

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2221

COUNCIL SPONSOR MR. HAMAUEI

PROVIDED BY COUNCIL OFFICE

RESOLUTION TO VACATE, IN PART, THE MORATORIUM ESTABLISHED BY ORDINANCE C. S. NO. 07-1567 ON ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION OR PLACEMENT OF BUILDING STRUCTURES ON PROPERTY WITHIN A PORTION OF CYPRESS PARK SUBDIVISION AND SURROUNDING AREAS. (WARD 7, DISTRICT 7)

WHEREAS, pending review of existing land uses and to formulate measures to protect residents in and near the area more fully described within the ordinance, and for such other reasons stated therein, the Parish Council adopted Ordinance C. S. No. 07-1567, extending a six-month moratorium on the issuance of building permits for construction or placement of any building structures on the specified property within a portion of Cypress Park Subdivision and surrounding areas, which includes Lavender Drive (a.k.a. Lavender Lane). Ward 7, District 7; and

WHEREAS, the owner of LOTS 36 and 37, Square 4, Cypress Park Subdivision, SECTIONS 32 and 33, T-8-S, R-13-E, of Lavender Drive, has voluntarily agreed to mitigate all flood plain storage loss from his house pad construction in accordance with the attached sketches in order to address, remedy, lessen and/or alleviate any adverse impacts that the placement of building structures on the property may have. And, also, to alleviate potential hazards of flooding by continued development within the area of the moratorium, to comply with the "no net fill" regulations of Chapter 7 of the Parish Code of Ordinances except for fill contained in slab and that swales be installed on either side of the co-joined lots to mitigate finished floor to 16.0 feet (16.0') above mean sea level, to the satisfaction of and after consulting with the Parish Engineering Department, which will also assist in addressing the overall impacts in the area LOTS 36 and 37, Square 4, SECTIONS 32 and 33, T-8-S, R-13-E, of Lavender Drive, as described and shown in attached survey should, therefore, be removed from the provisions and restrictions of the moratorium.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the Parish Council vacates, in part, the moratorium established by Ordinance C. S. No. 07-1567, and any subsequent extension thereof, on the issuance of building permits for construction or placement of building structures within a portion of Cypress Park Subdivision and surrounding areas, to remove, LOTS 36 and 37, Square 4 SECTIONS 32 and 33, T-8-S, R-13-E, of Lavender Drive (a.k.a. Lavender Lane) as described, from the restrictions established by the moratorium; provided the above referenced conditions are adhered to by the owner of said lot, and any successor in title should the lot be sold by said owner. The owner will be responsible for providing proper notice to the new owner, if applicable.

BE IT FURTHER RESOLVED that the release of this parcel from the moratorium shall apply only for the construction of one residential building structure on said parcel. Any construction of additional structures or the subdivision of the parcel into additional lots for the purpose of constructing additional structures shall be subject to the moratorium while in effect unless said additional structures are specifically released by further action of this Parish Council.

BE IT FURTHER RESOLVED that the moratorium shall continue to be in full force and effect for the remainder of the affected areas as established by Ordinance C. S. No. 07-1567.

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

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE ____ DAY OF ____ 2007 AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

BARRY D. BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

ADVANCE TITLE, LLC, 1349 CORPORATE SQ., #4, SLIDELL, LA 70458
2007077149

CASH SALE	*	UNITED STATES OF AMERICA
BY: BRIAN C. COE and ROBIN AUCOIN COE	*	STATE OF LOUISIANA
TO: CAMELLIA CONSTRUCTION, L.L.C.	*	PARISH OF ST. TAMMANY

BE IT KNOWN, That on August 21, 2007,

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified, in and for the Parish of St. Tammany, State of Louisiana, and in the presence of the witnesses hereinafter named and undersigned:

PERSONALLY CAME AND APPEARED:

BRIAN C. COE, (XXX-XX-8338) and wife, ROBIN AUCOIN COE (XXX-XX-8487), both persons of the full age of majority and residents of St. Tammany Parish, Louisiana, who declared unto me, Notary, that each has been married once and then to each other and they are presently living and residing together.

Mailing Address: 60400 Lavender Drive, Lacombe, LA 70445.

