ACT OF DEDICATION AND REVOCATION FOR SUGARLAND PARKWAY EXTENSION

BY: ESPERANZA LAND COMPANY, LLC

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 23rd day of ______, in the year of Our Lord Two Thousand Six (2006),

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

PERSONALLY CAME AND APPEARED;

ESPERANZA LAND COMPANY, LLC, a Louisiana limited liability company, being the successor by merger with Esperanza Land Company, and having an address of 143 Esperanza Plantation Road, Luling, Louisiana 70070, represented herein by Edward A. Dufresne, Jr., its President, duly authorized by resolution attached hereto and made a part hereof;

(Hereinafter sometimes referred to as "Esperanza");

Esperanza 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 designated as Esperanza Business Park Phase 1 being a portion of Ashton Plantation as shown on a Plan of Resubdivision prepared by Riverlands Surveying Company, with a final plat revision date of September 7, 2006, which Plan is entitled "Final Plat Esperanza Business Park Phase I, Survey Plat and Resubdivision of Tract 4C, Tract 4D-1-A, Tract 10D-1 and Tract 10A-2 of Sugarland Subdivision into Lots Herein Designated as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 1A, 2A, 1B, 2B, 3B, 4B & Tract 10D-1A in Sections 1, 97-102 & 121 T13S, R20E Luling, St. Charles Parish, Louisiana", a copy of which is attached to and made part of this Act of Dedication and Revocation and the corresponding ordinance; and

Esperanza further declared unto me that it has caused the above property designated as Esperanza Business Park Phase I on the Plan of Resubdivision referred to above to be laid out in parcels designated as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 1A, 2A, 1B, 2B, 3B, 4B & Tract 10D-1A and two streets designated as an extension of Sugarland Parkway and Rue La Cannes. By this Act, Esperanza does hereby create the extension of Sugarland Parkway and Rue La Cannes,

, more fully described below, as being a part of Esperanza Business Park Phase I, to wit:

DESCRIPTION OF SUGARLAND PARKWAY EXTENSION, ESPERANZA BUSINESS PARK PHASE I, ST. CHARLES PARISH, LOUISIANA

COMMENCING AT A POINT SAID POINT BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF UNION PACIFIC RAILROAD AND SUGARLAND PARKWAY.

THENCE PROCEED \$38°26'09"W A DISTANCE OF 2921.78 FEET TO A POINT;

THE POINT OF BEGINNING

THENCE PROCEED S38°26'09"W A DISTANCE OF 1351.87 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 30.00 FEET, A CHORD OF WHICH BEARS \$03°04'32"W FOR A DISTANCE OF 34.72 FOR AN ARC LENGTH OF 37.03 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 87.47 FEET, A CHORD OF WHICH BEARS \$48°00'28"W FOR A DISTANCE OF 172.44 FOR AN ARC LENGTH OF 245.16 FEET TO A POINT;

THENCE PROCEED N51°33'48"W A DISTANCE OF 91.43 FEET TO A POINT;

THENCE PROCEED N38°26'09"E A DISTANCE OF 1825.10 FEET TO A POINT;

THENCE PROCEED S57°11'01"E A DISTANCE OF 40.20 FEET TO A POINT:

THENCE PROCEED \$38°26'09"W A DISTANCE OF 214.99 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 63.00 FBET, A CHORD OF WHICH BEARS \$05°11'52"E FOR A DISTANCE OF 86.95 FOR AN ARC LENGTH OF 96.85 FEET TO A POINT;

THE POINT OF BEGINNING.

DESCRIPTION OF RUE LA CANNES, ESPERANZA BUSINESS PARK PHASE I, ST. CHARLES PARISH, LOUISIANA:

AREA 1

COMMENCING AT A POINT SAID POINT BEING THE SOUTHEAST CORNER OF THE INTERSECTION OF UNION PACIFIC RAILROAD AND SUGARLAND PARKWAY.

