

2004-0162

**INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF LEGAL SERVICES)**

ORDINANCE NO. 04-5-2

An ordinance to approve and authorize the execution of a Cash Sale by Luling Estates, Inc. to St. Charles for the operation and maintenance of the Hackberry pump station.

WHEREAS, St. Charles Parish is in need of a portion of property located on the unimproved extension of Luling Estates Drive for the purpose of the location, construction, operation, and maintenance of a pump station; and,

WHEREAS, Luling Estates, Inc. has agreed to sell to St. Charles Parish said property for the price and sum of \$25,000.00.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Cash Sale from Luling Estates, Inc. to St. Charles Parish in the amount of \$25,000.00 is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Cash Sale on behalf of St. Charles Parish.

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

YEAS: MARINO, FAUCHEUX, FABRE, RAMCHANDRAN, WALLS, BLACK, DUHE, MINNICH

NAYS: NONE

ABSENT: HILAIRE

And the ordinance was declared adopted this 3rd day of May, 2004, to become effective five (5) days after publication in the Official Journal.

Cash Sale - Luling Estates, Inc.

CHAIRMAN: *Laura P. Mann*

SECRETARY: *Barbara Davis-Tucker*

DLVD/PARISH PRESIDENT: *May 4, 2004*

APPROVED: *[checkmark]* DISAPPROVED:

PARISH PRESIDENT: *Albert D. Laque*

RETD/SECRETARY: *May 4, 2004*

AT: *10:55 Am* RECD BY: *[signature]*

CASH SALE

UNITED STATES OF AMERICA

FROM: LULING ESTATES, INC.

STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this 28th day of May, in the year two thousand and four(2004).

BEFORE ME, a Notary Public in and for the Parish of St. Charles, State of Louisiana, duly commissioned and qualified, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

LULING ESTATES, INC. (Tax I.D.# 72-0709523) a Louisiana corporation, domiciled in the Parish of St. Charles, herein represented by Joel T. Chaisson, duly authorized by resolution attached hereto and made a part hereof, and whose mailing address is 10 Avenue of Oaks, Destrehan, Louisiana.

hereinafter designated as "vendor" who declared that for the consideration and upon the terms and conditions hereinafter expressed, said vendor does by these presents sell, grant, bargain, assign, transfer, deliver, and abandon and set over under all lawful warranties and with substitution and subrogation to all rights and actions of warranty against all preceding owners and vendors, unto

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by Albert D. Laque, its Parish President, and whose mailing address is P. O. Box 302, Mahville, Louisiana, 70057; and pursuant to Ordinance No. 04-5-2 adopted by the St. Charles Parish Council on May 3, 2004 a copy of which is attached hereto and made a part hereof;

hereinafter designated as "purchaser", here present, accepting and purchasing and acknowledging delivery and possession of the following described property, to wit:

A CERTAIN PORTION OF GROUND, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, advantages, and appurtenances thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Charles in Section 10 and 11, , T13S, R21E, bounded by Luling Estates Drive (unimproved), Hackberry Street and Paul Maillard Road and is more fully described as follows:

Commence at the intersection of the easterly right-of-way line of Luling

Estates Drive and the southerly right-of-way line of Hackberry Street; this point is the POINT OF BEGINNING;

Thence S56 32'00"E a distance of 101.69 feet to a point, marked by a 2" iron rod (set); thence S33 E16'00"W a distance of 60.00 feet to a point, marked by a 2" iron rod (set); thence N56 32'00"W a distance of 101.69 feet to a point, marked by a 2" iron rod (set); thence N33 E16'00"E a distance of 60 feet to a point, marked by a 2" iron rod (set) to the POINT OF BEGINNING.

The above described portion of ground contains 6,101.40 square feet or 0.1401 acres. All in accordance with a plan of survey by John S. Teegarden, Registered Professional Land Surveyor dated April 2, 2004. Drawing No. BFM-22558-2004/Proj. No. 3799, a copy of which is attached hereto.

