

**ACT OF PARTIAL REVOCATION**

**UNITED STATES OF AMERICA**

**BY: ST. CHARLES PARISH**

**STATE OF LOUISIANA**

**OF: A PORTION OF SOUTH FASHION  
BOULEVARD & 10' UTILITY SERVITUDE**

**PARISH OF ST. CHARLES**

**BE IT KNOWN**, that on this \_\_\_\_ day of \_\_\_\_\_, in the year of Our Lord Two Thousand and Fifteen (2015),

**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 V. J. St. Pierre, Jr., Parish President, duly authorized by virtue of Ordinance No. \_\_\_\_\_ of the St. Charles Parish Council adopted on \_\_\_\_\_, 2015, a certified copy of which is annexed hereto and made part hereof,

APPEARER declared unto me, Notary, as follows: that by Ordinance No. 2002-0443 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 (the "Property") forming an extension of South Fashion Blvd. between what is depicted as Parcel B and Lot 307 on the Plan of Resubdivision recorded at COB 609, folio 560:

Beginning at the southeast corner of Parcel B at that point marked with a ½" iron rod (the "Point of Beginning"); thence proceed N32°58'45"W a distance of 124.94' to a point marked with a ½" iron rod; thence proceed N57°01'15"E a distance of 60.00 to a point marked with a ½" iron rod; thence proceed S32°58'45"E a distance of 124.00' to a point marked with a ½" iron rod constituting the southwest corner of Lot 307; thence proceed S56°07'47"W a distance of 60.00' back to the Point of Beginning.

The Property was dedicated by the Developer to St. Charles Parish as an extension of South Fashion Blvd. in conjunction with the donation of Lot 307 by the Developer to the Hahnville Fire Department (the "Fire Department"). The donation to the Fire Department is

recorded at COB \_\_\_\_, folio \_\_\_\_\_. As recited therein, the donation required the Fire Department to construct a fully operational fire station on Lot 307 within five years of the donation. The Property was to provide the Fire Department with a side entrance to the fire station. However, the Fire Department was not timely able to construct the fire station. Consequently, the donation was revoked and Lot 307 reverted back to the Developer pursuant to the Act of Revocation of Onerous donation recorded at COB \_\_\_\_, folio \_\_\_\_\_.

In connection with the development of FASHION PLANTATION ESTATES PHASE III, what was depicted as Parcel B on the Plan of Resubdivision for Fashion Plantation Estates Phase II was resubdivided into Lots 308, 309 and 310. By Act of Sale recorded at COB 679, folio 470, Lot 308 was sold by the Developer to Elaine Naranjo. By Act of Sale recorded at COB 811, folio 135, Lot 307 was sold by the Developer to Justin J. Loupe and Heather Higginbotham Loupe. Consequently, the Property is now bordered by privately held lots (Lot 307 on the north east and Lot 308 on the south west) and no longer serves a public function.

Because the Property serves no public function whatsoever, the current owners of Lot 307 and Lot 308 have requested the Parish of St. Charles to revoke the dedication of the Property as a portion of South Fashion Blvd. By operation of law, upon the revocation of the Property from the defined boundaries of South Fashion Blvd., one half of the property will revert to the owner of Lot 307, and the other half of the property will revert to the owner of Lot 308. 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 Property 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 V. J. ST. PIERRE, JR., Parish President, duly authorized by virtue of Ordinance No. \_\_\_\_\_ of the St. Charles Parish Council adopted on \_\_\_\_\_, 2015, a certified copy of which is annexed hereto and made part hereof, does hereby revoke the dedication of the Property 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 following described portion of the Property to Justin J. Loupe and Heather Higginbotham Loupe as the current owners of Lot 307 contiguous to the Property on its north eastern side, all in accordance with and as directed by the provisions of La.

