

STATE OF LOUISIANA

PARISH OF LAFOURCHE

PARTIAL REVOCATION OF DEDICATED STREET

BEFORE US, the undersigned Notaries Public, duly commissioned and qualified in and for the Parish of Lafourche, State of Louisiana, and on the dates hereinafter shown and in the presence of the undersigned competent witnesses:

PERSONALLY CAME AND APPEARED:

THE CITY OF THIBODAUX, a municipal corporation of the State of Louisiana, and domiciled in the Parish of Lafourche, its present mailing address being Post Office Box 5418, Thibodaux, Louisiana 70301, herein represented by its Mayor, Tommy Eschete, duly authorized to appear herein by virtue of Ordinance No. _____ of the Thibodaux City Council, a certified copy of which is attached hereto and made a part hereof, hereinafter referred to as the "City",

and

TATE & ORY PROPERTIES, L.L.C. (Tax ID No. XX-XXX0235), a limited liability company organized and existing under the laws of the State of Louisiana, domiciled in the Parish of Lafourche, its current mailing address being 114 Laura Drive, Suite D, Thibodaux, Louisiana 70301, herein represented by its duly authorized Members, Matthew D. Ory and Eric C. Tate, duly authorized to appear herein by virtue of a Certificate of Authority, an original of which is attached hereto and made part hereof (hereinafter referred to as "Tate & Ory");

who after being duly sworn, did declare:

1. Tate & Ory is the owner of Lot 1B as shown on a plat of survey prepared by David A. Waitz Engineering and Surveying, Inc., dated June 5, 2018, entitled "Lot Line Shift Survey and Redivision of Two Lots Being A Portion of Lot 1 of the Pierre Lagarde Subdivision Belonging to Tate & Ory Properties, LLC into Lot 1A and Lot 1B, Located In Section 26, T15S-R16E, City of Thibodaux, Lafourche Parish, Louisiana" and recorded under Entry No. 1260009 of the Conveyance Records of Lafourche Parish, Louisiana (the "Lot Line Shift Map").
2. Said Lot Line Shift Map shows a purported right of way for Lagarde Street of forty (40') feet in width commencing at the northernmost right of way of East Second Street and continuing in a northerly direction through a building owned by Tate & Ory. The portion of the purported right of way which affects the building owned by Tate & Ory is designated "Quit Claim Area" and shown on a plat of survey entitled "Survey of A 708 Square Feet Area For Purposes To Provide For Quit Claim Deed Located in Section 26, T15S-R16E City of Thibodaux, Lafourche Parish, Louisiana" dated April 15, 2021, prepared by David A. Waitz Engineering and Surveying, Inc., a copy of which plat is attached hereto and made a part hereof.
3. The westernmost purported right of way line for Lagarde Street, as shown on the Lot Line Shift Map, is based upon a survey prepared by J.K. Gourdain of a subdivision of property belonging to Pierre Lagarde dated January 20, 1853, a copy of which is recorded under Entry No. 368427 of the records of Lafourche Parish, Louisiana. However, the City has not used, or maintained, the Quit Claim Area as a right of way for Lagarde Street, in over fifty (50) years, if ever. Accordingly the City has elected to partially revoke the dedication of Lagarde Street north of East Second Street that affects the Quit Claim Area in accordance with the provisions of La. R.S. 48:701.

4. The City and Tate & Ory acknowledge and agree that the dedication of the right of way for Lagarde Street affecting the Quit Claim Area is hereby terminated and is null, void and without effect. Accordingly, the City hereby does revoke the dedication of Lagarde Street affecting the Quit Claim Area, and, pursuant to the provisions of La. R.S. 48:701, the ownership of the Quit Claim Area is reverted to Tate & Ory, the present contiguous landowner, which said property is more fully described as follows, to-wit:

**LEGAL DESCRIPTION OF A
708 SQUARE FEET AREA FOR PURPOSES TO PROVIDE FOR QUIT CLAIM
DEED
SITUATED IN THE CITY OF THIBODAU
LOCATED IN SECTION 26, T15S-R16E
LAFOURCHE PARISH, LOUISIANA**

Commencing at a point being the Northernmost right-of-way of East Second Street, the Westernmost right-of-way of Lagarde Street and the Southeasternmost property corner of Lot 1B and being a found 1" iron pipe and being "THE POINT OF BEGINNING (P.O.B)."

