

2025-0267

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

ORDINANCE NO. 25-9-4

An ordinance to revoke and abandon the Drainage Right of Way along Davis Plantation granted by J. B. Levert Land Company, Inc. to St. Charles Parish on November 6, 1998.

WHEREAS, the Drainage Right of Way Map, Portion of Davis Plantation, Section 25, T.13 S., R.21 E, St. Charles Parish, LA, dated May 25, 1998, depicts a drainage right-of-way along the eastern border of Davis Heights Subdivision and northern border Southern Pacific Railroad (also known as BNSF Railroad) Right of Way; and,

WHEREAS, the Drainage Right of Way was intended to provide access to the Evelyn Drive Canal that stretches from BNSF Railroad to Union Pacific (UP) Railroad, which accepts the discharge from Nola Drainage Pump Station, and the canal running parallel to the BNSF Railroad that directs water from the Davis Barton Pump Station to the Davis Barton Pump Station Discharge Canal, both discharges ending up in Garland Canal being pumped by the Davis Diversion Drainage Pump Station; and,

WHEREAS, the 1998 Drainage Right of Way did not extend north of Nola Street, therefore did not provide access to the entire length of Evelyn Drive Canal; and,

WHEREAS, the 1998 Drainage Right of Way runs parallel to BNSF Railroad along Highway 90 and extends far beyond the area needed for maintenance, as St. Charles Parish only needs approximately 750 linear feet; and,

WHEREAS, the current owner, IMTT Luling, LLC, has granted St. Charles Parish a new and revised drainage servitude that corrects the deficiencies noted about with the 1998 Drainage Right of Way which the new servitude is recorded with the St. Charles Parish Clerk of Court under Instrument No. 491011; and,

WHEREAS, St. Charles Parish wishes to revoke and abandon said 1998 Drainage Right of Way pursuant to Chapter 2, Article I, Section 2-4 of the Code of Ordinances, as said property is no longer needed for public purposes.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That St. Charles Parish revokes and abandons all of its rights in and to the 1998 Drainage Right of Way as shown in the attached revocation.

SECTION II. That the Parish President is hereby authorized to execute an Act of Revocation and such other documents deemed necessary to carry out the intent of this ordinance.

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

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

And the ordinance was declared adopted this 22nd day of September, 2025, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Heely Fonseca
SECRETARY: Michelle Spaulding
DLVD/PARISH PRESIDENT: September 23, 2025
APPROVED: ✓ DISAPPROVED:

PARISH PRESIDENT: Math Jewell
RETD/SECRETARY: September 26, 2025
AT: 10:12 am RECD BY:

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE
CN 10-9-2025
AS INSTRUMENT NO. 491849
IN MORTGAGE/CONVEYANCE BOOK

ACT OF REVOCATION

UNITED STATES OF AMERICA

BY: ST. CHARLES PARISH

STATE OF LOUISIANA

OF: DRAINAGE SERVITUDE

PARISH OF ST. CHARLES

IN FAVOR OF: IMTT LULING, LLC

BE IT KNOWN, that on this 6th day of October, 2025.

BEFORE the undersigned Notary Public, duly commissioned and qualified in and for the Parish of St. Charles and State of Louisiana, therein residing, and in the presence of two competent witnesses hereinafter names and undersigned;

PERSONALLY CAME AND APPEARED:

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by its Parish President, Matthew Jewell, whose mailing address is P.O. Box 302, Hahnville, LA 70057; authorized pursuant to Ordinance No. 25-7-4 adopted by the St. Charles Parish Council on the 22nd day of September, 2025, a certified copy of which is attached hereto and made a part hereof;

That pursuant to the above related Ordinance, St. Charles Parish, through its governing authority, the St. Charles Parish Council, does hereby abandon and revoke the Drainage Right of Way granted in favor of St. Charles Parish on November 6, 1998, recorded in COB 546, folio 828 of the official records in the Clerk of Court for St. Charles Parish, by J. B. Levert Land Co. as set out in the following described property:

A CERTAIN PIECE OR PORTION OF GROUND situated on the West Bank of the Mississippi River, in the State of Louisiana, Parish of St. Charles, Section 25, Township 13 South, Range 21 East, portion of Davis Plantation, designated as DRAINAGE RIGHT OF WAY and more fully described as follows:

Begin at the intersection of the northerly line of 100' Southern Pacific Railroad Right of Way and the westerly property line of J.B. Levert Co. Tract, said points having coordinates of North 455,285.65 and East 2,314,275.34, the point of beginning. Measure thence from the point of beginning along said westerly line of J. B. Levert Land Co. Tract N14°56'43"E a distance of 3340.00'; thence S75°03'17"E a distance of 80.00'; thence S14°56'14"W a distance of 340.00'; thence S04°56'14"W a distance of 86.31'; thence S14°56'43"W a distance of 2070.00'; thence S17°57'36"E a distance of 101.24'; thence S14°56'43"W a distance of 100.00'; thence S56°26'30"W a distance of 173.57'; thence S14°56'43"W a distance of 390.00'; thence S75°03'17"E a distance of 43.51'; thence N72°05'05"E a distance of 2640.02'; thence S17°54'55"E a distance of 75.00' to a point on the northerly line of 100' Southern Pacific Railroad Right of Way; thence along said northerly line S72°05'05"W a distance of

2781.93' to a point on the westerly property line of J.B. Levert Land Co. Tract, the point of beginning.

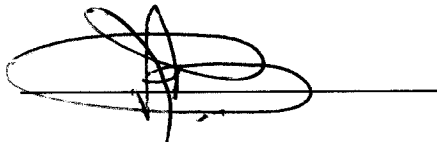
As more fully shown on Drainage Right of Way Plan by Krebs, LaSalle, LeMieux Consultants, Inc. dated May 25, 1998.

NOW THEREFORE, ST. CHARLES PARISH, has duly determined in the above related Ordinance that the drainage servitude no longer serves a public purpose and that it is in the best interest of St. Charles Parish to revoke and abandon all of its rights in and to the drainage servitude as described above formerly owned by J. B. Levert Land, Co. and now currently owned by IMTT Luling, LLC pursuant to an Act of Sale recorded at Instrument No. 477372.

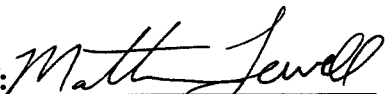
Further, that pursuant to LA R.S. 48-701 et seq, and the St. Charles Parish Code of Ordinances Chapter 2, Section 2-4(c) the revocation of the dedicated property is made unto the present owners of the land contiguous thereto.

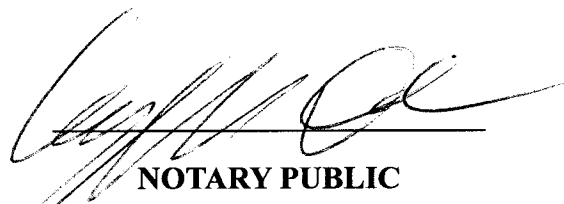
THUS DONE AND SIGNED this 6th day of October, 2025 in the Parish of St. Charles, State of Louisiana in the presence of the undersigned named competent witnesses and me, Notary, after a reading of the whole.

WITNESSES:

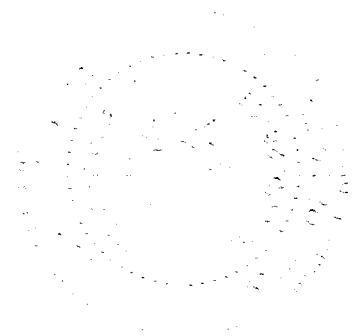



ST. CHARLES PARISH

BY: 
MATTHEW JEWELL
PARISH PRESIDENT

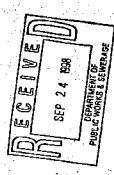
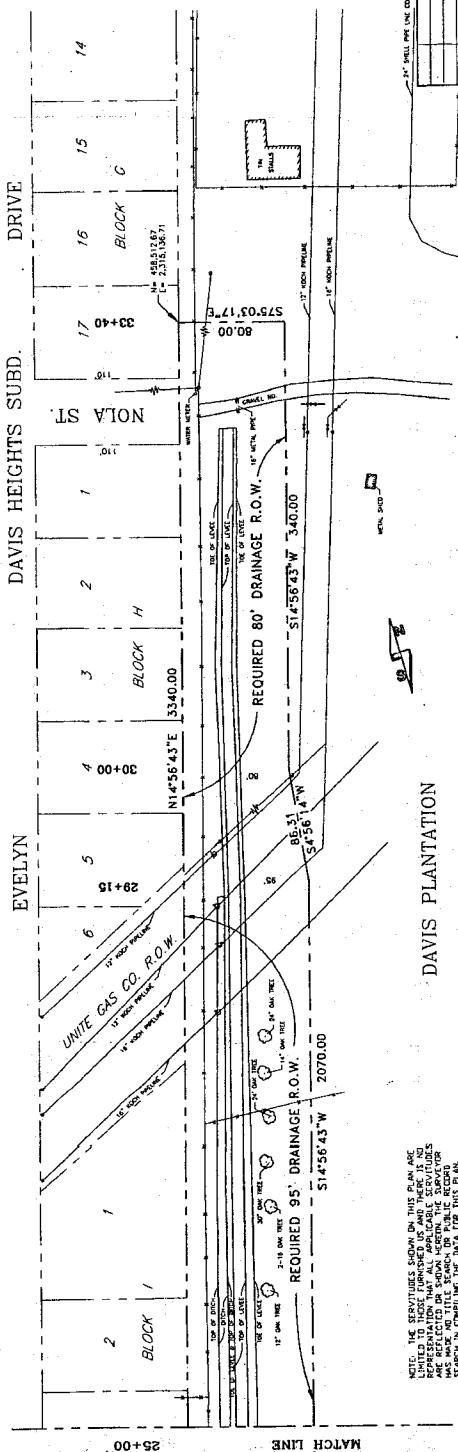
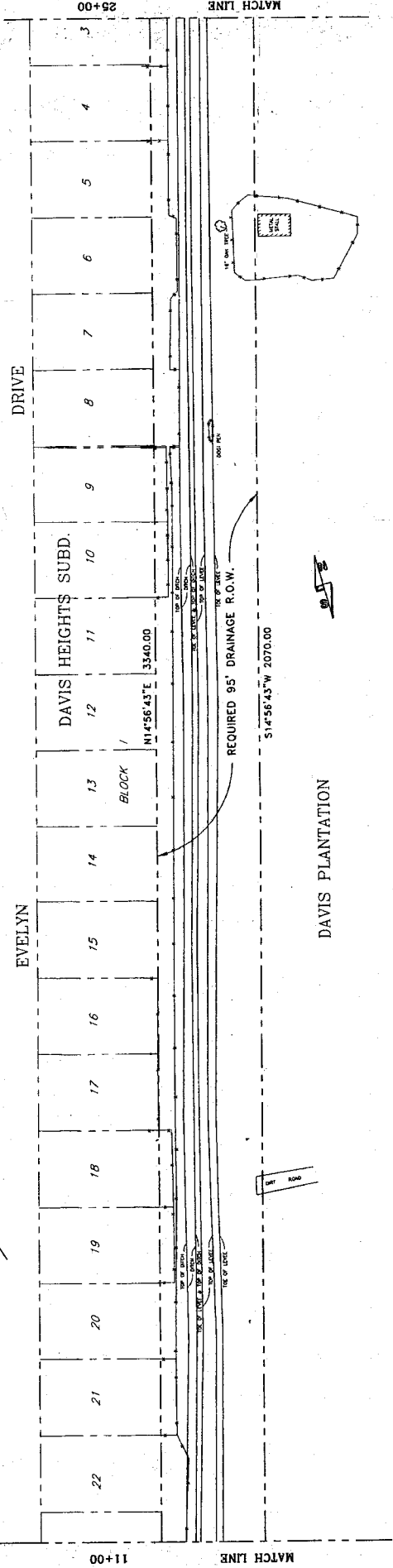
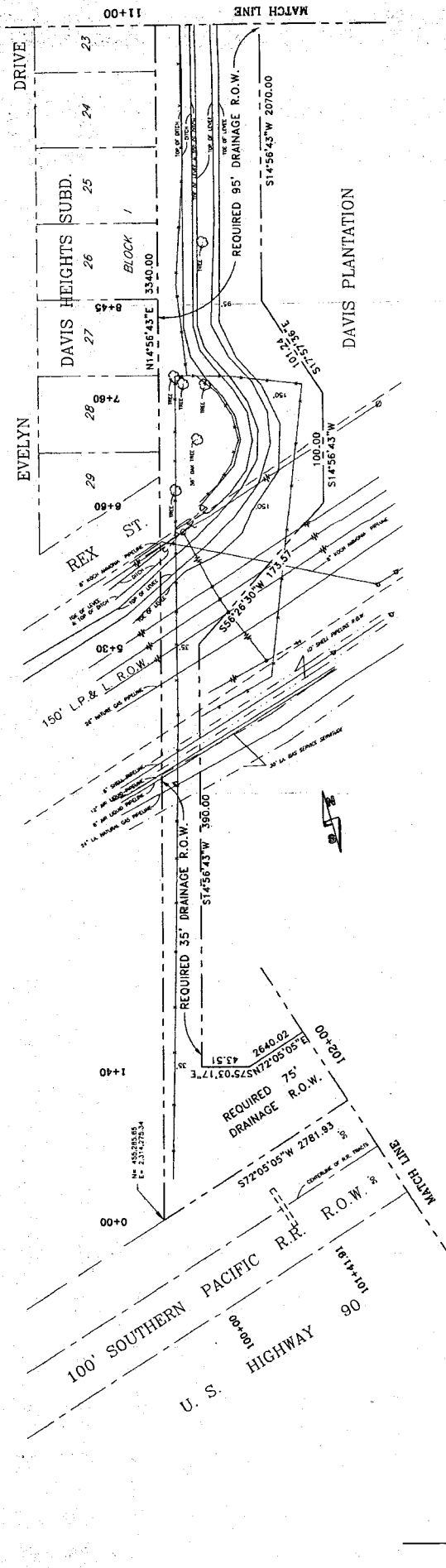