THENCE PROCEED S38°26'09"W A DISTANCE OF 29.24 FEET TO A POINT;

THE POINT OF BEGINNING

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 30.00 FEET, A CHORD OF WHICH BEARS \$28°04'27"E FOR A

DISTANCE OF 55.03 FOR AN ARC LENGTH OF 69.65 FEET TO A POINT;

THENCE PROCEED N85°24'57"E A DISTANCE OF 87.60 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 80.50 FEET, A CHORD OF WHICH BEARS \$78°29'28"E FOR A DISTANCE OF 44.63 FOR AN ARC LENGTH OF 45.22 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 17238.89 FEET, A CHORD OF WHICH BEARS S63°20'55"E FOR A DISTANCE OF 572.02 FOR AN ARC LENGTH OF 572.05 FEET TO A POINT;

THENCE PROCEED S28°03'09"W A DISTANCE OF 123.49 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 228.28 FEET, A CHORD OF WHICH BEARS N47°35'46"W FOR A DISTANCE OF 127.48 FOR AN ARC LENGTH OF 129.20 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 171.92 FEET, A CHORD OF WHICH BEARS N36°47'20"W FOR A DISTANCE OF 34.42 FOR AN ARC LENGTH OF 34.48 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 171.92 FEET, A CHORD OF WHICH BEARS N52°50'47"W FOR A DISTANCE OF 61.56 FOR AN ARC LENGTH OF 61.89 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 17298.89 FEET, A CHORD OF WHICH BEARS N63°24'45"W FOR A DISTANCE OF 99.28 FOR AN ARC LENGTH OF 99.28 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 17298.89 FEET, A CHORD OF WHICH BEARS N62°51'05"W FOR A DISTANCE OF 239.73 FOR AN ARC LENGTH OF 239.78 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 17298.89 FEET, A CHORD OF WHICH BEARS N62°25'43"W FOR A DISTANCE OF 15.52 FOR AN ARC LENGTH OF 15.52 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 25.55 FEET, A CHORD OF WHICH BEARS N78°29'37"W FOR A DISTANCE OF 14.16 FOR AN ARC LENGTH OF 14.35 FEET TO A POINT;

THENCE PROCEED S85°24'57"W A DISTANCE OF 124.15 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 75.50 FEET, A CHORD OF WHICH BEARS N77°57'21"W FOR A DISTANCE OF 43.21 FOR AN ARC LENGTH OF 43.82 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 30.00 FEET, A CHORD OF WHICH BEARS \$78°30'12"W FOR A DISTANCE OF 38.70 FOR AN ARC LENGTH OF 42.06 FEET TO A POINT;

THENCE PROCEED N38°26'09"E A DISTANCE OF 140.55 FEET TO A POINT;

THE POINT OF BEGINNING.

AREA 2

COMMENCING AT A POINT SAID POINT BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF UNION PACIFIC RAILROAD AND SUGARLAND PARKWAY.

THENCE PROCEED \$38°26'09"W A DISTANCE OF 63.12 FEET TO A POINT;

THE POINT OF BEGINNING

THENCE PROCEED S38°26'09"W A DISTANCE OF 58.65 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 111.50 FEET, A CHORD OF WHICH BEARS N51°22'44"W FOR A DISTANCE OF 34.47 FOR AN ARC LENGTH OF 34.61 FEET TO A POINT;

THENCE PROCEED N42°29'15"W A DISTANCE OF 155.87 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 81.84 FEET, A CHORD OF WHICH BEARS N51°38'08"W FOR A DISTANCE OF 26.02 FOR AN ARC LENGTH OF 26.13 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 17298.89 FEET, A CHORD OF WHICH BEARS N59°40'38"W FOR A DISTANCE OF 667.87 FOR AN ARC LENGTH OF 667.91 FEET TO A POINT;

THENCE PROCEED N39°11'48"E A DISTANCE OF 60.56 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 17238.89 FEET, A CHORD OF WHICH BEARS S59°41'31"E FOR A DISTANCE OF 657.91 FOR AN ARC LENGTH OF 657.95 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 138.50 FEET, A CHORD OF WHICH BEARS S51°38'11"E FOR A DISTANCE OF 44.04 FOR AN ARC LENGTH OF 44.23 FEET TO A POINT;

