

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4955

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. BELLISARIO

ON THE 7 DAY OF FEBRUARY , 2013

ORDINANCE TO DECLARE LOTS 25, 26, 27, 28 AND 29 OF PELICAN ESTATES ADDITION NO. 2, ABITA SPRINGS, AS SURPLUS PROPERTY AND AUTHORIZE THE PARISH TO PROCEED WITH THE PROCESS FOR THE ADVERTISING AND SALE OF SAID PROPERTY TO THE HIGHEST BIDDER. (WARD 10, DISTRICT 6)

WHEREAS, property described as Lots 25, 26, 27, 28, and 29 of Pelican Estates Addition No. 2, Abita Springs, has been adjudicated to the Parish for unpaid property taxes; and

WHEREAS, the requisite time has passed for the Owner of above described property to redeem the property, as per Louisiana R.S. 47:2122(11) and the Louisiana Constitution Section 25(B)(1); and

WHEREAS, the Parish Council, through Resolution Council Series No. C-0562, adopted on July 12, 2002, has recommended that certain properties be declared surplus and not needed for public purposes; and

WHEREAS, an initiation of a public sale from third-parties for said property has been received by the Executive Counsel to the Parish President to purchase said property; and

WHEREAS, the third-parties have deposited the requisite sum of Seven Hundred and Fifty Dollars and no/100 (\$ 750.00) with the St. Tammany Parish Government; and

WHEREAS, the proposed sale of the said property shall be advertised in the St. Tammany Farmer, as required by Louisiana R.S. 47:2203(C); and

WHEREAS, the sales price shall be no less than two-thirds (2/3) of the appraised value.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS to declare all those certain parcels of land described as Lots 25, 26, 27, 28, and 29 of Pelican Estates Addition No. 2, Abita Springs, as surplus property and to authorize the advertising and sale of said property to the highest bidder.

BE IT FURTHER ORDAINED 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 property is now surplus.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized and instructed to proceed with the advertising and selling of this surplus property in a timely and orderly matter, in accordance with Parish Ordinances and State Statutes.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized to exercise its discretion in advertising and selling of this property, together with all agreements and all transactions necessary to carry out the intent of this Ordinance.

BE IT FURTHER ORDAINED that any and all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated herein are ratified and accepted accordingly.

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 DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 7 DAY OF MARCH, 2013; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JANUARY 30, 2013

Published Adoption: _____, 2013

Delivered to Parish President: _____, 2013 at _____

Returned to Council Clerk: _____, 2013 at _____

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(WARD 10, DISTRICT 6)

Lots 25, 26, 27, 28 and 29 of Pelican Estates Addition No. 2, Abita Springs, have been adjudicated to the parish for unpaid property taxes. A third party has completed the application process for an initiation of a public sale. Therefore, the Parish seeks to declare said lots as surplus property and authorize the Parish to proceed with the process to advertise and sale said property to the highest bidder.