Thence, North 07°29'29" East a distance of 52.03' to a point; being a found 1/2" iron pipe;
Thence, South 80°09'00" East a distance of 14.02' to a point;
Thence, South 08°23'49" West a distance of 52.04' to a point;
Thence, North 79°59'30" West a distance of 13.20' to a point,
Said point being "THE POINT OF BEGINNING."

The above-described area is more clearly depicted on a survey plat by David A. Waitz, Engineering and Surveying, Inc., entitled "SURVEY OF A 708 SQUARE FEET AREA FOR PURPOSES TO PROVIDE FOR QUIT CLAIM DEED - LOCATED IN SECTION 26, T15S-R16E, CITY OF THIBODAU, LAFOURCHE PARISH, LOUISIANA" dated: April 15, 2021, a copy of which is attached hereto and made a part hereof.

THIS DONE AND PASSED by The City of Thibodaux in Lafourche Parish, Louisiana on the _____, day of _____, 2021, in the presence of the undersigned competent witnesses who hereunto sign their names with said appearers and me, Notary, after due reading of the whole.

WITNESSES:

CITY OF THIBODAU

Printed Name: _____

By: _____
Tommy Eschete, Mayor

Printed Name: _____

NOTARY PUBLIC

Printed Name of Notary Public: _____
Notary ID or Bar Roll Number: _____
My commission expires: _____

THUS DONE AND PASSED by Tate & Ory Properties, L.L.C. in Thibodaux, Lafourche Parish, Louisiana on the ____ day of _____, 2021, in the presence of the undersigned competent witnesses who hereunto sign their names with said appearers and me, Notary, after due reading of the whole.

WITNESSES:

TATE & ORY PROPERTIES, L.L.C.

Printed Name: _____

By: _____
Matthew D. Ory, Member

Printed Name: _____

By: _____
Eric C. Tate, Member

NOTARY PUBLIC

Printed Name of Notary Public: _____

Notary ID or Bar Roll Number: _____

My commission expires: _____

L:\Rick\Rights of Way\City of Thibodaux-Tate & Ory Partial revocation of right of way rev. 4-21-21.wpd

REFERENCE MAPS & BEARINGS:

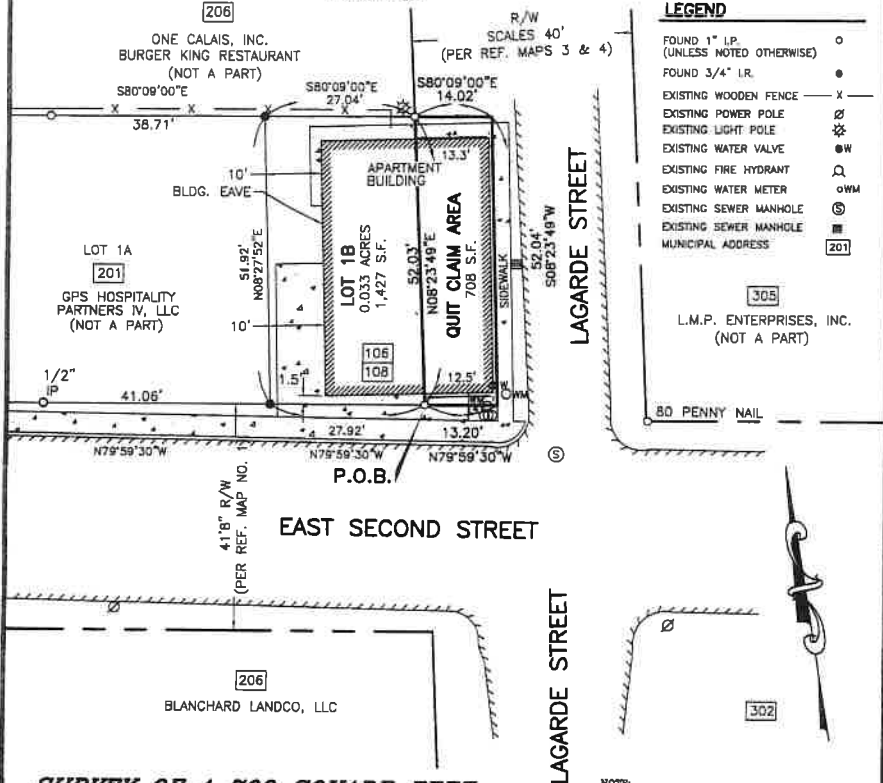
1. PLAT OF SUBDIVISION BOUNDED ON NORTH BY BAYOU LAFOURCHE, ON WEST BY CITY OF THIBODAX, ON SOUTH BY E. 17TH STREET, AND ON EAST BY PROPERTY OF THE WIDOW HENRY F. KNOELOCK. PREPARED BY: J.C. GOURDAN DATED: JANUARY 20, 1853

