

29TH JUDICIAL DISTRICT COURT FOR THE
PARISH OF ST. CHARLES
STATE OF LOUISIANA

NUMBER: 61,631CW 61,632-C

DIVISION "C"

BAYOU FLEET PARTNERSHIP, LLP
VERSUS

ALBERT D. LAQUE, ET AL

FILED: August 12, 2005

Val B. Thompson
DEPUTY CLERK

du open Court

JUDGMENT

This matter came before this Honorable Court on the 12th day of August, 2005, on Bayou Fleet Partnership, LLP's and Pecan Bayou Contractors, LLC's Motion for Summary Judgment.

PRESENT: Robert J. Ellis, attorney for Bayou Fleet
Partnership, LLP and Pecan Bayou
Contractors, LLC; and

Robert L. Raymond, attorney for St.
Charles Parish, et al

After considering the law, argument, memoranda and evidence,

IT IS ORDERED, ADJUDGED AND DECREED that movers, Bayou Fleet Partnership, LLP and Pecan Bayou Contractors, LLC Motion for Partial Summary Judgment is granted in part and denied in part, as follows:

That the application of Bayou Fleet Partnership, LLC and Pecan Bayou Contractors, LLC for revocation of the dedication of Walnut Street and Butternut Street east of Oak Street, as filed with the St. Charles Parish Planning and Zoning Department in Case No. 2004-58, and as shown on the "Survey of Revoked Portions of Butternut and Walnut Streets of Pecan Bayou Subdivision Into New Parcels, Parcel "X", Parcel "Y" and Parcel "Z", Situated in Section 26, T-13-S, R-20-E, Hahnville, St. Charles Parish, Louisiana", by J. Michael Dixon, P.E., dated June 24, 2004, a copy of which is attached hereto and identified as Exhibit "A", is granted; and

That the application of Bayou Fleet Partnership, LLP, as filed with the St. Charles Parish Planning and Zoning Department in Case No. 2004-58, for the

resubdivision of a portion of ground in Pecan Bayou Subdivision, situated in Section 26, T-13-S, R-20-E, Hahnville, St. Charles Parish, Louisiana, into Lots 1-B through 5-B, Block 7A, and Lots 1A through 5A, Block 8A, all as shown on the "Lot Resubdivision Plan, Preliminary Plat, Survey and Resubdivision of Block 5, Lots 4-6; Block 6, Lots 4-6; Block 7, Lots 1-6; and Block 8, Lots 1-6, and Parcels X, Y, and Z of Pecan Bayou Subdivision, into Block 7A, Lots 1B-5B and Block 8A, Lots 1A-5A, and 20' Drain Servitude, Pecan Bayou Subdivision, Situated in Section 26, T-13-E, R-20-E; Hahnville, St. Charles Parish, Louisiana", by J. Michael Dixon, P.E., dated June 24, 2004, a copy of which is attached hereto and identified as Exhibit "B", as filed with the St. Charles Parish Planning and Zoning Department in Case No. 2004-58, is hereby approved; and

That the "Preliminary Plat for Block 7A, Lots 1B-5B and Block 8A of Lots 1A-5A, of Pecan Bayou Subdivision, Situated in Section 26, T-13-S, R-20-E, Hahnville, St. Charles Parish, Louisiana", by J. Michael Dixon, P.E., dated June 24, 2004, a copy of which is attached hereto and identified as Exhibit "C", as filed with the St. Charles Parish Planning and Zoning Department in Case No. 2004-58, is hereby approved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that movers are entitled to develop said Block 7A, Lots 1B-5B and Block 8A, Lots 1A-5A, of Pecan Bayou Subdivision, Section 26, T-13-S, R-20-E, Hahnville, St. Charles Parish, Louisiana, in accordance with the design as shown on the preliminary plat attached hereto and identified as Exhibit "C", with "open swale" drainage ditches along Oak Street and Butternut Street.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all other relief moved for in the Motion for Summary Judgment is denied, and all claims made by petitioners in the matters consolidated herein are dismissed with prejudice, each party to bear its costs.

Hahnville, Louisiana this 12th day of August, 2005.

JUDGE



PLANS OF ST. CHARLES PARISH
I HEREBY CERTIFY THAT THE within
AND FOREGOING IS A TRUE COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE

By 
CLERK OF COURT
ST. CHARLES PARISH