THENCE PROCEED \$42°29'15"E A DISTANCE OF 156.41 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 56.50 FEET, A CHORD OF WHICH BEARS \$47°01'29"E FOR A DISTANCE OF 8.94 FOR AN ARC LENGTH OF 8.95 FEET TO A POINT;

THENCE PROCEED S51°33'42"E A DISTANCE OF 16.09 FEET TO A POINT; THE POINT OF BEGINNING.

On all matters of the description of the property on which the extension of Sugarland

Parkway and Rue La Cannes are located, the attached Plan of Resubdivision shall be controlling.

Esperanza further declared unto me, Notary, that under the covenants, conditions and stipulations hereinafter recited it does, by these presents, dedicate the extension of Sugarland Parkway and Rue La Cannes, as hereinabove described, 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

Esperanza further declared that it does by this Act amend that certain Act of Assignment and Dedication in favor of St. Charles Parish, dated January 28, 2003, approved by Ordinance No. 03-1-5, and recorded at COB 615, folio 169, passed in connection with the development of Sugarland Subdivision. With the development of Esperanza Business Park Phase I and the extension of Sugarland Parkway, the cud-da-sac at the end of Sugarland Parkway, as shown on the Plan of Subdivision attached to and made a part of the Act of Assignment and Dedication recorded at COB 615, folio 169, was removed and replaced by the extension of Sugarland Parkway.

By this Act, the Act of Assignment and Dedication in favor of St. Charles Parish, dated January 28, 2003, approved by Ordinance No. 03-1-5, and recorded at COB 615, folio 169 is hereby amended to reflect the removal of the cul-da-sac at the end of Sugarland Parkway.

In connection with the removal of the cul-da-sac at the end of Sugarland Parkway, the following parcel of ground is no longer included within the boundary of Sugarland Parkway:

COMMENCING AT A POINT SAID POINT BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF UNION PACIFIC RAILROAD AND SUGARLAND PARKWAY.

THENCE PROCEED S38°26'09"W A DISTANCE OF 2784.40 FEET TO A POINT;

THE POINT OF BEGINNING

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 12.00 FEET, A CHORD OF WHICH BEARS \$03°07'08"E FOR A DISTANCE OF 15.92 FOR AN ARC LENGTH OF 17.41 FEET TO A POINT;

THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 63.00 FEET, A CHORD OF WHICH BEARS \$43°14'48"W FOR A DISTANCE OF 125.92 FOR AN ARC LENGTH OF 193.43 FEET TO A POINT;

THENCE PROCEED N38°26'09"E A DISTANCE OF 137.39 FEET TO A POINT; THE **POINT OF BEGINNING**.

Esperanza further declared unto me, Notary, that this Act is subject to all of the following

- Sugarland Parkway and Rue La Cannes is free of any liens and/or encumbrances.
- The dedications and grant made herein are made subject to any
 existing servitudes affecting the Sugarland Subdivision and
 Esperanza Business Park Phase I.
- 8. 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.

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

ST. CHARLES PARISH, herein appearing by and through Albert D. Laque, Parish President, duly authorized by virtue of an Ordinance of the St. Charles Parish Council adopted on October 16, 2006, 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 all of the extension of Sugarland Parkway and Rue La Cannes dedicated herein has been satisfactorily completed in accordance with all requirements, and St. Charles Parish does hereby accept the extension of Sugarland Parkway and Rue La Cannes and assumes the maintenance thereof.

AND THE SAID ST. CHARLES PARISH does hereby further acknowledge and consent to the removal of the above referenced cul-da-sac and hereby revokes the dedication of the same by that certain Act of Assignment and Dedication in favor of St. Charles Parish, dated January 28, 2003, approved by Ordinance No. 03-1-5, and recorded at COB 615, folio 169, passed in connection with the development of Sugarland Subdivision, as said cul-da-sac is no longer needed for public purposes.

