

2020-0235

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. 20-8-16

An ordinance approving and authorizing the execution of an Act of Dedication for Pecan Bayou Subdivision, Hahnville.

WHEREAS, Pecan Bayou Real Estate, LLC is the owner and developer of property located in Sections 26, T-13-S & R-20-E, Hahnville as indicated on a Final Plat prepared by Stephen P. Flynn, PLS, dated June 11, 2020 entitled FINAL PLAN PECAN BAYOU SUBDIVISION; and,

WHEREAS, said subdivision has been constructed in accordance with the St. Charles Parish Subdivision Regulations of 1981, as amended; and,

WHEREAS, all required reviews and approvals for the subdivision are complete.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Dedication by Pecan Bayou Real Estate, LLC for Pecan Bayou Subdivision is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute the 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: FONSECA, DARENSBOURG GORDON, CLULEE, GIBBS, DUFRENE,
BELLOCK, FISHER, FISHER-PERRIER
NAYS: NONE
ABSENT: BENEDETTO

And the ordinance was declared adopted this 10th day of August, 2020 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: August 11, 2020
APPROVED: ✓ DISAPPROVED: _____

PARISH PRESIDENT: Matthew Jewell
RETD/SECRETARY: August 11, 2020
AT: 3:57 pm RECD BY: [Signature]

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
ON August 20, 2020
AS ENTRY NO. 451434
IN MORTGAGE/CONVEYANCE BOOK
NO. 895 FOLIO 212

ACT OF DEDICATION

UNITED STATES OF AMERICA

BY: PECAN BAYOU REAL ESTATE, LLC

STATE OF LOUISIANA

TO: PARISH OF ST. CHARLES

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 5th day of August, in the year of Our Lord two thousand and twenty (2020),

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:

PECAN BAYOU REAL ESTATE, LLC, a limited liability company organized and existing under and by the laws of the State of Louisiana with its domicile in the Parish of St. Charles, within said State, herein appearing through its Member, Jeffery Melancon, duly authorized by a Certificate of Authority, dated February 18, 2019, and recorded in the official records of St. Charles Parish, Louisiana COB 873, folio 480; Entry Number 438717.

Who after being duly sworn, declared unto me, Notary, that it is the owner of a certain tract of real property situated on the West Bank of St. Charles Parish, which lands are known as PECAN BAYOU SUBDIVISION and, described as follows:

THOSE CERTAIN PARCELS OF LAND situated in the Parish of St. Charles, State of Louisiana, Town of Hahnville, located in what is known as PECAN BAYOU SUBDIVISION and designated as PARCEL A and PARCEL B, which parcels were approved by the St. Charles Parish Council under Ordinance Nos. 19-1-5 and 19-1-6, respectively. Parcel A is more particularly shown and described on the map by Jeff Ruello, PLS, dated 9/22/18 and revised 12/4/18, dated 6/24/04 recorded in the official records of said parish and state at COB 872 folio 708. Parcel B is more particularly shown and described on the map by Jeff Ruello, PLS, DATED 9/22/18, REVISED 12/4/18, recorded in the official records of said parish and state as COB 872, folio 701. Said parcels of land have the same measurement and dimensions as shown on said maps.

PECAN BAYOU REAL ESTATE, LLC further declared unto me that it has caused that portion of the above property designated as PECAN BAYOU SUBDIVISION on the survey by Stephen P. Flynn., PLS, dated June 11, 2020, to be laid out in lots on the plan of survey and/or resubdivision referred to above, a copy of which is attached and made part hereof; and

PECAN BAYOU REAL ESTATE, LLC further declared unto me, Notary, that on the aforesaid plan of resubdivision it has laid out certain streets within PECAN BAYOU

SUBDIVISION which are named and identified in accordance with the annexed plan of Stephen P. Flynn., PLS, dated June 11, 2020, as Oak Street and Butternut Street. Also by this Act, PECAN BAYOU REAL ESTATE LLC does hereby create the streets identified below including the portion thereof dedicated as being a part of PECAN BAYOU SUBDIVISION, the description of which streets are as follows, to-wit:

That piece or portion of ground being Oak Street and Butternut Street of Pecan Bayou Subdivision. Situated in Section 26, T-13-S, R-20-E, Hahnville, St. Charles Parish, Louisiana per a subdivision plat entitled "Final Plan Pecan Bayou Subdivision" by Stephen P. Flynn, P.L.S., dated June 11, 2020, and being more fully described as follows:

Commence at a point being the southwest intersection of Hickory Street and Oak Street.