NOTARY PUBLIC

COREY M. OUBRE
NOTARY PUBLIC
LSBA NO. 28709
LA NOTARY NO. 77473
St. Charles Parish, Louisiana
My Commission is issued for Life



SL 1444
CDS 54 151

CDS 227558 Page 2 (Rev 10/19/98) 12:00:00AM (continued)



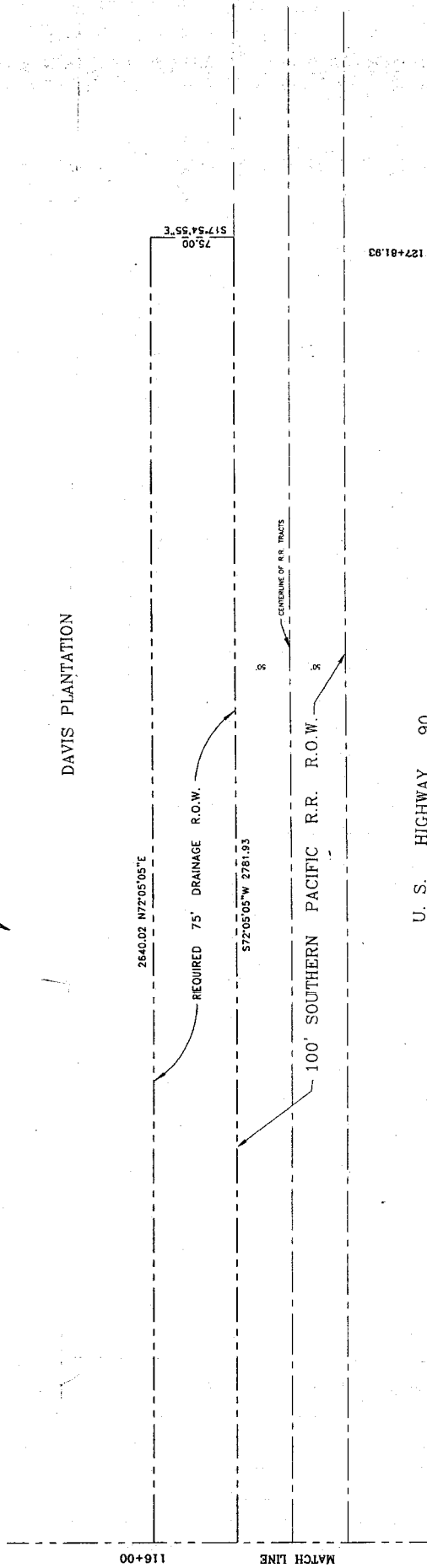
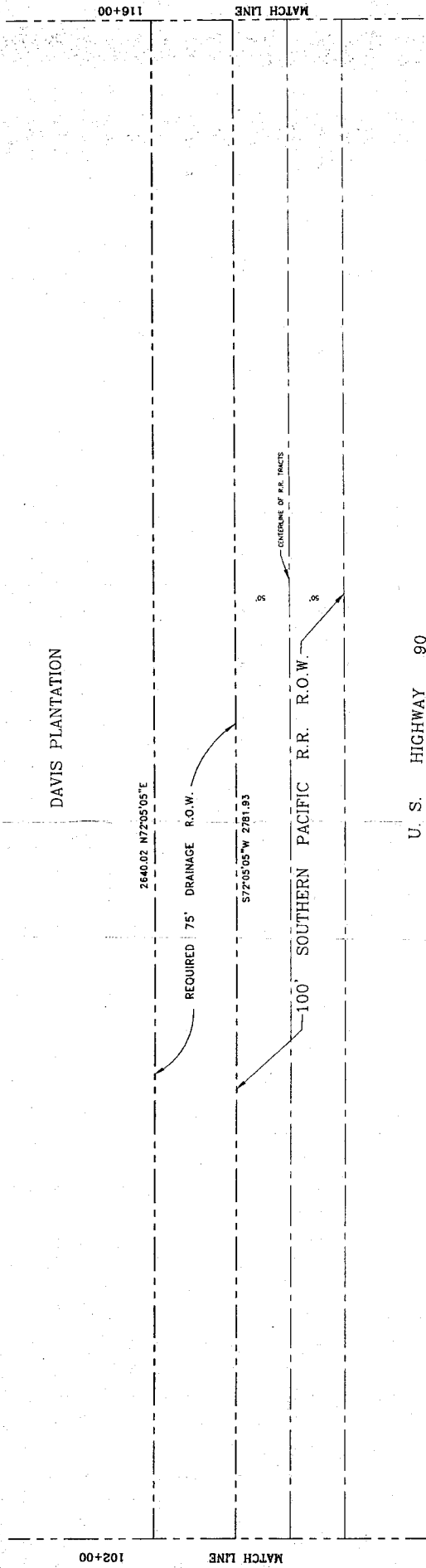
SEAL OF THE STATE OF LOUISIANA
LAWRENCE E. BUDET
GOVERNOR
JAMES J. BOETTCH
METairie, LA
MAY 25, 1998
KREBS, LaSALLE, LeMIEUX CONSULTANTS, INC.
ENGINEERING - PLANNING - SURVEYING - HYDROLOGY - ENVIRONMENTAL
3013 27th ST. METAIRIE, LA 70002
504-885-1234
FAX 504-885-1235
SCALE: 1"=400'
DATE: MAY 25, 1998
JOB NO. 485 001
FILE NO. G-20-002-SHEET NO. 1 of 2

REVISIONS	
NO.	DESCRIPTION

NOTE: THE SERVICES SHOWN ON THIS PLAN ARE REPRESENTATION OF THE DATA PROVIDED BY THE CLIENT. THE CONSULTANT HAS MADE NO FIELD SURVEY OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS PLAN.

G-20-002-04

PK 1461
C&G 881596



KREBS, LASALLE, LEMIEUX CONSULTANTS, INC.
MEMPHIS, LA.
MAY 25, 1998

DRAINAGE RIGHT OF WAY MAP
PORTION OF DAVIS PLANTATION
SECTION 25 T.13 S.R.21 E
ST. CHARLES PARISH, LA.

KREBS, LASALLE, LEMIEUX CONSULTANTS, INC.
ENGINEERING - PLANNING - SURVEYING - HYDROLOGY - ENVIRONMENTAL
3013 27TH ST. MEMPHIS, LA. 70255
3107 N. 21ST. SUITE 7 MEMPHIS, LA. 70255
3107 N. 21ST. SUITE 7 MEMPHIS, LA. 70255
SCALE: 1"=50'
DATE: MAY 25, 1998
FILE NO. 6-10-001-03
DRAWN BY: D.E.R.
SHEET NO. 2 OF 2

NOTE: THE SURVEYORS' PLAN ON THIS MAP ARE LIMITED TO THOSE FURNISHED TO US AND THERE IS NO WARRANTY OR GUARANTEE OF ANY KIND. THE SURVEYORS ARE RELIED UPON TO SHOW KEEN THE SURVEYORS SEARCH IN OBTAINING THE DATA FOR THIS PLAN.