

ORD.

2006-0215

INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT

ORDINANCE NO. 06-7-11

An ordinance to approve and authorize the execution of an Act of Sale by the Estate of Icar J. Lousteau and Elsie L. Lousteau for certain property located at 15012 River Road in Hahnville.

WHEREAS, the Parish is in need of additional property near the Parish Courthouse Complex in Hahnville to house Parish offices and provide for future expansion; and,

WHEREAS, the Estate of Icar J. Lousteau and Elsie L. Lousteau are the owners of a certain building and property located at 15012 River Road in Hahnville adjacent to the Department of Planning & Zoning; and,

WHEREAS, it is the desire of the Parish to acquire said property.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Sale by and between the Estate of Icar J. Lousteau and Elsie L. Lousteau and St. Charles Parish in the amount of \$195,000.00 is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Act of Sale 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

NAYS: NONE

ABSENT: FABRE, MINNICH

And the ordinance was declared adopted this 24th day of July, 2006, to become effective five (5) days after publication in the Official Journal.

Act of Sale-Estate Icar Lousteau

ACTING

CHAIRMAN: [Signature]

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: July 25, 2006

APPROVED: [Signature] DISAPPROVED: _____

PARISH PRESIDENT: Albert D. Laque

RETD/SECRETARY: July 25, 2006

AT: 3:55 pm RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE

ON August 25, 2006

AS ENTRY NO. 321968

IN MORTGAGE/CONVEYANCE BOOK

NO. 677 PG. 43

CASH SALE

UNITED STATES OF AMERICA

FROM: ESTATE OF ICAR J.
LOUSTEAU AND ELSIE
L. LOUSTEAU

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 15th day of August, in the year two thousand and six (2006).

BEFORE ME, a Notary Public in and for the Parish of St. Charles, State of Louisiana, duly commissioned and qualified, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

Estate of Icar J. Lousteau, (SS No. 494-03-0228) herein represented by its duly appointed Independent Administratrix, Gail Lousteau, as shown on the attached Letters of Independent Administration; and

Elsie L. Lousteau, (SS No. 435-98-8109) a person of the full age of majority and domiciled in the Parish of Ascension, State of Louisiana, who declared before me, Notary, that she has been married but once and then to Icar J. Lousteau, who predeceased her on November 5, 1989 and whose mailing address is 15074 Stablewood Court, Prairieville, Louisiana, 70769.

hereinafter designated as "vendors" who declared that for the consideration and upon the terms and conditions hereinafter expressed, said vendors do by these presents sell, grant, bargain, assign, transfer, deliver, and abandon and set over under all lawful warranties and with substitution and subrogation to all rights and actions of warranty against all preceding owners and vendors, unto

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by Albert D. Laque, its Parish President, and whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to Ordinance No. 06-7-11 adopted by the St. Charles Parish Council on July 24, 2006 a copy of which is attached hereto and made a part hereof;

hereinafter designated as "purchaser", here present, accepting and purchasing and acknowledging delivery and possession of the following described property, to wit:

A CERTAIN TRACT OF LAND, together with all the buildings and improvements thereon, and all rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in Hahnville, St. Charles Parish, Louisiana, and measuring 75 feet in width or front on the north side of the River Road and by a depth

between equal and parallel lines to the toe of the Mississippi River levee and bounded on the lower side by property formerly belonging to Pascal Margiotta, et als and on the upper side by the property formerly belonging to the Estate of Edmond Thompson. Municipal Address: 15012 River Road, Hahnville, LA 70057.

Being the same property acquired by Icar J. Lousteau, et ux from Helen Fahrig by Act before Charles S. Lagarde, Jr., Notary, on May 25, 1957, recorded in COB 16, folio 471, St. Charles Parish, Louisiana.

To have and to hold the said property unto the said purchaser forever. This present sale and conveyance is made and accepted for and in consideration of the sum and price of **ONE HUNDRED NINETY-FIVE THOUSAND AND NO/100 (\$195,000.00) DOLLARS**, lawful current money of the United States of America, which amount the said purchaser has paid in ready CASH, receipt of which is hereby acknowledged by the vendor, and full discharge and acquittance granted therefor.

