

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5416

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

COUNCIL SPONSOR: TANNER/BRISTER

PROVIDED BY: LEGAL

INTRODUCED BY: \_\_\_\_\_

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

ON THE 4 DAY OF JUNE , 2015

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN RIGHTS OF WAY AND/OR SERVITUDES FOR THE BEN THOMAS DETENTION POND PROJECT. (WARD 9, DISTRICT 14)

WHEREAS, the St. Tammany Parish Government desires to acquire certain rights of way and/or servitudes (hereinafter referred to as "property"); and

WHEREAS, there is a need and a public purpose for the acquisition of certain rights of way and/or servitudes of immovable property for drainage improvements along Ben Thomas Road; and

WHEREAS, the necessary permanent and temporary servitudes are depicted on the survey, attached hereto as Exhibit "A"; and

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

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize the Parish of St. Tammany, to acquire all rights of way and/or servitudes described in Exhibit "A".

BE IT FURTHER ORDAINED that pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to proceed with the acquisition of the rights of way and/or servitudes in a timely and orderly manner.

BE IT FURTHER ORDAINED that, if purchased, the purchase price shall not exceed 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 the Office of the Parish President is authorized to exercise its discretion in acquiring the 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 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 9 DAY OF JULY, 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: MAY 28, 2015

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

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

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



## **Ordinance Administrative Comment**

### **ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN RIGHTS OF WAY AND/OR SERVITUDES FOR THE BEN THOMAS DETENTION POND PROJECT. (WARD 9, DISTRICT 14)**

St. Tammany Parish seeks to acquire certain rights of way and/or servitudes for drainage improvements. Further, the Parish will obtain 150' x 100' permanent drainage servitude for drainage improvements and future maintenance and temporary construction servitude for construction of drainage improvements. The Parish intends to pay no more than appraised value or less, plus closing costs and fees. The property will be surveyed with metes and bounds description prior to closing.