2. SURVEY PLAT OF PART OF PROPERTY OF ED. KAY LAROSE LOCATED BY 304' EAST 3RD STREET IN THE CITY OF THIBODAX, LAFOURCHE PARISH, LOUISIANA. PREPARED BY: GARDNER AND ASSOCIATES DATED: NOVEMBER 8, 1977

3. EDWARD C. LAROSE ET AL. A PORTION OF LOT NO. 1 OF THE PIERRE LAGARDE SUBDIVISION SURVEYED BY J.C. GOURDAN ON JANUARY 20, 1853. PREPARED BY: GEORGE BERGERON, JR. DATED: MARCH 20, 1973

4. EDWARD C. LAROSE ET AL. A PORTION OF LOT NO. 1 OF THE PIERRE LAGARDE SUBDIVISION SURVEYED BY J.C. GOURDAN ON JANUARY 20, 1853. PREPARED BY: GEORGE BERGERON, JR. DATED: APRIL 1, 1974. ENTRY NO.: 387250

5. LOT LINE SHIFT SURVEY AND REDIVISION OF TWO LOTS BEING A PORTION OF LOT 1 OF THE PIERRE LAGARDE SUBDIVISION BELONGING TO TATE & ORY PROPERTIES, LLC INTO LOT 1A AND LOT 1B LOCATED IN SECTION 26, T15S-R16E CITY OF THIBODAX. NOTE: REFERENCE BEARING IS 88°00'00"E ALONG THE NORTHERN PROPERTY LINE OF PORTION OF LOT 1 AS SHOWN ON REF. MAP NO. 4.



SURVEY OF A 708 SQUARE FEET AREA FOR PURPOSES TO PROVIDE FOR QUIT CLAIM DEED LOCATED IN SECTION 26, T15S-R16E CITY OF THIBODAX LAFOURCHE PARISH, LOUISIANA

CERTIFICATIONS
 THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL, THAT THE SURVEY WAS DONE ON THE GROUND AND WAS DONE IN ACCORDANCE WITH THE MOST RECENT MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS AS SET FORTH BY THE STATE OF LOUISIANA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THAT THE ACCURACY SPECIFICATION AND POSITIONAL TOLERANCES ARE IN ACCORDANCE WITH CLASS "C" SURVEYS INDICATED IN THE ABOVE STANDARDS.

I ALSO CERTIFY THERE ARE NO ENCRDACHMENTS ACROSS ANY PROPERTY LINES EXCEPT AS SHOWN

PREPARED BY: **DAVID A. WAITZ**
 ENGINEERING AND SURVEYING, INC.
 Civil Engineers & Professional Land Surveyors
 1107 Canal Blvd., Thibodaux, Louisiana 70301 (985) 447-4017
 DWAITZ@WAITZENGINERING.COM

APPROVED: *James M. Templeton*
 James M. Templeton

DATE OF PLAT: APRIL 15, 2021
 YEAR OF SURVEY: 2018

FILE: F:\DWCS\2018\18-071 QUIT CLAIM PLAT.DWG

DRAWN BY: JMT