Taxes for 2005 are paid. The parties hereto waive any conveyance, mortgage, tax and any other certificates and relieve and release me, Notary, from any and all responsibility in connection therewith. The parties also acknowledge that no examination of the title has been made by me, Notary, and agree to relieve, release, defend, save, hold harmless, and indemnify me, Notary, from any and all claims, liabilities, and responsibilities in connection therewith.

Purchaser or his representatives have fully examined and inspected the property and the entire building and land prior to the execution of this agreement and that purchaser knows and is satisfied with the physical condition of the premises in all respects and that same is acceptable to purchaser "As Is" and that purchaser is not relying upon representation statements or warranties that have at anytime been made by Vendor or its agents as to the physical condition or state of repair of the premises in any respect and that the purchase price takes into consideration the condition of the premises. Purchaser has had full, complete and unlimited access to the property herein conveyed for all test

and inspection which purchaser, in purchaser's sole discretion, deems sufficiently comprehensive for the protection of purchaser's interest.

Whenever the word "vendor" is used in this act, it shall be construed to include "vendors," and whenever the word "purchaser" is used it shall be construed to include "purchasers."

All the agreements and stipulations herein contained, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, and assigns of the respective parties hereto.

The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is hereby dispensed with by the parties hereto.

THUS done, read and passed at my office in the City of Destrehan, Parish and State aforesaid, in the presence of undersigned competent witnesses who have hereunto signed their names with the parties and me, said Notary, the day, month and year first above written.

WITNESSES:

ESTATE OF ICAR J. LOUSTEAU

Timothy J. Viol

Gail Lousteau

BY: GAIL LOUSTEAU
DULY APPOINTED
INDEPENDENT
ADMINISTRATRIX

James H. Sigdon

Elsie L. Lousteau
ELSIE L. LOUSTEAU

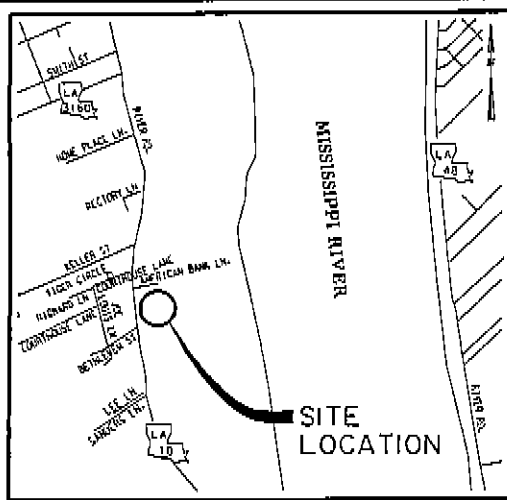
PARISH OF ST. CHARLES

Albert D. Laque

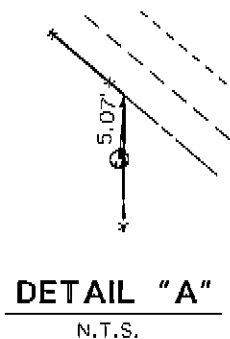
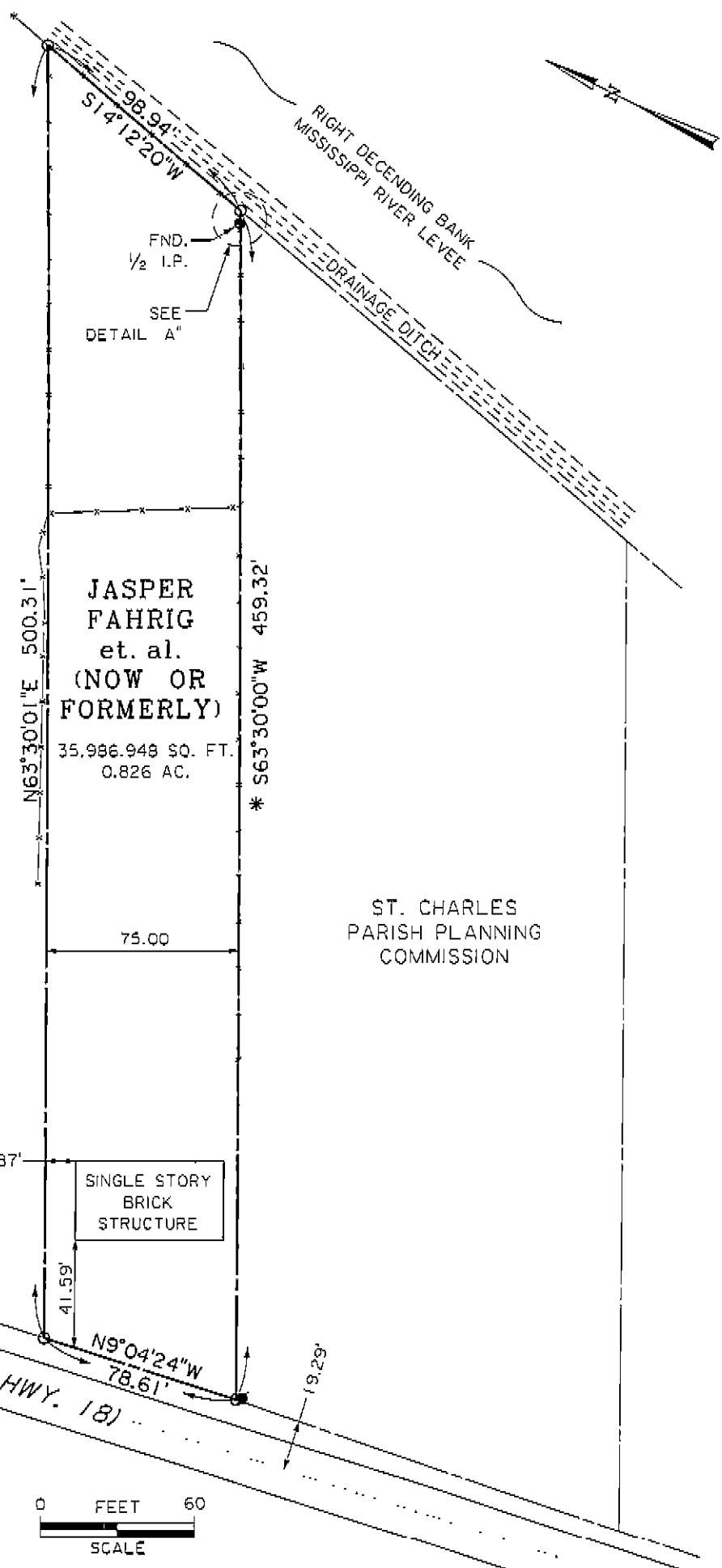
BY: ALBERT D. LAQUE
PARISH PRESIDENT

Robert L. Raymond

NOTARY PUBLIC
ROBERT L. RAYMOND
BAR NO. 11408



VICINITY MAP
N.T.S.



DETAIL "A"
N.T.S.

MADERE'S
DAIMLER-CHRYSLER-
PLYMOUTH, DODGE-JEEP

ST. CHARLES
PARISH PLANNING
COMMISSION

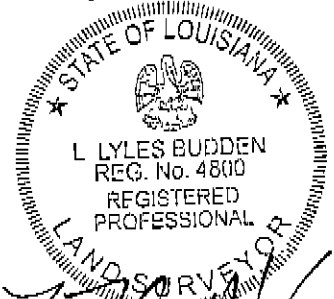
- LEGEND:**
- FENCE .. -x-x-
 - POWER POLE.. ●
 - PROPERTY LINE..... ———
 - SET 1/2 I.P. ○




- NOTES:**
1. REFERENCE MAP ENTITLED "SURVEY PORTION OF LOT 16, T13S-R20E NEAR HAHNVILLE, ST. CHARLES PARISH, LA BY R.P. BERNARD, R.L.S.; MADE AT THE REQUEST OF: MR. PASCAL MARGLOTTA.
 - *2. BEARING TAKEN FROM REFERENCE MAP.
 3. THE PURPOSE OF THIS SURVEY DOES NOT REQUIRE NOR INCLUDE RESEARCH AND INVESTIGATION OF SERVITUDES.
 4. TITLE INFORMATION PROVIDED BY OWNER.
 5. FLOOD ZONE DETERMINATION NOT A PART OF THIS SURVEY.


