

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5239

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: FALCONER/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. SMITH

ON THE 7 DAY OF AUGUST , 2014

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PARCELS OF IMMOVABLE PROPERTY FOR THE CLOVERLAND ACRES DRAINAGE IMPROVEMENTS PROJECT. (WARD 4, DISTRICT 7).

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

WHEREAS, there is a need and public purpose for the acquisition of certain immovable 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 Right- of-Way.

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 all that certain parcel of ground described in Exhibit "A" attached hereto; and

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 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 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 4 DAY OF SEPTEMBER, 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: JULY 31, 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

Administrative Comment

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PARCELS OF IMMOVABLE PROPERTY FOR THE CLOVERLAND ACRES DRAINAGE IMPROVEMENTS PROJECT. (WARD 4, DISTRICT 7).

St. Tammany Parish seeks to acquire certain immovable Property, Rights-of-Way and/or Servitudes for drainage improvements for the Cloverland Acres Drainage Improvements Project. Further, the Parish will obtain property, Rights-of-Way, and/or Servitudes which are necessary for a drainage lateral and a potential diversion channel. The construction of this Drainage Improvement Project was approved for construction funding through the Hazard Mitigation Grant Program (HMGP). The Parish intends to pay no more than appraised value or less, plus closing costs and fees.