

Ord.

2016-0381

**INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. 16-11-6

An ordinance to approve and authorize the Lafourche Basin Levee District to expropriate the necessary real estate interest to a portion of land designated as Parcel 14-1-R-2 for the Sunset Drainage District Levee in St. Charles Parish, Louisiana, and to authorize the transfer of the necessary funding thereof.

WHEREAS, the Parish of St. Charles has determined a public need to protect the property owners within the Sunset Drainage District from flooding of tidal water of the Gulf of Mexico with the West Bank Hurricane Protection Levee, Sunset Drainage District Levee, Burlington Northern Santa Fe Railroad to LA Highway 306, Paradis & Bayou Gauche, St. Charles Parish, Louisiana, STA. 830+00.00 to 962+07.17 (North) 10+00.00 (South) to 310+00.00 "Project"; and,

WHEREAS, the Parish of St. Charles has entered into a Cooperative Endeavour Agreement with the Lafourche Basin Levee District per Ordinance No. 09-8-2 on August 3, 2009 to acquire the necessary real estate interest to construct, operate, and maintain the project; and,

WHEREAS, it is necessary for Lafourche Basin Levee District to acquire the real estate interest from landowners for the Project without delay; and,

WHEREAS, the Parish of St. Charles and the Lafourche Basin Levee District are unable to identify an owner with clear and merchantable title to the real estate designated as Parcel 14-1-R-2; and,

WHEREAS, the potential owners of Parcel 14-1-R-2 include Chevron USA, Inc., St. Charles Parish, the Estate of Roy T. Boteler and Tierney & Associates, Inc. and any other interest as it may appear; and,

WHEREAS, the required real estate cannot be amicably acquired due to title defects which render the title unmerchantable and the Lafourche Basin Levee District is forced to expropriate Parcel 14-1-R-2 to acquire the required interests; and,

WHEREAS, Article 5, Item C of the Cooperative Endeavour Agreement states the decision to expropriate shall be at the sole discretion of the Parish of St. Charles as evidenced by written authorization of the Parish President and the transfer of funds required for deposit in the registry of the court prior to filing of the expropriation proceedings; and,

WHEREAS, the fair market value of the required real estate interest to be acquired for the Project designated as Parcel 14-1-R-2 has been established as \$7,200 by the higher of two (2) appraisal reports prepared by licensed appraisers and reviewed by an independent third-party licensed appraiser.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That there is hereby a public need for the property designated as Parcel 14-1-R-2 to construct, maintain, and operate the Project.

SECTION II. That the Lafourche Basin Levee District is hereby authorized to expropriate the required real estate interest designated as Parcel 14-1-R-2 since an owner with clear and merchantable title cannot be identified.

SECTION III. That the Parish hereby authorizes the transfer of \$7,200.00 in project funding to the Lafourche Basin Levee District for the expropriation of said property.

SECTION IV. That the Parish President is hereby authorized to execute any and all documents necessary to complete said expropriation on behalf of the Parish of St. Charles.

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

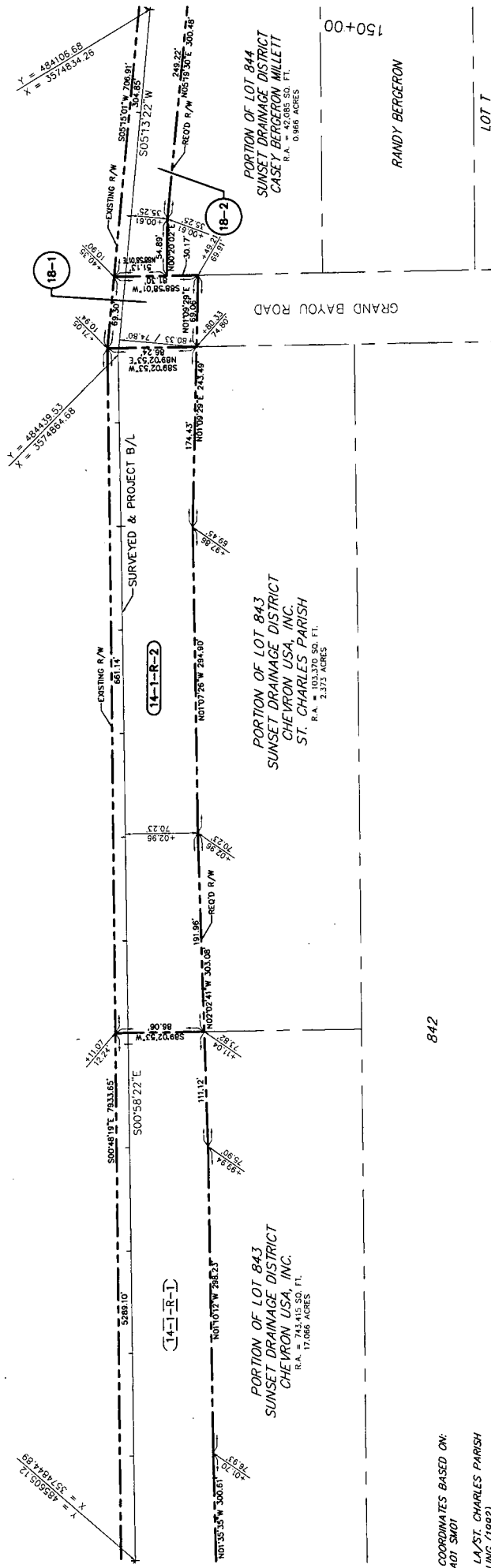
YEAS: BENEDETTO, HOGAN, WILSON, CLULEE, GIBBS, BELLOCK, FLETCHER, FISHER-PERRIER
NAYS: NONE
ABSENT: WOODRUFF

