

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3513 ORDINANCE COUNCIL SERIES NO. _____
COUNCIL SPONSOR BAGERT/DAVIS PROVIDED BY: Legal Department
INTRODUCED BY: _____ SECONDED BY: _____
ON THE _____ DAY OF _____, 2007

ORDINANCE RATIFYING ORDINANCE COUNCIL SERIES NUMBER 06-1466, ADOPTED DECEMBER 7, 2006, AND DECLARING LOTS 13 & 16, S15, T9S, R14E, 827 ELEANOR STREET, WARD 9, DISTRICT 14, SLIDELL, AS SURPLUS PROPERTY AND TO AUTHORIZE THE SALE OF SAID LOTS/PARCEL.

WHEREAS, the Parish of St. Tammany owns property described as Lots 13 & 16 S15, T9S, R14E, 827 Eleanor Street Ward 9 District 14, Slidell, Louisiana, said property having been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Parish Council, through Resolution Council Series No. C-0562, adopted on July 11, 2002 has recommended that properties be declared surplus and no longer needed for public purposes; and

WHEREAS, a request has been received by the Executive Counsel to the Parish President to purchase the referenced property for the consideration of a sum in excess of the appraised value plus any and all associated costs, cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Office of the Parish President; and

WHEREAS, the Parish Council desires to adopt this Ordinance without the need to re-advertise the Notice of Intention to Sell, but merely to establish the effective date of this Ordinance; and

WHEREAS, following all necessary procedures in the event there exists two (2) or more qualified bidders, the Parish Council declares that all bidding is closed and final; and

WHEREAS, this Parish 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 said property for the offered consideration; and

WHEREAS, the offering bid was for the sum of FIVE THOUSAND AND 00/100 (\$5000.00).

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the Parish Council declares a portion Lots 13 & 16, S15, T9S, R14E, 827 Eleanor Street Ward 9, District 14, Slidell, as surplus property and authorizes the sale of said lots/parcel as follows:

Section 1. Lots 13 & 16, S15, T9S, R14E, 827 Eleanor Street, Slidell, Louisiana, is hereby declared to be surplus and no longer needed for public purpose.

Section 2. Fifteen 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 St. Tammany conveys said properties to the highest bidder, in consideration of a sum in excess of the Council approved acceptance plus any and all associated costs. However, the Parish President shall not execute the act of cash sale until certification that:

- A) Purchaser has certified in writing to the Office of the Parish President that purchaser or his agent has examined the mortgage records, conveyance records, probate and civil suit records of the Clerk of Court of St. Tammany Parish and attached to the certification a written list of the names and last know addresses off 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 as provided in LA-R.S. 47:2261. Said written certification shall contain an indemnification and hold harmless clause by the purchaser in favor of the Parish of St. Tammany, 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 Office of the Parish President to notify those persons identified above in accordance with LA-R.S. 33:4720.17 and LA-R.S. 47:2261 and has paid the Parish the sum of five dollars per notice and/or the sum of thirty dollars per notice by publication requested or supplied evidence that the notice is satisfactory to the Office Of the Parish President that the notice required by LA-R.S. 33:4720.17 and LA-R.S. 47:2261 has been made by purchaser or his agents.
- C) Purchaser has recorded evidence of notice required by LA-R.S. 33:4720.17 and LA-R.S. 47:2261 in the conveyance records of St. Tammany Parish and has provided the Office of the Parish President a stamped copy of the recorded evidence on notice.
- D) Purchaser has certified in writing to the Office of the Parish President that the number of days required by LA-R.S. 33:4720.17 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 Office of the Parish President.
- F) Purchaser had deposited with the Parish of St. Tammany the amount required to be escrowed.

Section 3. If all of the requirements of Section 2 are not completed within six (6) months 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 St. Tammany may have, and such sale shall contain such warranty limitations and other provisions as are required by the Office of the Parish President. The Parish of St. Tammany 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 Parish does not guarantee good and merchantable title.

Section 5. If construction of a new residence on said property has been commenced and a any impact and/or developmental fee shall have become due within one year of the sale of said property by the Parish of St. Tammany, the amount being held in escrow shall be applied to the sewer impact fee and any excess shall be returned to the purchaser or his assign. If construction of a new residence has not been commenced or any impact and/or developmental fee shall not have become due within one year of the sale of said property by the Parish of St. Tammany, the amount being held in escrow shall be forfeited by the purchaser to the Parish of St. Tammany.

Section 6. Any and all sales of such property shall be subject to any and all servitudes and easements.

Section 7. All properties to be sold subject to an "as is" clause as exclusively prepared by the Parish.

NOTE: Particular of sales listed herein are available for review at the Parish Council Office upon completion of transaction to the highest bidder.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____ 2007; AND BECOMES ORDINANCE COUNCIL SERIES NO. 07-_____.

BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: FEBRUARY 22, 2007
Published adoption on: _____, 2007

Delivered to Parish President: _____, 2007 @ _____
Returned to Council Clerk: _____, 2007 @ _____

ORDINANCE

ORDINANCE CALENDAR NO. 3437 ORDINANCE COUNCIL SERIES NO. 06-1466COUNCIL SPONSOR MR. BURKHALTER PROVIDED BY: COUNCIL OFFICEINTRODUCED BY: MR. BURKHALTER SECONDED BY: MR. BILLIOTON THE 2ND DAY OF NOVEMBER 2006

ORDINANCE DECLARING LOTS 13 & 16, S15, T9S, R14E, AND BEARING MUNICIPAL ADDRESS 827 ELEANOR STREET, WARD 9, DISTRICT 14, SLIDELL, AS SURPLUS PROPERTY AND AUTHORIZING THE SALE THEREOF.

WHEREAS, the Parish of St. Tammany owns property described as Lots 13 & 16 located within Section 15, Township 9 South, Range 14 East, and bearing the municipal address 827 Eleanor Street, Ward 9, District 14, Slidell, Louisiana, said property having been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the Parish Council, through Resolution Council Series No. C-0562, adopted on July 11, 2002 recommended that properties be declared surplus and no longer needed for public purposes; and

WHEREAS, a request has been received by the Executive Counsel to the Parish President to purchase said property for the consideration of a sum in excess of the appraised value plus any and all associated costs, in cash, at the time of sale; and

WHEREAS, no written opposition or higher offer has been filed with the Office of the Parish President; and

WHEREAS, the Parish Council desires to adopt this Ordinance without the need to re-advertise the Notice of Intention to Sell, but merely to authorize the sale and establish the effective date of this Ordinance; and

WHEREAS, the Parish Council declares that all bidding is closed and final; and

WHEREAS, this Parish 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 said properties for the offered consideration.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the Parish Council declares Lots 13 & 16, Section 15, Township 9South, Range 14East and bearing the municipal address 827 Eleanor Street, Ward 9, District 11, Slidell, as surplus property and authorizes the sale of said lots as follows:

Section 1. Lots 13 & 16, S15, T9S, R14E, 827 Eleanor Street, Slidell, Louisiana, is hereby declared to be surplus and no longer needed for public purposes.

Section 2. Fifteen 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 St. Tammany conveys said properties to the highest bidder, in consideration of a sum in excess of the Council approved acceptance plus any and all associated costs. However, the Parish President shall not execute the act of cash sale until certification that:

- A) Purchaser has certified in writing to the Office of the Parish President that purchaser or his agent has examined the mortgage records, conveyance records, probate and civil suit records of the Clerk of Court of St. Tammany Parish and attached to the certification a written list of the names and last know addresses off 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 as provided in LA-R.S. 47:2261. Said written certification shall contain an indemnification and hold harmless clause by the purchaser in favor of the Parish of St. Tammany, 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 Office of the Parish President to notify those persons identified above in accordance with LA-R.S. 33:4720.17 and LA-R.S. 47:2261 and has paid the Parish the sum of five dollars per notice and/or the sum of thirty dollars per notice by publication requested or supplied evidence that the notice satisfactory to the Office of the Parish President that the notice required by LA-R.S. 33:4720.17 and LA-R.S. 47:2261 has been made by purchaser or his agents.
- C) Purchaser has recorded evidence of notice required by LA-R.S. 33:4720.17 and LA-R.S. 47:2261 in the conveyance records of St. Tammany Parish and has provided the Office of the Parish President a stamped copy of the recorded evidence on notice.
- D) Purchaser has certified in writing to the Office of the Parish President that the number of days required by LA-R.S. 33:4720.17 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 Office of the Parish President.
- F) Purchaser has deposited with the Parish of St. Tammany the amount required to be escrowed.

Section 3. If all of the requirements of Section 2 are not completed within six (6) months 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 St. Tammany may have, and such sale shall contain such warranty limitations and other provisions as are required by the Office of the Parish President. The Parish of St. Tammany 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 Parish does not guarantee good and merchantable title.

Section 5. If construction of a new residence on said property has been commenced and any impact and/or developmental fee shall have become due within one year of the sale of said property by the Parish of St. Tammany, the amount being held in escrow shall be applied to the impact fee and any excess shall be returned to the purchaser or his assign. If construction of a new residence has not been commenced or any impact and/or developmental fee shall not have become due within one year of the sale of said property by the Parish of St. Tammany, the amount being held in escrow shall be forfeited by the purchaser to the Parish of St. Tammany.

Section 6. Any and all sales of such property shall be subject to any and all servitudes and easements.

Section 7. All property to be sold subject to an "as is" clause as exclusively prepared by the Parish.

NOTE: Particulars of sale listed herein are available for review at the Parish Council Office upon completion of transaction to the highest bidder.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: MR. BURKHALTER, SECONDED BY: MR. HAMAUEI


WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

- YEAS: DEAN, FITZMORRIS, THOMPSON, BRISTER, GOULD, SINGLETARY, HAMAUEI, CANULETTE, BAGERT, BILLIOT, STEFANCIK, BINDER, THOMAS, BURKHALTER (14)
- NAYS: (0)
- ABSTAIN: (0)
- ABSENT: (0)

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 7TH DAY OF DECEMBER, 2006; AND BECOMES ORDINANCE COUNCIL SERIES NO. 06-1466.


STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:


DIANE HUESCHEN, COUNCIL CLERK


KEVIN DAVIS, PARISH PRESIDENT

Published introduction: November 9, 2006
Published adoption on: December 21, 2006

Delivered to Parish President: December 12, 2006 @ 9:11am
Returned to Council Clerk: December 13, 2006 @ 2:00pm

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-0562

RESOLUTION TO DECLARE ADJUDICATED, IMMOVABLE
PROPERTY AS SURPLUS PROPERTY

WHEREAS, there is a need and purpose to dispose of surplus property in this Parish,

WHEREAS, the Parish of St. Tammany, through the Office of the Parish President, has established a program and policy within which adjudicated properties can be sold or transferred,

WHEREAS, the Parish of St. Tammany desires to set out and herewith identify that immovable property adjudicated to the Parish by virtue of a Sheriff's tax sale are to be deemed surplus,

WHEREAS, the Parish of St. Tammany hereby desires to authorize and permit the Office of the Parish President to do what is necessary to fulfill this process and program,

THE PARISH OF ST. TAMMANY HEREBY RESOLVES,

That pursuant to all applicable provisions of law, all properties adjudicated by the St. Tammany Parish Sheriff's Office by virtue of annual tax sales that heretofore have taken place and those that may take place in the future are deemed and designated as surplus property for all purposes consistent with the policy and program of this Parish, and

That pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to assess, deem, designate and determine that such immovable, adjudicated property is now deemed as surplus, and

That the Office of the Parish President is authorized and instructed to proceed with its program and policy of disposing of surplus property in a timely and orderly matter.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY MR. STEFANCIK, SECONDED BY MR. CANULETTE

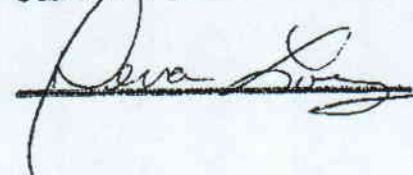
YEAS: GLASS, FITZMORRIS, THOMPSON, BRISTER, AUTHEMENT, SINGLETARY, IMPASTATO, CANULETTE, BAGERT, BILLIOT, STEFANCIK, CRY, THOMAS, SMITH (14)

NAYS: (0)

ABSTAIN: (0)

ABSENT: (0)

CERTIFIED TRUE COPY



THIS RESOLUTION WAS DECLARED ADOPTED ON THE 11TH DAY OF JULY, 2002, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

ATTEST:

Diane Hueschen
DIANE HUESCHEN, COUNCIL CLERK

Joe Impastato
JOE IMPASTATO, COUNCIL CHAIRMAN



MEMORANDUM

JUNE 1, 2006

TO: DEPARTMENT HEADS
FROM: ROBERT BARNETT
RE: ADJUDICATED PROPERTY
STP FILE ADP 06-900-01
827 ELEANOR STREET

Description: 827 Eleanor Street, Slidell

Party requesting surplus declaration: Dallas Wilson

Parish Tax Sale: N/A

Councilmanic District No. 14
Ward 9

In order for this property to be deemed surplus and sold per the terms of our Adjudicated Property Program, you acknowledge that your Department has determined that this specific parcel is or is not in a proper posture to be deemed surplus and sold. If your Department has determined that this parcel is needed for a public purpose or is not to be deemed as surplus, please give your reasons below:

Department of Engineering: Recommend Do Not Recommend: _____
Title: PARISH ENGINEER

Signature: [Signature]
Date: AUGUST 21, 2006

Comments/Reasons: NO INFRASTRUCTURE NEED.

Department of Public Works: Recommend Do Not Recommend: _____
Title: Director

Signature: [Signature]
Date: 9-1-06, 2006

Comments/Reasons: _____

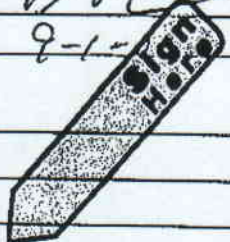
Signature: [Signature]
Date: 9/1/06, 2006

Comments/Reasons: _____

Department of Environmental Services: Recommend Do Not Recommend: _____
Title: Director, ES

Signature: [Signature]
Date: 9-1-, 2006

Comments/Reasons: _____



Councilman, District 14
Ken Burkhalter Recommend _____ Do Not Recommend: _____

Signature: _____
Date: _____, 2006



Comments/Reasons: _____

FOR USE BY THE OFFICE OF THE PARISH PRESIDENT ONLY

This property will _____ will not _____ be deemed as adjudicated, surplus property.

Final Approval:

Parish President/C.A.O.
Date: _____, 2006

Robert A. Barnett, Executive Counsel
Date: _____, 2006

Property Description

624- 105- 3191 JONES, PEARLIE JACKSON, MRS M 1837 TRICOU
NEW ORLEANS, LA ?
LOTS 13, 16 N. W. OF N. E. SEC 15 9¹⁴ CB 923 785 CB 1457 66
INST NO 895707 1994 T S TO PARISH INST
NO 955396 INST NO 1023230
624- 117- 8059

To Be
Appraised in
one week

Called 11/29/2004

JOINS MAP 44



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Slidell

MAP 48

JOINS MAP 51