

The following ordinance which was previously introduced in written form required for adoption at the regular meeting of the Livingston Parish Council on July 24, 2014, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on August 14, 2014 on Motion of Joan Landry and seconded Chance Parent:

L.P. ORDINANCE NO. 14 -27

AN ORDINANCE AUTHORIZING THE LIVINGSTON PARISH COUNCIL TO DECLARE CERTAIN ADJUDICATED PROPERTY SURPLUS AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO STACY PHIPPS, HIS AGENT OR ASSIGNS FOR THE PRICE OF \$6,500.00 AND WHICH PROPERTY IS DESCRIBED AS FOLLOWS:

A CERTAIN TRACT OR PARCEL OF LAND TOGETHER WITH ALL IMPROVEMENTS LOCATED ONE CERTAIN LOT IN THE TOWN OF DENHAM SPRINGS, LOUISIANA SEC 58-6-2 MEASURES 90 FEET BY 120 FEET DIMENSION FRONTING ON SULLIVAN STREET, EAST. MUNICIPAL ADDRESS IS 114 SULLIVAN STREET, DENHAM SPRINGS, LA. ASSESSMENT #0348276, WARD 2TA. GPS COORDINATES: 30° 28' 58" N, 90° 57' 25' W

**WHEREAS**, the Parish of Livingston owns property described above said property having been adjudicated to the Parish for unpaid property taxes for the year 2012; and assessed in the name of CORRINE WHITE GRAYER.

**WHEREAS**, the Department of Public Works for the Parish of Livingston has recommended that the property be declared surplus and no longer needed for public purposes; and

**WHEREAS**, a request has been received by the Livingston Parish Finance Department from STACY PHIPPS, an adjoining property owner, to purchase said property for the sum of \$ 6,500.00 cash, at the time of sale; and

**WHEREAS**, pursuant to LSA-R.S. 47:2202(B) said property is being sold to adjacent property owner; and

**WHEREAS**, this Council 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 the above mentioned property to STACY PHIPPS, for the offered sum.

**NOW, THEREFORE, BE IT ORDAINED** by the Livingston Parish Council that:

- 1) A CERTAIN TRACT OR PARCEL OF LAND TOGETHER WITH ALL IMPROVEMENTS LOCATED ONE CERTAIN LOT IN THE TOWN OF DENHAM SPRINGS, LOUISIANA SEC 58-6-2 MEASURES 90 FEET BY 120 FEET DIMENSION FRONTING ON SULLIVAN STREET, EAST
- 2) THE PROPERTY IS RECORDED IN COB 50, PAGE 168, IN THE LIVINGSTON PARISH CLERK OF COURT'S OFFICE. IT'S MUNICIPAL ADDRESS IS 114 SULLIVAN STREET, DENHAM SPRINGS, LA, THE ASSESSMENT NUMBER 0348276, WARD 2TA
- 3) GPS COORDINATES: 30° 28' 58" N, 90° 57' 25' W

is hereby declared to be surplus and no longer needed for public purpose.

Section 2. Ten 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 Livingston conveys the above described property to: STACY PHIPPS FOR THE SUM OF \$6,500.00 CASH.

However, the Parish President shall not execute the act of cash sale until the Parish's Special Counsel's office has certified in writing to the Parish President the following:

A) Purchaser has certified in writing to the Parish's Special Counsel that purchaser or his agent has examined the mortgage records, conveyance records, probate and civil

suit records of the Clerk of Court of Livingston Parish and attached to the certification a written list of the names and last known addresses of 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 all as provided in LSA-R.S. 47:2206. Said written certification shall contain an indemnification and hold harmless clause by the purchaser in favor of the Parish of Livingston Parish, 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 Parish’s Special Counsel to notify those persons identified above in accordance with LSA-R.S. 47:2206 and has paid the Parish the sum of twenty-five dollars per notice and/or the sum of the actual cost of notice by publication requested.

C) The Parish’s Special Counsel has provided purchaser with proof of notice, and purchaser has recorded same in the conveyance records of Livingston Parish and has provided the Parish Attorney a stamped copy of the recorded proof on notice.

D) Purchaser has certified in writing to the Parish’s Special Counsel that the number of days required by LSA-R.S. 47:2206 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 Parish’s Special Counsel.

Section 3. If all of the requirements of Section 2 are not completed within one year 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 Livingston may have, and such sale shall contain such warranty limitations and other provisions as are required by the Parish’s Special Counsel. The Parish of Livingston 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.

This ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: MR. HARRIS, MR. NORRED, MS. WALE, MR. PARENT, MS. LANDRY, MR. BLACKWELL, MS. COLLINS, MR. GOFF

NAYS: NONE

ABSENT: MR. SHARP

And the ordinance was declared adopted on the 14th day of August, 2014.

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Ricky Goff, Council Chairman

ATTEST:

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Lisa Frederick, Council Clerk

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

DELIVERED TO PRESIDENT \_\_\_\_\_, \_\_\_\_\_ o'clock \_\_\_\_ .M.

APPROVED BY PRESIDENT \_\_\_\_\_  
Layton Ricks Date

VETOED BY PRESIDENT \_\_\_\_\_  
Layton Ricks Date

RECEIVED FROM PRESIDENT \_\_\_\_\_, \_\_\_\_\_ o'clock \_\_\_\_ .M.