

**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 July 23, 2020, and laid over for publication of notice:

**L.P. ORDINANCE 20-19**

AN ORDINANCE TO RESCIND L.P. NO. 20-14 REVOKING THE DEDICATION AND ABANDONING AND QUIT CLAIM IN FAVOR OF THE LAND OWNERS A FORTY FOOT (40') ALL PURPOSE SERVITUDE ACROSS A CERTAIN TRACT OF LAND FORMERLY THE ALBERT FONTENOT PROPERTY, LOCATED IN SECTION 28, T7S-R3E, GREENSBURG LAND DISTRICT EAST OF MISSISSIPPI RIVER, LIVINGSTON PARISH, LOUISIANA, AND RE-INTRODUCE PER RECOMMENDATIONS FROM ADMINISTRATION BEING MORE PARTICULARLY DESCRIBED HEREIN.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, August 13, 2020, at six o'clock (6:00) 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.

/s/ Sandy C. Teal  
Sandy C. Teal, Council Clerk

/s/ Shane Mack  
Shane Mack, 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 July 23, 2020, 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 August 13, 2020 on Motion of R.C. "Bubba" Harris and seconded by Garry Talbert.

**L.P. ORDINANCE NO. 20-19**

AN ORDINANCE TO RESCIND L.P. NO. 20-14 REVOKING THE DEDICATION AND ABANDONING AND QUIT CLAIM IN FAVOR OF THE LAND OWNERS A FORTY FOOT (40') ALL PURPOSE SERVITUDE ACROSS A CERTAIN TRACT OF LAND FORMERLY THE ALBERT FONTENOT PROPERTY, LOCATED IN SECTION 28, T7S-R3E, GREENSBURG LAND DISTRICT EAST OF MISSISSIPPI RIVER, LIVINGSTON PARISH, LOUISIANA, AND RE-INTRODUCE PER RECOMMENDATIONS FROM ADMINISTRATION BEING MORE PARTICULARLY DESCRIBED HEREIN.

WHEREAS, by the official plat of SKETCH SHOWING A FORTY FOOT (40') ALL PURPOSE SERVITUDE ACROSS A CERTAIN TRACT OF LAND FORMERLY THE ALBERT FONTENOT PROPERTY, LOCATED IN SECTION 28, T7S-R3E, GREENSBURG LAND DISTRICT EAST OF MISSISSIPPI RIVER, LIVINGSTON PARISH, LOUISIANA by James W. Falgout, PLS dated April 29, 2020 recorded as plat book entry 973474 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 a forty foot (40') all-purpose servitude across a certain tract of land formerly the ALBERT FONTENOT PROPERTY, LOCATED IN SECTION 28, T7S-R3E, GREENSBURG LAND DISTRICT EAST OF MISSISSIPPI RIVER, Livingston Parish, Louisiana, as shown on said sketch.

WHEREAS, a petition has been addressed to the Livingston Parish President-Council by LUKE BENJAMIN, who is the owner of forty foot (40') all-purpose servitude across a certain tract of land formerly the ALBERT FONTENOT PROPERTY, LOCATED IN SECTION 28, T7S-R3E, GREENSBURG LAND DISTRICT EAST OF MISSISSIPPI RIVER, Livingston Parish, Louisiana, as shown on said sketch.

WHEREAS, the Livingston Parish President-Council is of the opinion that the forty foot (40') all-purpose servitude across a certain tract of land formerly the ALBERT FONTENOT PROPERTY, LOCATED IN SECTION 28, T7S-R3E, GREENSBURG LAND DISTRICT EAST OF MISSISSIPPI RIVER, Livingston Parish, Louisiana, as shown on said sketch is not needed for public purposes.

BE IT ORDERED by the Livingston Parish President-Council, acting in accordance with R.S. 48:701, that the dedication of a forty foot (40') all-purpose servitude across a certain tract of land formerly the ALBERT FONTENOT PROPERTY, LOCATED IN SECTION 28, T7S-R3E, GREENSBURG LAND DISTRICT EAST OF MISSISSIPPI RIVER, Livingston Parish, Louisiana, as shown on said sketch, is hereby revoked and set aside; the title to the said property reverting to the present owner of the land lying contiguous thereto;

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. HARRIS, MR. MCMORRIS, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD, MR. MACK, MR. TALBERT

NAYS: NONE

ABSTAIN: NONE

ABSENT: MR. DELATTE, MR. WASCOM

And the ordinance was declared adopted on the 13<sup>th</sup> day of August 2020.

\_\_\_\_\_  
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**

**QUITCLAIM**

KNOW ALL MEN BY THESE PRESENTS,

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

**LIVINGSTON PARISH COUNCIL**, a political subdivision of the State of Louisiana, represented herein by Layton Ricks, Parish President, duly authorized, whose present mailing address is declared to be P.O. 335, Livingston, LA 70754.

who declares that it does hereby sell, transfer, assign, quitclaim, release, relinquish and convey, without warranty of title, all the undivided interest unto it may have unto:

**BENJAMIN LUKE HAND and HEIDI F. HAND**, both persons of the full age of majority of the Parish of Livingston, State of Louisiana, married to and living with each other, whose present mailing address is declared to be 8217 Evergreen Drive, Denham Springs, LA 70726; and

**JAVIER I. PRESAS and KATHLEEN B. PRESAS**, both persons of the full age of majority of the Parish of Livingston, State of Louisiana, married to and living with each other, whose present mailing address is declared to be 10077 Juban Crossing Blvd., Apt. 914, Denham Springs, LA 70726;

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

A FORTY FOOT (40') ALL PURPOSE SERVITUDE ACROSS A CERTAIN TRACT OF LAND FORMERLY THE ALBERT FONTENOT PROPERTY, LOCATED IN SECTION 28, T7S-R3E, GREENSBURG LAND DISTRICT EAST OF MISSISSIPPI RIVER, LIVINGSTON PARISH, LOUISIANA.

**NO TITLE EXAMINATION WAS REQUESTED OF NOR PERFORMED BY THE UNDERSIGNED NOTARY PUBLIC AND THE DESCRIPTION OF THE PARTIES AND PROPERTY WAS AS FURNISHED BY THE PARTIES HERETO.**

All parties signing the within instrument, either as parties or as witnesses, have declared themselves to be of full legal capacity.

TO HAVE AND TO HOLD the same unto the said BENJAMIN LUKE HAND, HEIDI F. HAND, JAVIER L. PRESAS and KATHLEEN B. PRESAS, their heirs, successors and assigns forever, without any warranty whatsoever, of any nature or description, 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 Livingston, Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_ 2020, 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. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

THUS, DONE AND SIGNED at \_\_\_\_\_, Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2020, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

\_\_\_\_\_

Witness Name: \_\_\_\_\_

\_\_\_\_\_  
Benjamin Luke Hand

\_\_\_\_\_

Witness Name: \_\_\_\_\_

\_\_\_\_\_  
Heidi F. Hand

\_\_\_\_\_  
Javier L. Presas

\_\_\_\_\_  
Kathleen B. Presas

\_\_\_\_\_  
NOTARY PUBLIC

Notary Name: \_\_\_\_\_

Notary I.D./Bar Roll No. \_\_\_\_\_

My Commission Expires: \_\_\_\_\_