



St. Bernard Parish Council

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

#16

Fred Everhardt, Jr.
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
at Large*

Patrice Cusimano
*Councilmember
District A*

Joshua "Josh" Moran
*Councilmember
District B*

Cindi Meyer
*Councilmember
District C*

Ryan Randall
*Councilmember
District D*

Amanda Mones
*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, JULY 15, 2025 AT THREE O'CLOCK P.M.

On motion of Mrs. Cusimano, seconded by Mr. Moran, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2665-07-25

Summary No. 4277

Introduced by: Administration on 7/1/25

Public Hearing held on 7/15/25

AN ORDINANCE TO DECLARE A CERTAIN PARCEL OF LAND SITUATED IN SECTION 10, TOWNSHIP 12 SOUTH, RANGE 13 EAST AND SECTION 75, TOWNSHIP 12 SOUTH, RANGE 12 EAST, SOUTHEASTERN LAND DISTRICT EAST OF THE MISSISSIPPI RIVER AS SURPLUS, TO DONATE THE PROPERTY TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, AND TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ALL NECESSARY DOCUMENTS.

WHEREAS, St. Bernard Parish Government ("SBPG") considers this property surplus and it is not needed for a public purpose of the Parish; and,

WHEREAS, the Louisiana Department of Transportation and Development requires said property in order to complete an upcoming sidewalk enhancement project in the Parish of St. Bernard; and,

WHEREAS, said sidewalk enhancement project will benefit the residents of the Parish of St. Bernard by providing safer pedestrian paths along a major thoroughfare.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Property is fully described in Exhibit "A", the Act of Donation, attached hereto. This property will be referred to hereinafter in this ordinance as "THE PROPERTY".

SECTION 2. The St. Bernard Parish Council hereby authorizes the Parish President to donate THE PROPERTY to the Louisiana Department of Transportation and Development and to execute any necessary documents for the donation.



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

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

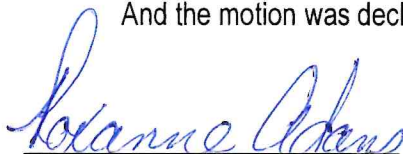
YEAS: Cusimano, Moran, Meyer, Randall, Mones, Everhardt

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of July, 2025.


ROXANNE ADAMS
CLERK OF COUNCIL


GILLIS MCCLOSKEY
COUNCIL CHAIR

Delivered to the Parish President

7/17/25 3:00pm
Date and Time

Received by

Kati [Signature] 7/17/25 3:00pm

Approved ✓

Vetoed _____



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July 15, 2025

Parish President


Louis Pomes

Returned to Clerk of the Council

7/21/25 10:25am
Date and Time

Received by



STATE PROJECT NO. H.014643
LA 39: W. JUDGE PEREZ DR. IMPROVEMENTS
ROUTE LA 39
PARISH OF ST. BERNARD
PARCEL NO. 2-1

ACT OF DONATION

STATE OF LOUISIANA:

PARISH OF ST. BERNARD:

THIS DONATION MADE AND ENTERED INTO AND BETWEEN:

ST. BERNARD PARISH GOVERNMENT, Donor, (TIN - XXXX), (100% interest), a political subdivision of the State of Louisiana, permanent mailing address 8201 W. Judge Perez Dr., Chalmette, LA 70043, herein represented by Louis Pomes, its Parish President, duly authorized to appear herein as per Ordinance SBPC# _____, dated _____, a copy of which is attached hereto and made a part hereof; and THE DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT OF THE STATE OF LOUISIANA, Donee, whose permanent mailing address is Post Office Box 94245, Baton Rouge, Louisiana 70804, herein represented by CHARLES MCBRIDE, authorized by Policy and Procedure Memorandum Number 5, dated December 16, 1976, as amended, issued by the Secretary of the Louisiana Department of Transportation and Development, who accepts this donation on behalf of the Department of Transportation and Development, the following described property, situated in the Parish of St. Bernard, Louisiana:

Donor declared that it does by these presents, donate, convey, assign, grant, transfer, set over and deliver, with all legal warranties and with full substitution and subrogation, to all rights and actions of warranty against all former owners and vendors, to Donee, accepting for itself and its successors and assigns, and acknowledging due delivery and possession thereof the following described property:

DESCRIPTION

One (1) certain tract or parcel of land, together with all the improvements situated thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in Section 10, Township 12 South, Range 13 East, and Section 75, Township 12 South, Range 12 East, Southeastern Land District East of the Mississippi River, St. Bernard Parish, Louisiana, identified as PARCEL NO. 2-1 as shown on Sheet Nos. 2 and 3, on the property map for STATE PROJECT NO. H.014643, LA 39: W. JUDGE PEREZ DR. IMPROVEMENTS, ST. BERNARD PARISH, LOUISIANA, prepared by John S. Teegarden, professional land surveyor, dated August 19, 2024, said map being attached hereto and made a part hereof, which property is more particularly described as follows:

Parcel 2-1

From a point on the centerline of State Project No. H.014643, at Station 32+83.46, proceed N24°17'30"E a distance of 74.79 feet to the point of beginning; thence proceed N24°17'30"E a distance of 25.21 feet to a point and corner; thence proceed S65°58'05"E a distance of 45.09 feet to a point and corner; thence proceed S24°06'40"W a distance of 8.00 feet to a point and corner; thence proceed S65°58'05"E a distance of 113.01 feet to a point and corner; thence proceed S74°05'59"E a distance of 35.35 feet to a point and corner; thence proceed S65°58'06"E a distance of 120.00 feet to a point and corner; thence proceed S57°30'26"E a distance of 122.34 feet to a point and corner; thence proceed S65°58'05"E a distance of 157.00 feet to a point and corner; thence proceed S75°15'39"E a distance of 55.74 feet to a point and corner; thence proceed S65°58'05"E a distance of 35.00 feet to a point and corner; thence proceed S72°45'54"E a distance of 42.29 feet to a point and corner; thence proceed N24°01'09"E a distance of 7.00 feet to a point and corner; thence proceed S65°56'56"E a distance of 22.00 feet to a point and corner; thence proceed S24°01'55"W a distance of 7.00 feet to a point and corner; thence proceed S65°58'07"E a distance of 112.00 feet to a point and corner; thence proceed S45°11'45"E a distance of 31.02 feet to a point and corner; thence proceed S65°58'05"E a distance of 45.00 feet to a point and corner; thence proceed S56°14'26"E a distance of 35.51 feet to a point and corner; thence proceed S65°58'05"E a distance of 10.00 feet to a point and corner; thence proceed S81°20'40"E a distance of 41.48 feet to a point and corner; thence proceed S65°58'05"E a distance of 47.41 feet to a point and corner; thence proceed S24°31'53"W a distance of 15.01 feet to a point and corner; thence proceed N65°49'02"W a distance of 1063.49 feet to the point of beginning. All of which comprises Parcel 2-1 as shown on Sheet 2 and Sheet 3 of the Right of Way Map of State Project No. H.014643, and contains an area of 16,082.5 square feet or 0.369 acres.

Being a portion of vendor's property acquired by act recorded on _____, in COB _____, page _____ of the records of _____ Parish, Louisiana.

There is specifically included in this present donation and conveyance all of the improvements situated wholly or partially on the property together with the appurtenances thereto.

This donation is made for and in consideration of the mutual benefits accruing to the parties hereto.

Donor acknowledges and agrees that the consideration provided herein constitutes full and final settlement for the property hereby donated and for any and all diminution in value of the Donor's remaining property as a result of the transfer of this property for highway purposes.

All ad valorem taxes assessed against the above described property for the four (4) years immediately preceding the current year have been paid. Taxes for the current year will be pro-rated in accordance with the provisions of Act No. 123 of the Legislature of the State of Louisiana for the year 1954.

It is understood and agreed that Donor reserves unto itself, its successors and assigns, all oil and gas minerals beneath the areas hereinabove described. It is specifically understood, however, that while no exploration, drilling, nor mining of oil or gas minerals of any kind shall be conducted upon said area, there may be directional drilling from adjacent lands to extract the oil or gas minerals from under said area.

It is expressly agreed and understood that Donor has been afforded the right and opportunity to have this property appraised and has been afforded the right and opportunity to receive just compensation for such property, and that Donor has elected to forego, waive and extinguish such rights and opportunities in favor of this donation to the Donee.

The consideration recited herein represents full and final settlement of all claims of any kind to the full extent of Donor's loss, except relocation assistance claims where applicable, and specifically represents a compromise by all parties to avoid formal expropriation proceedings and the added expense of litigation.

