

Ord.

1999-5050

INTRODUCED BY: CHRIS TREGRE
PARISH PRESIDENT
(DEPT. OF PLANNING & ZONING)

ORDINANCE NO. 99-12-30

An ordinance approving the resubdivision of lots 272 & 273, Square J and the revoked portion of the proposed East-West Approach, Ormond Country Club Estates into Lots 1A through 6A.

WHEREAS, Dorvin Developments, Inc. is the owner of three certain portions of property located in St. Charles Parish, more fully described in a sale between Johnson-Loogins, Inc. of Louisiana and Dorvin Developments, Inc., dated May 18, 1977, as Sections 11, 12, 13, 14, 23, 29, 30, 66, T12SR8E, and Section 3, T13SR8E; and,

WHEREAS, Dorvin Developments, Inc. has proposed to subdivide these three portions into Lots 1A through 6A, as shown on a Final Plat prepared by Lucien C. Gassen, PLS and dated November 15, 1999; and,

WHEREAS, said subdivision has received all necessary waivers and approvals from the St. Charles Parish Planning Commission and the St. Charles Parish Council in accordance with the St. Charles Parish Subdivision Regulations of 1981, as amended; and,

WHEREAS, said subdivision has a drainage, sewerage and water servitude to be dedicated to St. Charles Parish and no other associated infrastructure to be dedicated; 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 subdivision of three certain portions of ground into lots 1A through 6A, Square J of Ormond Country Club Estates, and the additional servitude indicated, is hereby approved and accepted.

SECTION II. That the Parish President and the St. Charles Parish Council Chairman are 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: RAMCHANDRAN, MINNICH, CHAMPAGNE, ABADIE, AUTHEMENT
NAYS: NONE
ABSENT: ALEXANDER, JOHNSON, DUHE, SIRMON

And the Ordinance was declared adopted this 20th day of December, 1999, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: 12-21-99
APPROVED: [Signature] DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: 12-21-99
AT: 1:35 PM RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE

ON 1-7-00
AS ENTRY NO. 239775
IN MORTGAGE/CONVEYANCE BOOK
NO. 563 FOLIO 394

ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: DORVIN DEVELOPMENTS, INC.

STATE OF LOUISIANA

TO: PARISH OF ST. CHARLES

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 3rd day of December in the year of Our Lord, one thousand nine hundred ninety-nine (1999).

BEFORE ME, Robert L. Raymond, a Notary Public duly commissioned and qualified in and for the aforesaid Parish and State, therein residing, and in the presence of two competent witnesses hereinafter named and undersigned;

PERSONALLY CAME AND APPEARED:

DORVIN DEVELOPMENTS, INC., a corporation duly organized under the laws of the State of Louisiana, which corporation is domiciled in Kenner, Louisiana, herein appearing through Howat M. Raymond, its president, duly authorized by resolution of the Board of Directors of said corporation, adopted by said Board of Directors, a certified copy of which is hereunto annexed;

The above named appearer declared unto me, Notary Public, that it is the owner of a certain tract of real property situated in the Parish of St. Charles, State of Louisiana briefly described as "Lots 1A, 2A, 3A, 4A, 5A and 6A, Square J, Ormond Country Club Estates, Township 12, South, Range 8 East, St. Charles Parish, Louisiana" which has been laid out in squares and lots on a plan by Lucien C. Gassen, P.L.S. dated December 2, 1999 showing the Resubdivision of Lots 272 & 273, Square J and the revoked portion of the proposed East-West Approach of Ormond Country Club Estates, Township 12 South, Range 8 East, St. Charles Parish, Louisiana into Lots 1A, 2A, 3A, 4A, 5A and 6A, a print of which is annexed hereto and made part hereof.

That the said appearer further declared unto me, Notary, that on the aforesaid plan it has also designated and labeled various servitudes for sewerage, drainage and water.

The said appearer further declared unto me, Notary, that under the covenants, conditions, and stipulations hereinafter recited it does, by these presents, dedicate the various servitudes for sewerage, drainage and water, all as shown on said plan of resubdivision on the plan by Lucien C. Gassen, P.L.S., to the public use unto and in

favor of the Parish of St. Charles, its inhabitants and to the Public in general.