Who declared that vendors do by these presents grant, bargain, sell, convey, transfer, assign, set over, abandon and deliver, with no legal warranties and with full substitution and subrogation in and to all the rights and actions of warranty which vendors have or may have against all preceding owners and vendors, unto:

CAMELLIA CONSTRUCTION, L.L.C. (XX-XXX2568), a Louisiana Limited Liability Company, organized and doing business in the State of Louisiana, domiciled therein, herein represented by Michael Gabriel, duly authorized by the Certificate of Authority recorded at Instrument No. 1545237 in the official records of St. Tammany Parish, Louisiana.

Mailing address: 113 Barbados Court, Slidell, LA 70458.

Here present accepting, and purchasing for themselves, their successors and assigns and acknowledging due delivery and possession thereof, all and singular the following property to-wit:

ALL THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Sections 32 and 33, Township 8 South, Range 13 East, Greensburg District, St. Tammany Parish, Louisiana, and being more fully described as follows:

LOTS 36 and 37, SQUARE 4, CYPRESS PARK, EAST OAKLAWN, St. Tammany Parish, Louisiana.

All in accordance with plan of subdivision by Sidney Hargett, Jr., C.E., dated March 21, 1955, revised April 27, 1955, a copy of which is on file in the office of the Clerk of Court for St. Tammany Parish, Louisiana.

Being the same property acquired by Brian C. Coe and Robin Aucoin Coe by act dated December 29, 2005 and recorded at Instrument No. 1530220 in the official records of St. Tammany Parish, Louisiana.

Further being a part of the property acquired by Richard R. Porter, et al, by Judgment of Possession in the Succession of Jacqueline Merle Perrin Porter dated August 4, 2004, recorded as Instrument No. 1448401, in the official records of St. Tammany Parish, Louisiana.

THIS ACT IS MADE AND ACCEPTED SUBJECT TO THE FOLLOWING:

Restrictions and Covenants dated April 21, 1955, recorded at Instrument No. 122324, COB 230, folio 21, in the official records of St. Tammany Parish, Louisiana.

St. Tammany Parish 1771
Instrumt #: 1642127
Registry #: 1762868 SHC
8/28/2007 10:26:00 AM
MB CB X MI UCC

Amendment of Restrictive Covenants in Eastern Cypress Park Subdivision dated November 12, 2003 and recorded at Instrument No. 1403157 in the official records of St. Tammany parish, Louisiana.

To have and to hold the above described property unto the said purchasers, their heirs and assigns forever.

This sale is made and accepted for and in consideration of the price and sum of Twenty Thousand and 00/100 (\$20,000.00) DOLLARS, cash, which the said purchasers have well and truly paid, in ready and current money to the said sellers who hereby acknowledge the receipt thereof and grant full acquittance and discharge thereof.

All State and City taxes up to and including the taxes due and eligible in 2006 are paid. The responsibility for the proration of taxes not yet due is assumed by the parties hereto.

The tax proration is based upon the best available information obtainable at the time of closing. Any future adjustments on said differences shall be solely between Purchaser and Seller, who herein agree to hold harmless ADVANCE TITLE, LLC. If ADVANCE TITLE LLC holds an estimated amount pending the issuance and/or receipt of the tax bill, Seller and Purchaser agrees to be responsible for any shortage in the estimated amount and ADVANCE TITLE LLC, agrees to refund any overage in the estimated amount.

The parties to this act are aware of the fact that certificates of Mortgage and Conveyance are waived, and the Parties hereto relieve and release Advance Title, LLC, Commonwealth Land Title Insurance Corporation, and me, Notary, from all responsibility and liability in conjunction therewith.

The parties to this act are aware of the fact that no survey has been made in connection with this transaction, and hereby release and relieve Advance Title, LLC, Commonwealth Land Title Insurance Corporation, and me, Notary, from any and all liability and defects which might have been disclosed by a survey of the property.

That whenever the word or words he, him, himself, his purchaser, seller, vendor or any other such descriptive words referring to the parties hereto are used, they shall be construed to apply to the singular or plural, masculine, feminine or neuter, as the case may be.

THUS DONE AND PASSED, in my office in Slidell, Louisiana on the day, month and year first above written, in the presence of the undersigned competent witnesses, who have hereto signed their names with the said appearers and me, Notary, after reading of the whole.

