

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: March 12, 2026

CALENDAR NO. 35,347

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER HARRIS (BY REQUEST)

AN ORDINANCE to authorize the Mayor of the City of New Orleans to enter into an agreement to grant a servitude to an adjacent property owner for encroachments on/over portions of public right-of-way located at the municipal address 326 North Norman C Francis Parkway; to fix the minimum price and terms of said servitude agreement; to declare that such use as granted in the servitude agreement will incorporate space that is neither needed for public purposes nor shall such use interfere with the use of the public right-of-way; to set forth the reasons for said servitude agreement; and otherwise to provide with respect thereto.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS,** That the
2 following portions of the public rights-of-way are not needed for public purposes at this time and that the Mayor
3 is hereby authorized to grant the following servitude thereon to the adjacent property owners as described below
4 for a yearly payment of \$230.00 said annual payment subject to upward adjustment of 15%, rounded to the nearest
5 dollar, following the expiration of every fifth year after August 1, 2023:

6 Approximately square feet of ground rights consisting of the Encroachments of a fence,
7 on/over the North Norman C Francis Parkway public right-of-way, the Encroachments
8 being part of the improvements located in the 2nd Municipal District, Square 450, Lot 11-
9 A, bounded by , bearing the municipal address 326 North Norman C Francis Parkway,
10 New Orleans, Louisiana.

1 **SECTION 2.** That the grant of servitude be undertaken for the following reasons:

2 (a) The owner, which owns the improvements adjacent to the City-owned property, has
3 constructed or is planning to construct improvements upon the public rights-of-way after
4 applying for and obtaining building permits, to the extent necessary, from the City of
5 New Orleans; and

6 (b) Said improvements and constructions referred to in subsection (a) hereinabove are dependent
7 upon the servitude agreement with the owner; the plans and specifications submitted by the
8 owner, to obtain the building permits for the improvements described herein, accurately delineate
9 the improvements and constructions which are subject to the servitude agreement, and said plans
10 and specifications were inspected and approved by the City of New Orleans prior to the issuance
11 by the City of building permits allowing the improvements to be constructed as shown therein;
12 the disposition of property rights by the servitude agreement as authorized herein will not hinder
13 or preempt the use by the public or the City of any other public property and will provide revenues
14 to the City otherwise not attainable if the aforementioned property rights were unused.

1 **SECTION 3.** That the Mayor is hereby authorized to execute the servitude agreement described
2 hereinabove in SECTION 1 and attached hereto as Exhibit "A".

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

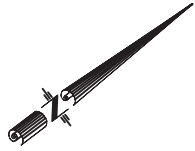
RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:
YEAS:
NAYS:
ABSENT:
RECUSED:

REST LOT!