The said appearers further declared unto me, Notary, that the aforesaid dedication and grant of servitudes are subject to all of the following terms and conditions, to-wit:

1. The herein dedication of the various servitudes for sewerage, drainage and water shall constitute the granting only of a servitude in favor of the Parish of St. Charles, its inhabitants and to the Public in general.
2. The appearer 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 aforesaid dedication of the sewerage, drainage and water servitudes granted herein. In that connection the appearer does however, agree to prohibit the use of any part of the surface of any of the property covered by the servitudes with respect to the exploration, development or production of minerals pursuant to this reservation. The appearer will impose a restriction on the entire subdivision against any use of the surface of any lot for the exploration, development or production of minerals.
3. The herein dedication of servitudes for sewerage, drainage and water purposes are made by the appearer without any warranty whatsoever, except as provided herein.
4. Where appearer has placed said utilities and drainage in said servitudes, appearer warrants that said utilities and drainage are within the boundaries of the servitudes granted.
5. The Parish of St. Charles binds and obligates itself to use the sewerage, drainage and water servitudes granted herein only for sewerage, drainage and water purposes.
6. This dedication is conditioned upon St. Charles Parish maintaining the various sewerage, drainage and water facilities within the various servitude areas.
7. The dedication herein of the various servitudes for sewerage, drainage and water purposes is not exclusive and the appearer reserves the right

to use or grant any other rights with respect to said property not inconsistent with the aforesaid dedication of servitudes . The aforesaid dedication of servitudes shall not be utilized so as to unreasonably interfere with or impair ingress and egress from the street shown on the plat of Resubdivision annexed hereto to any of the lots in the Resubdivision of Lots 272 & 273, Square J and the revoked portion of the proposed East-West Approach of Ormond Country Club Estates, Township 12 South, Range 8 East, St. Charles Parish, Louisiana.

8. The dedications made herein are made subject to any existing encumbrances affecting the Resubdivision of Lots 272 & 273, Square J and the revoked portion of the proposed East-West Approach of Ormond Country Club Estates, Township 12 South, Range 8 East, St. Charles Parish, Louisiana, such as by way of illustration but not limitation, pipeline servitudes and levees.
9. The herein dedication shall inure to the benefit of the St. Charles Parish or any successor governmental body of St. Charles Parish, which shall be bound by all of the terms and conditions hereof.
10. Appearer herein warrants that the said servitude dedication herein is free of any liens and/or encumbrances and that no lot has been sold or alienated.

AND NOW, to these presents, personally came and intervened:

ST. CHARLES PARISH, herein appearing by and through Chris Tregre, Parish President, duly authorized by virtue of an Ordinance of said Parish adopted on December 20, 1999, a certified copy of which is annexed hereto and made part hereof.

and said St. Charles Parish does hereby accept, approved and ratify the herein dedication and grant under all of the terms and conditions as contained herein above, and does also hereby acknowledge that the construction of all sewerage, drainage and water facilities in the Resubdivision of Lots 272 & 273, Square J and the revoked portion of the proposed East-West Approach of Ormond Country Club Estates, Township 12 South, Range 8 East, St. Charles Parish, Louisiana have been likewise satisfactorily completed in accordance with all requirements, and St. Charles Parish

does hereby accept the said sewerage, drainage and water facilities and assumes the maintenance thereof.

THUS DONE AND PASSED, in triplicate originals, in my office 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 of the whole.

WITNESSES:

Trudy Deshotel

DORVIN DEVELOPMENTS, INC.

by:

Howat M. Raymond
HOWAT M. RAYMOND, President

Lorraine D. Linn

[Signature]
NOTARY PUBLIC

THUS DONE AND PASSED, in triplicate originals, in my office 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 of the whole.

WITNESSES:

Jean Beaud

ST. CHARLES PARISH

BY:

Charles R. Rye
Parish President

Valerie R. Berthelot

[Signature]
NOTARY PUBLIC