

STATE OF LOUISIANA
TOWN OF STERLINGTON

ORDINANCE NO. 2004-03(OTG) MOTION BY: Connie Smith

SECONDED BY: Jayne Bullock

AN ORDINANCE TO CONTRACT THE CORPORATE LIMITS OF THE TOWN OF STERLINGTON, LOUISIANA PURSUANT TO R. S. 33:171 ET SEQ., BY DE-ANNEXING TERRITORY CONSISTING OF 1.6 ACRES, MORE OR LESS, CONSISTING OF A TRACT LOCATED IN SECTION 29, TOWNSHIP 20 NORTH, RANGE 4 EAST, OUACHITA PARISH, LOUISIANA, AND WHICH TERRITORY IS OWNED BY JOHNNY LOYD BROWN AND TERESA GRAY BROWN d/b/a STERLINGTON HARDWARE AND LUMBER COMPANY, SAID TERRITORY BEING WITHIN THE EXISTING BOUNDARIES OF THE MUNICIPALITY; TO RETAIN ANY LAWS OR ORDINANCES NOT REPUGNANT HERETO AND NOT SPECIFICALLY REPEALED HEREIN; AND TO PROVIDE THAT IF ANY SUB-SECTION, ARTICLE, CLAUSE, SENTENCE PHRASE, OR PART, OR APPLICATION OF THIS ORDINANCE FOR ANY REASON SHOULD BE FOUND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., and particularly Section 176, provides for the procedure for contracting the boundaries and de-annexing territory from the corporate limits of a municipality; and,

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

- a) A Petition (see Attachment "1") has been presented to the Mayor and Board of Aldermen of the Town of Sterlington, Louisiana by Johnny Loyd Brown and Teresa Gray Brown d/b/a Sterlington Hardware and Lumber Company, requesting that property owned by petitioners, and located in Section 29, Township 20 North, Range 4 East, Ouachita Parish, Louisiana, said property being within the existing boundaries of the Town of Sterlington, Louisiana and consisting of a parcel owned by Johnny Loyd Brown and Teresa Gray Brown (and more particularly shown by vicinity map attached hereto as Attachment "2" and more particularly described in Attachment "3" hereto) be de-annexed from the corporate limits of the Town of Sterlington, Louisiana;
- b) A certificate of the Ouachita Parish Assessor is attached hereto as Attachment "4" certifying that according to assessment for property taxes for 2003 the property described in Attachment "3" is owned by Johnny Loyd Brown and Teresa Gray Brown and the total property tax assessment for parish taxes for 2003 is in the amount of SIX THOUSAND, TWO HUNDRED NINETY THREE AND NO/100 (\$6,293.00) DOLLARS, of which the amount of SIX THOUSAND, TWO HUNDRED NINETY THREE AND NO/100 (\$6,293.00) DOLLARS represents the value of property owned by the person(s) signing the petition for de-annexation;
- c) A certificate of the Ouachita Parish Registrar of Voters is attached

hereto as Attachment "5" certifying that according to the records of the Registrar of Voters there are no registered voters residing within the territory described in Attachment "3";

- 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 de-annexation is attached hereto as Exhibit "6";
- e) Pursuant to that notice as evidenced by Exhibit "6" the Sterlington Board of Aldermen met on the 15th day of June, 2004, and here held a public hearing regarding said petition for de-annexation, and the contraction of the corporate limits of the Town of Sterlington, Louisiana.

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 de-annex the property described in Attachment "3" and to accordingly contract the corporate limits of the Town of Sterlington.

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 LOYD BROWN and TERESA GRAY BROWN d/b/a STERLINGTON HARDWARE AND LUMBER COMPANY, and located within the existing boundaries of the corporate limits and located in the vicinity as shown by the map attached hereto as Attachment "2" and more particularly described in Attachment "3", be de-annexed from the corporate limits of the Town of Sterlington, Louisiana, and the boundary of the corporate limits of the Town of Sterlington, Louisiana, be contracted accordingly.

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 de-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 Ordinance 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: 3

NAY: 1 opposed

NOT VOTING: 0

ABSENT: 1

ATTEST:

Marilyn Delmore
CITY CLERK
TOWN OF STERLINGTON
STATE OF LOUISIANA

APPROVED THIS 15TH DAY OF
JUNE, 2004.

Clyde L. Bull
MAYOR
TOWN OF STERLINGTON
STATE OF LOUISIANA