

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5197

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

COUNCIL SPONSOR: FALCONER/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

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

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

ON THE 5 DAY OF JUNE , 2014

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 HIDDEN OAKS LANE DRAINAGE PROJECT. (WARD 8, DISTRICT 8)

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

WHEREAS, there is a need and a 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, servitudes and/or rights of way.

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, servitudes and/or rights of way.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized and instructed to proceed with the acquisition of the Property, servitudes and/or rights of way 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, servitudes and/or rights of way, 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 fee and costs.

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 10 DAY OF JULY, 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: May 29, 2014

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

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

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

Exhibit "A"

Page 1 of 2

**J. V. Burkes & Associates, Inc.**

1805 Shortcut Highway, Slidell, La

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

Engineering ♦ Surveying ♦ Environmental

July 26, 2013

Attachment to J. V. Burkes & Associates, Inc. Dwg No. 20130346

(Dated July 25, 2013)

Legal Description - Proposed Servitude

through Tract A, Hidden Oaks Lane

IN SECTION 1 – TOWNSHIP 9 SOUTH – RANGE 14 EAST

SAINT TAMMANY PARISH, LOUISIANA

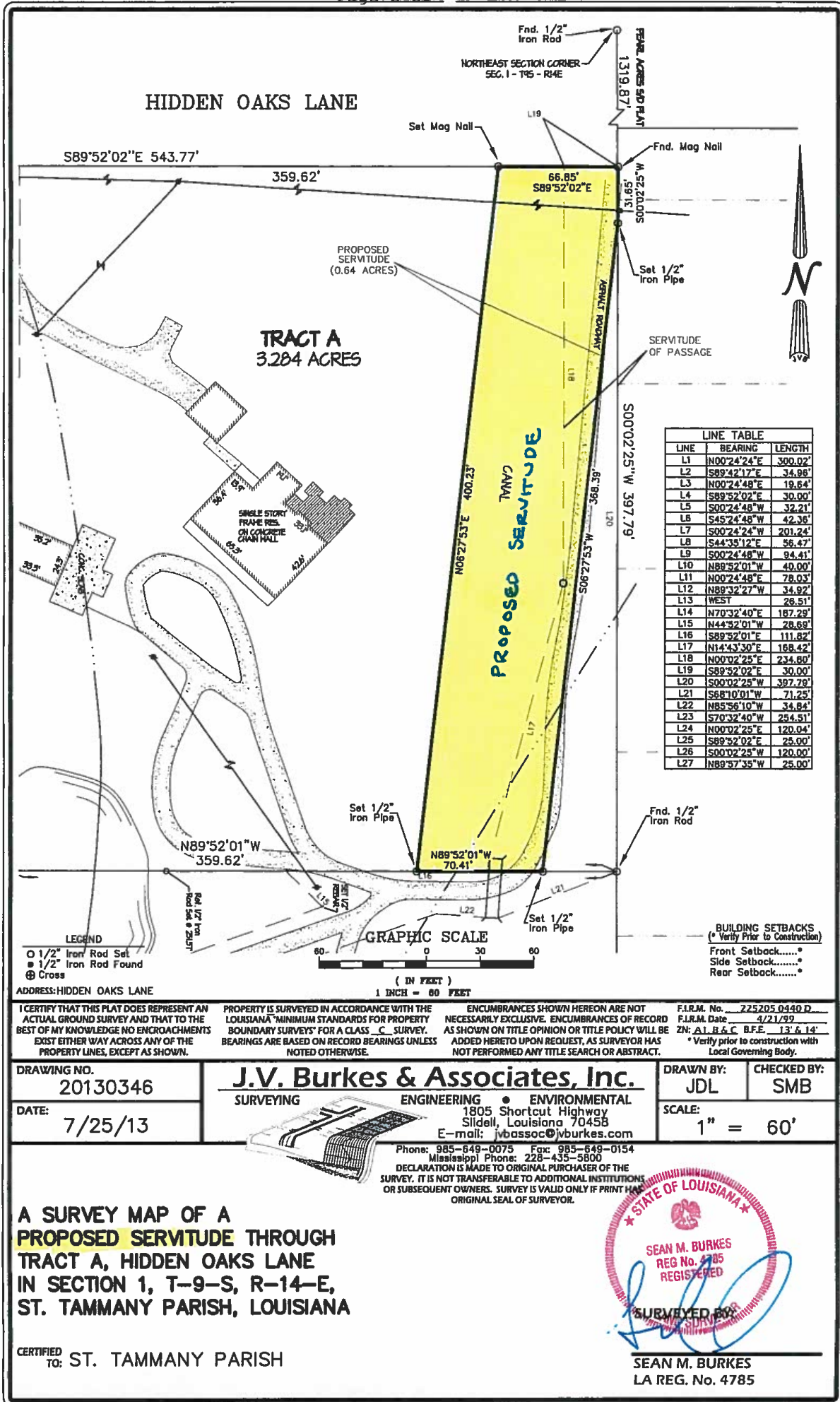
**For: St. Tammany Parish**

A certain parcel of land, lying and situated in Tract A, Hidden Oaks Lane, situated in Section 1, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana and being more fully described as follows.

From the Quarter Section corner common to Section 1, Township 9 South, Range 14 East and Section 6, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana run North a distance of 570.09 feet to a ¾" iron pipe found; Thence run North 00 Degrees 02 Minutes 28 Seconds East a distance of 349.41 feet to a ½" iron rod found; Thence run North 00 Degrees 02 Minutes 25 Seconds East a distance of 397.79 feet to a mag nail found in Hidden Oaks Lane and the **Point of Beginning**.

From the **Point of Beginning** run South 00 Degrees 02 Minutes 25 Seconds West a distance of 31.65 feet to a ½" iron pipe set; Thence run South 06 Degrees 27 Minutes 53 Seconds West a distance of 368.39 feet to a ½" iron pipe set; Thence run North 89 Degrees 52 Minutes 01 Seconds West a distance of 70.41 feet to a ½" iron pipe set; Thence run North 06 Degrees 27 Minutes 53 Seconds East a distance of 400.23 feet to a mag nail set in Hidden Oaks Lane; Thence run in Hidden Oaks Lane South 89 Degrees 52 Minutes 02 Seconds East a distance of 66.85 feet and back to the **Point of Beginning**.

Said parcel contains **0.64 acres of land more or less**, lying and situated in Section 1, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana.



## Administrative Comment

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 HIDDEN OAKS LANE DRAINAGE PROJECT. (WARD 8, DISTRICT 8)

St. Tammany Parish seeks to acquire property, rights of way and/or servitudes for drainage improvements. Further, the Parish will obtain approximately 0.64 acres of right of way to establish a drainage servitude which will improve the maintenance of the existing canal. The Parish intends to pay no more than appraised value or less, plus closing costs and fees.