

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 February 25, 2016, and laid over for publication of notice:

L.P. ORDINANCE NO. 16-06

AN ORDINANCE AUTHORIZING THE LIVINGSTON PARISH COUNCIL TO DECLARE CERTAIN ADJUDICATED PROPERTY SURPLUS AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO MELVIN WILD, HIS AGENT OR ASSIGNS FOR THE PRICE OF \$2,201.00, TWO THOUSAND, TWO HUNDRED AND ONE DOLLARS AND NO CENTS AND WHICH PROPERTY IS DESCRIBED AS FOLLOWS:

(Property Description)

Assessment Number: 292441, Ward 4T
Physical Address: 29591 Clay Street, Albany, LA
GPS Coordinates: 30° 29' 53.70" N 90° 34' 51.42" W
Legal Description: Lot 11 Square E. A lot 40 feet X 140 feet in Sec 40-6-6 South Albany, LA from Evylean Boyd 322/66 See detailed legal description on last page.
Taxpayer Name: Joseph C & Delois G Bertucci

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, March 24, 2016, 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

John Wascom, 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 the regular meeting of the Livingston Parish Council on February 25, 2016, 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 24, 2016, on Motion of Garry "Frog" Talbert and seconded Shane Mack.

L.P. Ordinance No. 16-06

AN ORDINANCE AUTHORIZING THE LIVINGSTON PARISH COUNCIL TO DECLARE CERTAIN ADJUDICATED PROPERTY SURPLUS AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO MELVIN WILD, HIS AGENT OR ASSIGNS FOR THE PRICE OF \$2,201.00, TWO THOUSAND, TWO HUNDRED AND ONE DOLLARS AND NO CENTS AND WHICH PROPERTY IS DESCRIBED AS FOLLOWS:

(Property Description)

Assessment Number: 292441, Ward 4T
Physical Address: 29591 Clay Street, Albany, LA
GPS Coordinates: 30° 29' 53.70" N 90° 34' 51.42" W
Legal Description: Lot 11 Square E. A lot 40 feet X 140 feet in Sec 40-6-6 South Albany, LA from Evylean Boyd 322/66
See detailed legal description on last page.
Taxpayer Name: Joseph C & Delois G Bertucci

WHEREAS, the Parish of Livingston owns property described above said property having been adjudicated to the Parish for unpaid property taxes for the year 2008; and assessed in the name of Joseph C & Delois G Bertucci.

WHEREAS, the Department of Public Works for the Parish of Livingston has recommended that the property be declared surplus and no longer needed for public purposes; and

WHEREAS, a request has been received by the Livingston Parish Finance Department from MELVIN WILD, an adjoining property owner, to purchase said property for the sum of \$2,201.00, TWO THOUSAND, TWO HUNDRED AND ONE DOLLARS AND NO CENTS cash, at the time of sale; and

WHEREAS, pursuant to LSA-R.S. 47:2202(B) said property is being sold to adjacent property owner; and

WHEREAS, this Council is of the opinion that this property is surplus and no longer needed for public purposes and that it would be in the public interest to convey the above mentioned property to MELVIN WILD, for the offered sum.

NOW, THEREFORE, BE IT ORDAINED by the Livingston Parish Council that:

- 1) A CERTAIN TRACT OR PARCEL OF LAND TOGETHER WITH ALL IMPROVEMENTS LOCATED 29591 CLAY STREET, ALBANY, LA
- 2) GPS COORDINATES: 30° 29' 53.70" N 90° 34' 51.42" W
- 3) THE PROPERTY IS RECORDED IN COB 322, PAGE 66, IN THE LIVINGSTON PARISH CLERK OF COURT'S OFFICE. IT'S MUNICIPAL ADDRESS IS 29591 CLAY STREET, ALBANY, LA, THE ASSESSMENT NUMBER 292441, WARD 4T

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:

MELVIN WILD FOR THE SUM OF \$2,201.00, TWO THOUSAND, TWO HUNDRED AND ONE DOLLARS AND NO CENTS 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.

The above and foregoing Ordinance having been read by title and considered in open, public meeting was thereupon submitted to a vote; the vote thereon was as follows:

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

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

And the ordinance was declared adopted on this 24th day of March, 2016.

John Wascom, 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.

Legal description as described in Cash Sale COB 322/PAGE # 66:

A certain lot or parcel of land in Section 40, T6S, R6E, Parish of Livingston, State of Louisiana, and being more fully described as being:

Lot No. 11 of Square No. 5, said lot having a front on street of 40 feet, by a depth between parallel lines of 120 feet, all as per map made by C.M. Moore, C.E. an Surveyor, of date July 31st, 1945, together with all buildings and improvements thereon.