

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3546 As Amended ORDINANCE COUNCIL SERIES NO. 07-

COUNCIL SPONSOR: MR. BURKHALTER PROVIDED BY: PRESIDENT/LEGAL

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

ON THE 5TH DAY OF APRIL 2007

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO NEGOTIATE THE PURCHASE OF AND/OR EXPROPRIATION OF ALL THAT CERTAIN PORTION OF LAND CURRENTLY SITUATED BETWEEN THE W-15 AND THE HAAS ROAD RETENTION POND, WARD 8, DISTRICT 14, OWNED BY TROY HEBERT, FOR THE PURPOSE OF DRAINAGE IMPROVEMENTS

WHEREAS, the Parish of St. Tammany desires to negotiate the purchase of and/or expropriation of 1.83 acres of land currently owned by Troy Hebert; and

WHEREAS, there is a need and purpose to purchase and/or expropriate the property for drainage improvements in the Parish of St. Tammany; and

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

WHEREAS, the property description is plotted on the attached maps (Exhibit "A" and "B") and is described as follows:

ALL THAT CERTAIN PORTION OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, means, privileges, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in the West Half of the Southwest Corner Section 24, Township 8, Range 14 East, St. Helena Meridian, St. Tammany Parish, Louisiana, and more particularly described in accordance with a print of survey made by John H. Sollberger, C.E., dated April 23, 1963, as follows: 1.5 acres of land lying and being situated in the Southwest corner of the Southwest Quarter of Section 24, Township 8 South, Range 14 East, 8th Ward of the Parish of St. Tammany, State of Louisiana, and more particularly described as follows: From the corner common to Sections 23, 24, 25 and 26 go North 0 degrees 15' East, 26 feet to the northerly edge of the Public Road, which point is the Point of Beginning. Thence from said Point of Beginning continue North 0 degrees 15 feet East along the line separating Sections 23 and 24, a distance of 390 feet to a point; thence South 89 degrees 43 feet- East a distance of 147.5 feet to a point on the west edge of the Parish Drainage Canal; thence in a southerly direction along the edge of the west side of the Parish Drainage Canal and also in the direction of the Public Road a distance of 392 feet to a point where the west edge of the Parish Drainage Canal intersects the Public Road; thence along the north edge of the Public Road in a west direction, a distance of 190 feet to the Point of Beginning. According to point of survey made by H.G. Fritchie, C.E., dated August 30, 1957, and according to the Act of Sale registered in C.O.B. 265, folio 391, the commencement point of the above land is located as follows: "From the corner common to Sections 23, 24, 25 and 26 go North 0 degrees 15' East 20 feet to the northerly edge of the Public Road." Being the same property described in accordance with a print survey by Ned R. Wilson, Louisiana Registered Land Surveyor, dated May 31, 1977, described as follows: Beginning at the Point described as being North 00 degrees 15' East, 416.0 feet from the Southwest corner of Section 24, Township 8 South, Range 14 East, proceed easterly North 89 degrees 03 East, 147.5 feet to a point on the West Edge of the parish Drainage Canal, fence southerly south 05 degrees 56' East 389.8 feet to the north edge of the Parish Road, fence westerly 189.5 feet along the North edge of the Parish Road, fence northerly North 00 degrees 15 feet East 380.0 feet to the beginning point.

Included in the frontage of the above land on the Public Road (also called Parish Road) from the line common to the line separating Sections 23 and 24 to the point where the Public or Parish Road intersects the Parish Drainage Canal.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS to authorize the Office of the Parish President to negotiate the purchase of said property and/or authorize the expropriation of said property belonging to Troy Hebert (referred to hereinabove as "Property") for drainage purposes, which is necessary and critical for the safety, health and welfare of the public.

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.

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

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

That, the purchase price or expropriation price and/or value shall not exceed NINETY THOUSAND AND NO/100 DOLLARS (\$90,000.00).

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: _____, SECONDED BY: _____

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

YEAS:
NAYS:
ABSTAIN:
ABSENT:

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____ 2007; AND BECOMES ORDINANCE COUNCIL SERIES NO. 07-

BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: _____, 2007
Published adoption on: _____, 2007

Delivered to Parish President: _____, 2007 @ _____
Returned to Council Clerk: _____, 2007 @ _____