

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-4877

COUNCIL SPONSOR: MR. SMITH

PROVIDED BY: COUNCIL OFFICE

RESOLUTION TO VACATE, IN PART, THE MORATORIUM ESTABLISHED BY ORDINANCE C.S. NO. 17-3781 ON THE RECEIPT OF SUBMISSIONS BY THE PARISH ZONING AND PLANNING COMMISSIONS FOR THE RE-ZONING OR RE-SUBDIVISION OF PROPERTY AND/OR ON THE ISSUANCE OF PERMITS FOR CONSTRUCTION OR PLACEMENT OF ANY BUILDING STRUCTURES ON PROPERTY SOUTH OF INTERSTATE 12, NORTH OF HIGHWAY 190, WEST OF HIGHWAY 11, AND EAST OF THE PRECINCT S19 BOUNDARY LINE WITHIN UNINCORPORATED BOUNDARIES OF WARD 9 IN DISTRICT 14.

WHEREAS, at the Council meeting of September 7, 2017, 3017, the St. Tammany Parish Council adopted Ordinance C.S. No. 17-3781 extending a six (6) month moratorium on the receipt of submissions by the Parish zoning and planning commissions for the rezoning or re-subdivision of property and/or on the issuance of permits for construction or placement of any building structures on property south of interstate 12, north of highway 10, west of highway 11, and east of the precinct S19 boundary line within unincorporated boundaries of ward 9 in district 14; and

WHEREAS, the moratorium was created to protect and preserve the health, safety and property interests of residents from the adverse effects of traffic and flooding hazards resulting from intensification of development within a certain portion of, to include the North Slidell revitalization Project (NSRP), of Ward 9, District 14 of St. Tammany Parish; and

WHEREAS, the owner of 0.212 acres of land located in Section 34, Township 8 South, Range 14 east, St. Tammany Parish, more fully described in exhibit A attached, has requested that the moratorium be lifted; and

WHEREAS, it has been determined that the placement of a mobile home at this location would not contribute to the traffic and flooding hazards in the area.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the Parish Council vacates, in part, the moratorium established by Ordinance C.S. No. 17-3781, and any amendments and extensions thereof, on the receipt of submissions by the Parish zoning and planning commissions for the rezoning or re-subdivision of property and/or on the issuance of permits for construction or placement of any building structures on property south of interstate 12, north of highway 10, west of highway 11, and east of the precinct S19 boundary line within unincorporated boundaries of ward 9 in district 14 to remove 0.212 acres of land located in Section 34, Township 8 South, Range 14 east, St. Tammany Parish, more fully described in exhibit A attached from the restrictions established by the moratorium.

BE IT FURTHER RESOLVED that the moratorium shall continue to be in full force and effect for the remainder of the area as established by Ordinance C.S. No. 16-3781.

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 5 DAY OF OCTOBER , 2017, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

CASH SALE OF PROPERTY

UNITED STATES OF AMERICA

BY: TOMMIE LEE NEWELL

STATE OF LOUISIANA

TO: WILLIE RAY DUCRE, SR.

PARISH OF JEFFERSON

Supreme Title of Louisiana, Inc.
File No.: C16-1148

BE IT KNOWN, that on this day before me, the undersigned authority, a Notary Public duly commissioned and qualified in the aforesaid State and Parish, and in the presence of the witnesses hereinafter named and undersigned,

PERSONALLY CAME AND APPEARED:

Tommie Lee Newell (SSN: XXX-XX-1852), a single person of full age of majority, resident and domiciled in the State of Mississippi, represented herein by Glen McDonald, his duly authorized Agent and Attorney-in-fact, pursuant to the Power of Attorney attached hereto and made a part hereof, and who currently has a mailing address of 205 Duckhill Rd., Soso, Mississippi 39480;

who declared that he does by these presents grant, bargain, sell, convey, transfer, assign, set over, abandon, and deliver with all legal warranties and with full substitution and subrogation in and to all of the rights of warranty which they have or may have against all preceding owners and vendors unto:

Willie Ray Ducre, Sr. (SSN: XXX-XX-6891), a married person of the full age of majority, and a resident and domiciled in the Parish of St. Tammany, State of Louisiana, husband of Brittany Ducre, acquiring the subject property as his separate and paraphernal property, with his separate funds, for the benefit and use of his separate estate, who currently has a mailing address 60311 Short Lane, Slidell, Louisiana 70460;

here present accepting for his heirs and assigns, and acknowledging due delivery and possession thereof, all and singular the following described property, to wit:

THAT CERTAIN LOT OR PARCEL OF LAND situated in the Northeast Quarter (¼) of Section 34, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana more fully described as .212 acres of land, more or less, all according to the survey of Albert A. Lovell, dated November 18, 1981, attached to that certain Act of Correction filed on April 26, 1982 at Instrument Number 484649 in the public records of St. Tammany Parish, and being more particularly described as follows, to wit:

From the Northwest Corner of the Southwest Quarter of the Northeast Quarter (NW Corner of SW ¼ of NE ¼) of Section 34, Township 8 South Range 14 East (Sec. 34, T8S-R14E), go South 00 degrees 27 minutes West 582.7 feet to a point; thence go South 77 degrees 7 minutes East 466.7 feet to a point; thence go South 53 degrees 37 minutes 10 seconds East 180.60

St. Tammany Parish 277
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Registry #: 2467066 crt
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feet to a point; thence go South 74 degrees 49 minutes 26 seconds East 164.86 feet to the Point of Beginning; thence go South 69 degrees 26 minutes 54 seconds East 137.01 feet to a point; thence go South 55 degrees 45 minutes 00 seconds West 100.17 feet to a point; thence go North 60 degrees 46 minutes 21 seconds West 104.92 feet to a point; thence go North 40 degrees 52 minutes 00 seconds East 70.41 feet to the point of beginning.

Being the same property acquired in that certain Act of Cash Sale executed on September 19, 1981 by Thelma Newell Martin, a single person, and Ina Ducksworth Martin, a single person, in favor of Tommie Lee Newell, husband of Edna Morgan, with his separate funds as his separate and paraphernal property, for the benefit of his separate estate, as duly recorded in the public records of St. Tammany Parish on September 22, 1981 at Instrument Number 472277.

This sale is made and accepted for and in consideration of the price and sum of **FIVE THOUSAND DOLLARS AND 00/100 (\$5,000.00)** cash, which said Purchaser well and truly paid, in ready and current money to the said Vendor who hereby acknowledges the receipt thereof and grants full acquaintance and discharge thereof. All State and City taxes up to and including the taxes due and exigible in 2015 are paid as per declaration of Vendor.

The parties to this Act are aware that no mortgage or conveyance certificates have been requested and are expressly dispensed with; and the parties hereto agree to hold the Notary harmless for the absence of said certificates.

Whenever used herein the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

As a further consideration for the sales price agreed upon herein, the Purchaser agree to accept the improvements located on the herein property in its "AS IS" condition, without any warranty by the Vendor whatsoever, expressed or implied, as to hidden, latent or redhibitory defects in the improvements. Purchaser acknowledge that Vendor makes no covenants, warranties, guaranties or representations, expressed or implied, pertaining to the condition of the improvements or the fitness thereof for any purpose. Purchaser do hereby relieve and release Vendor and all previous owners thereof from any and all claim for any vices or defects in said property, whether obvious or latent, known or unknown, and particularly for any claim or cause of action for redhibition pursuant to Louisiana Civil Code Articles 2520, **ET SEQ.**, or for diminution of purchase price pursuant to Louisiana Civil Code Articles 2541, **ET SEQ.**

Initials: WD _____

The parties to this Act are aware that no title examination has been requested or performed, and the parties release me, Notary Public, from any and all liability in connection therewith.

