

RESOLUTION NO. __ OF 2014

A RESOLUTION TO DECIDE THE APPEAL BY THE MONTESSORI SCHOOL FOR SHREVEPORT IN CASE NO. BAC-145-13, CONCERNING A CERTIFICATE OF OCCUPANCY ISSUED TO BI INC. TO OPERATE A BUSINESS AT 605 EAST WASHINGTON STREET, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, BI Inc. was granted a Certificate of Occupancy by the City of Shreveport (sometimes referred to herein as the “CO”) to operate its business on the leased premises having the municipal address of 605 East Washington Street, Shreveport, Louisiana 71104 (the “Premises”); and

WHEREAS, The Montessori School for Shreveport filed with the Zoning Board of Appeals of the City of Shreveport, Louisiana, an appeal of the issuance of the CO, and the Zoning Board of Appeals ruled that the CO should not have been issued and is revoked;

WHEREAS, BI Inc. appealed to the City Council of the City of Shreveport, Louisiana, to reverse the ruling of the Zoning Board of Appeals;

WHEREAS, BI Inc. has reached an agreement with The Montessori School for Shreveport, which agreement was recited to the City Council for the City of Shreveport, Louisiana, on January 14, 2014, for BI Inc. (i) to abandon the CO effective as of May 15, 2014, (ii) to cease doing business at the Premises on or before May 15, 2014, (iii) to immediately and irrevocably withdraw effective May 15, 2014, its appeal of the ruling of the Shreveport Zoning Board of Appeals, (iv) to not appeal or otherwise oppose the revocation of the CO, and (v) to be estopped from appealing or otherwise opposing the revocation of the CO, the ruling of the Shreveport Zoning Board of Appeals, or the action of the City Council of the City of Shreveport taken below; and

WHEREAS, BI Inc. and The Montessori School for Shreveport have requested the City Council of the City of Shreveport, Louisiana, to effectuate, in part, their agreement by passing this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Shreveport, in due, regular and legal session convened, hereby finds, holds, rules and orders that (a) effective May 15, 2014, the ruling of the Zoning Board of Appeals of the City of Shreveport, Louisiana, in Case Number BAC-145-13 is hereby upheld, ratified and confirmed, and, thus, that Certificate of Occupancy No. COC1300531 issued to BI Inc. on August 28, 2013, is revoked effective as of that date; (b) the City Council of the City of Shreveport hereby accepts the irrevocable withdrawal by BI, Inc. effective as of May 15, 2014, of BI Inc.’s appeal made in that certain letter, dated November 21, 2013,

by Ronald J. Miciotto to the Shreveport City Council; and (c) BI Inc. is permitted to continue to occupy and conduct business until May 15, 2014, the Premises under the terms and conditions of Certificate of Occupancy No. COC1300531 issued to BI Inc. by the City of Shreveport, Louisiana, on August 28, 2013.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

City Attorney's Office