

Ord.

2007-0388

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

ORDINANCE NO. 07-12-12

An ordinance approving an Act of Donation, attached hereto and made a part hereof as Exhibit "A", by St. Charles Parish to Pontchartrain Levee District.

WHEREAS, Pontchartrain Levee District is in need of the property described in said Act of Donation attached hereto as Exhibit "A", for enhancement of flood protection for the citizens and property of St. Charles Parish; and,

WHEREAS, St. Charles Parish acquired the subject property by tax sale and in accordance with the provisions of LSA-R.S. 33:2877, et seq.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Act of Donation attached hereto and made a part hereof as Exhibit "A" by St. Charles Parish to the Pontchartrain Levee District is hereby approved and the St. Charles Parish President is hereby authorized to execute said Act of Donation

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

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

NAYS: NONE

ABSENT: WALLS

And the ordinance was declared adopted this 17th day of December, 2007, to become effective (5) days after publication in the Official Journal.

CHAIRMAN *Albert D. Laque*
 SECRETARY *Barbara Jean Tucker*
 DLVD/PARISH PRESIDENT *December 18, 2007*
 APPROVED _____ DISAPPROVED _____

PARISH PRESIDENT *Albert D. Laque*
 RETD/SECRETARY *12-18-07*
 AT *3:45 pm* RECD BY *BJT*

RECORDED IN THE ST. CHARLES PARISH
 CLERK OF COURT OFFICE
 ON *1-24-08*
 AS ENTRY NO. *33920*
 IN MORTGAGE/CONVEYANCE BOOK
 NO. *707* FOLIO *85*

ACT OF DONATION

UNITED STATES OF AMERICA

BY: ST. CHARLES PARISH

STATE OF LOUISIANA

TO: PONTCHARTRAIN LEVEE DISTRICT PARISH OF ST. CHARLES

BE IT KNOWN, that on this 30th day of December, in the year of Our Lord two thousand and seven (2007);

BEFORE ME, the undersigned Notary Publics duly commissioned and qualified in and for the Parish of St. Charles, State of Louisiana, therein residing, and in the presence of the undersigned witnesses:

PERSONALLY CAME AND APPEARED:

ST. CHARLES PARISH, (DONOR) a political subdivision of the State of Louisiana, herein represented by Albert D. Laque, Parish President, by virtue of Ordinance No. 07-12-12, dated December 17, 2007, and whose mailing address is P. O. Box 302, Hahnville, Louisiana 70057;

who, declare that they do by these presents donate, grant, bargain, convey, transfer, assign set over, abandon and deliver, with all legal warranties and with full substitution and subrogation in and to all the rights and actions of warranty which said appearers have or may have against all preceding owners and Donors, and do by these presents make a gift and donation unto:

PONTCHARTRAIN LEVEE DISTRICT, (DONEE) a political subdivision of the State of Louisiana, herein represented by Steve Wilson, President, duly authorized by Resolution of the Board of Levee Commissioners of the Pontchartrain Levee District, adopted at a meeting held on the 17th day of December 2007;

hereby appearing for the purpose of accepting same, of the following:

Lots 10, 11, 12, , Square 2, Cloverleaf Subdivision, Destrehan, St. Charles Parish, Louisiana; and

Lots 10, 11, 12, 13, 14, 15, Square 105, New Sarpy Subdivision, St. Charles Parish Louisiana.

Lot 20, Square 105, New Sarpy Subdivision, St. Charles Parish, Louisiana.

TO HAVE AND TO HOLD unto the said Pontchartrain Levee District, its successors and assigns forever.

Donor donates and conveys said described property to the Donee herein without any warranty of title whatsoever but with subrogation in and to all rights and acts of warranty which Seller may be entitled.

Donee hereby acknowledges to and agrees with Donor that with respect to the property, Donor has not, does not and will not make any warranties or representation, express or implied, or arising by operation of law.

Donor does hereby reserve and except from this sale and Donee does hereby confirm, acknowledge and rededicate, a servitude for any public or private utilities located on, over or below the "surface of the land" transferred herein, whether or not said utility servitude is apparent.

The mortgage and conveyance certificates otherwise required by law are hereby waived and dispensed with by the parties hereto and they hereby exonerate me, Notary, from any and all liability for their non-production.

THUS DONE AND PASSED in my office at Luling, Louisiana, on the day month and year herein first above written, in the presence of the undersigned witnesses, who hereunto sign their names with the said appearers and me, Notary, after reading of the whole.

WITNESSES:

Dawn M. Higgins
Dawn M. Higgins
Bobbi Cullen
Bobbi Cullen

ST. CHARLES PARISH

BY: *Albert R. Kagan*
PARISH PRESIDENT

NOTARY PUBLIC

ROBERT L. RAYMOND
P.O. BOX 340 #11408
DESTREHAN, LOUISIANA 70047

Bobbi Cullen
Bobbi Cullen
J. A. Schieffler
J. A. Schieffler

PONTCHARTRAIN LEVEE DISTRICT

BY: *Stencin*
PRESIDENT

NOTARY PUBLIC

ROBERT L. RAYMOND
P.O. BOX 340 #11408
DESTREHAN, LOUISIANA 70047

RESOLUTION OF AUTHORIZATION
FROM THE PONTCHARTRAIN LEVEE
DISTRICT BOARD OF COMMISSIONERS

THE FOLLOWING Resolution was moved by Mr. Chucky Tillis and seconded by Mr. Michael Delaune:

BE IT RESOLVED that the Pontchartrain Levee District Board of Commissioners authorizes its President, Steve Wilson, to accept a donation from St. Charles Parish of Lots 10, 11 and 12, Square 2, Cloverleaf Subdivision, Lots 10, 11, 12, 13, 14 and 15, Square 105, New Sarpy Subdivision and Lot 20, Square 105, New Sarpy Subdivision as needed for public purpose for continued construction of the Lake Pontchartrain, Louisiana and Vicinity Hurricane Protection Project, North of Airline Highway, St. Charles Parish.

Motion passed unanimously, with Mr. Cunningham and Mrs. Broussard Baloney absent.

I, Susan M. Canatella, hereby certify that the above and foregoing is a true and correct copy of the resolution adopted at a regular board meeting of the Pontchartrain Levee District held on the 17th day of December, 2007, in which a quorum was present and voting, and that the motion adopted is still in effect and has not been rescinded or revoked.

Signed at 2204 Albert Street, Litcher, Louisiana on the 17th day of December, 2007.


Susan M. Canatella, Secretary