

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5054

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/BRISTER

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. TANNER

SECONDED BY: MR. THOMPSON

ON THE 1 DAY OF AUGUST , 2013

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE BY ACT OF DONATION CERTAIN RIGHTS OF WAY AND/OR SERVITUDES LOCATED ALONG OALMANN ROAD EAST, AND FURTHER FOR THE PARISH TO INCORPORATE THE DONATED PROPERTY INTO THE PARISH MAINTENANCE SYSTEM.

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 along Oalmann Road East for roadway improvements and maintenance; and

WHEREAS, the necessary rights of way and/or servitudes extend from the Parish's existing right of way along Oalmann Road East, as depicted on the survey, attached hereto as Exhibit "A"; and

WHEREAS, the Parish of St. Tammany hereby desires to incorporate certain rights of way and/or servitudes of immovable property along Oalmann Road East into the St. Tammany Parish Maintenance System Inventory.

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

BE IT FURTHER ORDAINED to authorize the incorporation of all that certain rights of way and/or servitudes described in Exhibit "A" into the St. Tammany Parish Maintenance System and for the Department of Public Works to provide appropriate maintenance thereto.

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 accept the Act of Donation of the 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 rights of way and/or servitudes.

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.

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 SEPTEMBER , 2013 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JULY 25 , 2013

Published Adoption: _____, 2013

Delivered to Parish President: _____, 2013 at _____

Returned to Council Clerk: _____, 2013 at _____

