

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5102

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. BELLISARIO

SECONDED BY: MR. STEFANCIK

ON THE 7 DAY OF NOVEMBER , 2013

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE, EXPROPRIATE OR OTHERWISE ACQUIRE CERTAIN PARCELS, RIGHTS OF WAY AND/OR SERVITUDES FOR THE SLIDELL LEVEE SEGMENT SO4 PROJECT. (WARD 9, DISTRICT 13).

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

WHEREAS, there is a need and a public purpose for the acquisition of 3.23+ acres for levee improvements to the South Slidell Levee System; 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.

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

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.

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 matter.

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.

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 cost.

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 5 DAY OF DECEMBER, 2013; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: October 31, 2013

Published Adoption: _____, 2013

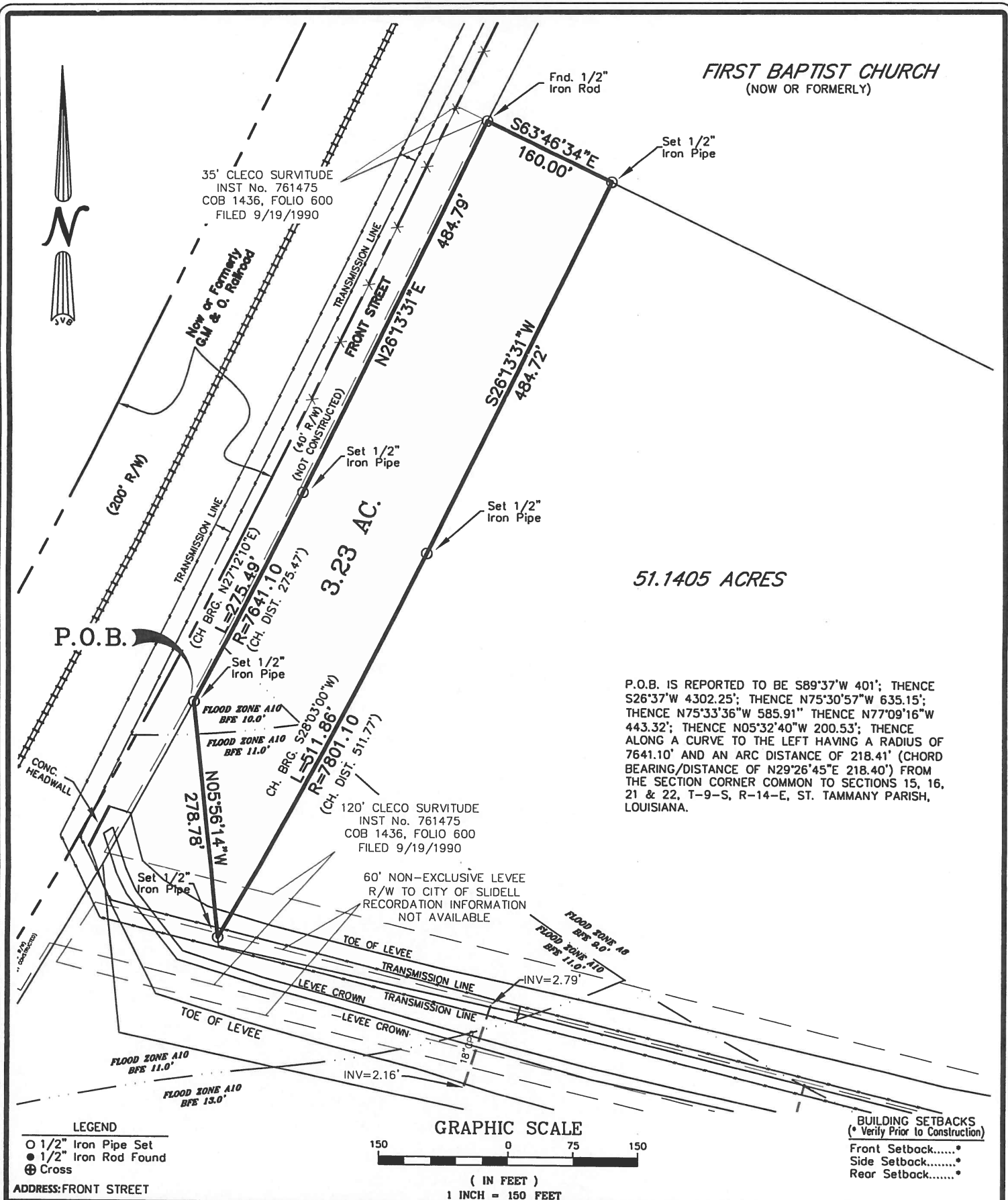
Delivered to Parish President: _____, 2013 at _____

Returned to Council Clerk: _____, 2013 at _____

Ordinance Administrative Comment

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St. Tammany Parish seeks to acquire property, rights of way and/or servitudes for levee improvements to the South Slidell Levee System. The Parish intends to pay no more than appraised value or less, plus closing costs and fees.