WITNESSES:

Henry P. Calamari
Henry P. Calamari
Heather Miller

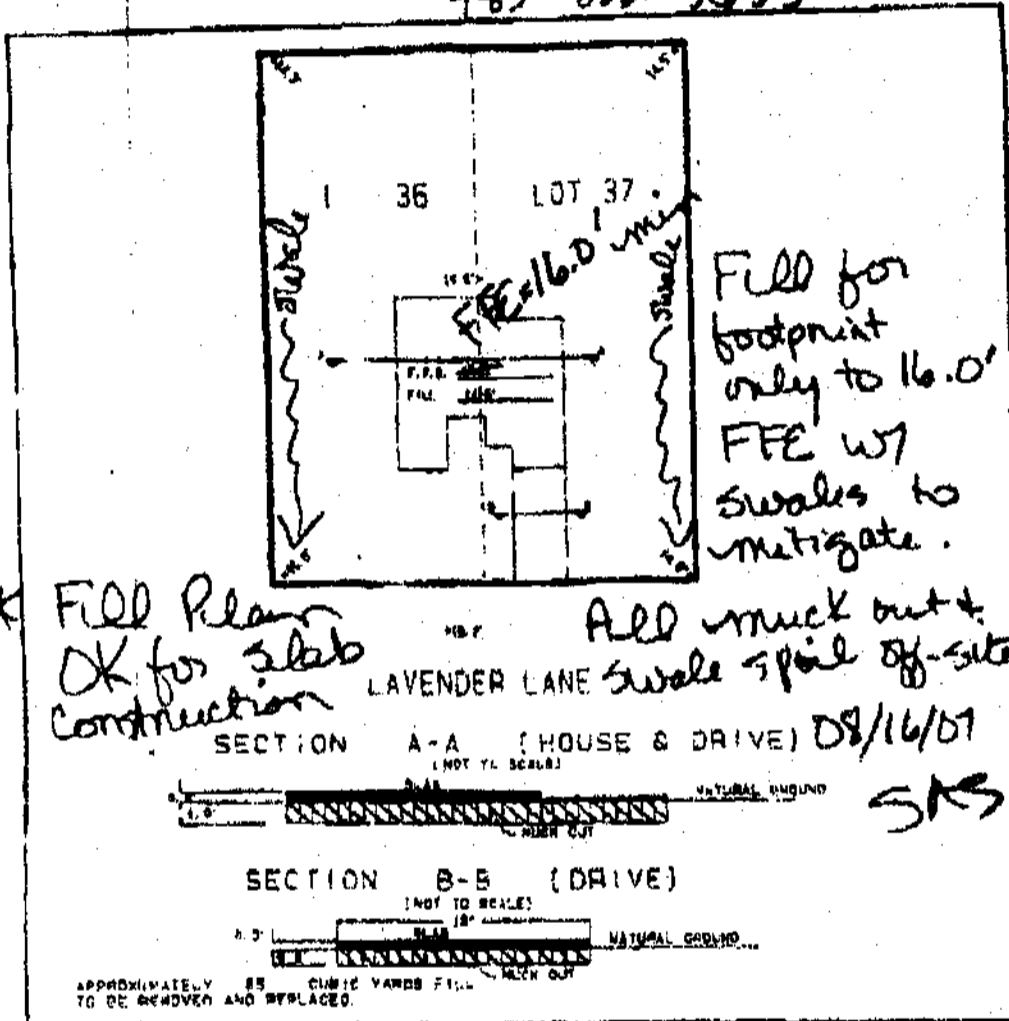
Brian C. Coe
BRIAN C. COE
Robin A. Coe
ROBIN A. COE

CAMELLIA CONSTRUCTION, L.L.C.
Michael Gabriel
BY: MICHAEL GABRIEL

Notary Public
Notary Identification # 55152
Charmagne S. Sims

985-882-3633

H. Calamari
10436099



RESIDENTIAL LOT FILL PLAN
LOTS 36 & 37, SQ. 4, CYPRESS PARK SUBD.

St. Tammany Parish, Louisiana

ROBIN COE

Henry Calamari 707-8905

Survey No. 2007 789
Date: July 31, 2007
Prepared by: JEC
Title: RES.

JOHN E. BONNEAU & ASSOCIATES, INC.
Professional Land Surveyors & Planners and Consultants
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