

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

ORDINANCE NO. 02-9-23

An ordinance approving and authorizing the execution of an Act of Dedication for Evangeline Estates Phase I Subdivision, Montz, St. Charles Parish, LA.

WHEREAS, R-Squared, L.L.C. are the owners and developers of property located in portions of Sections 50 & 17, T12S R7E, Montz St. Charles Parish, LA and indicated on a Final Plat prepared by BFM Corporation, LLC, and dated July 31, 2002, as a Resubdivision of Tract 3 and Tract 5 into Sq. 1, Lots 1-4 & 26-35; Sq. 2, Lots 1-10; and Sq. 3, Lots 1-6, Evangeline Estates, Phase 1, Montz, St. Charles Parish, LA; 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 R-Squared, L.L.C. for Evangeline Estates Phase I Subdivision which includes Sq. 1, Lots 1-4 & 26-35; Sq. 2, Lots 1-10; and Sq. 3, Lots 1-6; and Four J Lane, Leigh Lane, North Bend, Scarlett Lane, and Edgewood Lane is hereby approved and accepted; and,

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: RAMCHANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT, BLACK, MARINO
NAYS: NONE
ABSENT: MINNICH

And the Ordinance was declared adopted this 23rd day of Sept., 2002, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Albert Laque*
SECRETARY: *Barbara Jant*
DLVD/PARISH PRESIDENT: September 24, 2002
APPROVED: DISAPPROVED:
PARISH PRESIDENT: *Albert D. Laque*
RETD/SECRETARY: September 24, 2002
AT 3:00 PM RECD BY: *[Signature]*

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON 10-11-02
AS ENTRY NO. 271438
IN MORTGAGE/CONVEYANCE BOOK
NO 608 FOLIO 722

EVANGELINE ESTATES, PHASE I

20-0055.mis

ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: R-SQUARED, L.L.C.

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 9th day of October, in the year of Our Lord, Two Thousand and Two.

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

PERSONALLY CAME AND APPEARED;

R-SQUARED, L.L.C., Tax ID# 72-1515538, a Louisiana Corporation organized and existing under and by virtue of the laws of the State of Louisiana with its domicile in the Parish of Jefferson, State of Louisiana, herein appearing by and through its member Karl R. Noel.

MAILING ADDRESS: 4937 Hearst Street
Suite B
Metairie, LA 70001

R-SQUARED, L.L.C declared unto me that it is the owner of a certain tract of real property situated on the East Bank of St. Charles Parish, which lands are designated as Evangeline Estates, being the Resubdivision of Tracts 3 and 5 into Square 1, Lots 1-4 and 26-35,; Square 2, Lots 1-10; and Square 3, Lots 1-6 a copy of which is attached to and made part of this ordinance and

R-SQUARED, L.L.C. further declared unto me that it has caused that portion of the above property designated as Evangeline Estates on the survey referred to above to be laid out in thirty-one (31) lots, which plan of subdivision creates Evangeline Estates; and

R-SQUARED, L.L.C. further declared unto me, Notary, that on the aforesaid plan of re-subdivision it has laid out certain streets within Evangeline Estates which are named and identified in accordance with the annexed plan of BFM Corporation dated July 31, 2002, Revised August 30, 2002, as Four J Lane; Leigh Lane; Edgewood Lane; North Bend Lane; and Scarlett Lane which streets in regard to this dedication; and

R-SQUARED, L.L.C. further declared unto me, Notary, that on the aforesaid plan of re-subdivision, it has also designated and labeled various servitudes for utility and drainage purposes; and

R-SQUARED, L.L.C. further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does, by these presents, dedicate portions of the following streets located all within Evangeline Estates namely: Four J Lane; Leigh Lane; Edgewood Lane; North Bend Lane; and Scarlett Lane, as herein above described; and does hereby further grant the various servitudes for utility and drainage purposes, all as shown on the annexed plan of resubdivision by BFM Corporation, 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

R-SQUARED, L.L.C. 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 streets identified herein above as Four J Lane; Leigh Lane; Edgewood Lane; North Bend Lane; Scarlett Lane, only as far as said streets are located in Evangeline Estates, and the 40 foot dedicated Right of Way together with the 30 foot dedicated Right of Way
2. The herein grant of the various servitudes for utility and drainage purposes shall

EVANGELINE ESTATES, PHASE I

2. The herein grant of the various servitudes for utility and drainage purposes shall constitute the granting only a "personal servitude of right of use" being a "limited personal servitude" in favor of St. Charles Parish. R-SQUARED, L.L.C. does hereby reserve all rights of fee ownership to that portion of the aforesaid Evangeline Estates which comprises the various servitude for utility and drainage purposes.
3. R-SQUARED, L.L.C. 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 streets identified herein above and by the aforesaid utility and drainage servitudes granted herein. In that connection, R-SQUARED, L.L.C. does, however, agree to prohibit the use of any part of the surface of any of the property covered by the streets and servitudes with respect to the exploration, development or production of minerals pursuant to this reservation. This reservation is made in accordance with R-SQUARED, L.L.C.'s plan and intention to reserve all of the mineral rights in, on and under all of the lots in Evangeline Estates, whereby, however R-SQUARED, L.L.C. 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 the subdivision.
4. The herein dedication of streets and grant of servitudes for utility and drainage purposes are made by R-SQUARED, L.L.C. 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 which would be inconsistent with or detrimental to such use as public street. St. Charles Parish must further bind and obligate itself to use the utility and drainage servitudes granted herein only for utility and drainage purposes.
6. This dedication and grant are conditioned up St. Charles Parish maintaining and policing the streets dedicated herein, and maintaining the various utility and drainage facilities within the various utility and drainage servitudes areas.
7. The grant herein of various servitudes for utility and drainage purposes shall be used exclusively for those purposes and R-SQUARED, L.L.C reserves the right to use or grant any other rights with respect to said property not inconsistent with the aforesaid servitude for utility and drainage purposes. The herein granted utility and drainage servitude shall not be utilized so as to unreasonably interfere with or impair ingress and egress from the streets dedicated herein in any of the lots in Evangeline Estates.
8. R-SQUARED, L.L.C. 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 Evangeline Estates, such as by way of illustration by 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. Upon completion of an exit access connected to a major thoroughfare as contemplated at the 60 foot Dedicated Right of Way at the Southwestern most end of the subject property and more fully described as that 60 foot right of way at the intersection of Westover Lane and Edgewood Lane, then the described 20 foot temporary access servitude commencing at the intersection of North Bend and Leigh Lane thence proceeding Northeast along a line N81 26' 50"W, and which encumbers

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Lots 29 and 52, shall be ipso facto revoked, canceled and void and the rights therein shall enure to the benefit of the current owners of Lots 29 and 52.

- 12. Developer warrants that the streets drainage ditches, and/or subsurface drainage, sewerage and other public utilities have been constructed within the bounds of the servitude herein granted.

AND NOW, to these presents, personally came and intervened; ST. CHARLES PARISH, hercin appearing through and by Albert D. Laque, Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on September 23, 2002, 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 herein above, and does also hereby acknowledge that the construction of all of the street dedicated herein has been satisfactorily completed in accordance with all requirements and that all utility and drainage facilities have been likewise satisfactorily completed in accordance with requirements and St. Charles Parish does hereby accept all of said streets and utility and drainage facilities and assumes the maintenance thereof.

THIS ACT OF DEDICATION AND ACCEPTANCE was approved and accepted by the St. Charles Parish Council by Ordinance No. 02-9-23 the 23rd day of September, 2002, a photo copy of which is attached and made part hereof.

THUS DONE AND PASSED, in triplicate originals, in my notarial domicile, 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 Appearer and me, Notary, after reading the whole.

WITNESSES:

APPEARER:
R-SQUARED, L.L.C.

