

STATE OF LOUISIANA
CITY OF WEST MONROE

ORDINANCE NO. _____

MOTION BY: _____

SECONDED BY: _____

AN ORDINANCE TO ENLARGE THE CORPORATE LIMITS OF THE CITY OF WEST MONROE, LOUISIANA PURSUANT TO R. S. 33:171 ET SEQ., BY **ANNEXING TERRITORY CONSISTING OF A TRACT LOCATED AT 4331 CYPRESS STREET, AND WHICH PROPERTY IS OWNED BY BOBBY W. TINSLEY, AND AN ABUTTING TRACT LOCATED AT 4377 CYPRESS STREET, AND WHICH PROPERTY IS OWNED BY DUPRIEST INVESTMENTS, LLC, AND APPROXIMATELY 455 FEET OF US HIGHWAY 80, WHICH IS OWNED BY THE STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, ALL OF WHICH 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THE EXISTING BOUNDARIES OF THE MUNICIPALITY; TO RETAIN ANY LAWS OR ORDINANCES NOT REPUGNANT HERETO AND NOT SPECIFICALLY REPEALED HEREIN; AND TO PROVIDE THAT IF ANY SUB-SECTION, ARTICLE, CLAUSE, SENTENCE, PHRASE, OR PART, OR APPLICATION OF THIS ORDINANCE FOR ANY REASON SHOULD BE FOUND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, by Ordinance Number 1646, adopted June 14, 1977, now codified in Sec. 1-2002 and 1-2003 of the Code of Ordinances of the City of West Monroe, Louisiana, adopted by reference the provisions of R.S. 33:171 et seq., as amended from time to time by the Louisiana Legislature, in addition to vesting certain authority pertaining thereto in the Planning Commission of the City of West Monroe, Louisiana; and,

WHEREAS, La. R.S. 33:180 provides for annexation of public property and roads by ordinance, upon petition of the public body owning the land to be included, the municipality may upon majority vote adopt such an ordinance without the necessity of advertisement, petition by residents, or public hearing; and

WHEREAS, there has been compliance with the procedure required by R.S. 33:171 et seq., as amended, and R.S. 33:180, and Ordinance Number 1646 of the City of West Monroe, including but not limited to the following:

- a) Petitions have been presented to the Mayor and Board of Aldermen of the City of West Monroe, Louisiana by Bobby W. Tinsley requesting that property owned by petitioner and located at 4331 Cypress Street, West Monroe, Louisiana, (see **Exhibit “1”**) and by Dupriest Investments, LLC requesting that property owned by petitioner and located at 4377 Cypress Street, West Monroe, Louisiana, (see **Exhibit “2”**) be annexed into the corporate limits of the City of West Monroe, Louisiana. Said properties being contiguous to the

existing boundaries of the City of West Monroe, Louisiana and consisting of acreage more particularly shown by vicinity map attached hereto as **Exhibit "4"** and more particularly described in **Exhibit "5"**; and,

- b) The State of Louisiana, Department of Transportation and Development has provided a Letter of no objection to the annexation of an approximate 455-foot linear segment of the full width of US Highway 80 (also known as Cypress Street)(see Exhibit "3"). Said segment of US Highway 80 being contiguous along its Southerly right-of-way line to the boundaries of the City of West Monroe, Louisiana upon the concurrent annexation of the petitioners' properties herein, and consisting of acreage more particularly shown by vicinity map attached hereto as **Exhibit "4"** and more particularly described in **Exhibit "5"**; and,
- c) A certificate of the Ouachita Parish Assessor is attached hereto as **Exhibit "6"** certifying that according to assessment for property taxes for 2023 for the property described in **Exhibit "5"** and depicted in **Exhibit "4"** that the property is owned by both a majority of the number of property owners and the owners of more than 25 percent in value of the property, with the petitioners representing the only private property to be annexed; and,
- d) A certificate of the Ouachita Parish Registrar of Voters is attached hereto as **Exhibit "7"** certifying that according to the records of the Registrar of Voters there are no registered voters residing within the territory described in **Exhibit "5"**; and,
- e) Proof of publication of the filing of the petition, as required by La. R.S. 33:172B, and of a public hearing by the West Monroe Planning Commission concerning the described annexation is attached hereto as **Exhibit "8"**; and,
- f) Pursuant to notice as evidenced by **Exhibit "8"**, the West Monroe Planning Commission on January 23, 2024 held a public hearing regarding said petitions for annexation, resulting in the recommendation to the West Monroe Board of Aldermen that the property described in **Exhibit "5"** be annexed into the corporate limits of the City of West Monroe, Louisiana; and,
- g) Pursuant to notice required by law, as evidenced by **Exhibit "9"**, the West Monroe Board of Aldermen on February 6, 2024, held a public hearing regarding said petitions for annexation.

WHEREAS, following the 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 West Monroe Board of Aldermen declare that it is in the best interest of the City of West Monroe to annex into the corporate limits of the City of West Monroe the property described in **Exhibit "5"**.

NOW THEREFORE,

SECTION 1. **BE IT ORDAINED** by the Mayor and Board of Aldermen of the City of West Monroe, Louisiana, in regular and legal session convened, that said property, contiguous to the existing boundaries of the corporate limits and located in the vicinity as shown by the map attached hereto as **Exhibit "4"** and more particularly described in **Exhibit "5"** be annexed into the corporate limits of the City of West Monroe, Louisiana.

SECTION 2. BE IT FURTHER ORDAINED by the Mayor and Board of Aldermen of the City of West Monroe, Louisiana, in regular and legal session convened, that the Mayor of the City of West Monroe, Louisiana, or her 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 City of West Monroe, Louisiana, in regular and 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 City of West Monroe, Louisiana, in regular and legal session convened, that the articles, paragraphs, sentences, clauses, and phrases of this Ordinances are deemed to be severable, and if any sub-section, article, clause, sentence, phrase, or part 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 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 6th day of February, 2024 with the final vote being as follows:

YEA: _____

NAY: _____

NOT VOTING: _____

ABSENT: _____

ATTEST:

APPROVED THIS 6TH DAY OF
FEBRUARY, 2024

CINDY EMORY, CITY CLERK
CITY OF WEST MONROE
STATE OF LOUISIANA

STACI ALBRITTON MITCHELL, MAYOR
CITY OF WEST MONROE
STATE OF LOUISIANA