

On motion of Councilmember _____, seconded by Councilmember _____, the following ordinance was introduced:

SUMMARY NO. _____ ORDINANCE NO. _____

AN ORDINANCE: 1) APPROVING A RESUBDIVISION OF PARCELS A-1 AND B-1, GABRIEL, CITY OF KENNER, JEFFERSON PARISH, LOUISIANA INTO LOTS 220 THOROUGH 251, GABRIEL, CITY OF KENNER, JEFFERSON PARISH, LOUISIANA AS SHOWN ON THE RESUBDIVISION PLAN OF BFM CORPORATION DATED SEPTEMBER 11, 2013; 2) PROVIDING FOR THE CREATION OF AUSTRALIS STREET AND THE EXTENSION OF PALMETTO STREET AS PRIVATE STREETS NOT DEDICATED FOR PUBLIC REIGHT-OF WAY AS SOWN ON THE RESUBDIVISION PLAN OF BFM CORPORATION DATED SEPTEMBER 11, 2013; AND 3) AMENDING THE ORDIANCES NOS. 8068, 8422 AND 9183 TO ALLOW FOR THE EXEMPTION OF LOTS 220 THROUGH 251 FROM ASSESSMENTS OF GABRIEL HOMEOWNERS ASSOCIATION, INC. UNTIL SUCH TIME AS A LOT IS SOLD TO A PERSON WHO INTENDS TO USE THE LOT AS HIS OR HER PERSONAL USE;

WHEREAS, Gabriel Two, L.L.C. is the owner of the property formally known as Parcels 2, 3, and 4 of Gabriel, City of Kenner, Jefferson Parish, Louisiana which property was by and act before Philip B. Sherman, Notary Public, recorded at Instrument Number 11355715, COB 3323 folio 878, conveyance office, Parish of Jefferson, Louisiana; and

WHEREAS, Gabriel Two, L.L.C. is the owner the property formally known as Parcel 6 Gabriel, City of Kenner, Jefferson Parish, Louisiana which property was acquired by an act before Philip B. Sherman, Notary Public, recorded at Instrument Number 11355715, COB 3323 folio 878, conveyance office, Parish of Jefferson, Louisiana; and

WHEREAS, Gabriel Two, L.L.C. is the owner of the property formally known as an undesignated portion of ground generally referred to as the East Bank of the Duncan Canal, City of Kenner, Jefferson Parish, Louisiana which property was acquired by an act before Philip B. Sherman, Notary Public, recorded at Instrument Number 11355715, COB 3323 folio 878, conveyance office, Parish of Jefferson, Louisiana; and

WHEREAS, Gabriel Two, L.L.C. is the owner of the property formally known as an undesignated portion of ground generally referred to as the Fourth Jefferson Drainage District Property, City of Kenner, Jefferson Parish, Louisiana which property was acquired by an act before Philip B. Sherman, Notary Public, recorded at Instrument Number 11355715, COB 3323 folio 878, conveyance office, Parish of Jefferson, Louisiana; and

WHEREAS, Gabriel Two, L.L.C. is the owner of the property formally known as Alligator Bayou, City of Kenner, Jefferson Parish, Louisiana which property was acquired by an act before Philip B. Sherman, Notary Public, recorded at Instrument Number 11355715, COB 3323 folio 878, conveyance office, Parish of Jefferson, Louisiana; and

WHEREAS, the above referenced property owned by Gabriel Two, L.L.C. was re-subdivided into Lots A-1 and B-1 by Ordinance Number 9183, and

WHEREAS, Lots A-1 and B-1 have been designated as future development as part of the Gabriel Planned Unit Development; and

WHEREAS, Gabriel Two, L.L.C. has proposed the re-subdivision of Lots A-1 and B-1 into Lots 220 through 251, Gabriel, City of Kenner, Jefferson Parish, Louisiana as shown on the re-subdivision plan of BFM Corporation, dated September 11, 2013; and

WHEREAS, Gabriel Two, L.L.C. has proposed the creation of Australis Street and the extension of Palmetto Streets as private streets not dedicated for public right-of way, as shown on the Survey of BFM Corporation dated September 11, 2013; and

WHEREAS, Gabriel Two, L.L.C. desires to amend Ordinances 8068, 8422 and 9183 to allow the re-subdivided lots 220 through 251 to be exempt from all Assessments of the Gabriel Homeowners Association, Inc., as provided for in the Deed Restrictions, Covenants, Conditions, and Restrictions for Gabriel by Gabriel Properties, L.L.C., recorded at COB 3053 folio 218, conveyance office, Parish of Jefferson, Louisiana, until such time a lot is sold to a person who intends to use such lot for his or her personal use; and

WHEREAS, the Planning Director has caused to be held a Planning Commission Public Hearing on _____; and

WHEREAS, the Planning Department has submitted the results of said public hearing, including Department and Planning Commission recommendations, to the Mayor and the Kenner City Council.

THE COUNCIL OF THE CITY OF KENNER HEREBY ORDAINS:

SECTION ONE: That the re-subdivision of Lot A-1 and B-1, Gabriel, City of Kenner, Jefferson Parish, Louisiana into Lots 220 through 251, Gabriel, City of Kenner, Jefferson Parish, Louisiana as shown on the re-subdivision plan of BFM Corporation dated September 11, 2013, be and same is hereby approved.

SECTION TWO: That the creation of Australis Street and the extension of Palmetto Street as private streets not dedicated for public right-of way, as shown on the resubdivision plan of BFM Corporation dated September 11, 2013, be and same hereby approved.

SECTION FOUR: That Ordinances 8068, 8422 and 9183 be and they are hereby amended to exempt Lots 220 through 251 from all Assessments by Gabriel Homeowners Association, Inc., as defined in the Deed Restrictions, Covenants, Conditions, and Restrictions for Gabriel by Gabriel Properties, L.L.C., recorded at COB 3053 folio 218, conveyance office, Parish of Jefferson, Louisiana, until such time as a lot is sold to a person intending to use such lot for his or her personal use.

SECTION FIVE: That subsequent to Council approval, the applicant shall proceed in accordance with all applicable provisions of Section 20.08 of Ordinance No. 2427, the Comprehensive Zoning Ordinance of the City of Kenner, as amended.

SECTION SIX: That all ordinances or parts of ordinance in conflict with this ordinance are hereby expressly repealed and rescinded but only insofar as they conflict with provisions of this ordinance and only insofar as they pertain to P.U.D. 1-99 and P.U.D. 1-01

SECTION SEVEN: That the Council President be and is hereby authorized to sign any plans or documents which may be necessary to carry into effect the foregoing.

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

YEAS:

NAYS:

ABSENT:

ABSTAINED:

This ordinance was declared adopted on this, the _____ day of _____, _____.

CLERK OF THE COUNCIL

PRESIDENT OF THE COUNCIL

MAYOR