



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpsg.net

#21

Kerri Callais
Councilmember
at Large

Richard "Richie" Lewis
Councilmember
at Large

Gillis McCloskey
Councilmember
District A

Nathan Gorbaty
Councilmember
District B

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

Manuel "Monty" Montelongo III
Councilmember
District E

Roxanne Adams
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, NOVEMBER 19, 2019 AT THREE O'CLOCK P.M.

On motion of Mr. Gorbaty, seconded by Ms. Callais, it was moved to adopt the following ordinance:

ORDINANCE SBPC #2216-11-19

Summary No. 3773

Introduced by: Administration on 11/5/19
Public Hearing held on 11/19/19

AN ORDINANCE TO RESCIND THE SALE OF 204 FLORISSANT HWY BETWEEN ST. BERNARD PARISH AND ZOMO LLC THROUGH THE LOT NEXT DOOR (LND) II PROGRAM AND TO SELL THE PROPERTY BACK TO ZO MO, LLC, WITHOUT THE LOT NEXT DOOR II RESTRICTIVE COVENANTS. AS ALLOWED BY THE DISPOSITION PLAN FOR LOUISIANA LAND TRUST PROPERTIES REGARDING NONCOMPLIANT LOT NEXT DOOR II PROPERTIES.

WHEREAS, the property located at 204 FLORISSANT HWY was a former Road Home property that was conveyed to St. Bernard Parish Government and sold under the LND II program; and,

WHEREAS, the owner did not obtain a building permit to construct a residence at 204 FLORISSANT HWY as required by the LND II program; and,

WHEREAS, the St. Bernard Parish Redevelopment and Disposition Plan for Louisiana Land Trust Properties allows the Parish Council to consider rescission and then direct sale of property for nonperformance issued related to the LND II Program.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY ORDAIN:

SECTION 1. The following property shall be sold without LND II program restrictions to ZO MO, LLC:

A CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining, situated in the Parish of St. Bernard, State of Louisiana, forming part of the Reggio Plantation, as per survey by H. E. Landry C.E., and surveyor dated New Orleans, Louisiana, June 2, 1946 00 point of beginning for line location is in the center of highway on line with old iron



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pipe located on boundary line between Sections 94 and 96, starting at point of road for 800 feet to lower line of New Orleans Baptist Association, on highway to Shell Beach, and down the road for a distance of 100 feet, to the lower line of property sold under contract to Donald H. Hagadone, is the starting line, South East 550.80 feet to property of contract to Paul Pentney and down line for 100 feet to boundary line of Bostick, to Highway distance of 537.75 feet, designated as LOT 21. Survey of H.E. Landry, C.E., dated April 16, 1957, is attached to act before Sidney D. Torres, Clerk of Court and Ex-Officio, Notary Public, dated April 24, 1957. Said Lot is also designated by the NO. 21 on a survey by Errol E. Kelly, Surveyor, dated March 27, 1962, blueprint of which is annexed to act before Edmund T. Wegener, Notary Public, dated April 19, 1962, and according thereto said lot has the same location and dimensions and is further shown to front on Highway No. 46 (old Highway No. 32) and is shown to be located in P; PA of FLORISSANT PLANTATION.

Being the same property acquired by the St. Bernard Parish Government from Road Home Corporation, by act dated August 29, 2013, registered in COB 1078, Page 263, File Number 575455, St. Bernard Parish, Louisiana.

Bearing the municipal address of 204 Florissant Highway, St. Bernard, Louisiana 70085

SECTION 2. 204 FLORISSANT HWY shall be sold in accordance with the Disposition Plan to the ZO MO, LLC for the appraised value of \$7,000 by St. Bernard Parish Government, without warranty of title, all closing costs to be paid by the Buyer.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 4. The Parish President and the Chief Administrative Officer each is hereby authorized to execute all instruments necessary to effectuate the conveyances authorized by this ordinance. It is recognized and agreed the Parish President and/or Chief Administrative Officer may nominate a designee by use of a power of attorney to sell the property in accordance with the laws of Louisiana.

SECTION 5. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause,



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paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

SECTION 6. Other Ordinances and Codes Unaffected. Nothing herein shall be interpreted to repeal or otherwise diminish the powers of the Parish or its employees, officers, or agents under any other ordinance or code, including but not limited the Zoning Ordinance, the Building Code, and the Minimum Housing Code, all of which shall apply to the property in addition to the provisions of this ordinance.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Gorbaty, Alcon, Callais

NAYS: Luna

ABSENT: McCloskey, Montelongo

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19th day of November, 2019.


ROXANNE ADAMS
CLERK OF COUNCIL


RICHARD "RICHIE" LEWIS
COUNCIL CHAIR

Delivered to the Parish President

11/21/19 2:15pm
Date and Time

Received by

Maeagen C. Kelley

Approved



Vetoed





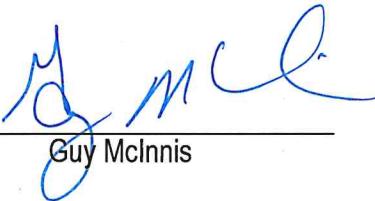
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Extract #21 continued
November 19, 2019

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Councilmember
at Large

Parish President


Guy McInnis

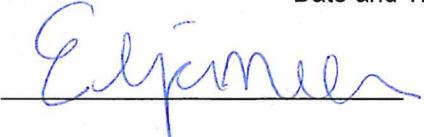
Gillis McCloskey
Councilmember
District A

Returned to Clerk of the Council

11/27/19 9:20am
Date and Time

Nathan Gorbaty
Councilmember
District B

Received by


Elspeth Miller

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

Manuel "Monty" Montelongo III
Councilmember
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Roxanne Adams
Clerk of Council