

2024-0271

INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. 24-8-4

An ordinance to rescind Ordinance Nos. 23-5-5 and 24-3-12 and to approve a purchase and/or expropriation of a 1.501 acre servitude designated as Parcel B-3 and an 8,687 square foot/0.199 acre servitude designated as P-106 over property owned by Kristi Gerstner Smith, for the Montz Pump Station and Drainage Modification Project.

WHEREAS, Ordinance No. 23-5-5 adopted on May 22, 2023, by the St. Charles Parish Council, approved the purchase and/or expropriation of a 1.501 acre servitude designated as Parcel B-3 over property owned by Kristi Gerstner Smith, and authorized the Parish President to execute any and all documents necessary to complete said purchase and/or expropriation on behalf of St. Charles Parish; and,

WHEREAS, Ordinance No. 24-3-12 adopted on March 18, 2024, by the St. Charles Parish Council, approved the purchase and/or expropriation of a 1.501 acre servitude designated as Parcel B-3 and an 8,687 square foot/0.199 acre servitude designated as P-106 over property owned by Kristi Gerstner Smith, and authorized the Parish President to execute any and all documents necessary to complete said purchase and/or expropriation on behalf of St. Charles Parish; and,

WHEREAS, the servitude agreement was revised to include the required perpetual drainage servitude designated as P-106 and a second appraisal report was obtained providing an updated fair market value, thus Ordinance Nos. 23-5-5 and 24-3-12 need to be rescinded; and,

WHEREAS, the community of Montz, St. Charles Parish, Louisiana has a history of drainage problems; and,

WHEREAS, hydrology and engineering analyses were completed in the Montz watershed area, which produced recommendations to improve the drainage in said area by constructing pump stations, cleaning canals, modifying and constructing additional drainage ditches and berms; and,

WHEREAS, it is necessary for St. Charles Parish to acquire the identified real estate interest from landowners in order for St. Charles Parish to construct, operate, and maintain the Montz Pump Station and Drainage Modification Project to protect the property owners in the Montz community; and,

WHEREAS, properties are more particularly described on the drawing by GIS Engineering, LLC dated January 3, 2023, and by Riverlands Surveying Company dated October 24, 2023, attached hereto and made a part hereof; and,

WHEREAS, the fair market value of the required real estate interest that needs to be acquired, as established by a licensed MAI appraiser, is \$7,813.00.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Ordinance No. 23-5-5, adopted May 22, 2023, and Ordinance No. 24-3-12 adopted March 18, 2024, are hereby rescinded.

SECTION II. That the purchase and/or expropriation of a 1.501 servitude designated as Parcel B-3 and an 8,687 square foot/0.199 acre servitude designated as P-106 is hereby approved and accepted for the not to exceed value of \$7,813.00.

SECTION III. That the Parish President is hereby authorized to execute any and all documents necessary to complete said purchase and/or expropriation on behalf of St. Charles Parish.