**MAP SHOWING A PORTION OF
LOT 16 OF FASHION PLANTATION
LOCATED IN SEC. 16, T13S - R20E
ST. CHARLES PARISH, LOUISIANA
FOR ST. CHARLES PARISH COUNCIL
HAHVILLE, LOUISIANA**

I, HEREBY, CERTIFY THAT THIS PLAT REPRESENTS THE SURVEY PERFORMED BY ME, ON THE GROUND, IS CORRECT, AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AS OF THIS DATE, AS STIPULATED BY CLASSIFICATION C SURVEYS.



DRAWN BY: J.E.P. SCALE: 1" = 60'
DATE: AUG. 15, 2006 CHECKED BY: L.L.B.

 **SHREAD-KUYRKENDALL & ASSOC.**
ENGINEERS, SURVEYORS, AND PLANNERS
13000 JUSTICE AVENUE, SUITE 16
BATON ROUGE, LOUISIANA 70816


L. LYLES BUDDEN
PROFESSIONAL LAND SURVEYOR #4800

RECEIVED
AUG 14 2006
ST. CHARLES PARISH
DEPT. OF LEGAL SERVICES

S U C C E S S I O N
OF
ICAR J. LOUSTEAU

NO. P-9078-E DIVISION
29TH JUDICIAL DISTRICT COURT
PARISH OF ST. CHARLES
STATE OF LOUISIANA
CLERK: _____

DEPT. OF LEGAL SERVICES
ST. CHARLES PARISH
29TH JUDICIAL DISTRICT COURT
MAY 17 AM 9:25
FILED FOR RECORD

FILED: _____

LETTERS OF INDEPENDENT ADMINISTRATION

This is to certify that Gail Lousteau has been named, appointed and confirmed as Independent Administratrix of the Succession of Icar J. Lousteau, and having complied with all legal requirements relative thereto, she is fully qualified, authorized and empowered to collect all property of said deceased, Icar J. Lousteau, and in said capacity as Independent Administratrix, she shall have all the rights, powers, authorities, privileges and duties of a succession representative as provided for in Chapters 4 through 12 of Title 3 of the Louisiana Code of Civil Procedure relative to the Administration of the Succession, but without the necessity of delay for objection or application to, or any action in or by, the Court, all as provided by Louisiana Code of Civil Procedure Article 3396.15. The authority vested in the Independent Administratrix includes the right to alienate succession property at public or private sale (including but not limited to the power to sell bonds, shares of stock, mutual funds and other securities at rates prevailing in the market place); list succession property for sale with a real estate agent; sell household goods; sell motor vehicles; exchange succession property for consideration to be paid in corporation stock or other property, or partly therein and partly in cash; invest funds of the succession; pay estate debts, including expenses of the administration of this succession; borrow money for the purpose of preserving succession property or the orderly administration of this estate, of paying estate debts and inheritance taxes and for expenditures in the regular course of business; incur obligations; encumber property as security for

loans; conduct any business; lease succession property; perform executory contracts evidenced by writing; and pay reasonable periodic allowances in money for the maintenance of spouses and heirs or legatees and to perform all other lawful acts as Independent Administratrix aforesaid.

IN WITNESS WHEREOF, these Letters of Independent Administration are issued in the name, and under the seal, of the Honorable 29th Judicial District Court for the Parish of St. Charles, State of Louisiana, this 17th day of May, 2006.

Jacqueline R. Perret
BY: CLERK OF COURT
29th Judicial District Court
St. Charles Parish, Louisiana

Certificate of the Court
I hereby certify that a copy of the foregoing motion and/or order has been mailed to all counsel of record this 17th day of May 2006 by Jacqueline R. Perret
Charles J. Oubre, Jr.
Clerk of Court Jial

STATE OF LOUISIANA
PARISH OF ST. CHARLES
I HEREBY CERTIFY THAT THE WITHIN
DOCUMENT IS A TRUE COPY OF THE
ORIGINAL IN THE OFFICE.
19 John E. Leonard
CLERK OF COURT
ST. CHARLES PARISH