

NOTICE OF INTRODUCTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on March 9, 2017, and laid over for publication of notice:

L.P. ORDINANCE NO. 17-06

AN ORDINANCE REVOKING 15' OF A 30' DRAINAGE SERVITUDE ACROSS LOTS 85-91 OF CELLA GARDENS SUBDIVISION, 3RD FILING, LOCATED IN SECTION 47, T6S-R3E, LIVINGSTON PARISH, LOUISIANA, IN FAVOR OF THE LAND OWNER, BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED PLAT.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, March 23, 2017, at six (6:00) o'clock p.m., at the Parish Council Chambers, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Sandy C. Teal, Council Clerk

Tracy Girlinghouse, Council Chair

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the Office of the Livingston Parish Council.)

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on March 9, 2017, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on March 23, 2017, on Motion of Garry "Frog" Talbert and seconded by R.C. "Bubba" Harris:

LIVINGSTON PARISH ORDINANCE NO. 17-06

AN ORDINANCE REVOKING 15' OF A 30' DRAINAGE SERVITUDE ACROSS LOTS 85-91 OF CELLA GARDENS SUBDIVISION, 3RD FILING, LOCATED IN SECTION 47, T6S-R3E, LIVINGSTON PARISH, LOUISIANA, IN FAVOR OF THE LAND OWNER, BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED PLAT.

WHEREAS, by the official plat of MAP SHOWING THE REVOCATION OF 15' OF A 30' DRAINAGE SERVITUDE ACROSS LOTS 85-91 OF CELLA GARDENS SUBDIVISION, 3RD FILING LOCATED IN SECTION 47, T6S-R3E, G.L.D., LIVINGSTON PARISH, LOUISIANA FOR ALVAREZ CONSTRUCTION COMPANY, LLC., by Alvin Fairburn & Associates, LLC., dated February 15, 2017 recorded as Plat Book Entry _____ in the office of the Clerk and Recorder for the Parish of Livingston, State of Louisiana, attached hereto and made a part hereof by reference, is located 15' of a 30' drainage servitude across lots 85-91 of Cella Gardens Subdivision, 3rd Filing.

WHEREAS, a petition has been addressed to the Livingston Parish President-Council by Alvarez Construction Company, LLC., as the current owner of the 15' of a 30' drainage servitude across lots 85-91 of Cella Gardens Subdivision, 3rd Filing, requesting the revocation of said servitude.

WHEREAS, the Livingston Parish President-Council is of the opinion that the 15' of a 30' drainage servitude across lots 85-91 of Cella Gardens Subdivision, 3rd Filing, as described above, is not needed for public purposes.

BE IT ORDERED by the Livingston Parish President-Council, acting in accordance with R.S. 48:701, the 15' of a 30' drainage servitude across lots 85-91 of Cella Gardens Subdivision, 3rd Filing, is hereby revoked and set aside.

The effective date of this ordinance shall be as prescribed by law.

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

YEAS: MR. MACK, MR. AVERETT, MR. LOBELL, MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. TALBERT, MR. KEEN, MR. HARRIS

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 23rd day of March, 2017.

Tracy Girlinghouse, Council Chairman

ATTEST:

Sandy C. Teal, Council Clerk

INTRODUCED _____ ADOPTED _____

DELIVERED TO PRESIDENT _____, _____ o'clock ____M.

APPROVED BY PRESIDENT _____
Layton Ricks Date

VETOED BY PRESIDENT _____
Layton Ricks Date

RECEIVED FROM PRESIDENT _____, _____ o'clock ____M.

STATE OF LOUISIANA
PARISH OF LIVINGSTON

QUITCLAIM

KNOW ALL MEN BY THESE PRESENT, that the LIVINGSTON PARISH PRESIDENT-COUNCIL, represented by Layton Ricks, Parish President, does hereby sell, transfer, assign, quitclaim, release, relinquish and convey all of the undivided interest unto:

ALVAREZ CONSTRUCTION COMPANY, LLC

all rights, title and interest which it may have in and to the following described property, to-wit:

15' OF A 30' DRAINAGE SERVITUDE ACROSS LOTS 85-91 OF CELLA GARDENS SUBDIVISION, 3RD FILING, LOCATED IN SECTION 47, T6S-R3E, LIVINGSTON PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED PLAT.

TO HAVE AND TO HOLD the same unto the said ALVAREZ CONSTRUCTION COMPANY, LLC, his heirs, successors and assigns forever, without any warranty whatsoever, of any nature or description, even for the return of the purchase price, but with full substitution and subrogation in and to all rights and actions of warranty which it may have against all preceding owners or vendors whatsoever.

THUS DONE AND SIGNED at my office in _____, Louisiana on the ____ day of _____, 2017 in the presence of me, Notary, and the undersigned competent witnesses.

WITNESSES

LIVINGSTON PARISH PRESIDENT-COUNCIL

LAYTON RICKS, PARISH PRESIDENT

NOTARY PUBLIC

THUS DONE AND SIGNED at my office in _____, Louisiana on the ____ day of _____, 2017 in the presence of me, Notary, and the undersigned competent witnesses.

WITNESSES

OWNER

ALVAREZ CONSTRUCTION COMPANY, LLC

NOTARY PUBLIC