Thence proceed in a southwesterly direction along the south right of way of Oak Street being the north line of Lot 3, Block 5, Pecan Grove Subdivision a bearing of S68°20'27"W a distance of 110.00' to a point;

The Point of Beginning

Thence continue in a southwesterly direction along the south right of way of Oak Street being the north line of Lots 1B, 2B, 3B, 4B & 5B, Block 7, Pecan Bayou Subdivision a bearing of S68°20'27"W a distance of 430.00' to a point;

Thence proceed in a northwesterly direction along the west right of way of Butternut Street being the east line of Pecan Bayou Commercial & Lot 1, Block 9, Pecan Bayou Subdivision a bearing of N21°39'33"W a distance of 235.40' to a point;

Thence proceed in a northeasterly direction along the north right of way of Butternut Street being the south line of Land of Aquarius Subdivision a bearing of N61°44'57"E a distance of 50.33' to a point;

Thence proceed in a southeasterly direction along the east right of way of Butternut Street being the west line of Lots 5A & 4A, Block 8, Pecan Bayou Subdivision a bearing of S21°39'33"E a distance of 191.18' to a point;

Thence proceed in a northeasterly direction along the north right of way of Oak Street being the south line of Lots 4A, 3A, 2A & 1A Block 8, Pecan Bayou Subdivision a bearing of N68°20'27"E a distance of 380.00' to a point;

Thence proceed in a southeasterly direction along the existing east right of way of Oak Street a bearing of S21°39'33"E a distance of 50.00' to a point;

The Point of Beginning

The said appearer further declared unto me, Notary, that under the covenants, conditions, and stipulations hereinafter recited it does, by these presents, dedicate in fee simple title to St. Charles Parish, including the property identified as Oak Street and Butternut Street hereinabove described to St. Charles Parish and does hereby grant the various servitudes for utility and drainage purposes, all as shown on the annexed plan by Stephen P. Flynn., PLS, dated June 11, 2020, to the 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.

The said appearer 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 dedication of the fee ownership of the property covered by the streets identified hereinabove as Oak Street and Butternut Street, only as far as said streets are located within the PECAN BAYOU SUBDIVISION.
2. The herein grant of the various servitudes for utility and drainage purposes shall constitute the granting only of a right of use being a limited personal servitude in favor of St. Charles Parish.
3. 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 PECAN BAYOU SUBDIVISION, and the utility and drainage 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 Oak Street and Butternut Street and the servitudes granted herein with respect to the exploration, development or production of minerals pursuant to this reservation. This reservation is made in accordance with the appearer's plan and intention to impose a restriction on the entire subdivision against any use of the surface of any lot for the exploration, development, or production of minerals.
4. The herein dedication of the streets and grant of servitudes for utility and drainage purposes are made by the appearer without any warranty whatsoever, except as provided herein.
5. Appearer warrants that all servitudes and streets have been placed within the servitudes granted herein.
6. The Parish binds and obligates 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 a public street. The Parish further binds and obligates itself to use the utility and drainage servitudes granted herein only for utility and drainage purposes.
7. This dedication and grant are conditioned upon St. Charles Parish maintaining and policing the streets dedicated herein and maintaining the various utility and drainage facilities within the various utility and drainage servitude areas.
8. The grant herein of various servitudes for utility and drainage 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 servitude grants. The aforesaid grants of servitude for utility and drainage purposes shall not be utilized so as to unreasonably interfere with or impair ingress and egress from the street dedicated herein to any of the lots in the PECAN BAYOU SUBDIVISION.
9. The dedication and grant made herein are made subject to any existing servitudes affecting the PECAN BAYOU SUBDIVISION, 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. Appearer warrants that the herein dedication of the street and grant of servitudes are free of any liens and/or encumbrances and that no lots in PECAN BAYOU SUBDIVISION have been sold or alienated prior to the date hereof.

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

ST. CHARLES PARISH, herein appearing through Matthew Jewell, Parish President, duly authorized by virtue of Ordinance of said Parish adopted on August 10, 2020, 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 streets in said subdivision dedicated herein has been satisfactorily completed in accordance with all requirements, and that all water, utility and drainage facilities in PECAN BAYOU SUBDIVISION have been likewise satisfactorily completed in accordance with all requirements, and St. Charles Parish does hereby accept the said street and water, utility and drainage 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 appearer and me, Notary, after reading of the whole.

WITNESSES:

PECAN BAYOU REAL ESTATE, LLC

BY:

Jason Melancon
NAME: Jason Melancon

Jeffery Melancon
JEFFERY MELANCON

Arlene Waterman
NAME:
ARLENE WATERMAN

Charles K. Chauvin
NOTARY PUBLIC Charles K. Chauvin
27403

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 appearer and me, Notary, after reading of the whole.

WITNESSES:

ST. CHARLES PARISH

BY:

Cosy M. Oubre
NAME: Cosy M. Oubre

Matthew Jewell
MATTHEW JEWELL
PARISH PRESIDENT

Rehenn C Champagne
NAME: Rehenn C Champagne
Robert L. Raymond
NOTARY PUBLIC

ROBERT L. RAYMOND, NOTARY
BAR# 11403

2020-0235

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BELLOCK, FISHER, FISHER-PERRIER
NAYS: NONE
ABSENT: BENEDETTO

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CHAIRMAN: [Signature]
SECRETARY: [Signature]
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APPROVED: DISAPPROVED:

PARISH PRESIDENT: Matthew Jewell
RETD/SECRETARY: August 11, 2020
AT: 3:57 pm RECD BY: [Signature]

CERTIFIED TRUE & CORRECT AS PER
MINUTES DATED 8/10/20

[Signature]
SECRETARY
ST. CHARLES PARISH COUNCIL