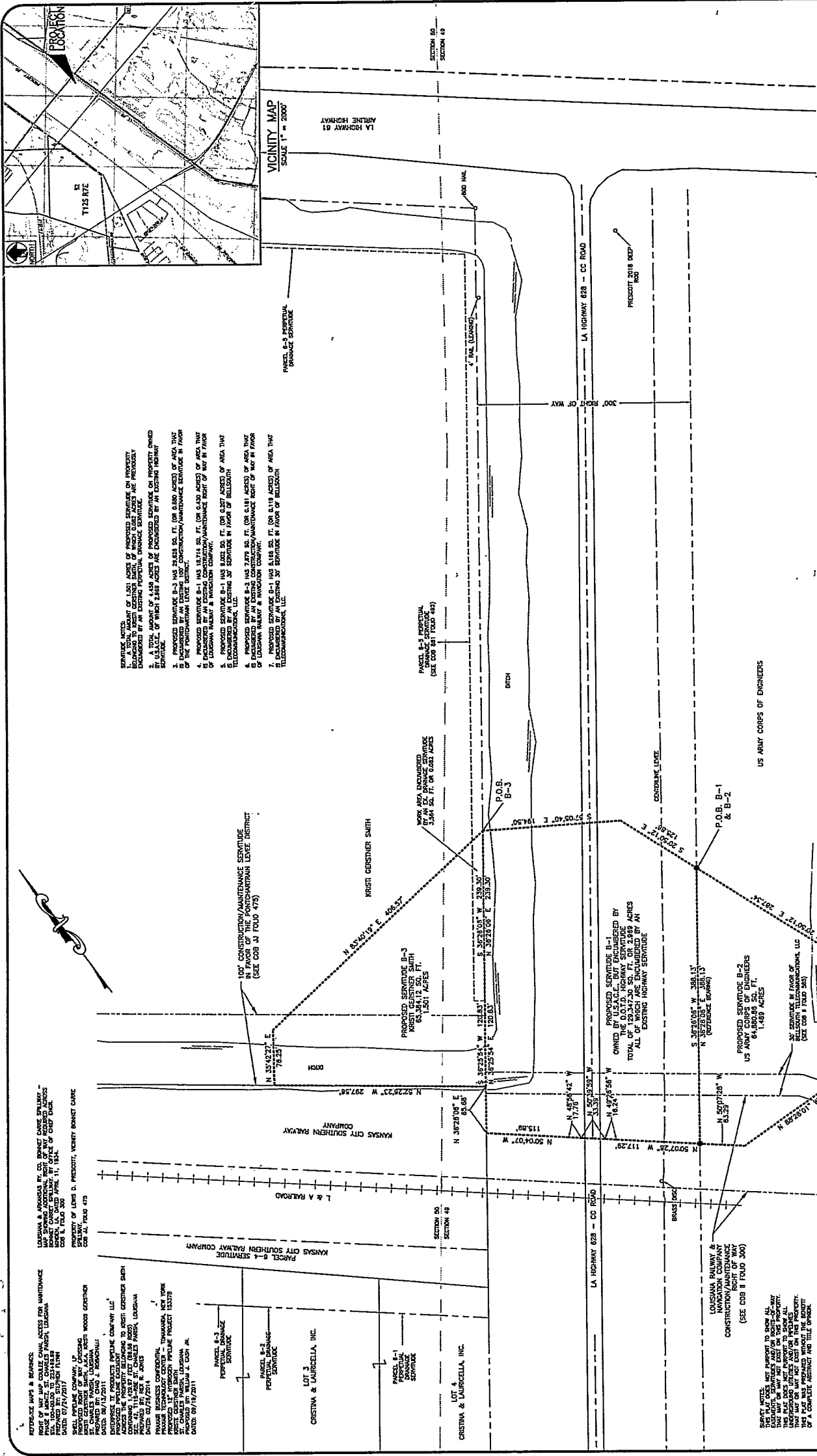
The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: MOBLEY, FONSECA, WILSON, PILIE, COMARDELLE, O'DANIELS, FISHER, DEBRULER
NAYS: NONE
ABSENT: SKIBA

And the ordinance was declared adopted the 19th day of August, 2024, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Bob Fisher
SECRETARY: Michelle Spadaro
DLVD/PARISH PRESIDENT: August 20, 2024
APPROVED: DISAPPROVED:

PARISH PRESIDENT: Matthew Jewell
RETD/SECRETARY: August 21, 2024
AT: 3:05pm RECD BY: [Signature]



GCS ENGINEERING LLC
 3443 Hwy 304
 Natchitoches, LA 70390
 (504) 385-3593
 www.gcseng.com

**SURVEY OF SERVITUDE B-1, B-2, & B-3
 MONTEZ SHO CREEK STATION
 LOCATED IN SECTIONS 48 & 50, T12S - R8E
 ST. CHARLES PARISH, LOUISIANA**

REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 174762

LEGEND

SET 5/7' FROM ROAD	---
FOOTING	---
MONTEZ SHO STATION	+
MAINTENANCE	+++++
CONTRIBUTOR ROAD	---
POTENTIAL EASEMENT SERVITUDE	---
DITCH	---
LAND MARK	---

DATE	REVISION

REFERENCE MAPS & RECORDS:
 LOUISIANA & ARKANSAS R.V. CO. BRACKET LARGE SURVEY -
 MAP SHOWING ORIGINAL RIGHT OF WAY CORNER ADJUSTMENTS
 MADE BY WALTER ST. CHARLES PARISH, LOUISIANA
 MAP NO. 1000, DATED APRIL 11, 1834.
 COB # 1 FOLIO 300