IN TESTIMONY WHEREOF, the parties hereto have signed and executed and acknowledged this instrument as their free and voluntary acts, in triplicate originals, in the presence of the undersigned competent witnesses, on the _____ day of _____, 20 ____.

WITNESSES:

DONOR:
ST. BERNARD PARISH GOVERNMENT

Signature

Print First, Middle, Maiden, Last Name

Name: Louis Pomes
Title: Parish President

Signature

Print First, Middle, Maiden, Last Name

ACCEPTED BY DONEE:
DEPARTMENT OF TRANSPORTATION AND
DEVELOPMENT OF THE STATE OF
LOUISIANA

Signature

Print First, Middle, Maiden, Last Name

CHARLES MCBRIDE
RIGHT OF WAY ADMINISTRATOR

Signature

Print First, Middle, Maiden, Last Name

AFFIDAVIT OF DONOR

STATE OF LOUISIANA:

PARISH OF ST. BERNARD:

BEFORE ME, the undersigned authority, duly qualified in and for the aforesaid Parish and State, personally came and appeared Louis Pomes, appearing herein as the ST. BERNARD PARISH GOVERNMENT duly authorized representative, of the full age of majority and personally known to me, Notary, who, by me having been duly sworn, declared and acknowledged that she/he signed this instrument on the date thereof for the object and purpose therein expressed, and she/he acknowledged the same as her/his voluntary act and deed.

IN FAITH WHEREOF, Appearer executed this acknowledgement in the Parish of _____, State of Louisiana on this _____ day of _____, 20____, in the presence of the undersigned subscribing witnesses and me, Notary.

WITNESSES:

ST. BERNARD PARISH GOVERNMENT
DONOR

BY: Louis Pomes
ITS: Parish President

NOTARY PUBLIC
PRINTED NAME _____
BAR ROLL/NOTARY ID NO. _____
COMMISSION EXPIRES _____

AFFIDAVIT OF DONEE

STATE OF LOUISIANA:

PARISH OF _____:

BEFORE ME, the undersigned authority, duly qualified in and for the aforesaid Parish and State, personally came and appeared CHARLES MCBRIDE, of the full age of majority and personally known to me, Notary, who, by me having been duly sworn, declared and acknowledged that he signed this instrument on the date thereof for the object and purposed therein expressed, and he acknowledged the same as his voluntary act and deed.

IN FAITH WHEREOF, Appearer executed this acknowledgement in the Parish of _____, State of Louisiana on this _____ day of _____, 20____, in the presence of the undersigned subscribing witnesses and me, Notary.

WITNESSES:

DEPARTMENT OF TRANSPORTATION AND
DEVELOPMENT OF THE STATE OF
LOUISIANA

CHARLES MCBRIDE
RIGHT OF WAY ADMINISTRATOR

NOTARY PUBLIC
PRINTED NAME _____
BAR ROLL/NOTARY ID NO. _____
COMMISSION EXPIRES _____

STATE PROJECT NO. H.014643
LA 39: W. JUDGE PEREZ DR. IMPROVEMENTS
ST. BERNARD PARISH

Parcel No.: 2-1

Owner: St. Bernard Parish Government

DONATION CERTIFICATION

I have been informed of the acquisition process and hereby certify I waive the following right(s) in connection with the acquisition of my property for the captioned project:

Check the boxes that apply:

- ☐ To have the acquiring agency appraise my property.
- ☐ To receive payment of the established Just Compensation Amount for the acquisition of said property.

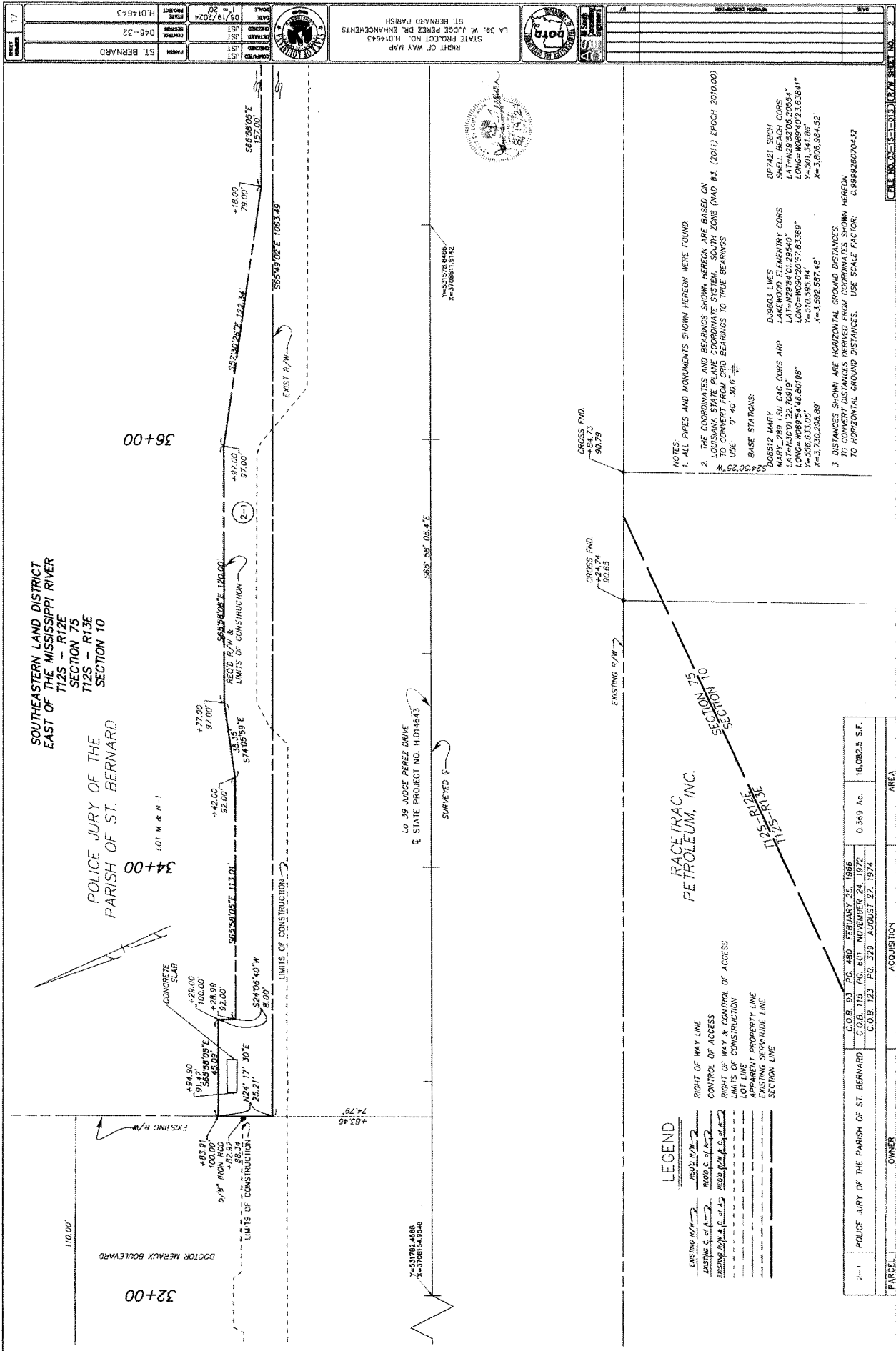
St. Bernard Parish Government
By: Louis Pomes

Date

Witness

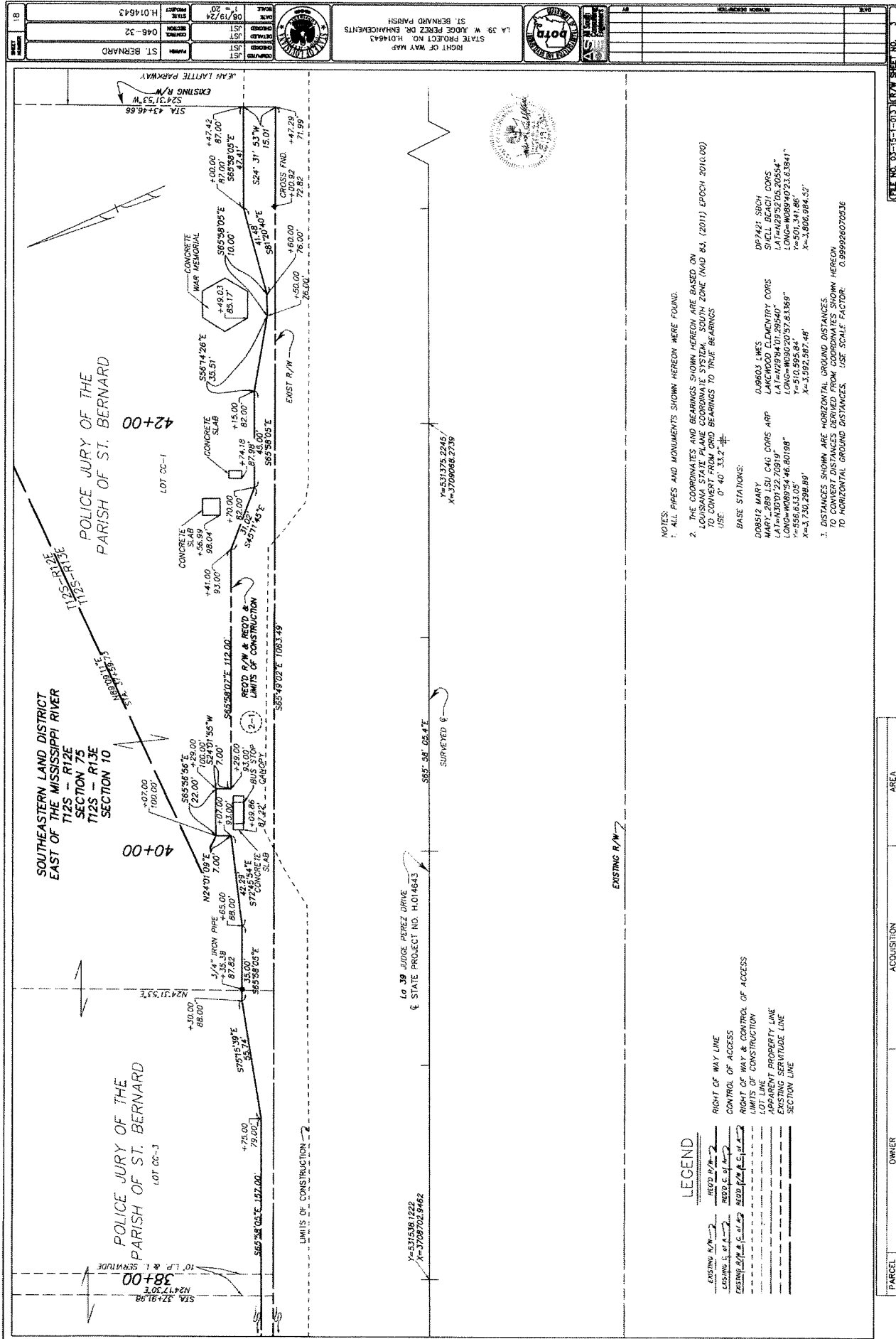
Witness

FINAL RIGHT OF WAY MAP



2-1	POLICE JURY OF THE PARISH OF ST. BERNARD	C.O.B. 93 PG. 480 FEBRUARY 25, 1966 C.O.B. 115 PG. 601 NOVEMBER 24, 1972 C.O.B. 123 PG. 329 AUGUST 27, 1974	16,092.5 S.F. 0.389 AC.
PARCEL	OWNER	ACQUISITION	AREA

FINAL RIGHT OF WAY MAP



LEGEND

EXISTING R/W	RIGHT OF WAY LINE
CONTROL OF ACCESS	CONTROL OF ACCESS
RIGHT OF WAY & CONTROL OF ACCESS	RIGHT OF WAY & CONTROL OF ACCESS
LIMITS OF CONSTRUCTION	LIMITS OF CONSTRUCTION
LOT LINE	LOT LINE
APPARENT PROPERTY LINE	APPARENT PROPERTY LINE
EXISTING SERVITUDE LINE	EXISTING SERVITUDE LINE
SECTION LINE	SECTION LINE

NOTES:
1. ALL PILES AND MONUMENTS SHOWN HEREON WERE FOUND.

2. THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 83 (2011) EPOCH 2010.00) WITH CONVERSION FROM OLD BEARINGS TO TRUE BEARINGS. USE: 0°40'33.2\"/>

BASE STATIONS:

008512 MARY	008512 LINES	008512 LINES
UTM=4320122.70910	UTM=4320122.70910	UTM=4320122.70910
LONG=-90.89470128460	LONG=-90.89470128460	LONG=-90.89470128460
Y=510.592.84	Y=510.592.84	Y=510.592.84
X=3.750.298.89	X=3.750.298.89	X=3.750.298.89

3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.999926070536