

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 June 13, 2019, and laid over for publication of notice:

L.P. ORDINANCE 19-19

AN ORDINANCE AS FOLLOWS, TO-WIT:

REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF McFAY WHITLEY, VANESSA WHITLEY BASTIAN, MARY WHITLEY MOSS AND PERLAE WHITLEY SHROPSHIRE, PORTION OF A 40' ALL PURPOSE SERVITUDE, IDENTIFIED BY THE CROSS-HATCHED PORTION AS SHOWN ON THE PRELIMINARY MAP SHOWING SURVEY OF THE REVOCATION OF PORTION OF A 40' ALL PURPOSE SERVITUDE ACROSS TRACTS C-1-A, C-2-A AND C-3-A, LOCATED IN SECTION 52, T5S-R2E, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA, BY BRETT J. MARTIN, PROFESSIONAL LAND SURVEYOR, DATED MAY 7, 2019.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, June 27, 2019, at six (6:00) o'clock p.m., at the Parish Council Chambers, Governmental Building, 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

Shane Mack, 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 June 13, 2019, 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 June 27, 2019 on Motion of Garry "Frog" Talbert and seconded by Tracy Girlinghouse:

LIVINGSTON PARISH ORDINANCE NO. 19-19

AN ORDINANCE AS FOLLOWS, TO-WIT:

REVOKING THE DEDICATION, ABANDONING, AND QUITCLAIMING IN FAVOR OF McFAY WHITLEY, VANESSA WHITLEY BASTIAN, MARY WHITLEY MOSS AND PERLAE WHITLEY SHROPSHIRE, PORTION OF A 40' ALL PURPOSE SERVITUDE, IDENTIFIED BY THE CROSS-HATCHED PORTION AS SHOWN ON THE PRELIMINARY MAP SHOWING SURVEY OF THE REVOCATION OF PORTION OF A 40' ALL PURPOSE SERVITUDE ACROSS TRACTS C-1-A, C-2-A AND C-3-A, LOCATED IN SECTION 52, T5S-R2E, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA, BY BRETT J. MARTIN, PROFESSIONAL LAND SURVEYOR, DATED MAY 7, 2019.

WHEREAS, the Livingston Parish Council has found that the public servitude on the following described immovable property shown by plat of BRETT J. MARTIN, Professional Land Surveyor, dated May 07, 2019, attached to Quit Claim Deed June ____, 2019, recorded at Conveyance Book ____, page ____, Entry No. _____ of the official records of the Clerk and Recorder for the Parish of Livingston, are no longer needed for a public purpose with said property more particularly described as follows:

A CERTAIN TRACT OR PARCEL OF LAND LOCATED IN SECTION 52, T5S-R2E, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE INTERSECTION OF THE SOUTHERN MOST R/W LINE OF BEND ROAD EXTENSION AND THE EASTERN MOST R/W LINE OF LA HWY. 1019; PROCEED S26°55'21"W 254.34'; THENCE S23°03'33"W 51.14'; THENCE S23°03'33"W 112.85' TO THE POINT OF BEGINNING:

THENCE South 58 degrees 01 minutes 27 seconds East for a distance of 290.10 feet to a point and corner;

THENCE South 31 degrees 58 minutes 33 seconds West for a distance of 118.77 feet to a point and corner;

THENCE North 58 degrees 01 minutes 27 seconds West for a distance of 40.00 feet to a point and corner;

THENCE North 31 degrees 58 minutes 33 seconds East for a distance of 78.77 feet to a point and corner;

THENCE North 58 degrees 01 minutes 27 seconds West for a distance of 243.71 feet to a point and corner;

THENCE North 19 degrees 38 minutes 06 seconds East for a distance of 1.89 feet to a point and corner;

THENCE North 23 degrees 03 minutes 33 seconds East for a distance of 38.62 feet back to THE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.336 acres more or less.

The servitude and property identified above are hereby closed and abandoned and no longer needed for a public purpose and that all right, title, and interest held by the Parish of Livingston in and to the property herein described is hereby transferred, assigned, delivered, disclaimed and quitclaimed, in full ownership and with full title forever, unto the present land owners, their heirs, successors and assigns.

