

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2168

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, Ward 7, District 7; and

WHEREAS, the owner of LOT 22, SQUARE 4, CYPRESS PARK SUBDIVISION, SECTIONS 32 & 33, T-8-S, R-13-E, bounded by Lavender Drive and Sherwood Drive has voluntarily agreed to construct a raised home with the finished floor elevation complying with the latest FEMA base flood elevation for the area. And, to mitigate all flood plain storage loss from his house 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 to the satisfaction of and after consulting with the Parish Engineering Department, which will also assist in addressing the overall impacts in the area. LOT 22, SECTIONS 32 & 33, T-8-S, R-13-E, bounded by Lavender Drive and Sherwood Drive, in Cypress Park Subdivision, as described and shown in attached cash sale 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, LOT 22, SQUARE 4, SECTIONS 32 & 33, T-8-S, R-13-E, bounded by Lavender Drive and Sherwood Drive, 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 BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

CASH SALE

C-2168

BE IT KNOWN that on this 16th day of October, 2006 before me, the undersigned Notary Public for the Parish of St. Tammany, State of Louisiana, and in the presence of the subscribing witnesses, personally appeared:

PAULINE DANOS TUOHY (SS#XXX-XX-5528) a person of the full age of majority, represented herein by Edith Danos Kuebel Agent and Attorney In Fact as per that Power of Attorney an original of which is attached hereto and made a part hereof who declared unto me, Notary that she has been married but once and then to Malcolm J. Tuohy Sr with whom she is presently living and residing but from whom she is separate in the below described property and whose mailing address is recited as follows:

MAILING ADDRESS: 4312 SOUTH 31ST STREET, COTTAGE NO. 038, TEMPLE, TEXAS 76502

ROBERT MCCLURE DANOS (SS#XXX-XX-1144) a person of the full age of majority, represented herein by Edith Danos Kuebel, Agent and Attorney in Fact, as per that Power of Attorney an original of which is attached hereto and made a part hereof, who declared unto me, Notary, that he has been married but once and then to Barbara Umbach Danos with whom he is presently living and residing but from whom he is separate in the below described property and whose mailing address is recited as follows:

MAILING ADDRESS: 124 HIGH STREET, DENVER, COLORADO 80218

JOSEPH ADLARD DANOS JR (SS#XXX-XX-4182) a person of the full age of majority, represented herein by Edith Danos Kuebel, Agent and Attorney in Fact as per that Power of Attorney, an original of which is attached hereto and made a part hereof, who declared unto me, Notary, that he has been married but once and then to Marion Lowe Danos from whom he was divorced in 1967 in Orleans Parish, State of Louisiana and has not since remarried and whose mailing address is recited as follows:

MAILING ADDRESS: 73643 PENN MILL ROAD, COVINGTON, LOUISIANA 70435

EDITH DANOS KUEBEL (SS#XXX-XX-6730) a person of the full age of majority, who declared unto me, Notary, that she has been married but once and then to Joseph Owen Kuebel Jr with whom she is presently living and residing but from whom she is separate in the below described property and whose mailing address is recited as follows:

St. Tammany Parish 1329
Instrmt #: 1586143
Registry #: 1663629 ICV
10/25/2006 8:31:00 AM
MB CB X MI UCC

MAILING ADDRESS: 691 BOCAGE LANE, MANDEVILLE LOUISIANA 70471

herein called Seller, who declared that for the price and sum of Twenty-Two Thousand and 00/100 (\$22,000.00) DOLLARS, cash, receipt of which is hereby acknowledged, seller does hereby sell and deliver, with full warranty of title and subrogation to all rights and actions of warranty Seller may have unto:

VICTORIA PECOT VERGES (SS#XXX-XX-4271) wife of/and NEIL CHARLES VERGES (SS#XXX-XX-8014) both persons of the full age of majority, who declared unto me, Notary, that they have been married but once and then to each other presently living and residing and whose mailing address is recited as follows:

MAILING ADDRESS: 117 CYPRESS LAKES DRIVE, SLIDELL LOUISIANA 70458

herein called buyer, resident(s) of and domiciled in the Parish of St. Tammany, Louisiana, the following described property, the possession and delivery of which Buyer acknowledges:

THAT PORTION OF GROUND, together with all of the buildings and improvements thereon and all of the rights, ways, means, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining thereto situated in the Parish of St. Tammany, State of Louisiana in that part thereof known as Cypress Park, located in Sections 32 and 33, Township 8 South, Range 13 East, Greensburg District, Louisiana, and according to plan of subdivision by Digney Hargett Jr., C. E. dated March 21, 1955 and revised April 17, 1955. A copy of which is on file in the conveyance Records of the Parish of St. Tammany.

Said portion is situated in Square 4, thereof bounded by Lavender Lane,

Sherwood Drive, Lilac Lane and Amethyst Drive and is designated as Lot 22. Lot 22 forms the corner of Lavender Lane and Sherwood Drive measuring 87.28 feet front along said Lavender Lane by a depth of 140 feet along the line perpendicular to Sherwood Drive separating Lot 32 from Lot 33 with a width in the rear of 73.14 feet and measuring 140.7 feet front along Sherwood Drive.

