



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpq.net

Guy McInnis
Councilman
at Large

George Cavignac
Councilman
at Large

Ray Lauga, Jr.
Councilman
District A

Nathan Gorbaty
Councilman
District B

Richard "Richie" Lewis
Councilman
District C

Casey W. Hunnicutt
Councilman
District D

**Manuel "Monty"
Montelongo III**
Councilman
District E

Roxanne Adams
Clerk of Council

#24

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MAY 6, 2014 AT SEVEN O'CLOCK P.M.

On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #1498-05-14

Summary No. 3066

Introduced by: Administration on 4/15/14

Public hearing held on 5/6/14

AN ORDINANCE TO DECLARE LOTS 2704 AND 2712 MUNSTER BOULEVARD AS SURPLUS, TO DONATE THE PROPERTY TO THE GARDEN OF PRAYER FAMILY WORSHIP CENTER, INC. AND TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ALL NECESSARY DOCUMENTS.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, the Parish considers this property surplus and it is not needed for a public purpose of the Parish,

WHEREAS, the Garden of Prayer Family Worship Center, Inc. will use the property for social welfare programs for the aid and benefit of the needy and to provide recreational green space for all income persons in the surrounding community

SECTION 1. The following property is surplus and is not needed for any public purpose:

2704 Munster Boulevard, Meraux, Louisiana 70075

2712 Munster Boulevard, Meraux, Louisiana 70075

This property will be referred to hereinafter in this ordinance as "THE PROPERTY".

SECTION 2. THE PROPERTY is hereby donated to the Garden of Prayer Family Worship Center, Inc. for social welfare programs for the aid and support of the needy and to provide recreational green space and activities for the benefit of all persons in the community.



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George Cavignac
*Councilman
at Large*

SECTION 3. The President of St. Bernard Parish Government is hereby authorized to execute any documents necessary to effectuate the donation of THE PROPERTY to the Garden of Prayer Family Worship Center, Inc. and to include language into the Act of Donation to ensure that the requirements of the Louisiana Constitution and the U.S. Community Development Block Grants are met.

Ray Lauga, Jr.
*Councilman
District A*

Nathan Gorbaty
*Councilman
District B*

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

Richard "Richie" Lewis
*Councilman
District C*

Casey W. Hunnicutt
*Councilman
District D*

SECTION 5. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

Manuel "Monty" Montelongo III
*Councilman
District E*

Roxanne Adams
Clerk of Council

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, Cavignac

NAYS: None

ABSENT: None

The Council Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6th day of May, 2014.



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Councilman
District A

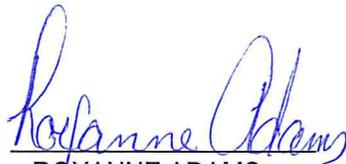
Nathan Gorbaty
Councilman
District B

Richard "Richie" Lewis
Councilman
District C

Casey W. Hunnicutt
Councilman
District D

Manuel "Monty" Montelongo III
Councilman
District E

Roxanne Adams
Clerk of Council


ROXANNE ADAMS
CLERK OF COUNCIL


GUY MCINNIS
COUNCIL CHAIR

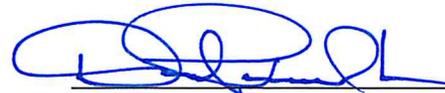
Delivered to the Parish President

5/9/2014 1:20pm
Date and Time

Approved

Vetoed

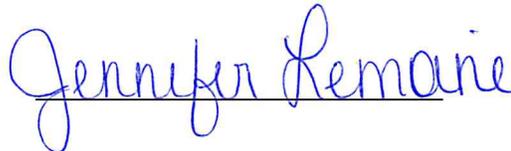
Parish President


David E. Peralta

Returned to Clerk of the Council

5/12/2014 4:12pm
Date and Time

Received by



STATE OF LOUISIANA

ST. BERNARD PARISH

ACT OF DONATION

A. **BE IT KNOWN**, that on this ____ day of _____ 2014, before me, _____, a Notary Public, duly commissioned and qualified in and for the hereinafter Parish and State, personally came and appeared:

St. Bernard Parish Government, represented by its Parish President David E. Peralta, 8201 West Judge Perez Drive, Chalmette, Louisiana 70043;

who declared that it does make a manual gift and donation inter vivos unto:

Garden of Prayer Family Worship Center, Inc, represented by Martin C. Sylvester, being of the full age of majority and resident of St. Bernard Parish, with a mailing address of 2605 Munster Drive Meraux, Louisiana 70075 (hereinafter sometimes referred to as "Garden of Prayer");

hereby appearing for the purpose of accepting the same, of the following described property, which now bears municipal addresses 2704 Munster Boulevard, Meraux, Louisiana and 2704 Munster Boulevard, Meraux, Louisiana, more particularly described as follows:

THOSE PORTIONS OF GROUND, together with all the buildings and improvements thereon, and all of the rights, way, privileges, servitudes and appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Bernard, State of Louisiana, in that part thereof known as Del Buono Park Subdivision, located in the square bounded by Munster Boulevard, Genie Street, Judge Perez Drive (Formerly Goodchildren Street), and western boundary of the subdivision, designated as Lot 98, which lot commences at a distance of 655.25 feet from the corner of Munster Boulevard, same in width in the rear, by depth of 119.34 feet between equal and parallel lines, all according to a survey made by Gilbert, Kelly & Couturie – Everett V. Treigle, Jr., surveyor, dated November 15, 1991.