And the ordinance was declared adopted the 28th day of November, 2016, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Wendy Benedetto*
SECRETARY: *[Signature]*
DLVD/PARISH PRESIDENT: *11/30/16*
APPROVED: *[Signature]* DISAPPROVED: _____
PARISH PRESIDENT: *[Signature]*
RETD/SECRETARY: *11/30/16*
AT: *3:15 pm* RECD BY: *[Signature]*

SOUTHEASTERN LAND DISTRICT
WEST OF THE MISSISSIPPI RIVER
T 14 S - R 20 E
SECTION 26

135+00 140+00 145+00



ELEVATIONS OR COORDINATES BASED ON:
DESIGNATION: BAD1 SMO1
PID: D4-1816
STATE/COUNTY: LA/ST. CHARLES PARISH
USGS QUAD: LULING (1992)
NAD 83 (2007): 29.55 01.64*(N) 9078.58.55*(W) ADJUSTED
MAP 90 88: 1/4 (METERS) 5.70 (FEET)
RETRIEVAL DATE: DECEMBER 8, 2010
BEARINGS SHOWN HEREON ARE GRID
BEARINGS BASED ON THE LOUISIANA STATE
PLANE COORDINATE SYSTEM SOUTH ZONE
NAD 83 (2007).

- LEGEND**
- REQUIRED RIGHT OF WAY LINE
 - PROPERTY LINE
 - LOT LINE
 - LIMITS OF CONSTRUCTION
 - EXISTING RIGHT OF WAY LINE
 - SECTION LINE
 - DRAINAGE SERVITUDE
 - EXISTING SERVITUDE

I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL ROUTE SURVEY MADE BY ME, OR BY THOSE UNDER MY DIRECTION AND COMPLIES WITH THE REQUIREMENTS OF LOUISIANA'S STANDARDS PRACTICE FOR BOUNDARY SURVEYS FOR A CLASS D ROUTE SURVEY SPECIFICALLY CHAPTER 2809 - ROUTE SURVEY.

RESIDUAL ACREAGE NOTE:
RESIDUAL ACREAGE'S SHOWN ARE CALCULATED FOR INFORMATION PURPOSES ONLY.
THE RESIDUAL ACREAGE'S ARE SUBJECT TO RENEW AND VERIFICATION BY TITLE AND SURVEY.

PARCEL	OWNER	ACQUISITION	AREA	ESTATE TYPE
14-1-R-2	CHEVRON USA, INC.	C.O.B. 776 PG. 173 ENTRY NO. 151233	1.252 AC	SERVITUDE
18-2	ST. CHARLES PARISH	C.O.B. 425 PG. 196 ENTRY NO. 151233	0.126 AC	SERVITUDE
18-1	CASEY BERGERON MILLETT	C.O.B. 776 PG. 173 ENTRY NO. 151233	0.133 AC	SERVITUDE

DATE	DESCRIPTION	BY
3/10/2016	REMOVED ACQUISITION BLOCK	T.P.T.
2/12/2016	REMOVED PARCEL 14-1 INTO PARCEL 14-1-R-1	T.P.T.
	ADDED PARCEL 14-1-R-2	T.P.T.

LAFOURCHE BASIN LEVEE DISTRICT AND PARISH OF ST. CHARLES

RIGHT OF WAY MAP
WEST BANK HURRICANE PROTECTION LEVEE
SUNSET DRAINAGE DISTRICT LEVEE
ST. CHARLES PARISH, LOUISIANA
STA. 830+00.00 TO 962+07.17 (NORTH SECTION)
10+00.00 TO 310+00.00 (SOUTH SECTION)

REKREANDES ENGINEERING COMPANY
904 JEFFERSON STREET
LAFAYETTE, LA 70503
TEL: 337-281-0000
FAX: 337-281-0001

Stephen P. Flynn
REGISTERED PROFESSIONAL SURVEYOR
STATE OF LOUISIANA
NO. 151233

DATE: 10/06/2015 100%
SCALE: 1" = 30'
DRAWN BY: T.P.T.
COMPUTED BY: S.P.F.
SHEET NO. 18

RSC DWG NO.: 171553_W02206_RSC_ROW