

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5420

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

COUNCIL SPONSOR: TANNER/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. SMITH

ON THE 9 DAY OF JULY, 2015

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PARCELS, RIGHTS OF WAY AND/OR SERVITUDES FOR AVON COURT DRAINAGE IMPROVEMENTS PROJECT ( WARD 8, DISTRICT 9).

WHEREAS, the St. Tammany Parish Government desires to acquire certain immovable property (hereinafter referred to as "Property"); and

WHEREAS, there is a need and public purpose for the acquisition of certain immovable property for drainage improvements; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the Property, rights of way and/or servitudes and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire said Property, rights of way and/or servitudes; and

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize the Parish of St. Tammany, to acquire by purchase and/or donation all that certain parcel of ground described in Exhibit "A" attached hereto; and

BE IT FURTHER ORDAINED that pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to do whatever is necessary to acquire the Property, rights of way and/or servitudes; and

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized and instructed to proceed with the acquisition of the Property, rights of way and/or servitudes in a timely and orderly manner; and

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized to exercise its discretion in acquiring the Property, rights of way and/or servitudes, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; and

BE IT FURTHER ORDAINED that, if purchased, the purchase price shall not exceed the fair market value of the Property as evidenced by an appraisal obtained or supplied to the Parish plus fees and costs; and

BE IT FURTHER ORDAINED that any and all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated herein 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 6 DAY OF AUGUST, 2015; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
RICHARD E. TANNER, COUNCIL CHAIRMAN

ATTEST:

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

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

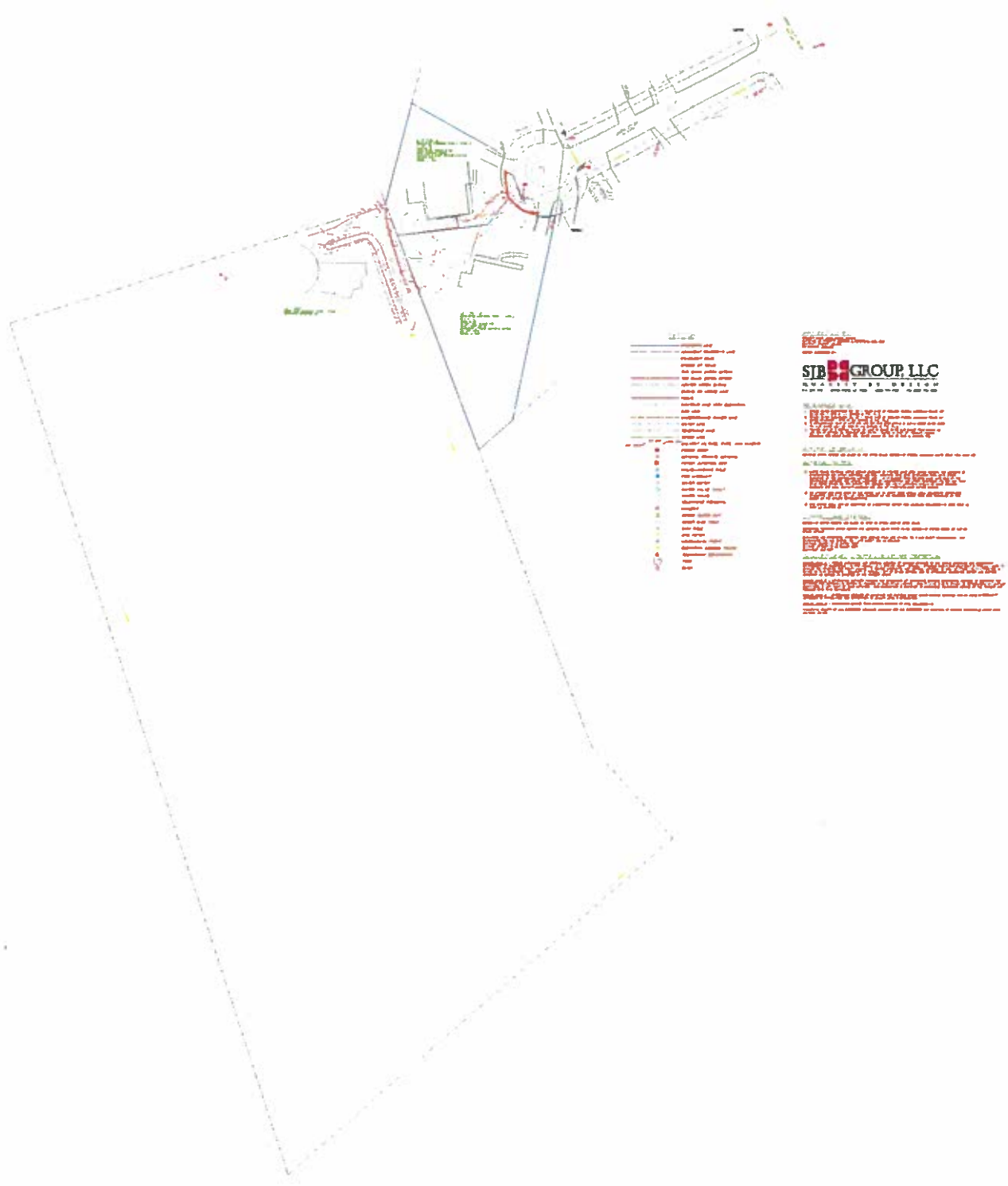
Published Introduction: JUNE 25, 2015

Published Adoption: \_\_\_\_\_, 2015

Delivered to Parish President: \_\_\_\_\_, 2015 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2015 at \_\_\_\_\_

# Exhibit "A"



## **Ordinance Administrative Comment**

**ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PARCELS, RIGHTS OF WAYS AND/OR SERVITUDES FOR AVON COURT DRAINAGE IMPROVEMENTS PROJECT (WARD 8, DISTRICT 9).**

St. Tammany Parish seeks to acquire certain rights of way and/or servitudes for drainage improvements to Avon Court. The property will be surveyed with metes and bounds description prior to closing. The Parish intends to pay no more than appraised value or less, plus closing costs and fees, if applicable.