Said property having a municipal address of: 2712 Munster Blvd. Meraux, LA

THOSE PORTIONS OF GROUND, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining, situated in the Parish of St. Bernard, State of Louisiana, in that part thereof known as DEL BUNO SUBDIVISION, as per plan of

Eugene I. Estopinal, C.E., dated October 20, 1964, annexed to an Act of Donation of Streets before Allen J. Tillery, Notary Public, dated February 15, 1965, registered in COB 90, folio 523, according to which said lot is designated as: Lot 96 situated in the square bounded by Munster Boulevard, Genie Street, the Western boundary of subdivision and Judge Perez Drive, which lot commences 514.92 feet from the intersection of Munster Boulevard and Judge Perez Drive and measures along the curve of Munster Boulevard 55.33 feet front on Munster Boulevard, 55 feet in width in the rear, by a depth on its Genie Street side of 119.34 feet and a depth of 116.85 feet on its opposite side. All in accordance with survey of Eugene I. Estopinal, C.E. dated May 24, 1971, located improvements July 15, 1971, and Survey of Stephen v. Estopinal dated July, 1991.

Said property having a municipal address of 2704 Munster Blvd., Meraux, LA

THOSE PORTIONS 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 the Parish St. Bernard, State of Louisiana, in that part thereof designated as DEL BUONO PARK SUBDIVISION, and in accordance with a plat of subdivision by Eugene I. Estopinal, C.E., dated October 30, 1964, finally revised August 16, 1965, registered in COB 93 folio 287, accepted by the Police Jury of St. Bernard on August 18, 1965, said piece or portion of ground is designated as follows:

LOT NO. 91 in the Square bounded by Munster Boulevard, Goodchildren Street, the western boundary of the Subdivision, Genie Street (side), and canal C-D (side). Said Lot 97 commences at a distance of 600.25 feet from the intersection of Munster Boulevard and Goodchildren Street, and measures thence 55 feet front on Munster Boulevard and in the rear, by a depth of 119.34 feet between equal and parallel lines. All in accordance with a survey by Eugene I. Estopinal, C.E., dated October 14, 1969.

Improvements bear House No. 2708 Munster Boulevard.

This property donated herein shall be referred to hereinafter in this ordinance as “THE PROPERTY”.

B. Donor, St. Bernard Parish Government (SBPG), declares that it is its intention to make a donation inter vivos to Donee, Garden of Prayer. Donee herein accepts this donation in accordance with the terms hereof and acknowledges gratitude therefor. THE PROPERTY is transferred and accepted subject to any and all easements and servitudes of public record. The parties hereto acknowledge that no survey has been performed on THE PROPERTY , at their request, at that the parties agree to relieve, release, hold harmless and indemnify the undersigned Notary Public from any and all liability and responsibility in connection therewith.

C. The parties hereto agree to dispense with the production of the Certificate of privileges or mortgages and exonerate the undersigned Notaries Public from all liabilities in the premises and further take full cognizance of the fact that they neither requested nor received from the undersigned Notaries Public opinions with respect to the title to THE PROPERTY hereby donated and finally take full cognizance of the fact that they have supplied the undersigned Notaries Public with the description of all properties herein donated and are satisfied with said description.

D. THE PROPERTY is hereby donated to the Garden of Prayer Family Worship Center, Inc for social welfare programs for the aid and support of the needy and to provide recreational green space and activities for the benefit of all persons in the community.

E. SBPG hereby donates THE PROPERTY in accordance with Louisiana Constitution and the regulations and policies of the U.S. Community Development Block Grant program.

F. If the use of THE PROPERTY violates the requirements of the U.S. Community Development Block Grant program or guidelines or violates the terms of paragraph D and/or E of this document, THE PROPERTY shall automatically, and without action of SBPG, revert back to SBPG in full ownership. In the event of violation SBPG shall acquire full ownership of all improvements made to THE PROPERTY. This section shall create a non-apparent conventional servitude that prohibits the construction of any structure or use of THE PROPERTY that is contrary to the provisions of Louisiana Constitution, paragraph D of this document, and the regulations and policies of the U.S. Community Development Block Grant program or guidelines. This provision shall “run” with the land and attach to all future third

parties, transferees, donees, buyers, or any party acquiring ownership interests or usufructs. This provision shall apply equally to natural and juridical persons

THUS DONE AND PASSED by SBPG in the presence of the undersigned competent witnesses and me, Notary Public, all of whom sign on this ____ day of _____, 2014, after due reading of the whole.

WITNESSES:

DONEE:

PRINTED NAME

SIGNATURE

Garden of Prayer Family

Worship Center Inc.

BY: MARTIN C. SYLVESTER

Its: _____

PRINTED NAME

SIGNATURE

**NOTARY PUBLIC
SIGNATURE**

PRINTED NAME

BAR ROLL NO./NOTARY NO.

THUS DONE AND PASSED by President of St. Bernard Parish Government, in the presence of the undersigned competent witnesses and me, Notary Public, in and for the Parish of St. Bernard, Louisiana, all of whom sign on this ____ day of _____, 2014, after due reading of the whole.

WITNESSES:

DONOR:

PRINTED NAME

SIGNATURE

St. Bernard Parish Government

BY: DAVID E. PERALTA

Its President

PRINTED NAME

SIGNATURE

**NOTARY PUBLIC
SIGNATURE**

PRINTED NAME

BAR ROLL NO./NOTARY NO.