

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5175

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: FALCONER/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY:

SECONDED BY: \_\_\_\_\_

ON THE 3 DAY OF APRIL , 2014

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ENTER INTO A SERVITUDE AGREEMENT WITH WASHINGTON-ST. TAMMANY ELECTRIC COOPERATIVE, INC. FOR ELECTRIC SERVICE TO THE PARISH'S COMMUNICATION TOWER (WARD 6, DISTRICT 11).

WHEREAS, it is the desire of St. Tammany Parish Government to grant a servitude to Washington-St. Tammany Electric Cooperative, Inc. over, under and upon immovable property owned by Parish for the purpose of providing above and below ground electrical services to the Parish's communication tower to be constructed on the Parish's property near the intersection of Highway 36 with Otis Drive; and

WHEREAS, St. Tammany Parish Government has determined that it is in the public interest to enter into a servitude agreement for the purpose of providing electricity to the communication tower; and

WHEREAS, a map defining the property on which the servitude is to be granted is attached hereto as Exhibit "A".

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that it authorizes the Office of the Parish President to enter into a servitude agreement with Washington-St. Tammany Electric Cooperative, Inc. for that certain property described on the attached map for the purposes of providing above and below ground electrical services to the Parish's communication tower being constructed near the intersection of Highway 36 and Otis Drive.

BE IT FURTHER ORDAINED, that the Office of the Parish President is authorized to exercise its discretion in granting a servitude on this property, together with all agreements and all transactions necessary to carry out the intent of this Ordinance.

BET IT FURTHER ORDAINED, that all actions previously taken by the Office of the Parish President to grant a servitude on the property are ratified and accepted accordingly.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 1 DAY OF MAY, 2014; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: March 27, 2014

Published Adoption: \_\_\_\_\_, 2014

Delivered to Parish President: \_\_\_\_\_, 2014 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2014 at \_\_\_\_\_



### **Ordinance Administrative Comment**

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ENTER INTO A SERVITUDE AGREEMENT WITH WASHINGTON-ST. TAMMANY ELECTRIC COOPERATIVE, INC. FOR ELECTRIC SERVICE TO PARISH'S COMMUNICATIONS TOWER (WARD 6, DISTRICT 11).

The Parish seeks to enter into a servitude agreement with Washington-St. Tammany Electric Cooperative, Inc. for the provision of electrical service to the Parish's communications tower to be constructed on Parish's property near the Animal Services location. No compensation is being exchanged in conjunction with this servitude, as the servitude is needed to provide electricity to the communications tower.