

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 Thursday, December 14, 2017, and laid over for publication of notice:

L.P. ORDINANCE NO. 17-49

AN ORDINANCE DISSOLVING WHISPERING SPRINGS COMMUNITY DEVELOPMENT DISTRICT WITHIN THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, IN COMPLIANCE WITH THE PROVISIONS OF CHAPTER 27—B, TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED, LA. R.S. 33:9039.11 TO 33:9039.37, INCLUSIVE.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, January 11, 2018, at six (6:00) o'clock p.m., at the Livingston Parish Governmental Building, Council Meeting Chambers, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Sandy Teal, Council Clerk

Tracy Girlinghouse, Council Chairman

(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 December 14, 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 January 11, 2018, on Motion of Garry "Frog" Talbert and seconded by Tracy Girlinghouse:

L.P. ORDINANCE NO. 17-49

AN ORDINANCE DISSOLVING WHISPERING SPRINGS COMMUNITY DEVELOPMENT DISTRICT WITHIN THE PARISH OF LIVINGSTON, STATE OF LOUISIANA, IN COMPLIANCE WITH THE PROVISIONS OF CHAPTER 27—B, TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED, LA. R.S. 33:9039.11 TO 33:9039.37, INCLUSIVE.

WHEREAS, in accordance with the provisions of Chapter 27—B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, specifically La. R.S. 33:9039.11 through 9039.37, inclusive (the "Act"), the Parish of Livingston, State of Louisiana (the "Parish") is authorized and empowered to establish and create community development districts within the unincorporated boundaries of the Parish; and

WHEREAS, pursuant to the requirements of Section 9039.14 of the Act, on August 10, 2006, this Parish Council (the "Parish Council") adopted L.P. Ordinance No. 06-21 creating the Whispering Springs Community Development District (the "District"); and

WHEREAS, in connection with the creation of the District and pursuant to the provisions of the Act, a Notice of Establishment of Whispering Springs Community Development District, Parish of Livingston, State of Louisiana, Dated August 10, 2006 was filed in the Mortgage Records of the Parish of Livingston, State of Louisiana at Book 1327, Page 617, File No. 614496; and

WHEREAS, the District owns property which was resubdivided pursuant to that plat prepared by Alvin Fairburn & Associates, LLC and titled "Map Showing Resubdivision of Tracts 26 A, 26 B-1, 26 B-2, & The Tract Formerly Known As The Brandon Dooley Jr. Tract Into Tract 1, 2, & 3 Of The Whispering Springs Subdivision First-Third Filings A Residential Development Located In Section 26, 34 & 35 T5S-R3E, G.L.D., Livingston Parish, Louisiana For Renaissance Development Group, LLC" (the "Resubdivision Map") filed on November 16, 2006 with the Recorder and Clerk of Court for the Parish of Livingston and recorded at Plat Book 56, Page 299, Entry 619749 (the "District Property"); and

WHEREAS, the Board of Directors of the District has authorized the dissolution of the District, sale of the District Property, and the filing of a Plan of Termination with the Recorder and Clerk of Court for the Parish of Livingston, as required by the Act; and

WHEREAS, FURTHERMORE, La. R.S. 33:9039.34 (B) (3) indicates: "In the event the district has become inactive, the parish or municipality which created the district shall be informed and it shall take appropriate action"; and

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of Livingston, State of Louisiana, acting as the governing authority of said Parish, as follows:

1. Termination of the District. Upon recordation of the attached Plan of Termination with the Recorder and Clerk of Court for the Parish of Livingston, the Livingston Parish Council hereby approves the termination of the District.
2. Authorized Officers. The Parish President, the President of the Parish Council and the Clerk of the Parish Council are authorized and directed to do any and all things necessary and incidental to carry out the provisions of this Ordinance.
3. Implied Dedication. To the extent that there was any dedication or implied dedication of the District Property to the public due to the execution and recordation of the Resubdivision Map, such dedication or implied dedication is hereby revoked.
4. Effective Date. This Ordinance shall be effective immediately upon its adoption.
5. Recordation. A copy of this Ordinance shall be filed in the public records.

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.

The above and foregoing addition to the Code of the Parish of Livingston has been read in full, section by section, and was thereupon submitted to a vote; the vote thereon was as follows:

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

And the ordinance was declared adopted on the 11th day of January 2018.

Tracy Girlinghouse, Council Chair

ATTEST:

Sandy 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.

**PLAN OF TERMINATION
FOR
WHISPERING SPRINGS COMMUNITY DEVELOPMENT DISTRICT**

This PLAN OF TERMINATION FOR WHISPERING SPRINGS COMMUNITY DEVELOPMENT DISTRICT, PARISH OF LIVINGSTON, STATE OF LOUISIANA, effective as of _____ 2017 (this "*Plan of Termination*"), is executed on behalf of the Whispering Springs Community Development District (the "*District*") by Anthony Bull, its Chairman.

WITNESSETH:

WHEREAS, the Parish of Livingston (the "*Parish*") established and created the Whispering Springs Community Development District, Parish of Livingston, State of Louisiana (the "*District*"), pursuant to the provisions of (i) L.P. Ordinance No. 06-21 duly adopted by the Parish Council of the Parish of Livingston, State of Louisiana on August 10, 2006 (the "*Ordinance*"), and (ii) Chapter 27B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, comprised of La. R.S. 33:9039.11 through 9039.37, inclusive (the "*Act*");

WHEREAS, in connection with the creation of the District and pursuant to the provisions of the Act, a Notice of Establishment of Whispering Springs Community Development District, Parish of Livingston, State of Louisiana, Dated August 10, 2006 (the "*Notice of Establishment*") was filed in the Mortgage Records of the Parish of Livingston, State of Louisiana at Book 1327, Page 617, File No. 614496; and

WHEREAS, the Board has authorized the dissolution of the District and the filing of this plan of termination with the Clerk of Court for the Parish of Livingston (the "*Clerk of Court*"), as required by the Act.

**ARTICLE 1
PLAN OF TERMINATION**

Section 1.1 Definitions. Unless the context shall otherwise require, all terms which are defined in the Notice of Establishment shall have the same meaning in this Plan of Termination as such terms are given in said Notice of Establishment.

Section 1.2 Dissolution of District. Pursuant to La. R.S. 33:9039.34(B)(1), effective on the date of the **ling** of this Plan of Termination with the Clerk of Court, the District shall be dissolved and shall cease to exist, and all assessment rights shall be null and void. The District hereby cancels and releases all liens securing any prior assessments levied in connection with the District.

Section 1.4 Filing with the Secretary of State. This Plan of Termination shall be filed with the Secretary of State in accordance with the Act.

Section 1.5 Recordation of Plan of Termination. This Plan of Termination shall also be recorded in the Mortgage Records of the Parish of Livingston, State of Louisiana, and the parties hereto specifically authorize and request the Clerk of Court and Recorder of Mortgages in and for the Parish of East Baton Rouge, State of Louisiana, to make mention of this Plan of Termination in the margin of the records of the Notice of Establishment of Whispering Springs Community Development District, Parish of Livingston, State of Louisiana, Dated August 10, 2006 that was filed in the Mortgage Records of the Parish of Livingston, State of Louisiana at Book 1327, Page 617, File No. 614496.

IN WITNESS WHEREOF, the District has caused this Plan of Termination to be executed in its name and behalf as of the date referenced above.

**WHISPERING SPRINGS COMMUNITY
DEVELOPMENT DISTRICT**, Parish of
Livingston, State of Louisiana

By _____
Name _____
Title _____