Initials: LD

The parties are aware that no survey of any nature has been requested. Accordingly, Purchasers do hereby release Supreme Title of Louisiana, Inc. and this Notary from any liability for any loss which an accurate and complete survey would disclose including but not limited to unrecorded easements, discrepancies or conflicts in boundary lines, shortage in area and encroachments, which an accurate and complete survey would disclose.

THUS DONE AND PASSED by the Appearers in the presence of the undersigned competent witnesses and me, Notary Public, all of whom signed after the reading of the whole at Metairie, Louisiana, on this 10th day of November, 2016.

WITNESSES:

Felicia Giardinia
Print Name: Felicia Giardinia

Glenn McDonald
TOMMIE LEE NEWELL - Vendor
BY: Glenn McDonald
Agent and Attorney-in-Fact

Jan L. Diaz
Print Name: Jan L. Diaz

Willie Ray Ducre Sr
WILLIE RAY DUCRE, SR. - Purchaser

John Y. Kennedy
NOTARY PUBLIC
JOHN Y. KENNEDY, NOTARY PUBLIC
MY COMMISSION IS ISSUED FOR LIFE
LOUISIANA STATE BAR #7783



POWER OF ATTORNEY	UNITED STATES OF AMERICA
BY: TOMMIE LEE NEWELL	STATE OF LOUISIANA
TO: GLEN MCDONALD	PARISH OF JEFFERSON

BE IT KNOWN, that on day before me, the undersigned authority, a Notary Public, duly commissioned and qualified in and for the aforementioned State and Parish, and in the presence of the undersigned witnesses, personally came and appeared:

TOMMIE LEE NEWELL, a person of the full age of majority, and a resident of and domiciled in the State of Mississippi, with his principal residence located at 205 Duckhill Rd., Soso, Mississippi 39480;

hereinafter referred to as "Appearer" who declared that he does hereby make and appoint and in Appearer's place and stead, depute and put:

GLEN MCDONALD, a person of the full age of majority, and a resident of and domiciled in the Parish of Orleans, State of Louisiana;

hereinafter referred to as "Agent," to be Appearer's attorney-in-fact, giving and by these presents granting unto Agent full power and authority to act in Appearer's behalf. This grant shall include all express and special authority permitted by the laws of Louisiana or of any other state to do, conduct, perform, manage, and transact, all and singular of Appearer's affairs, business concerns, and matters of whatever nature and kind, without exception or reservation.

Without limiting the foregoing power, Agent is expressly authorized and empowered to:

1. SELL PROPERTY

Alienate, sell, exchange, transfer or otherwise alienate:

- (a) All or part of Appearer's corporeal or incorporeal immovable property located in the State of Louisiana including but not limited to land and its component parts, buildings, other constructions, timber, and/or standing crops, together with any dismemberment of ownership such as personal and predial servitudes and/or real encumbrances in such immovable; and to receive and receipt the price therefore;

3. INTERPRETATION

All headings and captions contained in this Power of Attorney are merely for convenience; this Act is subject to liberal construction in favor of granting authority to Agent, and the enumeration is illustrative and shall not be deemed to restrict the grant of authority;

POWER OF ATTORNEY
BY: TOMMIE LEE NEWELL
TO: GLEN MCDONALD

4. SUBSEQUENT CHANGE IN LAW

A subsequent amendment to the Louisiana Constitution or subsequent legislation which would extend or broaden the powers granted to Agent shall be adopted and made part of this Power of Attorney.

THUS DONE AND SIGNED, in multiple originals, on this 20th day of October, 2016, in the presence of the undersigned competent witnesses, and myself, Notary Public, after due reading of the whole.

WITNESSES:

Jan L. Diaz
Print Name: Jan L. Diaz

Tommie L. Newell
TOMMIE LEE NEWELL

Rosanna Burch
Print Name: Rosanna Burch

Brady Smith
NOTARY PUBLIC
BRADY J. SMITH, NOTARY PUBLIC
MY COMMISSION IS ISSUED FOR LIFE
STATE OF LOUISIANA
BAR NO. 36677 / ID NO. 144056