[Handwritten signatures of witnesses]

by: *[Signature]*
MR. KARL R. NOEL
Member

[Signature]
NOTARY PUBLIC

PARISH OF ST. CHARLES

WITNESSES:

[Handwritten signatures of witnesses]

by: *[Signature]*
ALBERT D. LAQUE
Parish President

[Signature]
NOTARY PUBLIC

**PERIMETER OF STREETS TO BE DEDICATED
EVANGELINE ESTATES, PHASE I**

A CERTAIN PORTION OF GROUND, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, advantages, and appurtenances thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Charles, near Montz, in Sections 17 and 50, Township 12 South - Range 7 East, in that part known as **EVANGELINE ESTATES, PHASE I**, designated as **PERIMETER OF STREETS TO BE DEDICATED**, which include Four J Lane (a 60' R.O.W.), Leigh Lane (a 60' R.O.W.), Edgewood Lane (a 60' R.O.W.), Scarlett Lane (a 60' R.O.W.), North Bend (a 60' R.O.W.) and a 40' Dedicated Right of Way, bounded by Squares 1, 2, 3, Evangeline Road and Canadian National Railroad R.O.W. (Formerly the Y. & M. V. Railroad R.O.W., Formerly the I.C. Railroad R.O.W.) and is more fully described as follows:

COMMENCE at the intersection of the southerly right-of-way line of Canadian National Railroad R.O.W. (Formerly the Y. & M. V. Railroad R.O.W., Formerly the I.C. Railroad R.O.W.) a 100' R.O.W. and the common Subdivision line of Evangeline Estates and Evangeline City Subdivision;

THENCE, go along the aforesaid common Subdivision Line, S 36 21'47" W a distance of 581.13 feet to the **POINT OF BEGINNING**;

THENCE, continue along the aforesaid common Subdivision Line, S 36 21'47" W a distance of 60.00 feet to a point on the southerly right-of-way line of Four J Lane;

THENCE, along the aforesaid southerly right-of-way line, N 53 38'13" W a distance of 210.00 feet to a point at the intersection of the aforesaid southerly right-of-way line and the easterly right-of-way line of Leigh Lane;

THENCE, along the aforesaid easterly right-of-way line, S 36 21'47" W a distance 576.93 feet to a point of curve;

THENCE, along a curve to the left, in a southwesterly direction, with a radius of 25 feet, having an arc length of 18.69 feet, along a chord bearing of S 14 56'47" W a distance of 18.26 feet to a point of reverse curve;

THENCE, along a curve to the right, in a southwesterly direction, with a radius of 50 feet, having an arc length of 145.97 feet, along a chord bearing of S 77 09'48" W a distance of 99.38 feet to a point of reverse curve;

THENCE, along a curve to the left, in a northwesterly direction, with a radius of 25 feet, having an arc length of 18.69 feet, along a chord bearing of N 40 37'12" W a distance of 18.26 feet to a point of tangent;

THENCE, along the southerly right-of-way line of Edgewood Lane, N 62 02'12" W a distance 285.88 feet to a point;

THENCE, continue along the aforesaid southerly right-of-way line, N 41 53'09" W a distance 554.75 feet to a point;

THENCE, along the Phase I Line, which is also the westerly line of a 40' Dedicated Right-of-way, N 47 03'39" E a distance of 1237.37 feet to a point;

THENCE, continue along the Phase I Line, N 58 04'53" E a distance of 60.00 feet to a point;

THENCE, continue along the Phase I Line, which is also the westerly line of a 40' Dedicated Right-of-way, N 57 47'52" E a distance of 280.00 feet to a point on the southerly right-of-way line of Canadian National Railroad R.O.W. (Formerly the Y. & M. V. Railroad R.O.W., Formerly the I.C. Railroad R.O.W.);

THENCE, along the aforesaid southerly right-of-way line, S 32 12'08" E a distance of 40 feet to a point;

**PERIMETER OF STREETS TO BE DEDICATED
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THENCE, along the easterly line of a 40' Dedicated Right-of-way, S 57 47'52" W a distance of 280.00 to a point;

THENCE, along the northerly right-of-way line of North Bend, S 32 12'08" E a distance of 585.83 to a point of curve;

THENCE, along a curve to the left, in a southeasterly direction, with a radius of 25 feet, having an arc length of 18.69 feet, along a chord bearing of S 53 37'08" E a distance of 18.26 feet to a point of reverse curve;

THENCE, along a curve to the right, in a southwesterly direction, with a radius of 50 feet, having an arc length of 134.59 feet, along a chord bearing of S 02 04'49" W a distance of 97.48 feet to a point of reverse curve;

THENCE, along a curve to the left, in a southwesterly direction, with a radius of 25 feet, having an arc length of 18.69 feet, along a chord bearing of S 57 46'47" W a distance of 18.26 feet to a point of tangent;

THENCE, along the easterly right-of-way line of Leigh Lane, S 36 21'47" W a distance of 291.33 to a point at the intersection of the aforesaid easterly right-of-way line and the northerly right-of-way line of Four J Lane;

THENCE, along the aforesaid northerly right-of-way line, S 53 38'13" E a distance of 210.00 feet to the **POINT OF BEGINNING**.