FIRST BAPTIST CHURCH
(NOW OR FORMERLY)

51.1405 ACRES

P.O.B. IS REPORTED TO BE S89°37'W 401'; THENCE S26°37'W 4302.25'; THENCE N75°30'57\"/>

LEGEND
 ○ 1/2" Iron Pipe Set
 ● 1/2" Iron Rod Found
 ⊕ Cross

ADDRESS: FRONT STREET

GRAPHIC SCALE
 150 0 75 150
 (IN FEET)
 1 INCH = 150 FEET

BUILDING SETBACKS
 (* Verify Prior to Construction)
 Front Setback.....'
 Side Setback.....'
 Rear Setback.....'

I CERTIFY THAT THIS PLAT DOES REPRESENT AN ACTUAL GROUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCROACHMENTS EXIST EITHER WAY ACROSS ANY OF THE PROPERTY LINES, EXCEPT AS SHOWN.

ENCUMBRANCES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. ENCUMBRANCES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

F.I.R.M. No. 225205 0535 D
 F.I.R.M. Date 4/2/91
 ZN: AB_A10 B.F.E. 9'10'11'
 * Verify prior to construction with Local Governing Body.

DRAWING NO.
20130031

DATE:
3/21/13

J.V. Burkes & Associates, Inc.
 SURVEYING ENGINEERING • ENVIRONMENTAL
 1805 Shortcut Highway
 Slidell, Louisiana 70458
 E-mail: jvbassoc@jvburkes.com

DRAWN BY: JDL
CHECKED BY: SMB

SCALE:
1" = 150'

Phone: 985-649-0075 Fax: 985-649-0154
 Mississippi Phone: 228-435-5800
DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL OF SURVEYOR.

A SURVEY MAP OF A 3.23 ACRE PARCEL OF LAND IN SECTION 44, T-9-S, R-14-E, ST. TAMMANY PARISH, LOUISIANA

CERTIFIED TO: ST. TAMMANY PARISH

SURVEYED BY
 SEAN M. BURKES
 LA REG. No. 4785

J. V. Burkes & Associates, Inc.

1805 Shortcut Highway, Slidell, La

Phone (985) 649-0075 ♦ Fax (985) 649-0154

Engineering ♦ Surveying ♦ Environmental

March 21, 2013

Attachment to J. V. Burkes & Associates, Inc. Dwg No. 20130031

(Dated March 21, 2013)

Legal Description - 3.23 Acres

IN SECTION 44 – TOWNSHIP 9 SOUTH – RANGE 14 EAST

SAINT TAMMANY PARISH, LOUISIANA

For: St. Tammany Parish

A certain parcel of land, lying and situated in Section 44, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana and being more fully described as follows.

From the Section corner common to Sections 15, 16, 21 and 22, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana run South 89 Degrees 37 Minutes West a distance of 401.00 feet to a point; Thence run South 26 Degrees 37 Minutes West a distance of 4302.25 feet to a ½" iron rod found on the westerly right of way line of U.S. Highway No. 11; Thence leaving said westerly right of way line of U.S. Highway No. 11 run North 75 Degrees 30 Minutes 57 Seconds West a distance of 635.15 feet to a point; Thence run North 75 Degrees 33 Minutes 36 Seconds West a distance of 585.91 feet to a point; Thence run North 77 Degrees 09 Minutes 16 Seconds West a distance of 443.32 feet to a point; Thence run North 05 Degrees 32 Minutes 40 Seconds West a distance of 200.53 feet to a point; Thence run along a curve to the left with a radius of 7641.10 feet and an arc length of 281.41 feet (a chord bearing/distance of North 29 Degrees 26 Minutes 45 Seconds East a distance of 218.40 feet) to a ½" iron pipe set on the easterly right of way line of Front Street and the **Point of Beginning**.

From the **Point of Beginning** run along said the easterly right of way line of Front Street along a curve to the left with a radius of 7641.10 feet and an arc length of 275.49 feet (a chord bearing/distance of North 27 Degrees 12 Minutes 10 Seconds East a distance of 275.47 feet) to a ½" iron pipe set; Thence continue along the westerly right of way line of Front Street run North 26 Degrees 13 Minutes 31 Seconds East a distance of 484.79 feet to a ½" iron rod found; Thence leaving said easterly right of way line of Front Street run South 63 Degrees 46 Minutes 34 Seconds East a distance of 160.00 feet to a ½" iron pipe set; Thence run South 26 Degrees 13 Minutes 31 Seconds West a distance of 484.72 feet to a ½" iron pipe set; Thence run along a curve to the right with a radius of 7801.10 feet and an arc length of 511.86 feet (a chord bearing/distance of South 28 Degrees 03 Minutes 00 Seconds West a distance of 511.77 feet) to a ½" iron pipe set; Thence run North 05 Degrees 56 Minutes 14 Seconds West a distance of 278.78 feet and back to the **Point of Beginning**.

Said parcel contains **3.23 acres of land more or less**, lying and situated in Section 44, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana.