



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**#17**

**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, SEPTEMBER 6, 2016 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1811-09-16**

### **Summary No. 3407**

Introduced by: Administration on 8/16/16  
Public hearing held on 9/6/16

AN ORDINANCE TO DECLARE AS SURPLUS 2224 ESTEBAN, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

**WHEREAS**, the property located at 2224 Esteban was adjudicated to the Parish and recorded on or about July 18, 2011.

**WHEREAS**, the Parish considers this property surplus and it is not needed for a public purpose.

**WHEREAS**, the Parish is required to donate property as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321.

**SECTION 1.** The following donated property is surplus and is not needed for any public purpose:

LOT 15 SQ. F. ARABI PARK SUB. 50 X 112 = 5600

The property bears the municipal address of 2224 Esteban.

This property will be referred to hereinafter in this ordinance as "2224 Esteban".



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**SECTION 2.** 2224 Esteban shall be donated to ABCD, LLP in accordance with law (La. R.S 47:2201 et seq., specifically La. R.S. 47:2205 & La. R.S. 47:2206) as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321 (hereinafter referred to as "the Settlement Agreement").

**SECTION 3.** The President of St. Bernard Parish Government or his designee is hereby authorized to execute and record all documents necessary to complete the donation of 2224 Esteban.

**SECTION 4.** This donation shall not occur if St. Bernard Parish Government has already fulfilled its' annual donation requirement in the Settlement Agreement prior to an Act of Sale being executed.

**SECTION 5.** 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 6.** 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 this Ordinance with the invalid portions omitted.

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

**YEAS:**            McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

**NAYS:**            None

**ABSENT:**        None





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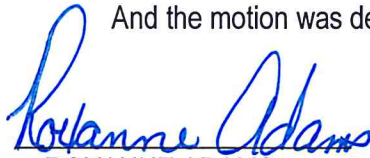
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The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of September, 2016.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President 9/8/2016 9:30am  
Date and Time

Approved \_\_\_\_\_ Vetoed \_\_\_\_\_

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council 9/9/2016 11:03am  
Date and Time

Received by 