The Parish of Livingston is disclaiming and quitclaiming the above described property unto the contiguous land owners, and by so doing, the Parish of Livingston acknowledges it never had ownership of the hereinabove described property, and this disclaimer and quitclaim and revocation of servitude over the said described property is solely for the purpose of forever rendering quiet any possible claim of the Parish of Livingston against the property hereinabove described so as to render the title to the respective parties good and merchantable in all respects.

The Parish President, Layton Ricks, be and hereby is authorized to sign any and all documents necessary to carry out the intents and purposes of this ordinance.

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

Upon being subjected to a vote, the vote thereon was as follows:

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

NAYS: NONE

ABSTAIN: NONE

ABSENT: MR. AVERETT, MR. LOBELL

And the ordinance was declared adopted on the 27th day of June.

Shane Mack, 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

ACT OF QUITCLAIM DEED

BEFORE ME, the undersigned authority, a Notary Public duly commissioned and qualified in and for said state and parish, and in the presence of the undersigned competent witnesses personally came and appeared:

LIVINGSTON PARISH COUNCIL, a parish governmental entity, represented herein by its Parish President, Layton Ricks, duly authorized,

who declared that it does hereby sell, transfer, assign, quitclaim, release and relinquish unto

McFAY WHITLEY, of the full age of majority, living and residing in the Parish of East Baton Rouge, State of Louisiana, and whose present mailing address is declared to be 6322 San Juan Drive, Baton Rouge, Louisiana 70811

AND

VANESSA WHITLEY BASTIAN, of the full age of majority, living and residing in the County of Harris, State of Texas, and whose present mailing address is declared to be 27802 Newport Lane, Spring, Texas 77386

AND

MARY WHITLEY MOSS, of the full age of majority, living and residing in the Parish of East Baton Rouge, State of Louisiana, and whose present mailing address is declared to be 5859 Trenton Avenue, Baton Rouge, Louisiana 70808

AND

PERLAE WHITLEY SHROPSHIRE, of the full age of majority, living and residing in the Parish of East Feliciana, State of Louisiana, and whose present mailing address is declared to be P.O. Box 325, Clinton, Louisiana 70722

all the right, title and interest which said Livingston Parish Council has or may have in and to the following described property situated in the Parish of Livingston, State of Louisiana, to-wit:

A CERTAIN TRACT OR PARCEL OF LAND LOCATED IN SECTION 52, T5S-R2E, GREENSBURG LAND DISTRICT, LIVINGSTON PARISH, LOUISIANA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE INTERSECTION OF THE SOUTHERN MOST R/W LINE OF BEND ROAD EXTENSION AND THE EASTERN MOST R/W LINE OF LA HWY. 1019; PROCEED S26°55'21"W 254.34'; THENCE S23°03'33"W 51.14'; THENCE S23°03'33"W 112.85' TO THE POINT OF BEGINNING:

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THENCE North 19 degrees 38 minutes 06 seconds East for a distance of 1.89 feet to a point and corner;

THENCE North 23 degrees 03 minutes 33 seconds East for a distance of 38.62 feet back to THE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.336 acres more or less.

To have and to hold the same unto McFAY WHITLEY, VANESSA WHITLEY BASTIAN, MARY WHITLEY MOSS & PERLAE WHITLEY SHROPSHIRE, their successors and assigns forever, without any warranty whatsoever, even for the return of the price, but with full substitution and subrogation in and to all rights and actions of warranty which said transferor may have against all previous owners or vendors.

THUS, DONE AND SIGNED at _____, Louisiana, this _____ day of _____, 2019, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

LIVINGSTON PARISH COUNCIL

Witness name:

By: _____
Layton Ricks, Parish President

Witness name:

NOTARY PUBLIC

Notary name: _____
Notary I.D./Bar Roll No. _____

THUS DONE AND SIGNED at Denham Springs, Louisiana, this _____ day of _____, 2019, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

Witness name:

McFay Whitley, C-1-A

Witness name:

Vanessa Whitley Bastian, C-2-A

Witness name:

Mary Whitley Moss, C-3-A

Witness name:

Perlae Whitley Shropshire, C-4-A

NOTARY PUBLIC
Notary Name: _____
Notary I.D./Bar Roll No. _____