

STATE OF LOUISIANA

TOWN OF STERLINGTON

ORDINANCE NO. 2004-02 (OTG) MOTION BY: Connie Smith

SECONDED BY: John White

AN ORDINANCE TO ENLARGE THE CORPORATE LIMITS OF THE TOWN OF STERLINGTON, LOUISIANA PURSUANT TO R. S. 33:171 ET SEQ., BY ANNEXING THAT TERRITORY MORE PARTICULARLY SHOWN ON EXHIBIT "2" AND DESCRIBED ON EXHIBIT "3", SAID TERRITORY BEING CONTIGUOUS TO THE EXISTING BOUNDARIES OF THE MUNICIPALITY; TO RETAIN ANY LAWS OR ORDINANCES NOT REPUGNANT HERETO AND NOT SPECIFICALLY REPEALED HEREIN; AND TO PROVIDE THAT IF ANY SUB-SECTION, ARTICLE, CLAUSE, SENTENCE, PHRASE, OR PART, OR APPLICATION OF THIS ORDINANCE FOR ANY REASON SHOULD BE FOUND UNCONSTITUTIONAL OR INVALID, NO OTHER PARTS AND/OR APPLICATIONS THEREOF SHALL BE AFFECTED.

WHEREAS, Louisiana Revised Statutes of 1950, Title 33, Section 171 et seq., as amended, provides for the procedure for annexation of territory into the corporate limits of a municipality; and,

WHEREAS, there has been compliance with the procedure required by R.S. 33:171 et seq., as amended, including but not limited to the following:

- (a) A petition (see Exhibit "1") has been presented to the Mayor and Board of aldermen of the Town of Sterlington by a majority in number of the resident property owners as well as 25% in value of the property of the resident property owners than the area proposed to be included in the corporate limits, requesting that property owned by petitioners and contiguous to existing boundaries of the Town of Sterlington, and being more particularly shown by vicinity map attached hereto as Exhibit "2", more particularly described in Exhibit "3", be annexed in the corporate limits of the Town of Sterlington, Louisiana;
- b) A certificate of the Ouachita Parish Assessor is attached hereto as Exhibit "4" certifying that according to assessment for property taxes for 2003 the property described in Exhibit "3" is owned by both a majority of the number of property owners and the owners of more than a majority in value of that property, and the total property tax assessment for parish taxes for 2003 is in the amount of SEVEN THOUSAND, FIVE HUNDRED AND NO/100 (\$7,500.00) DOLLARS, of which the amount of SEVEN THOUSAND, FIVE HUNDRED AND NO/100 (\$7,500.00) DOLLARS represents the value of property owned by the persons signing the petition for annexation;
- c) As reflected by Exhibit "5", according to the records of the Registrar of Voters, there are no registered voters residing within the territory described in Exhibit "3"; and
- d) Proof of publication of the filing of the petition, as required by R.S. 33:172B, and of notice of a public hearing concerning the annexation is attached hereto as Exhibit "6";

- e) Pursuant to that notice as evidenced by Exhibit "6" the Sterlington Board of Aldermen on the 15th day of June, 2004, and here held a public hearing regarding said petition for annexation.

WHEREAS, following said hearing by the Mayor and Board of Aldermen and after careful consideration of all recommendations, comments, and objects made at said hearing the Mayor and Sterlington Board of Aldermen declare that it is in the best interest of the Town of Sterlington to annex into the corporate limits of the Town of Sterlington the property described in Exhibit "3".

NOW THEREFORE,

SECTION 1. BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Sterlington, Louisiana, in legal session convened, that the property owned by Johnny's Pizza House, Inc. and contiguous to the existing boundaries of the corporate limits and located in the vicinity as shown by the map attached hereto as Exhibit "2" and more particularly described in Exhibit "3" be annexed into the corporate limits of the Town of Sterlington, Louisiana.

SECTION 2. BE IT FURTHER ORDAINED by the Mayor and Board of Aldermen of the Town of Sterlington, Louisiana, in legal session convened, that the Mayor of the Town of Sterlington, Louisiana, or his designee, be and they shall hereby be authorized to take all further actions and execute all further documents, resolutions and/or certifications as are required under R.S. 33:171, et seq., or other applicable law, as are necessary, proper or desirable, particularly including but not limited to the filing of the entire boundary of the municipality as changed in order that the annexation of property set forth above be effected at the earliest possible date.

SECTION 3. BE IT FURTHER ORDAINED by the Mayor and Board of Aldermen of the Town of Sterlington, Louisiana, in legal session convened, that all Ordinances or parts of Ordinances in conflict herewith hereby are repealed, but this repeal shall be only insofar as such Ordinances conflict and/or are inconsistent with this Ordinance; and all Ordinances or parts of Ordinances not inconsistent herewith shall continue in full force and effect.

SECTION 4. BE IT FURTHER ORDAINED by the Mayor and Board of Aldermen of the Town of Sterlington, Louisiana, in legal session convened, that the articles, paragraphs, sentences, clauses, and phrases of this Ordinances are deemed to be severable, and if any article, paragraph, sentence, clause, or phrase of this Ordinance shall be declared to be unconstitutional and/or invalid, such unconstitutionality and/or invalidity shall not affect any of the remaining articles, sentences, paragraphs, clauses or phrases which can be given effect without the

unconstitutional and/or invalid provision(s).

The above Ordinance was introduced on the 18th day of May, 2004, published as required by law, read and considered by Sections at a public meeting of the Mayor and Board of Aldermen, in regular and legal session convened, voted on by yea and nay vote, passed and adopted this 15th day of June, 2004, with the final vote being as follows:

YEA: 4

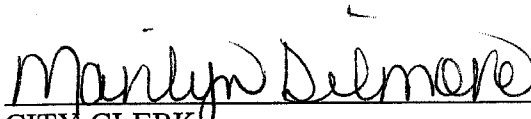
NAY: 0


NOT VOTING: 0

ABSENT: 1

ATTEST:

APPROVED THIS 15TH DAY OF  
JUNE, 2004.

  
CITY CLERK  
TOWN OF STERLINGTON  
STATE OF LOUISIANA

  
MAYOR  
TOWN OF STERLINGTON  
STATE OF LOUISIANA