

Recordation Certificate

Lance Marino
Clerk of Court
St. Charles Parish Courthouse
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Hahnville, LA 70057
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First VENDOR

BABIN, DWANE

First VENDEE

MATHERNE, SETH

Index Type : CONVEYANCE

Entry Number : 411834

Type of Document : SERVITUDE

Book : 826 **Page :** 850

Recording Pages : 5

Recorded Information

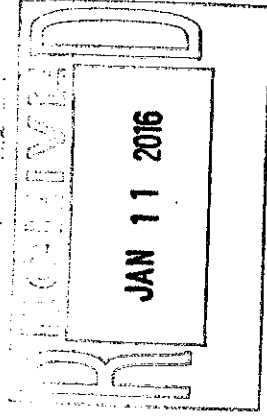
Dana Adams
Deputy Clerk

On (Recorded Date) : 01/11/2016

At (Recorded Time) : 2:38:03PM



Doc ID - 007050520005



ACT OF SERVITUDE OF PASSAGE

FROM: DWANE BABIN

STATE OF LOUISIANA

TO: SETH AND CHRISTINE MATHERNE

PARISH OF ST. CHARLES

BEFORE ME, the undersigned notary, and in the presence of the two undersigned competent witnesses, personally came and appeared:

DWANE BABIN, a person of the full age of majority and resident of the Parish of St. Charles, State of Louisiana, who declared unto me, Notary, that he has been married three times, first to Gretchen Tresch Babin from whom he was divorced by judgment dated July 9; 1986, No. 328-624, Jefferson Parish, Louisiana, and then to Laura Babin whom he was divorced by Judgement dated October 4, 1999 and third to Lisa Babin with whom he is residing and has a stated mailing address of 200 Ciravola Lane, Boutte, Louisiana 70039, grantor; LISA BABIN, a person of the full age of majority, who declared she has been married once and then to Dwane Babin, with whom she currently resides, grantor, and SALINA CIRAVOLA LEBLANC, a person of the full age of majority, who declared she has been married once and then to LEE LEBLANC, with whom she currently resides and who has a stated mailing address of 172 Annex Dr., Laplace 70984, grantor. The above Grantors are the owners of the following described property, formerly known as Lot AE, as set forth below.

TWO CERTAIN LOTS OR PORTIONS OF GROUND, together with the buildings and improvements thereon, all the rights, ways, privileges, servitudes, and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Charles, State of Louisiana, in the Northwest quarter in Section 1, Township 14 South, Range 20-East, Southeastern Land District of Louisiana near Boutte, Louisiana, and described as Lot AE-2, AE-3-A, all according to a survey of BFM Corporation dated August 24, 2012; a copy of which is attached hereto for reference. Lots AE-2 and AE-3-A formerly comprised a portion of Lot AE. Said lots or portions of ground are described as follows and are owned by grantors as set forth below:

Lot AE-3-A is owned by grantors DWANE BABIN AND LISA BABIN. According to the said survey of BFM Corporation dated August 24, 2012, Lot AE-3-A measures three hundred eighty-five (385') feet on its South side along the south edge of a fifty (50') foot servitude for a road known as Ciravola Road; four hundred fifty-six and 59/100 (456.69') feet on its East side adjoining Lot BE; three hundred eighty-five (385') feet nine hundred seventy-five and 59/100 (975.59') feet on its North side along Lot AE-2; and four hundred fifty-six and 59/100 (456.69') feet on its west side along Lot AE-3-B.

Lot AE-2 is owned by grantor SALINA CIRAVOLA LEBLANC. According to the said survey of BFM Corporation dated August 24, 2012, Lot AE-2 measures seven hundred seventy (770') feet on its South side along the boundary line with Lot AE-3-A and Lot AE-3-B, an equal distance in the rear, by a depth of four hundred fifty-six and 59/100 (456.69') feet on its East side adjoining Lot BE; with the same depth on the west side.

Being a portion of the same property acquired by John (Johnny) Ciravola by Judgment of Possession in the Succession of Annie Ciravolo, Number 137-217 of the 24th Judicial District Court for the Parish of Jefferson, registered in COB 115, folio 634, St. Charles Parish, Louisiana.

