

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-1980

COUNCIL SPONSOR: MR. DEAN

PROVIDED BY: ATTORNEY WAYNE BURAS

RESOLUTION CALLING A PUBLIC HEARING IN CONNECTION WITH THE CREATION OF COLONIAL PINNACLE COMMUNITY DEVELOPMENT DISTRICT WITHIN AN AREA OF COUNCIL DISTRICT 1.

WHEREAS, Colonial Properties Trust has filed a petition, copy of which is annexed hereto and made a part hereof, pursuant to the "Community Development District Act", Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), specifically R.S. 33:9039.14 of the Act, which Petition requests that this Parish Council call a public hearing and advertise as provided in the Act; and

WHEREAS, the area to be included in Colonial Pinnacle Community Development District contains 169.436 acres of land identified as Tract A containing 2.251 acres, Tract B containing 1.760 acres, and Tract C containing 165.425 acres, all located in Section 47, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, and in the general vicinity of the intersection of Interstate 12 and Louisiana Highway 21, and more fully defined on a survey by John E. Bonneau & Associates, dated August 11, 2005, and proces verbals corresponding thereto as attached; and

WHEREAS, publication of this Notice of Public Hearing shall be made in the St. Tammany Farmer, as the official journal, on January 11, January 18, January 25, and February 1, 2007.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that a public hearing is called pursuant to R.S. 33:9039.14 to be held at 6:00 PM on Thursday, February 1, 2007, at the Parish Council Chambers, 21490 Koop Drive, Mandeville, Louisiana and that notices of this public hearing be placed pursuant to the Act, the cost of which is to be paid by the Petitioner, Colonial Properties Trust.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 4th DAY OF JANUARY 2007 AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT.

\_\_\_\_\_  
COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
DIANE HUESCHEN, COUNCIL CLERK

C-1980

**PETITION OF COLONIAL PROPERTIES TRUST  
TO THE ST. TAMMANY PARISH COUNCIL  
TO ESTABLISH THE  
COLONIAL PINNACLE COMMUNITY DEVELOPMENT DISTRICT**

**PETITION**

Petitioner, Colonial Properties Trust, through its duly authorized agent, Richard B. Yeilding, hereby petitions the St. Tammany Parish Council, pursuant to the "Community Development District Act", Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), specifically this Petition is made pursuant to La. R.S. 33:9039.14 (A) of the Act, to establish a community development district with respect to the land described herein. In support of the Petition, Colonial Properties Trust (the "Petitioner") states:

1. The proposed Colonial Pinnacle Community Development District (the "District," as defined below) is located within the unincorporated area of St. Tammany Parish. Exhibit A depicts the general location of the proposed District. The proposed District covers approximately 169.436 acres of land. The property description is set forth in Exhibit B. There is no immovable property within the boundaries of the proposed District that is to be excluded from the District.
2. Attached to this Petition as Exhibit C and made a part hereof is the written consent to the establishment of the District by the owners of 100% of the immovable property to be included in the District.
3. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

NAME	ADDRESS
Randall C. Meyer	P. O. Box 940, Abita Springs, LA 70420
John Bonneau	1011 North Causeway Blvd. Suite 34 Mandeville, La. 70471
Anthony Matisse	P. O. Box 661, Independence LA 70443
Fred O'Neal	3421 N. Causeway Blvd., Ste. 201, Metairie LA 70002
Larry Kornman	62250 West End Blvd., Slidell LA 70461

4. The proposed name of the District to be established is the "Colonial Pinnacle Community Development District."
5. There is no existing infrastructure to be acquired by the District.
6. The proposed timetable for the construction of infrastructure and services of the District is shown in Exhibit D-1, and the estimated cost of constructing the infrastructure and services is shown in Exhibit D-2.
7. The future general distribution, location and extent of public and private uses within the District are consistent with the existing zoning.
8. Petitioner hereby requests that the proposed District be granted the right to exercise all powers provided for in La. R.S. 33:9039.20.
9. The Petitioner is Colonial Properties Trust, whose address is 2101 6th Ave North, Suite 750, Birmingham, AL 35203. The current owners of the property comprising the proposed District are Wainer Brother, All State Financial Company, Advance Mortgage Company, L.L.C., Quality Properties, Inc. and Regent Lands, Inc., 3421 N. Causeway Boulevard, Suite 201, Metairie, LA 70002. Correspondence and official notices should be sent to Colonial Properties Trust, c/o Mr. Richard Yeilding 2101 6<sup>th</sup> Avenue North, Suite 750, Birmingham, AL 35203, with copies to Mr. Bruce Wainer, 3421 N. Causeway Boulevard, Suite 201, Metairie, LA 70002.
10. The Petitioner undertakes on behalf of the District that the District will provide full disclosure of the information relating to the public financing and maintenance of improvements of the real property to be undertaken by the District, as required by La. R.S. 33:9039.18.

**Wherefore**, Petitioner respectfully requests that the Parish Council of St. Tammany Parish, Louisiana:

Hold a public hearing as required by La. R.S. 33:9039.14 (B) to consider the establishment of the Colonial Pinnacle Community Development District; and

Adopt an ordinance pursuant to the Act, granting this Petition and establishing the Colonial Pinnacle Community Development District.

Respectfully submitted this 21<sup>st</sup> day of November, 2006.

Colonial Properties Trust

By: Richard B. Yelding  
Richard B. Yelding  
S.V.P. Retail

Exhibits A, B, C, D-1 and D-2 attached and made a part hereof.

**PETITION OF COLONIAL PROPERTIES TRUST  
TO THE ST. TAMMANY PARISH COUNCIL  
TO ESTABLISH THE  
COLONIAL PINNACLE COMMUNITY DEVELOPMENT DISTRICT**

**EXHIBIT B**

**PARCEL I:**

TRACT A CONTAINING 2.251 ACRES

A CERTAIN PIECE OR PORTION OF LAND CONTAINING 2.251 ACRES SITUATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CORNER COMMON TO SECTIONS 12, 13 & 46 TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA RUN NORTH 00 DEGREES 40 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 1423.63 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 23 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 1109.12 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 14 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 95.62 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 17 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 700.84' TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12 AND THE EAST RIGHT-OF-WAY OF LOUISIANA HIGHWAY 21 ALSO BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING RUN ALONG SAID EAST RIGHT-OF-WAY THE FOLLOWING: NORTH 28 DEGREES 41 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 228.29 FEET TO A POINT; NORTH 33 DEGREES 51 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 37.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF NOR du LAC BOULEVARD; THENCE LEAVING SAID RIGHT-OF-WAY OF LOUISIANA HIGHWAY 21 AND RUNNING ALONG SAID RIGHT-OF-WAY OF NOR du LAC BOULEVARD THE FOLLOWING: SOUTH 56 DEGREES 08 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 135.18 FEET TO A POINT ON A CURVE TO RIGHT(CLOCKWISE & TANGENT); ALONG SAID CURVE WITH A RADIUS OF 280.00 FEET A CHORD BEARING OF SOUTH 42 DEGREES 51 MINUTES 57 SECONDS EAST AND AN ARC LENGTH OF 129.81 FEET TO A POINT; SOUTH 29 DEGREES 35 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 77.97 FEET TO A POINT ON A CURVE TO THE LEFT(COUNTER-CLOCKWISE & TANGENT); ALONG SAID CURVE WITH A RADIUS OF 440.00 FEET A CHORD BEARING OF SOUTH 35 DEGREES 21 MINUTES 23 SECONDS EAST FOR A DISTANCE OF 88.65 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN SOUTH 51 DEGREES 51 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 221.52 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY NORTH 48 DEGREES 44 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 326.61 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.251 ACRES OR 98,073.50 SQ. FT. MORE OR LESS.

**PARCEL II:**

TRACT B CONTAINING 1.760 ACRES

A CERTAIN PIECE OR PORTION OF LAND CONTAINING 1.760 ACRES SITUATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CORNER COMMON TO SECTIONS 12, 13 & 46 TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA RUN NORTH 00 DEGREES 40 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 1423.63 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 23 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 1109.12 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 14 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 95.62 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 17 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 700.84' TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12 AND THE EAST RIGHT-OF-WAY OF LOUISIANA HIGHWAY 21; THENCE RUN ALONG SAID EAST RIGHT-OF-WAY THE FOLLOWING: NORTH 28 DEGREES 41 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 228.29 FEET TO A POINT; NORTH 33 DEGREES 51 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 127.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF NOR du LAC BOULEVARD ALSO BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING AND LEAVING SAID NORTH RIGHT-OF-WAY OF NOR du LAC BOULEVARD AND RUNNING ALONG SAID EAST RIGHT-OF-WAY OF LOUISIANA HIGHWAY 21 THE FOLLOWING: NORTH 33 DEGREES 51 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 131.04 FEET TO A POINT; NORTH 18 DEGREES 51 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 31.44 FEET TO A POINT; THENCE LEAVING SAID EAST RIGHT-OF-WAY OF LOUISIANA HIGHWAY 21 RUN SOUTH 56 DEGREES 07 MINUTES 46 SECONDS EAST FOR A DISTANCE OF 200.25 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 52 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 200.16 TO A POINT; THENCE RUN SOUTH 56 DEGREES 07 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 133.41 FEET TO A POINT; THENCE RUN SOUTH 33 DEGREES 48 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 404.60 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF NOR du LAC BOULEVARD; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING: NORTH 29 DEGREES 35 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 14.44 FEET TO A POINT ON A CURVE TO THE LEFT(COUNTERCLOCKWISE & NON-TANGENT); ALONG SAID CURVE WITH A RADIUS OF 360.00 FEET A CHORD BEARING OF NORTH 33 DEGREES 27 MINUTES 01 SECONDS WEST AND AN ARC LENGTH OF 48.58 FEET; NORTH 29 DEGREES 53 MINUTES 01 SECONDS WEST FOR A DISTANCE OF 50.74 FEET TO A POINT ON A CURVE TO THE LEFT(COUNTERCLOCKWISE & NON-TANGENT); ALONG SAID CURVE WITH A RADIUS OF 370.00 FEET A CHORD BEARING OF NORTH 50 DEGREES 38 MINUTES 20 SECONDS WEST AND AN ARC LENGTH OF 71.14 FEET TO

A POINT; NORTH 56 DEGREES 08 MINUTES 49 SECONDS WEST FOR A DISTANCE OF 135.18 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.760 ACRES OR 76,662.34 SQ. FT. MORE OR LESS.

**PARCEL III:**

TRACT C CONTAINING 165.425 ACRES

A CERTAIN PIECE OR PORTION OF LAND CONTAINING 165.425 ACRES SITUATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CORNER COMMON TO SECTIONS 12, 13 & 46 TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA RUN NORTH 00 DEGREES 40 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 1423.63 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 23 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 1109.12 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 14 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 95.62 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 17 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 700.84' TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12 AND THE EAST RIGHT-OF-WAY OF LOUISIANA HIGHWAY 21; THENCE RUN ALONG SAID NORTH AND EAST RIGHT-OF-WAYS THE FOLLOWING: SOUTH 48 DEGREES 44 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 326.61 FEET TO A POINT; SOUTH 10 DEGREES 46 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 542.03 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING AND LEAVING SAID RIGHT-OF-WAYS RUN NORTH 51 DEGREES 51 MINUTES 26 SECONDS EAST FOR A DISTANCE OF 401.51 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF NOR du LAC BOULEVARD; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY RUN NORTH 24 DEGREES 04 MINUTES 33 SECONDS EAST FOR A DISTANCE OF 80.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF NOR du LAC BOULEVARD; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING: NORTH 65 DEGREES 55 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 38.48 FEET TO A POINT ON A CURVE TO THE RIGHT(CLOCKWISE & TANGENT); ALONG SAID CURVE WITH A RADIUS OF 360.00 FEET A CHORD BEARING OF NORTH 50 DEGREES 17 MINUTES 30 SECONDS WEST AND AN ARC LENGTH OF 196.44 FEET TO A POINT; THENCE LEAVING SAID NORTH RIGHT-OF-WAY RUN NORTH 89 DEGREES 15 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 2534.34 FEET TO A POINT; THENCE RUN SOUTH 21 DEGREES 01 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 469.27 FEET TO A POINT; THENCE RUN SOUTH 68 DEGREES 59 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 718.30 FEET TO A POINT; THENCE RUN NORTH 21 DEGREES 01 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 504.74 FEET TO A POINT; THENCE RUN SOUTH 68 DEGREES 59 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 1631.56 FEET TO A POINT; THENCE RUN SOUTH 21 DEGREES 00 MINUTES 18 SECONDS WEST FOR A DISTANCE 1650.81 FEET TO A POINT ON THE

NORTH RIGHT-OF-WAY OF INTERSTATE 12; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING: NORTH 68 DEGREES 57 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 493.21 FEET TO A POINT; SOUTH 67 DEGREES 29 MINUTES 35 SECONDS WEST FOR A DISTANCE OF 415.14 FEET TO A POINT; NORTH 68 DEGREES 58 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 699.25 FEET TO A POINT; NORTH 68 DEGREES 59 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 1449.55 FEET TO A POINT ON A CURVE TO THE RIGHT(CLOCKWISE & NON-TANGENT); ALONG SAID CURVE WITH A RADIUS OF 20,420.14 FEET A CHORD BEARING OF NORTH 69 DEGREES 20 MINUTES 25 SECONDS WEST AND AN ARC DISTANCE OF 252.45 FEET TO A POINT; NORTH 64 DEGREES 11 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 100.71 FEET TO A POINT; NORTH 69 DEGREES 56 MINUTES 25 SECONDS WEST FOR A DISTANCE OF 704.32 FEET TO A POINT; NORTH 55 DEGREES 13 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 315.57 FEET TO A POINT; NORTH 35 DEGREES 57 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 271.95 FEET TO A POINT; NORTH 10 DEGREES 46 MINUTES 25 SECONDS WEST FOR A DISTANCE OF 298.56 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 165.425 ACRES OR 7,205,897.70 SQ. FT. MORE OR LESS.



C-110-

**PETITION OF COLONIAL PROPERTIES TRUST  
TO THE ST. TAMMANY PARISH COUNCIL  
TO ESTABLISH THE  
COLONIAL PINNACLE COMMUNITY DEVELOPMENT DISTRICT**

