

2004-0025

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

ORDINANCE NO. 04-3-4

An ordinance approving and authorizing the execution of an Act of Dedication for Lakewood Drive Extension, Luling, St. Charles Parish, LA.

WHEREAS, Post Street, LLC are the owners and developers of property located in portion of Section 46, T13S R21E and indicated on a Dedication Plan prepared by Tildon J. Dufrene, Land Surveyor and dated November 10, 2003, as a Dedication for Extension of Lakewood Drive; and,

WHEREAS, said street 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 street.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Dedication for the Extension of Lakewood Drive is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Dedication Plan 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, RAMCHANDRAN, WALLS,  
BLACK, DUHE, MINNICH

NAYS: NONE

ABSENT: FABRE

And the ordinance was declared adopted this 8th day of March, 2004, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Lance Mann

SECRETARY: Barbara Just-Jusher

DLVD/PARISH PRESIDENT: March 9, 2004

APPROVED:  DISAPPROVED:

PARISH PRESIDENT: Albert D. Laque

RETD/SECRETARY: March 10, 2004

AT: 1:51 pm RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE  
ON March 25, 2004  
AS ENTRY NO. 292896  
IN MORTGAGE / CONVEYANCE BOOK  
NO. 633 FOLIO 701

**ACT OF DEDICATION  
LAKEWOOD DRIVE EXTENSION**

**UNITED STATES OF AMERICA**

**BY: POST STREET, LLC**

**STATE OF LOUISIANA**

**TO: ST. CHARLES PARISH**

**PARISH OF ST. CHARLES**

BE IT KNOWN, that on this 22<sup>nd</sup> day of January, in the year of our Lord Two Thousand and Four (2004).

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:**

**POST STREET, L.L.C.**, (Tax Id #16-1650448), a limited liability company duly organized, validly existing and in good standing under the laws of the State of Louisiana, having as its principal office, an address of P.O. Box 47 - 196 Vial Street, appearing herein through its duly authorized member, David J. Vial, as per certificate of authority recorded at COB \_\_\_\_\_, folio \_\_\_\_\_, records of St. Charles Parish, Louisiana;

(Hereinafter sometimes referred to as "Post Street")

Mailing Address: P.O. Box 47, Luling, Louisiana 70070.

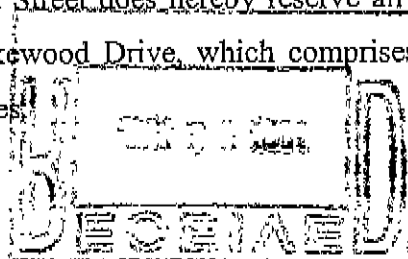
Post Street declared unto me Notary, that it is the owner of a certain tract immovable property situated on the West Bank of St. Charles Parish, which land is designated as "Lakewood Drive Extension" being a portion of Section 46, Township 13 South, Range 21 East, St. Charles Parish, Louisiana, as shown on a Dedication Plan of said resubdivision prepared by Tildon J. Dufrene, Land Surveyor, dated November 10, 2003, a copy of which Dedication Plat is attached hereto and made a part of this Act of Dcdication; and

Owner further declared unto me that it has caused the above property designated as Lakewood Drive on the Dedication Plat referred to above to be extended sixty (60) feet, and

Post Street further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does by these presents, dedicate the Lakewood Drive Extension, as hereinabove described and does hereby grant the various servitudes for water, utility and drainage purposes, all as shown on the Dedication 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

Post Street further declared unto me, Notary, that the aforesaid dedication and grant is subject to all the following terms and conditions, to-wit:

1. The dedication of the fee ownership of the property to the Parish of St. Charles is covered by the streets identified hereinabove as Lakewood Drive, but only as far as said street are located in Lone Star Plantation and as shown on the Dcdication Plat.
2. The herein grant of the various servitudes for water, utility 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. Post Street does hereby reserve all rights of fee ownership to that portion of the aforesaid Lakewood Drive, which comprise the various servitudes for water, utility and drainage purposes.



3. Post Street 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 water, utility and drainage servitudes granted herein. In that connection, Post Street 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 Post Street's plan and intention to reserve all of the mineral rights in, on and under all of the lots in the Lone Star Plantation Subdivision, whereby, however, Post Street will likewise impose a restriction on the entire subdivision against any use of the surface of any lot for exploration, development or productions of minerals, pursuant to this reservation.
4. The herein dedication of street and grant of servitudes for water, utility and drainage purposes are made by Post Street without any warranty whatsoever except as provided for herein areas.
5. St. Charles Parish must bind and obligate itself not to use the property dedicated herein for street purposes in any manner, which would be inconsistent with or detrimental to such uses as a public street. St. Charles Parish must further bind and obligate itself to use the water, utility and drainage servitudes for water, utility 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 water, utility and drainage facilities within the various water, utility and drainage servitudes areas.
7. The grant herein of various servitudes for water, utility and drainage purposes shall be used exclusively for the those purposes and Post Street reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitudes for water, utility and drainage purposes. There herein granted water, utility and drainage servitudes shall not be utilized so as to unreasonably interfere with or impair ingress and egress from the street dedication herein to any of the lots along said street extension.
8. Post Street, L.L.C. warrants that the herein dedication of street and grant of servitudes are free of any liens and/encumbrances and that the Lakewood Drive Extension has not 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 Lakewood Drive Extension such as by way of illustration but not limitation, pipeline servitudes and levees.
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 hereof.
11. Post Street, L.L.C. Warrants that all utilities and streets have been placed within the servitude(s) granted herein.

AND NOW, these presents, personally came and intervened:

ST. CHARLES PARISH, herein appearing by and through Albert D. Laque, Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on March 8, 2004, a certified copy of which is annexed hereto and made part hereof, and said St. Charles Parish does hereby accept, approve and ratify the herein dedication and

grant under all of the terms and conditions as contained hereinabove, and does also hereby acknowledge that the construction of the street dedicated herein has been satisfactorily completed in accordance with all requirements and that all water, utility and drainage facilities have been likewise satisfactorily completed in accordance with all requirements, and St. Charles Parish does hereby accept all of said street and water, utility and drainage facilities and assumes the maintenance thereof.

*Lance for original*

This Act of Dedication and Acceptance was approved and accepted by the St. Charles Parish Council by Ordinance No. 04-3-4 on the day of March 8, 2004, a photocopy of which is attached and made a part herof.

THIS 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:**

*Alfonse J. Madere*  
*Alfonse J. Madere*  
*Betty S. Burdson*  
*Betty S. Burdson*

**POST STREET, L.L.C.**

BY: \_\_\_\_\_

*David J. Vial*

Name: **David J. Vial, M.D.**

*[Signature]*

**NOTARY PUBLIC**

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:**

*Barbara Joseph-Jacobs*  
*Valerie Berthelot*

**ST. CHARLES PARISH**

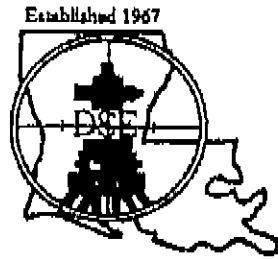
BY: \_\_\_\_\_

*Albert D. Laque*

Name: **Albert D. Laque, Parish President**

*[Signature]*

**NOTARY PUBLIC**



# Dufrene Surveying & Engineering, Inc.

Surveying • Engineering • Landscape Architecture  
 P.O. Box 753 • 1624 Manhattan Blvd. Harvey, Louisiana 70058  
 504-368-6390 ph www.dseinc.net 504-368-6394 fax

November 10, 2003

A certain portion of ground located in Lone Star Plantation, Section 46, T13S, R21E, St. Charles Parish, Louisiana, in an area bounded by Lakewood Drive, Ivy Lane, Rathborne Land Co. Property, and Cousins Canal, designated as a 50' by 60' area being dedicated for the Extension of Lakewood Drive and described as follows:

Commence from the intersection of the southerly right of way line of Ivy lane and the westerly right of way line of Lakewood Drive and go South 17°02'00" West along the westerly right of way line of Lakewood Drive a distance of 120.00 feet to the POINT OF BEGINNING. Thence go South 72°58'00" East a distance of 50.00 feet to the easterly right of way line of Lakewood Drive; thence go South 17°02'00" West a distance of 60.00 feet; thence go North 72°58'00" West a distance of 50.00 feet; thence go North 17°02'00" East a distance of 60.00 feet to the POINT OF BEGINNING.

All as shown on a dedication plat by Dufrene Surveying & Engineering Inc. dated November 10, 2003.

