

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5338

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

COUNCIL SPONSOR: TANNER/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. BINDER

ON THE 5 DAY OF FEBRUARY , 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 THE FOLSOM BARN EXPANSION PROJECT. (WARD 2, DISTRICT 3).

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

WHEREAS, there is a need and public purpose for the acquisition of 48.31+ acres for an extension of the Folsom Barn; and

WHEREAS, the Parish 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 HEREBY ORDAINS: to authorize the Parish, to acquire by purchase, donation, or expropriation all those certain parcels of ground described in Exhibits "A" and "B" 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 manner.

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 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 MARCH, 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: JANUARY 29, 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 PARCELS, RIGHTS OF WAY AND/OR SERVITUDES FOR THE FOLSOM BARN EXPANSION PROJECT. (WARD 2, DISTRICT 6).

The Parish seeks to acquire certain property, rights of way and/or servitudes for the Folsom Barn Expansion Project. The attached legal descriptions and aerial map depict all required property, rights of way and/or servitudes. The Parish intends to pay no more than appraised value or less, plus closing costs and fees for any acquired properties.

**EXHIBIT "A"**

ALL THAT CERTAIN PIECE OR PARCEL OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining thereto, being situated in Section 32, Township 4 South, Range 11 East, St. Tammany Parish, Louisiana and being more fully described as follows, to-wit:

From the Southwest corner of Section 32 Township 4 South Range 11 East, St. Tammany Parish, Louisiana run North 44 degrees 13 minutes 15 seconds West, 1806.4 feet; thence North 03 degrees 11 minutes East, 2597.4 feet; thence South 89 degrees 48 minutes 30 seconds East, 1336.8 feet; thence North 89 degrees 58 minutes 30 seconds East, 3563.1 feet; thence South 13 degrees 58 minutes East, 433.3 feet; thence South 16 degrees 49 minutes East, 100.1 feet; thence South 13 degrees 58 minutes 00 seconds East, 1.39 feet; thence South 82 degrees 45 minutes 36 seconds West, 2130.0 feet to the Point of Beginning.

From the Point of Beginning run South 07 degrees 14 minutes 24 seconds East, 799.72 feet; thence South 82 degrees 45 minutes 36 seconds West, 249.64 feet; thence North 37 degrees 29 minutes 36 seconds West, 328.08 feet; thence North 35 degrees 15 minutes 21 seconds West, 181.62 feet; thence North 06 degrees 15 minutes 21 seconds West, 356.02 feet; thence North 82 degrees 45 minutes 36 seconds East, 495.35 feet back to the Point of Beginning.

This tract contains 7.91 acres, more or less. All as more fully shown on survey by Land Surveying, Inc.

**AND**

ALL THAT CERTAIN PIECE OR PARCEL OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining thereto, being situated in Section 32, Township 4 South, Range 11 East, St. Tammany Parish, Louisiana and being more fully described as follows, to-wit:

From the Southwest corner of Section 32 Township 4 South Range 11 East, St. Tammany Parish, Louisiana run North 44 degrees 13 minutes 15 seconds West, 1806.4 feet; thence North 03 degrees 11 minutes East, 2597.4 feet; thence South 89 degrees 48 minutes 30 seconds East, 1336.8 feet; thence North 89 degrees 58 minutes 30 seconds East, 3563.1 feet; thence South 13 degrees 58 minutes East, 433.3 feet; thence South 16 degrees 49 minutes East, 100.1 feet; thence South 13 degrees 58 minutes 00 seconds East, 1.39 feet to the Point of Beginning.

From the Point of Beginning run South 13 degrees 58 minutes 00 seconds East, 498.6 feet; thence South 16 degrees 49 minutes 00 seconds East, 100.1 feet to a point; thence South 13 degrees 58 minutes 00 seconds East, 207.3 feet to a point; thence South 82 degrees 45 minutes 36 seconds West, 2229.3 feet to a point; thence North 07 degrees 14 minutes 24 seconds West, 799.7 feet to a point; thence North 82 degrees 45 minutes 36 seconds East, 2130.0 feet back to the Point of Beginning.

This tract contains 40.4 Acres.

## **LESS AND EXCEPT**

ALL THAT CERTAIN PIECE OR PARACEL OF GROUND, together with all the buildings and improvements thereon, situated in the PARISH OF ST. TAMMANY, STATE OF LOUISIANA, located in Section 32, Township 4 South, Range 11 East, and being more fully described as follows:

From the Southwest corner of Section 32, Township 4 South, Range 11 East, St. Tammany Parish, Louisiana, run North 44 degrees, 13 minutes, 15 seconds West, 1,806.4 feet; thence North 03 degrees, 11 minutes East, 2,597.4 feet; thence South 89 degrees, 48 minutes, 30 seconds East, 1,336.8 feet; thence North 89 degrees, 58 minutes, 30 seconds East, 3,563.1 feet; thence South 13 degrees, 58 minutes East, 433.3 feet; thence South 16 degrees, 49 minutes East, 100.1 feet; thence South 13 degrees, 58 minutes, 00 seconds East, 1.39 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING run along the West Right-of-Way of La. Hwy. 437 South 13 degrees, 58 minutes, 00 seconds East, 350.00 feet to a point; thence South 82 degrees, 45 minutes, 36 seconds West, 375.96 feet to a point; thence North 13 degrees, 58 minutes, 00 seconds West, 350.00 feet to a point; thence North 82 degrees, 45 minutes, 36 seconds East, 375.96 feet back to the POINT OF BEGINNING.

This tract contains 3.00 acres.

EXHIBIT "B"