The above described portion of ground contains 1,000,071.90 square feet or 22.958 acres (Gross Area).

LESS AND EXCEPT THE FOLLOWING:

All of Square 2, more fully described as follows:

BEGIN at the intersection of the northerly right-of-way line of Edgewood Lane and the easterly right-of-way line of Scarlett Lane;

THENCE, along the aforesaid easterly right-of-way line, N 48 06'53" E a distance of 317.26 feet to a point;

THENCE, continue along the aforesaid easterly right-of-way line, N 36 21'47" E a distance of 803.14 feet to a point;

THENCE, along a curve to the right, in a southeasterly direction, with a radius of 25.00 feet, having an arc length of 48.62 feet, along a chord bearing of S 87 55'10" E a distance of 41.31 feet to a point of tangent;

THENCE, along the southerly right-of-way line of North Bend, S 32 12'08" E a distance of 378.73 feet to a point of curve;

THENCE, along a curve to the right, in a southwesterly direction, with a radius of 25.00 feet, having an arc length of 29.92 feet, along a chord bearing of S 02 04'50" W a distance of 28.16 feet to a point of tangent;

THENCE, along the westerly right-of-way line of Leigh Lane, S 36 21'47" W a distance of 945.27 feet to a point of curve;

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THENCE, along a curve to the right, in a southwesterly direction, with a radius of 25.00 feet, having an arc length of 35.61 feet, along a chord bearing of S 77 09'48" W a distance of 32.67 feet to a point of tangent;

THENCE, along the northerly right-of-way line of Edgewood Lane, N 62 02'12" W a distance of 278.73 feet to a point;

THENCE, continue along the aforesaid northerly right-of-way line, N 41 53'09" W a distance of 173.70 feet to the **POINT OF BEGINNING**.

The above described Square 2 contains **447,856.40** square feet or **10.281** acres.

ALSO LESS AND EXCEPT THE FOLLOWING:

Easterly portion of Square 3, more fully described as follows:

BEGIN at the intersection of the northerly right-of-way line of Edgewood Lane and the westerly right-of-way line of Scarlett Lane;

THENCE, along the aforesaid northerly right-of-way line, N 41 53'09" W a distance of 270.41 feet to a point at the intersection of the aforesaid northerly right-of-way line and the easterly right-of-way line of a 40' Dedicated R.O.W. (Splits Square 3 into 2 parts);

THENCE, along the aforesaid easterly right-of-way line, N 47 03'39" E a distance 1170.53 feet to a point at the intersection of the aforesaid easterly right-of-way line and the southerly right-of-way line of North Bend;

THENCE, along the aforesaid southerly right-of-way line, S 32 12'08" E a distance of 119.05 feet to a point at the intersection of the aforesaid southerly right-of-way line and the westerly right-of-way line of Scarlett Lane;

THENCE, along the aforesaid westerly right-of-way line, S 36 21'47" W a distance of 857.19 feet to a point;

THENCE, continue along the aforesaid westerly right-of-way line, S 48 06'53" W a distance of 311.08 feet to the **POINT OF BEGINNING**.

The above described portion of Square 3 contains **251,139.31** square feet or **5.765** acres.

The **(Net Area)** of Perimeter of Streets to Be Dedicated =

(Gross Area): **1,000,071.90** square feet or **22.958** acres (-)
(Less & Except Square 2): **447,856.40** square feet or **10.281** acres
(Less & Except Pt. Of Square 3): **251,139.31** square feet or **5.765** acres.

(Net Area): 301,076.19 square feet or 6.912 acres.

All in accordance with a plan of resubdivision by Stanley K. Turner, Registered Professional Land Surveyor, dated July 31, 2002; revised August 30, 2002. Drawing No. F-4721-2002.

File No. F4721.001