Further acquired by Act of Partition and Exchange, dated October 22, 1971 by act before Ralph R. Miller, Notary Public, registered in COB 118, folio 192, Parish of Jefferson.

GRANTORS declared further that for and in consideration of the reciprocal granting of a fifty foot servitude of passage (Ciravola Lane) over and upon the land of grantee previously executed, as well as the mutual agreement to share equally in the expenses of maintenance and repair of both servitudes of passage (Ciravola Lane and this twenty-five foot servitude), as more fully set forth below, they do, by these presents, grant, transfer, convey and deliver unto

SETH AND CHRISTINE MATHERNE, both persons of the full age of majority and residents of the Parish of St. Charles, State of Louisiana, who declared unto me, Notary, that they have been married once and then to each other and that they are currently residing and has a stated mailing address of 584 Magnolia Ridge Road, Boutte, Louisiana 70039, GRANTEEES,

a certain personal servitude of passage over and across the hereinabove described property, consisting of a twenty-five foot roadway situated on Lots AE-3-A and AE-2 (formerly Lot AE) along its boundary with Lot BE from its intersection with Ciravola Lane (a fifty foot roadway pursuant to a May 25, 1972 Gassen survey) to the rear or northerly boundary line of Lot AE-2 at its common boundary with Lot AE-1, all as more specifically shown on a survey by BFM Corporation dated August 24, 2012 which is attached hereto as Appendix 1.

It is stipulated and agreed that the right of use of the passageway herein described and granted herein is intended to and does confer on the grantees, their heirs, vendees, lessees and or assigns, hereafter referred to as "its assignees", the right to use said passageway as a driveway or road to access Lot BE, including any subdivision of Lot BE, to the extent herein provided, and that no right of ownership of any nature is transferred to grantees or its assignees in and to the lands over and across which said passageway traverses, the ownership of said lands and said passageway being vested in grantors.

It is further stipulated and agreed that said passageway shall be and continue to be a private passageway to be used only by grantees and its assignees and persons authorized to use same by grantors. Grantees further agrees to share in the maintenance of both the fifty foot servitude known as Ciravola Lane and the twenty-five foot servitude granted in this document, in equal proportions, currently fifty (50%) percent each. It is specifically agreed that upon any sale, transfer, donation or lease of any portion of Lot BE and the actual use of same by grantee or its assignees, the proportion of expenses for maintenance shall be split equally between grantors and grantees and each of its assignees actually utilizing the servitude. For example, it is contemplated that grantees will subdivide Lot BE into seven lots. At that point, the maintenance and repair shall be divided equally in the proportion of one-eight (1/8) each for the Lot BE

occupants and Lot AE-3-A. Upon occupation of Lot AE-2 by grantor LeBlanc, she agrees to be included in the shared equal proportion of expenses for repair and maintenance as set forth above, one-ninth (1/9) each in this example. Should any signatory to this Act not timely pay their share of expenses, each grantor has the independent right to immediately block access to this servitude and or terminate this servitude with respect to the offending party. Grantees agree to include this provision concerning the sharing of expenses for the maintenance, repair and upkeep of both servitudes described herein in every act granting the right of use or transfer of ownership of any portion of current Lot BE to any of its assignees as defined above. Should grantors subdivide and/or lease other portions of Lots AE-2 or AE-1, the same rule of equal participation in expenses of maintenance and upkeep by all occupants of land using the two servitudes applies. The intent of the parties to this act is that each household utilizing the servitudes shall share equally in the cost of maintenance and upkeep, regardless of the size of the land area occupied by the household.

Thus done, read and signed in Boutte, Louisiana, on the 9 day of January,

2016, in the presence of the two undersigned competent witnesses, who sign their names with said appearers and me.