To have and to hold the said property unto the said purchaser forever. This present sale and conveyance is made and accepted for and in consideration of the sum and price of TWENTY-FIVE THOUSAND AND NO/100 (\$25,000.00) DOLLARS, lawful current money of the United States of America, which amount the said purchaser has paid in ready CASH, receipt of which is hereby acknowledged by the vendor, and full discharge and acquittance granted therefor.

Taxes for 2003 are paid. The parties hereto waive any conveyance, mortgage, tax and any other certificates and relieve and release me, Notary, from any and all responsibility in connection therewith. The parties also acknowledge that no examination of the title has been made by me, Notary, and agree to relieve, release, defend, save, hold harmless, and indemnify me, Notary, from any and all claims, liabilities, and responsibilities in connection therewith.

Whenever the word "vendor" is used in this act, it shall be construed to include "vendors," and whenever the word "purchaser" is used it shall be construed to include "purchasers."

All the agreements and stipulations herein contained, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, and assigns of the respective parties hereto.

The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is hereby dispensed with by the parties hereto.

THUS done, read and passed at my office in the City of Destrehan, Parish and State aforesaid, in the presence of undersigned competent witnesses who have hereunto signed their names with the parties and me, said Notary, the day, month and year first above written.

WITNESSES:

LULING ESTATES, INC.

Spencer N. Nigam
Bobbi Cullen

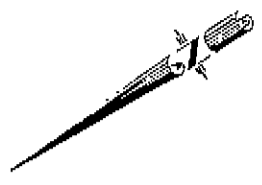
Joel T. Chaisson
BY: JOEL T. CHAISSON
PRESIDENT

PARISH OF ST. CHARLES

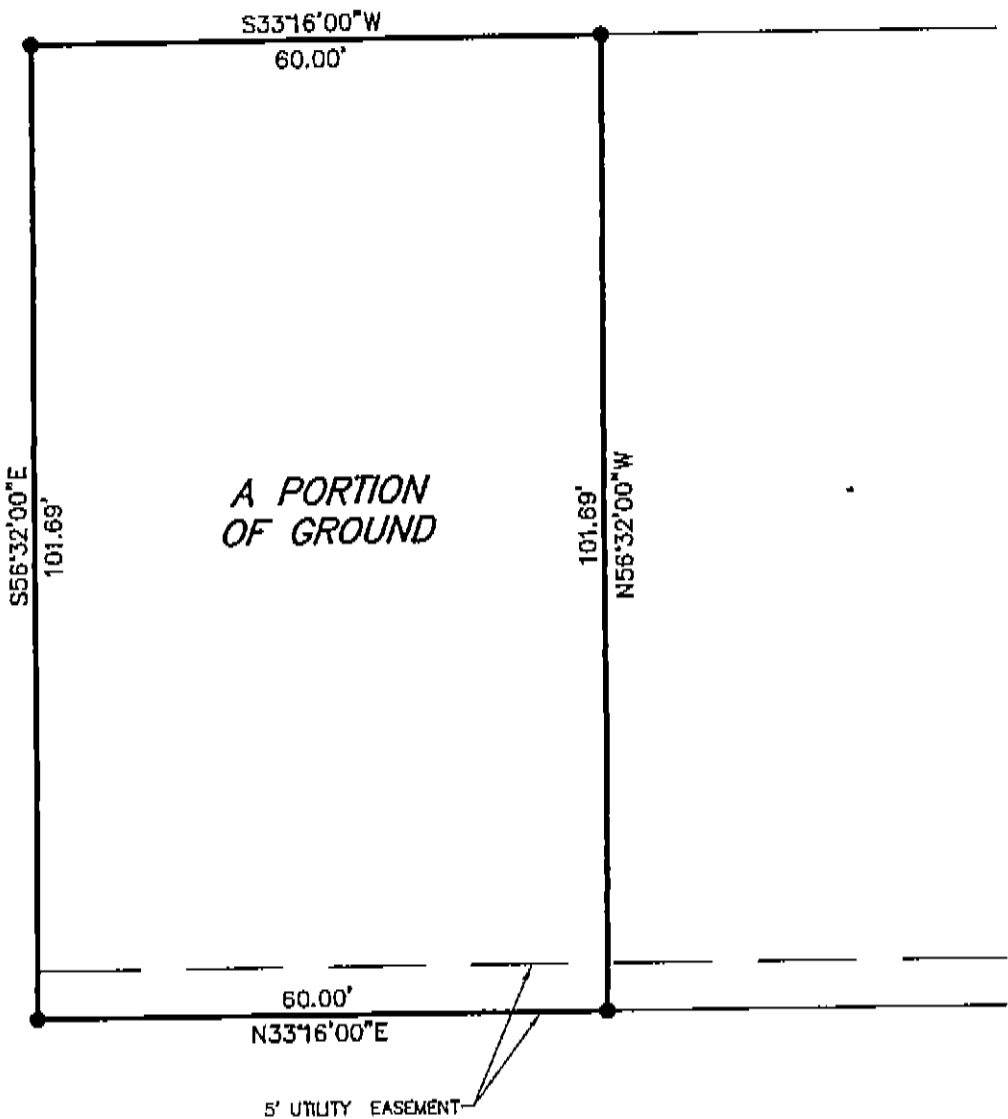
Albert D. Laque
BY: ALBERT D. LAQUE
PARISH PRESIDENT