R. S. 48:701:

Beginning at the southwest corner of Lot 307 at that point marked with a ½” iron rod (the “Point of Beginning”); thence proceed N32°58’45”W a distance of 124.00’ to a point marked with a ½” iron rod; thence proceed S57°01’15”W a distance of 30.00 to a point marked with a ½” iron rod; thence proceed S32°58’45”E a distance of 124.47’ to a point marked with a ½” iron rod; thence proceed N56°07’47”E a distance of 30.00’ back to the Point of Beginning. Being that portion of the Property resubdivided into Lot 307A as more fully shown on that certain Plan of Resubdivision by Lucien C. Gassen, dated January 6, 2015 entitled Resubdivision of Lots 307, 308 and a 60 Foot Access To Be Revoked Fashion Plantation Estates Phase II into Lots 307A & 308A in Sections 7 & 8, T13S – R20E St. Charles Parish, Louisiana”, which is incorporated herein by reference.

And further 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 following described portion of the Property to Elaine Naranjo as the current owner of Lot 308 contiguous to the Property on its south western side, all in accordance with and as directed by the provisions of La. R. S. 48:701:

Beginning at the southeast corner of Lot 308 at that point marked with a ½” iron rod (the “Point of Beginning”); thence proceed N32°58’45”W a distance of 124.94’ to a point marked with a ½” iron rod; thence proceed N57°01’15”E a distance of 30.00 to a point marked with a ½” iron rod; thence proceed S32°58’45”E a distance of 124.47’ to a point marked with a ½” iron rod; thence proceed S56°07’47”W a distance of 30.00’ back to the Point of Beginning. Being that portion of the Property resubdivided into Lot 308A as more fully shown on that certain Plan of Resubdivision by Lucien C. Gassen, dated January 6, 2015 entitled Resubdivision of Lots 307, 308 and a 60 Foot Access To Be Revoked Fashion Plantation Estates Phase II into Lots 307A & 308A in Sections 7 & 8, T13S – R20E St. Charles Parish, Louisiana”, which is incorporated herein by reference.

**TO HAVE AND TO HOLD** the above described property unto the said Elaine Naranjo, Justin J. Loupe and Heather Higginbotham Loupe, appearing herein to accept the transfer to them of their respective interest in the Property for themselves, their heirs, successors, and assigns forever, and to acknowledge due delivery and possession thereof. The Property is currently tax exempt. Elaine Naranjo, Justin J. Loupe and Heather Higginbotham Loupe assume any taxes to be levied on that portion of the Property conveyed to them pursuant to this Act of Revocation.

**ST. CHARLES PARISH**, herein further appearing by and through V. J. ST. PIERRE, JR., Parish President, duly authorized by virtue of Ordinance No. \_\_\_\_\_ of the St. Charles Parish Council adopted on \_\_\_\_\_, 2015, a certified copy of which is annexed hereto and made part hereof, does hereby also revoke the dedication of that certain 10' Utility Servitude running along the northeastern sideline of original Lot 308, because said portion of the 10' Utility Servitude serves no public function whatsoever. The section of the 10' Utility Servitude being revoked herein is shown as "10 Utility Servitude To Be Revoked" on that certain Plan of Resubdivision by Lucien C. Gassen, dated January 6, 2015, attached hereto.

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:**

**ST. CHARLES PARISH**

\_\_\_\_\_  
**Printed Name:**\_\_\_\_\_

\_\_\_\_\_  
**BY: V. J. St. Pierre, Jr.**  
**ITS: PRESIDENT**

\_\_\_\_\_  
**Printed Name:**\_\_\_\_\_

\_\_\_\_\_  
**NOTARY PUBLIC**  
**Printed name:**\_\_\_\_\_  
**Notary/Bar No.**\_\_\_\_\_

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:**

**OWNERS OF LOT 307**

\_\_\_\_\_  
**Printed Name:**\_\_\_\_\_

\_\_\_\_\_  
Justin J. Loupe

\_\_\_\_\_  
**Printed Name:**\_\_\_\_\_

\_\_\_\_\_  
Heather Higginbotham Loupe

\_\_\_\_\_  
**NOTARY PUBLIC**  
**Printed name:**\_\_\_\_\_  
**Notary/Bar No.**\_\_\_\_\_

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:**

**OWNER OF LOT 308**

\_\_\_\_\_  
**Printed Name:**\_\_\_\_\_

\_\_\_\_\_  
Elaine Naranjo

\_\_\_\_\_  
**Printed Name:**\_\_\_\_\_

\_\_\_\_\_  
**NOTARY PUBLIC**  
**Printed name:**\_\_\_\_\_  
**Notary/Bar No.**\_\_\_\_\_