WITNESSES:

Richard L. Estere
Randall J. Meyer

WITNESS:

Carol Estere
Carol Estere

WITNESS:

Lee LeBlanc
LEE LEBLANC
GRANTOR

Seth Matherne
SETH MATHERNE
GRANTEE

Dwane Babin
DWAYNE BABIN
GRANTOR

Lisa Babin
LISA BABIN
GRANTOR

Salina Ciravola LeBlanc
SALINA CIRAVOLA LEBLANC
GRANTOR

Christine Matherne
CHRISTINE MATHERNE
GRANTEE

Randall J. Meyer

RANDALL J. MEYER
NOTARY PUBLIC

State of Louisiana #012534

My Commission is issued for Life

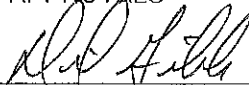
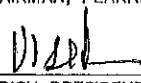
SECTION 1
TOWNSHIP 14 SOUTH, RANGE 20 EAST
ST. CHARLES PARISH, LOUISIANA



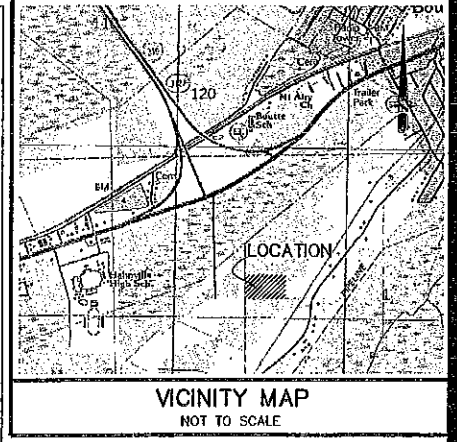
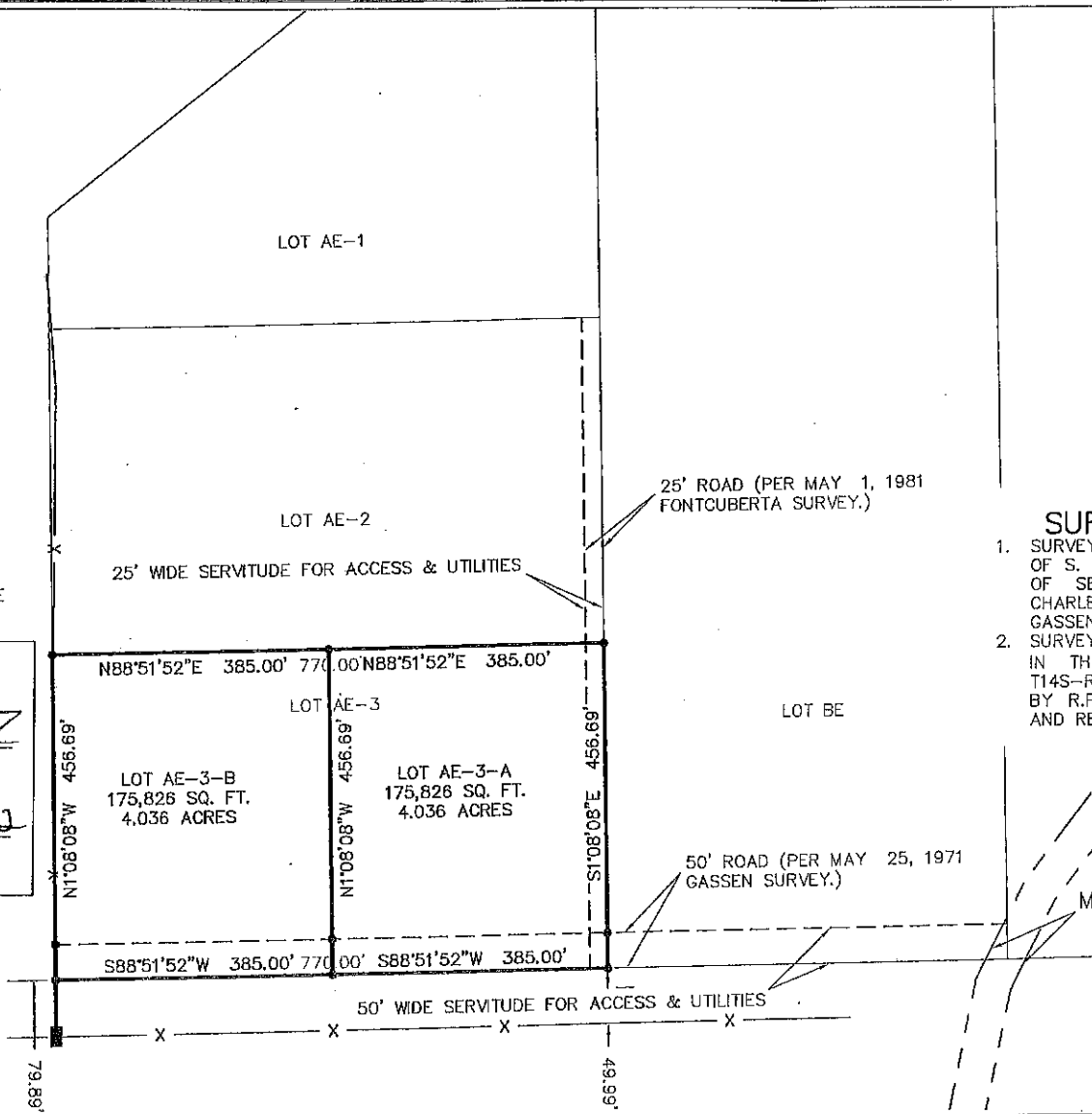
BEARINGS ARE BASED ON THE LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983 (2011) AND WERE DERIVED FROM GPS OBSERVATIONS.

