

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 23, 2017, and laid over for publication of notice:

L.P. ORDINANCE 17-11

AN ORDINANCE AUTHORIZING THE LIVINGSTON PARISH COUNCIL TO DECLARE CERTAIN ADJUDICATED PROPERTY SURPLUS AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO ADJOINING LAND OWNER(S), **RONALD STACY PHIPPS and SHERYL GRAPHIA PHIPPS**, THEIR AGENTS OR ASSIGNS FOR THE PRICE OF \$6,500.00 AND WHICH PROPERTY IS DESCRIBED AS FOLLOWS:

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, April 13, 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.

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Sandy C. Teal, Council Clerk

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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.)



is hereby declared to be surplus and no longer needed for public purpose.

**Section 2.** Ten days after the final adoption of this ordinance, if no restraining order has been obtained, the Parish President is authorized to execute an act of cash sale in which the Parish of Livingston conveys the above described property to:

RONALD STACY PHIPPS and SHERYL GRAPHIA PHIPPS FOR THE SUM OF SIX THOUSAND FIVE HUNDRED AND 00/100 (\$6,500.00) CASH.

However, the Parish President shall not execute the act of cash sale until the Parish's Special Counsel's office has certified in writing to the Parish President the following:

A) Purchaser has certified in writing to the Parish's Special Counsel that purchaser or his agent has examined the mortgage records, conveyance records, probate and civil suit records of the Clerk of Court of Livingston Parish and attached to the certification a written list of the names and last known addresses of all owners, mortgagees, and any other person who might have a vested or contingent interest in the property, or who has filed a request for notice all as provided in LSA-R.S. 47:2206. Said written certification shall contain an indemnification and hold harmless clause by the purchaser in favor of the Parish of Livingston Parish, its officers, agents and employees if the purchaser should fail to request notification to an interested party or should incorrectly identify or locate any interested party.

B) Purchaser has made written request to the Parish's Special Counsel to notify those persons identified above in accordance with LSA-R.S. 47:2206 and has paid the Parish the sum of twenty-five dollars per notice and/or the sum of the actual cost of notice by publication requested.

C) The Parish's Special Counsel has provided purchaser with proof of notice, and purchaser has recorded same in the conveyance records of Livingston Parish and has provided the Parish Attorney a stamped copy of the recorded proof on notice.

D) Purchaser has certified in writing to the Parish's Special Counsel that the number of days required by LSA-R.S. 47:2206 has elapsed since the above required notice was made or attempted and that the property has not been redeemed by the payment of the taxes owed.

E) Purchaser has paid the consideration in cash to the Parish and the cash sale attached has been approved by the Parish's Special Counsel.

**Section 3.** If all of the requirements of Section 2 are not completed within one year from the date this ordinance is adopted, the Parish President's authority to execute an act of cash sale for this property shall cease and any and all rights of the purchaser to this property shall terminate.

**Section 4.** This act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return or any reduction of the purchase price, but with subrogation to all rights and actions of warranty Parish of Livingston may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish's Special Counsel. The Parish of Livingston shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

All ordinances or parts of ordinances in conflict herewith are hereby repealed. If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

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

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 13<sup>th</sup> day of April 2017.

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Tracy Girlinghouse, Council Chair

ATTEST:

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Sandy C. Teal, Council Clerk

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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.