

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: February 21, 2013

CALENDAR NO. 29,449

NO. 025251 MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HEDGE-MORRELL (BY REQUEST)

AN ORDINANCE authorizing the sale at public auction for a minimum price, to be determined by appraisal, of a parcel of ground with all improvements and appurtenances designated as Lot 11 and a portion of Lot 12, Square 2890, Third Municipal District, forming the corner of Elysian Fields Avenue and Pelopidas Street, bounded by Elysian Fields Avenue, Pelopidas Street, Marigny Street, and Gentilly Boulevard, the improvements bearing the municipal address 4131 Elysian Fields Avenue which is no longer needed for public purposes; and otherwise to provide with respect thereto.

WHEREAS, the City of New Orleans may auction property when the property is no longer needed for public purposes; and

WHEREAS, the various departments of the City have declared that they have no public use or need for 4131 Elysian Fields Avenue; and

WHEREAS, the Mayor and the City Planning Commission have determined that it would be in the best interest of the City of New Orleans to sell 4131 Elysian Fields Avenue for the proper utilization of the property, the generation of badly needed funds, and to return the property to the tax rolls; NOW, THEREFORE

1 SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY  
2 ORDAINS, That the Finance Director, or a person designated by him, is hereby authorized to

3 sell with all improvements and appurtenances the property designated as Lot 11 and a portion of  
4 Lot 12, Square 2890, Third Municipal District, forming the corner of Elysian Fields Avenue and  
5 Pelopidas Street, bounded by Elysian Fields Avenue, Pelopidas Street, Marigny Street, and  
6 Gentilly Boulevard, the improvements bearing the municipal address 4131 Elysian Fields  
7 Avenue, as no longer needed for public purposes, at public auction to the highest bidder, after  
8 advertising in the official journal as provided by Section 6-306 (2) of the City Charter.

1       **SECTION 2.** That the starting minimum acceptable bid for said property shall be set by  
2 appraisal. All subsequent bids shall be at least \$1,000 above the previous high bid.

1       **SECTION 3.** The highest bidder shall deposit ten percent (10%) of the amount of said  
2 bid in cash at the time of adjudication to insure the signing of the Act of Sale, which shall be  
3 passed before the a notary at the expense of the purchaser. Should the purchaser fail to deposit  
4 10% of the amount of said bid, 4131 Elysian Fields Avenue shall be offered to the second  
5 highest bidder. The purchaser, in addition to the purchase price of said property, shall pay all  
6 costs in connection with the Act of Sale, including the cost of advertisement of said sale, the  
7 appraisal cost, the notice of and promulgation of this ordinance, the cost of recordation of the  
8 executed Act of Sale, and any notary expenses. All costs must be paid to the City Notary prior to  
9 the signature of the Mayor on the Act of Sale. The Act of Sale shall be passed within one  
10 hundred twenty (120) days after the adjudication at public auction. The City reserves the right to  
11 reject any and all bids.

1       **SECTION 4.** That proceeds of the sale of the property described in Section 1 be credited  
2 to Capital Funds.

1       **SECTION 5.** That the Mayor be and is hereby authorized to execute the necessary deeds  
2 of conveyance to purchaser before the City Notary for the property described in Section 1.