S OR

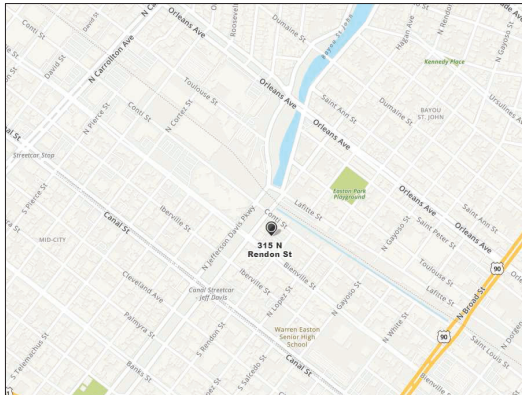


N. NORMAN C. FRANCIS PKWY
(FORMERLY N. JEFFERSON DAVIS PKWY)

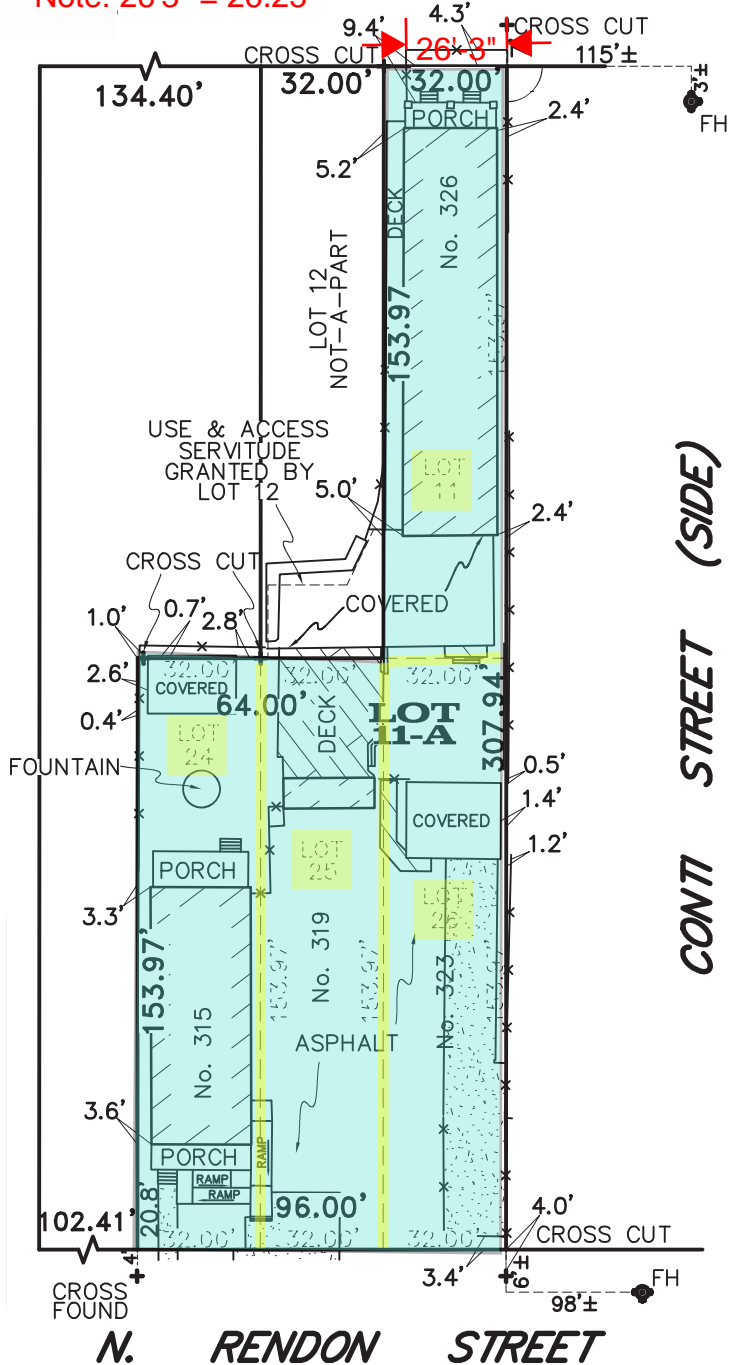
Note: 26'3" = 26.25'

CURRENT LOTS	AREA(SQ.FT.)
LOT 11	4927.04
LOT 24	4927.04
LOT 25	4927.04
LOT 26	4927.04

RESUBDIVIDED	AREA(SQ.FT.)
LOT 11-A	19708.16



VICINITY MAP - NOT-TO-SCALE



RESUBDIVISION SURVEY OF:

LOTS: 11, 24, 25 & 26 INTO 11-A
 SQUARE: 450
 SUB: N/A
 DISTRICT: SECOND
 PARISH, LA: ORLEANS

ELEVATION NOTE:

THIS IS CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER:
 FIRM MAP DATED: 09/30/2016
 FLOOD ZONE: AE
 BASE FLOOD ELEVATION: (-)2
 FIRM PANEL: 22071C 0227 F

GENERAL NOTES

NOTE: ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED. SOME ITEMS MAY NOT BE TO SCALE FOR CLARITY. DIMENSIONS ON SURVEY PREVAIL OVER THE SCALE. FENCES ARE SHOWN FOR GENERAL INFORMATION PURPOSES ONLY AND DO NOT REFLECT EXACT LOCATION OR CONDITION.

ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1 REFERENCE PLAN #1: A PLAN OF SURVEY BY GILBERT, KELLY & COUTURIE, INC. DATED JUNE 6, 2009

THE SERVITUDES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE REFLECTED OR SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.

THIS PERIMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE, AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO THE LEGAL TITLE, AND WAS MADE SOLELY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR.

THIS IS TO CERTIFY THAT THE PROPERTY BOUNDARY SURVEY RECORDED HEREON WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS AS STIPULATED IN LOUISIANA ADMINISTRATIVE CODE TITLE: 46:LXI, CHAPTER 25 FOR A CLASS "C" (SUBURBAN) SURVEY

MADE AT THE REQUEST OF DAVID DEMAREST
 UPDATED 12/2/22

BY: *C. Randall Dixon*



KLS Group Inc.