NOTE: "ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY EXTENSIONS SHALL BE MADE BY AND SOLELY AT THE LOT OWNER'S EXPENSE."

APPROVALS

	12-6-12
CHAIRMAN, PLANNING AND ZONING COMMISSION	DATE
	12-19-12
PARISH PRESIDENT	DATE

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT ON THE 28 DAY OF
Dec. 2012, 2012 IN COB 780
FOLIO 741 ENTRY NO. 385017



- SURVEY REFERENCE**
1. SURVEY OF THE SUBDIVISION OF THE ESTATE OF S. CIRAVOLO IN THE NORTHWEST QUARTER OF SECTION 1, T14S-R20E, BOUTTE, ST. CHARLES PARISH, LOUISIANA, BY LUCIEN C. GASSEN, DATED MAY 25, 1971.
 2. SURVEY OF A PORTION OF GROUND LOCATED IN THE NORTHWEST 1/4 OF SECTION 1, T14S-R20E, ST. CHARLES PARISH, LOUISIANA, BY R.P. FONTCUBERTA, DATED MAY 1, 1981 AND REVISED MARCH 26, 1982.

SCALE: 1" = 200'
DATE: 08/24/2012
DRAWN BY: J.N.S.
CHECKED BY: J.S.T.
FILE NO: 7979
PROJ. NO: 7979
SHEET 1 OF 1

The Servitudes and Restrictions shown on this survey are limited to those set forth in the description furnished us and there is no representation that all applicable Servitudes and Restrictions are shown hereon. The surveyor has made no title search or public record search in compiling the data for this survey.

I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found this property is in a Special Flood Hazard Area.

FIRM ZONE: AE (EL. 4)

**RESUBDIVISION OF LOT AE-3,
INTO LOTS AE-3-A & AE-3-B,
S. CIRAVOLO ESTATE LOCATED IN
SECTION 1, T 14 S -R 20 E,
BOUTTE, ST. CHARLES PARISH, LOUISIANA**

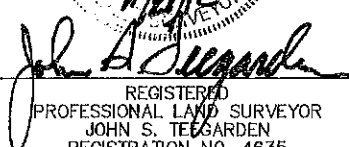
I certify that this plot represents an actual ground survey made by me or under my direction, and it does/does not conform to the requirements for the Minimum Standards for Property Boundary Surveys as found in Louisiana Administrative Code TITLE 48: LXI, Chapter 29 for a Class 2 survey.

DWANE BABIN

BFM
CORPORATION, L.L.C.
Professional Land Surveyors

534 WILLIAMS BOULEVARD
E-mail: bfmcorp@bfmcorporation.com
(504) 468-8800
Fax No. (504) 467-0065
CITY OF KENNER
JEFFERSON PARISH, LOUISIANA, 70062

STATE OF LOUISIANA
JOHN S. TEEGARDEN
REG. No. 4635
REGISTERED PROFESSIONAL SURVEYOR



REGISTERED PROFESSIONAL LAND SURVEYOR
JOHN S. TEEGARDEN
REGISTRATION NO. 4635