Robert L. Raymond
ROBERT L. RAYMOND
NOTARY PUBLIC
BAR NO. 11408

PAUL MALLARD ROAD (SIDE)



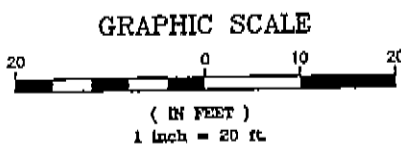
HACKBERRY STREET



● 1/2" IRON ROD (SET)

LULING ESTATES DRIVE
(NOT IMPROVED)

REFERENCE SURVEY BY:
LULING ESTATES SUBDIVISION,
by HAMILTON, MEYER, AND ASSOC., INC.
DATED 9/1/1970 REVISED 4/5/1971



LULING ESTATES SUBDIVISION,
by RONALD P. BERNARD
DATED JANUARY 21, 1971.

I certify that this plot represents an actual ground survey made by me or under my direction, and it does conform to the requirements for the Minimum Standards for Property Boundary Surveys as found in Louisiana Administrative Code TITLE 46: LXI, Chapter 25 for a Class 2 survey.

MADE AT THE REQUEST OF:
ST. CHARLES PARISH

**SURVEY OF
A PORTION OF GROUND
LOCATED IN SECTIONS 10 & 11
T 13 S - R 21 E
ST CHARLES PARISH, LOUISIANA**

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

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 not a Special Flood Hazard Area.

F. I. A. ZONE: X
NO BASE FLD. ELEV.

SCALE: 1" = 20'

DATE: APRIL 2, 2004



John S. Teegarden
REGISTERED PROFESSIONAL LAND SURVEYOR

**Excerpts from the
MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF DIRECTORS
OF LULING ESTATES, INC.**

RESOLVED, that JOEL T. CHAISSON, Secretary of Luling Estates, Inc., be and he is hereby authorized and empowered for and on behalf of Luling Estates, Inc. to execute any and all documents that he deems necessary and as required to sell, convey and transfer to St. Charles Parish property of the corporation being a portion of ground located in Sections 10 and 12, T13S, R21E, St. Charles Parish, Louisiana, bounded by Luling Estates Drive (unimproved), Hackberry Street and Paul Maillard Road.

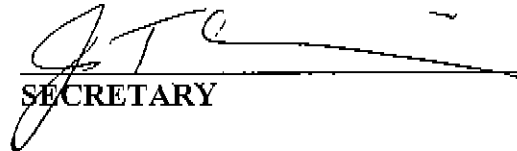
LULING ESTATES, INC.

BY: 
SECRETARY

CERTIFICATION

I, JOEL T. CHAISSON, Secretary of Luling Estates, Inc., do hereby certify that the above and foregoing to be a true and correct copy of excerpts of the minutes of the Board of Directors of said Corporation, duly and legally called, convened and held on the 08th day of APRIL, 2004, in Destrehan, Louisiana, where a quorum of the Directors was present and that the same has not been revoked or rescinded.

08th WITNESS my signature and the seal of the Corporation at Destrehan, Louisiana, this day of APRIL, 2004.


SECRETARY