SURVEYING - CONSTRUCTION LAYOUT
 3D SCANNING & MODELING - ELEVATION CERTIFICATES
 5118 STOREY ST., ELMWOOD, LA, 70123
 P: 504-302-0991 F: 504-539-3712
 INFO@KLSGROUPINC.COM
 Certified WBE

DATE: MARCH 28, 2022

DRAWN BY: SKB

SCALE: 1" = 50'

CHECKED BY: CRD

JOB #: 11019-22

SHEET #1 OF 1

Calendar No. (Rev)
(Exp)

Name Brandon Benjamin Ext. 3518
Person responsible for routing

**CHECK SHEET TO BE USED FOR
CLEARING ORDINANCES, MOTIONS, AND RESOLUTIONS
BEFORE SUBMISSION TO COUNCIL CLERK**

The originating agency shall attach a copy of each proposed ordinance, motion, or resolution to the check sheet for processing in the sequence indicated after preparing a synopsis. The detailed memorandum of explanation shall also be attached to this check sheet.

SYNOPSIS OF DOCUMENT: AN ORDINANCE authorizing the Mayor of the City of New Orleans to enter into a servitude agreement with BBG 326 Jeff Davis, LLC, ground rights for the purpose encroachments of steps, landing and railings bearing the municipal address of 326 North Norman C. Francis for a yearly payment of \$230.00;

1. Howard E. Miller III
Department Head
2. [Signature] stephen nelson
Department of Law Deputy CAO
3. [Signature]
Chief Administrative Officer
4. Elizabeth Brusseau
Director of Council Relations
5. _____
Initials of Sponsoring Council Member

COUNCIL ACTION

Council Members Present: _____
Absent: _____

AMENDMENTS:

FINAL ADOPTION:

_____ MOVED: _____
 _____ 2ND: _____
 _____ YEAS: _____
 _____ NAYS: _____
 _____ ABSENT: _____
 _____ RECUSED: _____

7. _____
Reviewed by the Chief Administrative Officer after adoption by the City Council and prior to the Mayor's signature.



LEGISLATIVE SUMMARY

TO ACCOMPANY ORDINANCES

BEFORE SUBMISSION TO CLERK OF COUNCIL

Requesting Department or Agency: Real Estate and Records

Name of Contact Person: Brandon Benjamin

Telephone Number: 504-658-3518

Email Address: Brandon.Benjamin@nola.gov

Initials of Sponsoring Councilmember(s): _____

DETAILED SYNOPSIS OF THE ORDINANCE

Please generally describe the purpose, intent, and effect of the proposed ordinance.

To authorize the Mayor of the City of New Orleans to enter into an agreement

to grant a servitude to an adjacent property owner for encroachments on/over portions

of public right-of-way located at the municipal address 326 North Norman C Francis Pa

To fix the minimum price, terms, and reasons for said lease agreement;

To declare that the such use as granted is neither needed for public purposes

nor shall such use interfere with the use of the public right-of-way.



LEGISLATIVE SUMMARY

If the Ordinance is to effectuate a contract, CEA, or other similar agreement (hereafter contract), please provide the following additional information.

If this section is not applicable, please check this box.

The parties involved:

CITY OF NEW ORLEANS AND BBG 326 JEFF DAVIS, LLC.

The obligations, expectations, and deliverables of the parties involved:

BBG 326 JEFF DAVIS, LLC shall make annual payments, make all use subject to the public's use of the right-of-way maintain liability insurance, perform work in safe and reasonable manner, comply with applicable laws and regulations, and agree to defend and indemnify the City of New Orleans. The City agrees to execute the lease agreement.

Any fiscal implications for the City with the contract:

Receipt of Annual Payment for use of an Encroachment that Occupies the public Right-of-Way

The public purpose and need for the contract:

The servitude will provide revenues to the City otherwise not attainable if the aforementioned property rights were unused.

The duration of the contract:

Perpetual unless terminated by default, non-payment, or as otherwise provided.



LEGISLATIVE SUMMARY

If the Ordinance is to effectuate an amendment to the Codes of the City of New Orleans, please provide the following additional information.



If this section is not applicable, please check this box.

The existing provision(s) of the Code being proposed for amendment:

The general content/requirements of the existing Code provision:

How the proposed ordinance will alter the existing Code provision(s):

Why these changes are needed:

REQUESTED ADOPTION DATE: _____

Reference: Council Rule 41 & City Code Section 2-813