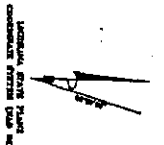
**EXHIBIT A**

**Survey by John E. Bonneau & Associates, Inc. dated August 11, 2005 attached**

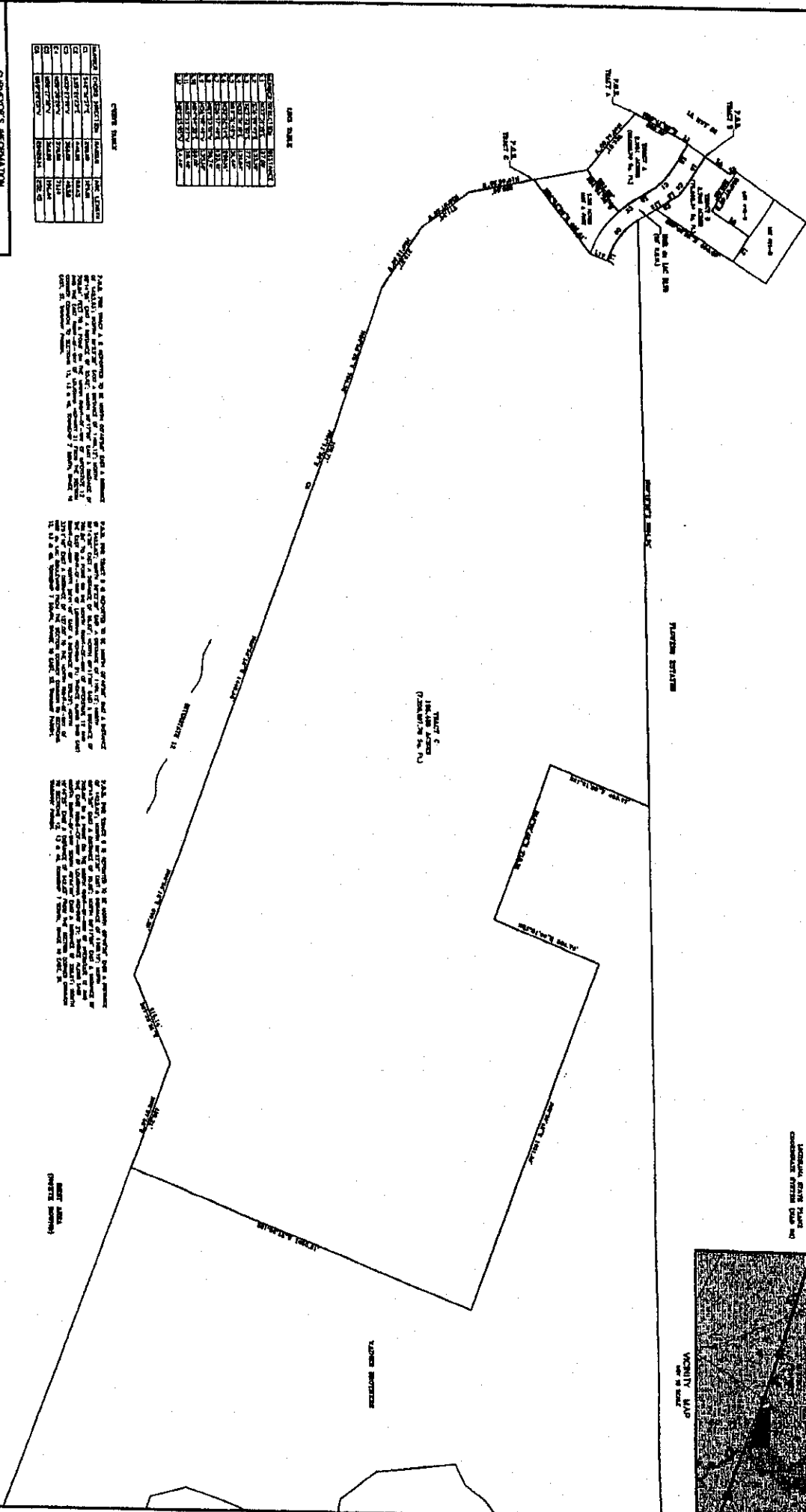
EXHIBIT A

SITE PLAN

SKETCH MAP



AERIAL PHOTO  
DATE: 11/15/83



AREA TABLE

TRACT	AREA (ACRES)	PERCENTAGE
A	10.00	100%
B	10.00	100%
C	10.00	100%

OWNER TABLE

TRACT	OWNER	DATE
A	JOHN E. BONNEAU & ASSOCIATES, INC.	11/15/83
B	JOHN E. BONNEAU & ASSOCIATES, INC.	11/15/83
C	JOHN E. BONNEAU & ASSOCIATES, INC.	11/15/83

TRACT A: This tract is a portion of the land described in the plat of Section 47, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, as shown on the plat of Section 47, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, recorded in Public Land Book 10, Page 100, of the Public Land Records of St. Tammany Parish, Louisiana.

TRACT B: This tract is a portion of the land described in the plat of Section 47, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, as shown on the plat of Section 47, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, recorded in Public Land Book 10, Page 100, of the Public Land Records of St. Tammany Parish, Louisiana.

TRACT C: This tract is a portion of the land described in the plat of Section 47, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, as shown on the plat of Section 47, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, recorded in Public Land Book 10, Page 100, of the Public Land Records of St. Tammany Parish, Louisiana.

**JB**  
JOHN E. BONNEAU  
& ASSOCIATES, INC.

STATEMENT OF INFORMATION

Professional Land Surveyor - Registered - Louisiana  
No. 10,000, State of Louisiana, Commission Expires 12/31/84  
John E. Bonneau & Associates, Inc., 1000 Lakeshore Drive, Metairie, Louisiana 70002

1 OF 1

Survey for COLONIAL PROPERTIES  
Property: SKETCH MAP OF TRACTS A, B & C LOCATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA

DATE	11/15/83
SCALE	1" = 200'

DESIGNED BY	EF
CHECKED BY	EF
DATE	

OWNER	JB
DATE	11/15/83



*WAC* *PW*  
Initial Initial