

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3577                      ORDINANCE SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR: MR. STEFANCIK                      PROVIDED BY: LEGAL

INTRODUCED BY: MR. STEFANCIK                      SECONDED BY: MR. BURKHALTER

ON THE 7<sup>TH</sup> DAY OF JUNE, 2007

ORDINANCE TO AMEND ORDINANCE C.S. NO. 07-1518, ADOPTED MARCH 1, 2007, TO PROVIDE FOR A CHANGE IN THE PURCHASE PRICE OF THE FACIANE PROPERTY, IN CONNECTION WITH THE CAMP SALMEN ROAD IMPROVEMENTS PROJECT, WARD 9, DISTRICT 11

WHEREAS, the purchase of this land currently owned by the Faciane Family Trust is necessary and critical for road improvements in the Camp Salmen area; and

WHEREAS, the appraised value, estimated incidental expenses, costs, and fees necessary to secure the title will exceed the maximum value of the original ordinance and eminent time constraints will be imposed on the Parish should this property be acquired through expropriation; and

WHEREAS, the Parish of St. Tammany hereby desires to amend the purchase price from SIXTY-THREE THOUSAND AND NO/100 DOLLARS (\$63,000.00) to SEVENTY-TWO THOUSAND AND NO/100 DOLLARS (\$72,000.00), plus such additional expenses, costs and/or fees as are needed to perfect said purchase; and

WHEREAS, Ordinance C.S. No. 07-1518 is attached as Exhibit "A" and made a part hereof and will remain in effect, as is, except for the amendment to the purchase price.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the Parish Council amend the purchase price not to exceed SEVENTY-TWO THOUSAND AND NO/100 DOLLARS (\$72,000.00), plus such additional expenses, costs and/or fees as are needed to perfect said purchase.

THE PARISH OF ST. TAMMANY FURTHER ORDAINS that the rest of the ordinance shall remain in effect, as is, except for the amendment to the purchase price.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 immediately or as per law, which ever is earlier.

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

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

## ORDINANCE

ORDINANCE CALENDAR NO. 3492ORDINANCE COUNCIL SERIES NO. 07-1518COUNCIL SPONSOR: BAGERT/DAVISPROVIDED BY: President/ LegalINTRODUCED BY: MR. STEFANCIKSECONDED BY: MR. BURKHALTERON THE 1<sup>ST</sup> DAY OF FEBRUARY, 2007

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO NEGOTIATE THE PURCHASE AND/OR EXPROPRIATION OF 4.514 ACRES OF LAND MORE FULLY DESCRIBED HEREIN, CURRENTLY OWNED BY THE FACIANE FAMILY TRUST, FOR THE PURPOSE OF ROAD IMPROVEMENTS IN CONNECTION WITH THE CAMP SALMEN PROJECT, WARD 9, DISTRICT 11.

WHEREAS, the Parish of St. Tammany desires to negotiate the purchase and/or the expropriation of 4.1514 acres of land owned by the Faciane Family Trust for the purpose of road improvements in connection with the Camp Salmen project; and

WHEREAS, there is a need and purpose to purchase and/or expropriate the Property in order to allow for further enhancement and future expansion of the Parish roadways in the Camp Salmen area; and

WHEREAS, the Parish of St. Tammany hereby desires to purchase and/or expropriate the property, as per law, and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations with the Faciane Family Trust to purchase and/or expropriate said property, as per law, in the best interests of the Parish; and

WHEREAS, the property description is described as all that certain parcel of ground situated in Section 38, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana and being more fully described as follows:

From the corner common to sections 5, 37 and 38, township 9 South, Range 14 East which is also the Point of Beginning, go South 61 degrees 59 minutes 50 seconds East, a distance of 70.97 feet (South 62 degrees 45 minutes East 71.0' - Title); thence go South 41 degrees 54 minutes 47 seconds West, a distance of 711.39 feet (South 42 degrees West, 705.0' - Title) to a point of the Easterly right-of-way line of Williams Road; thence go South along said right-of-way, North 42 degrees 12 minutes 28 seconds West, a distance of 178.2 feet (North 42 degrees 15 minutes West - Title); thence leaving said right-of-way go North 54 degrees 05 minutes 38 seconds East, a distance of 522.40 feet; thence go North 42 degrees 28 minutes 30 seconds West, a distance of 100.66 feet; thence go South 54 degrees 05 minutes 38 seconds West, a distance of 522.40 feet to a point on the Easterly right-of-way line of Williams Road; thence go along said right-of-way North 42 degrees 12 minutes 28 seconds West, a distance of 111.02 feet (North 42 degrees 15 minutes West - title); thence leaving said right-of-way go North 41 degrees 53 minutes 11 seconds East, a distance of 571.10 feet; thence go South 62 degrees 42 minutes 46 seconds East, a distance of 329.90 feet (South 62 degrees 45 minutes East - Title) back to the Point of Beginning.

Said parcel has an area of 4.514 acres more or less  
Survey No. 061092, dated November 29, 2006.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS to authorize the Office of the Parish President to negotiate the purchase and/or expropriation of 4.1514 acres of land owned by the Faciane Family Trust for the purpose of road improvements in connection with the Camp Salmen project; and

That pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to do whatever is necessary to purchase and/or expropriate said property; and

That the Office of the Parish President is authorized and instructed to proceed accordingly in a timely and orderly matter; and

That the Office of the Parish President is authorized to exercise its discretion in purchasing and/or expropriating the property, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; and

That, the purchase price and/or value of the property shall not exceed SIXTY-THREE THOUSAND AND NO/100 DOLLARS (\$63,000.00).

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 immediately or as per law, which ever is earlier.

MOVED FOR ADOPTION BY: MR. STEFANCIK, SECONDED BY: MR. BINDER

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: DEAN, FITZMORRIS, THOMPSON, GOULD, SINGLETARY, HAMAUEI, CANULETTE, BAGERT, BILLIOT, STEFANCIK, BINDER, THOMAS, BURKHALTER (13)

NAYS: (0)

ABSTAIN: (0)

ABSENT: BRISTER (1)

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 1<sup>ST</sup> DAY OF MARCH 2007; AND BECOMES ORDINANCE COUNCIL SERIES NO. 07-1518.

  
BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

  
DIANE HUESCHEN, COUNCIL CLERK

  
KEVIN DAVIS, PARISH PRESIDENT

Published introduction: January 25, 2007  
Published adoption on: March 15, 2007  
Delivered to Parish President: March 2, 2007 @ 2:30pm  
Returned to Council Clerk: March 5, 2007 @ 2:38pm