In furtherance of the revocation of said dedication, St. Charles Parish does by these presents grant, convey, transfer, assign, set over, abandon and deliver the

terms and conditions, to wit:

- The dedication of the fee ownership of the property and all
 appurtenances covered by the extension of Sugarland Parkway and
 Rue La Cannes, only as far as the same are located in Esperanza
 Business Park Phase I.
- 2. Esperanza 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 extension of Sugarland Parkway and Rue La Cannes. In that connection, Esperanza does, however, agree to prohibit the use of any part of the surface of any of the property covered by said streets with respect to the exploration, development or production of minerals pursuant to this reservation. This reservation is made in accordance with Esperanza's plan and intention to reserve all of the mineral rights in, on and under all of the parcels in Esperanza Business Park Phase I, whereby, however, Esperanza 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 this subdivision.
- 3. The herein dedication of the extension of Sugarland Parkway and Rue La Cannes is made by Esperanza without any warranty whatsoever except as provided for herein.
- 4. 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 a public street.
- This dedication and grant are conditioned upon St. Charles Parish maintaining and policing the streets dedicated herein
- 6. Esperanza warrants that the herein dedication of the extension of

following parcel of ground, without warranty, but with full substitution and subrogation in and to all the rights of action and warranty which it has or may have against all preceding owners and vendors, unto CMM PROPERTIES, L.L.C., whose property adjoins the parcel of ground created by the revocation and removal of said cul-da-sac:

COMMENCING AT A POINT SAID POINT BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF UNION PACIFIC RAILROAD AND SUGARLAND PARKWAY.

THENCE PROCEED S38°26'09"W A DISTANCE OF 2784.40 FEET TO A POINT;

THE POINT OF BEGINNING

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THENCE PROCEED ALONG A CURVE HAVING A RADIUS OF 63.00 FEET, A CHORD OF WHICH BEARS \$43°14'48"W FOR A DISTANCE OF 125.92 FOR AN ARC LENGTH OF 193.43 FEET TO A POINT;

THENCE PROCEED N38°26′09″E A DISTANCE OF 137.39 FEET TO A POINT; THE **POINT OF BEGINNING**.

To have and to hold the above listed parcel unto CMM PROPERTIES, L.L.C., its successors and assigns forever, appearing herein by and through its Manager, Suzanne Marie Migliore, who by her signature below accepts and acknowledges the transfer to CMM PROPERTIES, L.L.C. of the parcel listed above. The parcel herein transferred is presently tax-exempt. CMM PROPERTIES, L.L.C. by this Act assumes any taxes to be levied on said parcel in the future.

This Act was approved and accepted by the St. Charles Parish Council by Ordinance

Olo-10-16 on the 16 th day of October, 2006, a photo copy of which is attached and made part hereof.

THUS DONE AND PASSED, in triplicate originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles, 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 the whole.

WITNESSES;

ESPERANZA LAND COMPANY, LLC

BY:

Edward A. Dufresn

President

Cayle Schemayore

LOUIS G. AUTHEMENT NOTARY PUBLIC

25814 [SEAL] . THUS DONE AND PASSED, in triplicate originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles 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 mc, Notary, after reading the whole.

WITNESSES:

ST. CHARLES PARISH

BY:

Albert D. Laque, Parish President

Sandra G. Miguez

Robert L. Raymond

Notary Public \(\begin{align*}
\text{Bar/Notary No.} \end{align*}

[SEAL]

THUS DONE AND PASSED, in triplicate originals, in my office, the undersigned Notary Public in and for the State of Louisiana, Parish of St. Charles, 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 the whole.

WITNESSES;

CMM PROPERTIES, L.L.C.

atricia mardelle

Suzanne Marie Migliore

President

NOTARY PUBLIC

Printed Name: Cours G. Authenent

Notary/Bar No.: 25 8/5

[SEAL]

