



St. Bernard Parish Council

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

#19

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. Gorbaty, seconded by Mr. Lewis, it was moved to adopt the following ordinance:

ORDINANCE SBPC #1813-09-16

Summary No. 3409

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

AN ORDINANCE TO DECLARE AS SURPLUS 309 SABLE, WHICH IS OWNED BY 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 309 Sable owned by the Parish and recorded on or about October 12, 2012.

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

WHEREAS, pursuant to La. R.S. 47:2201 et seq. 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 292-A SQ. 18 CAROLYN PK. SUB. BEING A RESUB OF ALL LOTS 292 & 293
-LOT 292-A MEAS. 117.83' FRT. ON SABLE X DEPTH OF 111.58' X WIDTH OF 113.98' IN REAR X OPP. DEPTH OF 109.59'.

The property bears the municipal address of 309 Sable.

This property will be referred to hereinafter in this ordinance as "309 Sable".



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Extract #19 continued
September 6, 2016

Richard "Richie" Lewis
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
District A*

Nathan Gorbaty
*Councilmember
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Howard Luna
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Clerk of Council

SECTION 2. 309 Sable 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 309 Sable.

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

NAYS: None

ABSENT: None



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Richard "Richie" Lewis
*Councilmember
at Large*

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

Gillis McCloskey
*Councilmember
District A*

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

Handwritten signature of Roxanne Adams in blue ink.

ROXANNE ADAMS
CLERK OF COUNCIL

Handwritten signature of Kerri Callais in blue ink.

KERRI CALLAIS
COUNCIL CHAIR

Nathan Gorbaty
*Councilmember
District B*

Howard Luna
*Councilmember
District C*

Wanda Alcon
*Councilmember
District D*

Delivered to the Parish President

9/8/2016 9:30am

Date and Time

**Manuel "Monty"
Montelongo III**
*Councilmember
District E*

Approved _____

Vetoed _____

Roxanne Adams
Clerk of Council

Parish President

Guy McInnis

Returned to Clerk of the Council

9/9/2016 11:03am

Date and Time

Received by

Handwritten signature of Jennifer Lemorine in blue ink.