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Being the same property acquired by Joseph A. Danos from Terrace Park Inc dated on August 11, 1955 recorded at COB 234 folio 373 in the official records of the Parish of St. Tammany, State of Louisiana. Further acquired one half interest by Edith Danos Kuebel, Joseph A. Danos Jr, Robert M. Danos and Pauline Danos Tuohy through Judgment of Possession of Muriel McClure Danos recorded at COB 661 folio 583 in the official records of the Parish of St. Tammany State of Louisiana. Further acquired one half interest by Pauline Danos Tuohy, Edith Danos Kuebel, Joseph A. Danos Jr and Robert M. Danos through Judgment of Possession of Joseph A. Danos Sr recorded at COB 1005 folio 16 in the official records of the Parish of St. Tammany, State of Louisiana.

THIS PROPERTY IS SUBJECT TO THE FOLLOWING EXCEPTIONS:

1. The parties are aware that no survey has been made in connection with this transaction and hereby release and relieve Louisiana Land Title and me, Notary from any and all liabilities which might have been disclosed by a current survey.
2. Plan of subdivision by Sidney Hargett Jr, C. E., dated March 21, 1955 revised April 17, 1955.
3. Right of way in favor of St. Tammany Parish recorded at COB 208 folio 127 and COB 200 folio 498
4. Pipeline permit in favor of Southern Natural Gas recorded at COB 218 folio 377.
5. Dedication in favor of St. Tammany Parish recorded at COB 226 folio 320.
6. Mineral reservation with waiver of surface rights recited in act at COB 234 folio 373.
7. Restrictive covenants recorded at COB 230 folio 91

Mortgage and Conveyance certificates are waived by the parties hereto, who hereby authorize me, Notary, from any and all liability on account of non-production of same.

To have and to hold said property unto the buyer's heirs, successors and assigns, forever. All parties signing the within instrument, either as parties or witnesses, have declared themselves to be of full legal capacity.

All agreements and stipulations herein, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, and assigns of the respective parties.

The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is dispensed with by the parties hereto. All taxes assessed against the property herein conveyed have been paid in the appropriate proportion by refer.

Thus done and signed at my office in Mandeville, Louisiana, on the date above written, in the presence of me, Notary, and the undersigned competent witnesses.

WITNESSES

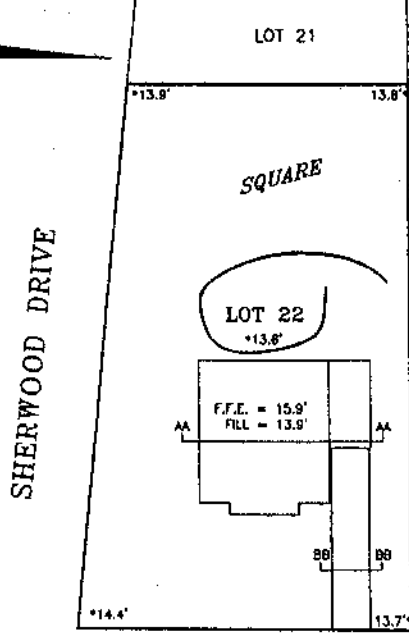
*Edith Danos Kuebel - Acting Individually
and Attorney in fact for Pauline Danos Tuohy
Robert McClure Danos and Joseph Adlard Danos*

[Handwritten signature]
LOUISIANA

EDITH DANOS KUEBEL
Acting Individually and An Agent and
Attorney in fact for Pauline Danos Tuohy,
Robert McClure Danos and Joseph Adlard Danos .

[Handwritten signature]
NEIL CHARLES VERGES
[Handwritten signature]
VICTORIA PECOT VERGES

[Handwritten signature]
Donald D. Esma, NOTARY PUBLIC



LOT 21

LOT 20 507-461

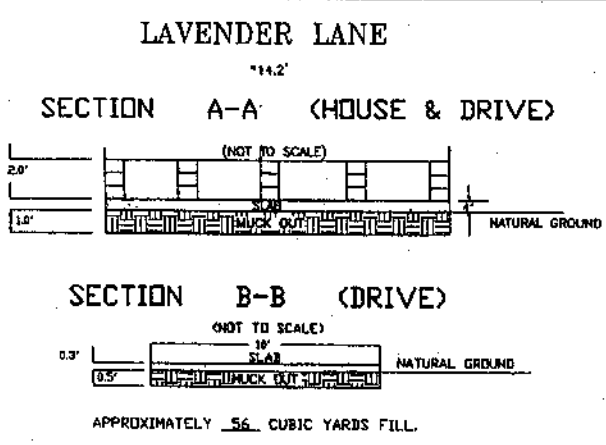
"4"

Fill Plan OK
No Net Fill

LOT 23

OK to release
from moratorium.
07/30/07
SAS

C-2168



A RESIDENTIAL LOT FILL PLAN OF
LOT 22, SQUARE 4, CYPRESS PARK SUBDIVISION
in
St. Tammany Parish, Louisiana
for ph# 995-960-1604
NEIL VERGES

Survey No. 2006 1377 FP	Drawn by: SPH	Scale: 1" = 30'	
Date: OCTOBER 18, 2006	Revised: 5/18/07 (ELEVATIONS)		
JOHN E. BONNEAU & ASSOCIATES, INC. Professional Land Surveyors • Planners and Consultants 1011 N. CAUSEWAY BLVD. - SUITE 34 • MANDEVILLE, LA. 70471 (985)626-0808 SLIDELL (985)643-2508 • MANDEVILLE (985)626-3546 • NEW ORLEANS (504)458-2042 HAMMOND (885)345-7641 • FAX NO. (985)626-0057 • E-MAIL: JEB001@BELLSOUTH.NET			John E. Bonneau Registered Professional Surveyor Registration No. 4423