

ON MOTION OF COUNCILMAN Golan, SECONDED BY COUNCILMAN

Woodward, THE FOLLOWING RESOLUTION WAS INTRODUCED:

RESOLUTION NO. B-1132

A RESOLUTION EXPRESSING THE CITY OF KENNER COUNCIL'S POSITION ON RESTRICTIONS, COVENANTS AND CHARGES IMPOSED UPON WOODLAKE SUBDIVISION, SECTION I, KENNER, JEFFERSON PARISH, LOUISIANA.

WHEREAS, Woodlake Development Company, by act before Robert P. Chatelain, Notary Public, on May 22, 1973, did impose certain restrictions, covenants and charges on 452 lots of ground in Woodlake Subdivision, Section I, Kenner, Jefferson Parish, Louisiana, which said restrictions are recorded at COB 790, folio 461, Jefferson Parish, Louisiana; and

WHEREAS, said restrictions as adopted on May 22, 1973, were amended on May 12, 1975, by act before Rader Jackson, Notary Public, said act of amendment being recorded at COB 835, folio 219, Parish of Jefferson; and

WHEREAS, said amended restrictions provide, in part, that there shall be no exceptions or variations to minimum yard requirements as set forth in the restrictions, without resolution of the aldermen of the City of Kenner, or its successors, and any such exceptions shall only be granted on lots which are irregular in shape; and

WHEREAS, the inclusion of the aldermen of the City of Kenner (now council of the City of Kenner) as an administrative body for the administration and regulation of building restrictions, was done without the knowledge, consent, approval or ratification of the City of Kenner Council; and

WHEREAS, the City of Kenner has not, and does not intend to, adopt the minimum yard requirements as set forth in aforementioned building restrictions, as the City of Kenner requirements; and

WHEREAS, City of Kenner councilmatic action or involvement in the administration or regulation of building restrictions imposed by a developer for the benefit of said property and for each subsequent owner thereof, would constitute an improper and unlawful action on the part of the City of Kenner Council.

BE IT RESOLVED by the Council of the City of Kenner:

SECTION I: That the Council of the City of Kenner hereby expresses its position that it will not, in the future, render any expression whatsoever regarding building restrictions imposed on Woodlake Subdivision, Section I, by act recorded at COB 790, folio 461 as amended by act recorded at COB 835, folio 219, Parish of Jefferson.

SECTION II: That more specifically, the City of Kenner Council will not approve or address itself, in any manner whatsoever, to the issue of variances in minimum yard requirements, as set forth in aforementioned building restrictions, pertaining to any lot or building site included in said restrictions, including any such lot or building site which may be classified as irregular in shape.

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


YEAS: 7

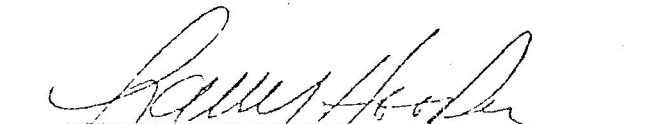
NAYS: 0

ABSENT: 0

This resolution was declared adopted on this 28th day of

June, 1976.


GWEN BOYNTON, Council Clerk


LARRY J. HOOPER, Council President