

RESOLUTION NO. 10-463

On motion of Council Member Friedman, seconded by Council Member Banta, and on roll call all members present voting "Yes", the following Resolution was unanimously adopted:

A Resolution authorizing and directing the Council Legal Department and/or its designee to file a Petition for Writ of Mandamus against the Plaquemines Parish President, William H. Nungesser, to compel him to enter into and execute a Purchase Agreement with White Oak Realty, LLC and Citrus Realty, LLC (or the current owners) for approximately 6 acres of property located in Nairn, Louisiana to be used for a recreational park, athletic fields, walking track and picnic area as Mr. Nungesser was authorized and directed to do in Ordinance No. 08-146, adopted June 26, 2008, and Ordinance No. 08-354 adopted September 25, 2008; and otherwise to provide with respect thereto.

WHEREAS, the Parish Council, adopted Ordinance No. 08-146 which authorized and directed the Parish president, William H. Nungesser to enter into and execute a Purchase Agreement with White Oak Realty, LLC and Citrus Lands, LLC (or the current owner) for approximately 6 acres of property located in Nairn, Louisiana, for the construction of a recreational park, athletic fields, walking track and picnic area; and

WHEREAS, the Parish Council, adopted Ordinance No. 08-354 which authorized and directed the Parish President, William H. Nungesser to obtain an appraisal and title policy, if necessary, and to enter into and execute a Purchase Agreement with White Oak Realty, LLC and Citrus Lands, LLC (or the current owner) for approximately 6 acres of property located in Nairn, Louisiana, for the construction of a recreational park, athletic fields, walking track and picnic area; and

WHEREAS, as of this date the Purchase Agreement has not been executed; nor has the property been acquired by the Parish;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes and directs the Council Legal Department and or its designee to file a Petition for Writ of Mandamus against the Plaquemines Parish President, William H. Nungesser, to compel him to obtain an appraisal and title policy, if necessary for approximately 6 acres of property located in Nairn, Louisiana to be used for a recreational park, athletic fields, walking track and picnic area as he was authorized and directed to do in Ordinance No. 08-354, adopted September 25, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby authorizes and directs the Council Legal Department and or its designee to file a Petition for Writ of Mandamus against the Plaquemines Parish President, William H. Nungesser, to compel him to enter into and execute a Purchase Agreement with White Oak Realty, LLC and Citrus Realty, LLC (or the current owners) of approximately 6 acres of property located in Nairn, Louisiana to be used for a recreational park, athletic fields, walking track and picnic area as he was authorized and directed to do in Ordinance No. 08-146, adopted June 26, 2008, and Ordinance No. 08-354, adopted September 25, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

I hereby certify the above and foregoing to be a true and correct copy of a Resolution adopted by the Plaquemines Parish Council at a meeting held in the Plaquemines Parish Temporary Courthouse Building, 450 F. Edward Hebert Blvd., Belle Chasse, Louisiana, on Thursday, October 28, 2010.

Secretary