS DONE, READ AND SIGNED in DESTREHAN St. Charles Parish, Louisiana, on the \_\_\_\_\_ day, month and year first above written in the presence of the undersigned competent witnesses and Notary Public, after due reading of the whole.

WITNESSES:



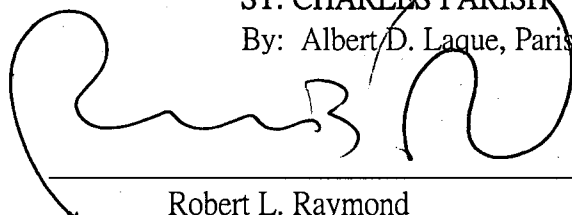




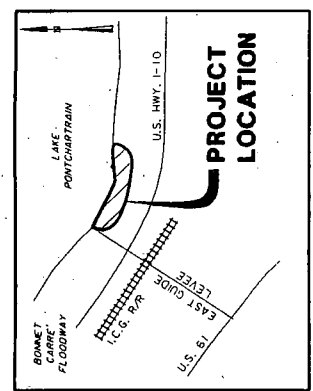
PONTCHARTRAIN LEVEE DISTRICT  
By: STEVE WILSON, President



ST. CHARLES PARISH  
By: Albert D. Laque, Parish President



Robert L. Raymond  
Notary Public  
Bar No. 11408



APPROXIMATE SHORELINE CONDITIONS AS OF 1969  
U.S. ARMY ENGINEER DISTRICT,  
NEW ORLEANS CORPS OF ENGINEERS.  
FILE NO. H-8-25182)

R/W EXTENDS TO  
CURRENT SHORELINE

LAKE PONTCHARTRAIN

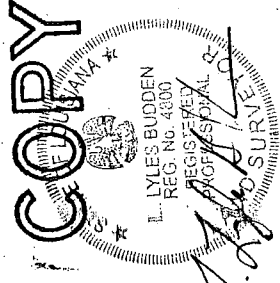
BONNET  
CARRE  
FLOODWAY

CL EAST  
LEVEE

EXIST. GOVERNMENT  
R/W

U.S. HWY. 1-10

60' ACCESS  
R/W



**COPY**

BAYOU LABRANCHE  
SCENIC AREA SA-2  
12.1 AC.

BAYOU LABRANCHE  
SCENIC AREA SA-1  
16.3 AC.

PONTCHARTRAIN  
LEVEE DISTRICT

**BAYOU LABRANCHE SCENIC AREAS  
SA-1 AND SA-2**

**LOCATED IN SECTIONS 38 AND 39, T-11-S, R-8-E  
OF THE SOUTHEASTERN LAND DISTRICT  
EAST OF THE MISSISSIPPI RIVER  
IN ST. CHARLES PARISH, LOUISIANA  
FOR ST. CHARLES PARISH**

**SHREAD-KUYRKENDALL & ASSOC.  
ENGINEERS-SURVEYORS-PLANNERS  
BATON ROUGE, LOUISIANA**

DEC. 19, 2004

- NOTES:
1. REFERENCE MAP ENTITLED "LAKE PONTCHARTRAIN SHORELINE EAST REACH OF THE BONNET CARRE SPILLWAY ST. CHARLES PARISH, LA." E.Y. BFM CORP. DATED DEC. 16, 1999.
  2. BEARINGS ESTABLISHED BY GPS OBSERVATIONS.
  3. THIS PLAT REPRESENTS THE SURVEY PERFORMED ON THE GROUND, IS CORRECT, AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AS OF THIS DATE, AS STIPULATED BY CLASSIFICATION D SURVEYS.
  4. NO ATTEMPT HAS BEEN MADE BY THE UNDERSIGNED TO VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVITUDES, EASEMENTS, RIGHTS OF WAY, OR OTHER BURDENS ON THE PROPERTY OTHER THAN THAT FURNISHED OR OTHER PERMANENT MONUMENTS SET AS A RESULT OF THIS SURVEY.
  5. NO PERMANENT MONUMENTS SET AS A RESULT OF THIS SURVEY.
  6. DELINEATION OF JURISDICTIONAL WETLANDS HAS NOT BEEN REQUESTED NOR IS A PART OF THIS SURVEY.