PROPERTY OF LEWIS D. PRESCOTT, VICINITY BASKET CORNER
 COB # 1 FOLIO 473

**PARCEL B-1
 POTENTIAL EASEMENT SERVITUDE**
 LOT 3
 CRISTINA & LAURICELLA, INC.

**PARCEL B-2
 POTENTIAL EASEMENT SERVITUDE**

**PARCEL B-3
 POTENTIAL EASEMENT SERVITUDE**

**PROPOSED SERVITUDE B-1
 1.501 ACRES**
 KRISTI GERSTNER SMITH
 65,381.12 SQ. FT.
 1.501 ACRES

**PROPOSED SERVITUDE B-2
 64,148.89 ACRES**
 US ARMY CORPS OF ENGINEERS

**PROPOSED SERVITUDE B-3
 30' SERVITUDE IN FAVOR OF
 TELECOM TELECOMMUNICATIONS, LLC
 (SEE COB # FOLIO 300)**

- SERVITUDE NOTES:**
1. A TOTAL AMOUNT OF 1,501 ACRES OF PROPOSED SERVITUDE ON PROPERTY ENCLOSED BY AN EXISTING POTENTIAL EASEMENT SERVITUDE.
 2. A TOTAL AMOUNT OF 6,489 ACRES OF PROPOSED SERVITUDE ON PROPERTY OWNED BY TELECOM, OF WHICH 2,889 ACRES ARE ENCLOSED BY AN EXISTING HIGHWAY SERVITUDE.
 3. PROPOSED SERVITUDE B-1 HAS 28,838 SQ. FT. (OR 0.660 ACRES) OF AREA THAT IS ENCLOSED BY AN EXISTING 100' CONSTRUCTION/MAINTENANCE SERVITUDE IN FAVOR OF THE PARTICIPATION LEVEL DISTRICT.
 4. PROPOSED SERVITUDE B-1 HAS 10,714 SQ. FT. (OR 0.243 ACRES) OF AREA THAT IS ENCLOSED BY AN EXISTING 100' CONSTRUCTION/MAINTENANCE SERVITUDE IN FAVOR OF LOUISIANA RAILWAY & TRANSPORTATION COMPANY.
 5. PROPOSED SERVITUDE B-1 HAS 3,000 SQ. FT. (OR 0.069 ACRES) OF AREA THAT IS ENCLOSED BY AN EXISTING CONSTRUCTION/MAINTENANCE RIGHT OF WAY IN FAVOR OF LOUISIANA RAILWAY & TRANSPORTATION COMPANY.
 6. PROPOSED SERVITUDE B-2 HAS 2,700 SQ. FT. (OR 0.061 ACRES) OF AREA THAT IS ENCLOSED BY AN EXISTING CONSTRUCTION/MAINTENANCE RIGHT OF WAY IN FAVOR OF LOUISIANA RAILWAY & TRANSPORTATION COMPANY.
 7. PROPOSED SERVITUDE B-3 HAS 61,066 SQ. FT. (OR 1.401 ACRES) OF AREA THAT IS ENCLOSED BY A SERVITUDE IN FAVOR OF TELECOM.

**PROPOSED SERVITUDE B-1
 100' CONSTRUCTION/MAINTENANCE SERVITUDE
 (SEE COB # FOLIO 473)**
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 (SEE COB # FOLIO 300)**

**WORK AREA ENCLOSED BY
 SERVITUDE B-1
 5,144 SQ. FT. (OR 0.118 ACRES)**

**100' CONSTRUCTION/MAINTENANCE SERVITUDE
 (SEE COB # FOLIO 473)**

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SURVEY NOTES:
 THIS PLAN WAS PREPARED BY GCS ENGINEERING LLC AND IS TO BE USED ONLY FOR THE PURPOSES SPECIFIED THEREIN. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF GCS ENGINEERING LLC. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RIGHTS OF WAY. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RIGHTS OF WAY. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RIGHTS OF WAY. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RIGHTS OF WAY.

APPROVED:
 Evan M. Chasson
 Reg. No. 5139

