

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3677

ORDINANCE COUNCIL SERIES NO. 07-

COUNCIL SPONSOR MR. DEAN

PROVIDED BY ATTY. WAYNE BURAS

INTRODUCED BY MR. DEAN

SECONDED BY MR. STEFANCIK

ON THE 4<sup>TH</sup> DAY OF OCTOBER 2007

ORDINANCE TO RATIFY AMENDMENT TO THE PARISH CODE OF ORDINANCES, CHAPTER 18, ARTICLE VII, SECTION 18-086.00 ET SEQ., SPECIFICALLY ORDINANCE C.S. NO. 07-1508 AND ORDINANCE C.S. NO. 07-1613, REGARDING THE CREATION OF COLONIAL PINNACLE COMMUNITY DEVELOPMENT DISTRICT.

WHEREAS, the Community Development District Act, Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950 as amended (La. R.S. 33:9039.11, *et seq.*) (the "Act") authorizes the Parish Council of the Parish of St. Tammany, State of Louisiana acting as the governing authority of the parish to authorize the creation of community development districts within the boundaries of the Parish of St. Tammany; and

WHEREAS, Colonial Properties Trust has filed a Petition pursuant to the Act and a public hearing duly advertised had, the Parish Council now desires to authorize the creation of such a district as described in the said Petition.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the Parish Code of Ordinances, Chapter 18, Article VII, Section 18-086.00 et seq., specifically Ordinance C.S. No. 07-1508 and Ordinance C.S. No. 07-1613, regarding the creation of Colonial Pinnacle Community Development District.

SECTION 1. By virtue of the authority conferred by the Act, and other constitutional and statutory authority, a community development district is hereby created with boundaries described on Exhibit A attached hereto and made a part hereof.

SECTION 2. The community development district hereby created shall be known and designated as "Colonial Pinnacle Community Development District" and as such shall have all of the rights, powers and privileges granted and conferred by the Act and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to levy parcel fees and to acquire or construct infrastructure and provide services.

SECTION 3. The governing body of the Colonial Pinnacle Community Development District shall be a five member board of supervisors the initial members being the following:

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

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SECTION 4. REPEAL: All ordinances in conflict herewith are hereby repealed.

SECTION 5. 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.

SECTION 6. 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 ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007; AND BECOMES ORDINANCE PARISH COUNCIL SERIES NO. 07-\_\_\_\_\_.

\_\_\_\_\_  
BARRY D. BAGERT, COUNCIL CHAIRMAN

ATTEST:

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

\_\_\_\_\_  
KEVIN DAVIS, PARISH PRESIDENT

Published introduction OCTOBER 18, 2007

Published adoption \_\_\_\_\_, 2007

Delivered to Parish President \_\_\_\_\_, 2007 @ \_\_\_\_\_

Returned to Council Clerk \_\_\_\_\_, 2007 @ \_\_\_\_\_

**COLONIAL PINNACLE COMMUNITY DEVELOPMENT DISTRICT****EXHIBIT A****TRACT "A"**

A CERTAIN PIECE OR PORTION OF LAND SITUATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA 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 AND LEAVING SAID NORTH RIGHT-OF-WAY AND RUNNING ALONG SAID EAST RIGHT-OF-WAY NORTH 28 DEGREES 42 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 228.29 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 51 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 37.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF PINNACLE PARKWAY; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY OF LOUISIANA STATE HIGHWAY 21 AND RUNNING ALONG SAID SOUTH RIGHT-OF-WAY OF PINNACLE PARKWAY SOUTH 56 DEGREES 08 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 135.18 FEET TO A POINT ON A CURVE TO THE RIGHT (CLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 280.00 FEET AND AN ARC LENGTH OF 129.81 FEET TO A POINT; THENCE RUN SOUTH 29 DEGREES 34 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 77.97 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 440.00 FEET AND AN ARC LENGTH OF 88.65 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN SOUTH 51 DEGREES 51 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 221.63 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12; THENCE RUN ALONG SAID RIGHT-OF-WAY NORTH 48 DEGREES 43 MINUTES 29 SECONDS WEST FOR A DISTANCE OF 326.61 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 2.25 ACRES OR 98,068.70 SQ. FT. MORE OR LESS.

**TRACT "B"**

A CERTAIN PIECE OR PORTION OF LAND SITUATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA 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 STATE HIGHWAY 21; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND RUNNING ALONG SAID EAST RIGHT-OF-WAY NORTH 28 DEGREES 42 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 228.29 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 51 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 127.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF PINNACLE PARKWAY ALSO BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING AND LEAVING SAID NORTH RIGHT-OF-WAY OF PINNACLE PARKWAY AND RUNNING ALONG SAID SOUTH RIGHT-OF-WAY OF LOUISIANA STATE HIGHWAY 21 NORTH 33 DEGREES 51 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 131.04 FEET TO A POINT; THENCE RUN NORTH 12 DEGREES 58 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 31.42 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN SOUTH 55 DEGREES 34 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 200.00 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 50 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 200.16 FEET TO A POINT; THENCE RUN SOUTH 56 DEGREES 03 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 133.27 FEET TO A POINT; THENCE RUN SOUTH 34 DEGREES 02 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 393.82 FEET TO A POINT; THENCE RUN SOUTH 29 DEGREES 34 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 68.51 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 350.00 FEET AND AN ARC LENGTH OF 37.83 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 15 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 2228.41 FEET TO A POINT; THENCE RUN SOUTH 21 DEGREES 01 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 288.34 FEET TO A POINT; THENCE RUN SOUTH 24 DEGREES 03 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 129.53 FEET TO A POINT; THENCE RUN SOUTH 68 DEGREES 58 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 2372.21 FEET TO A POINT; THENCE RUN SOUTH 21 DEGREES 01 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 675.48 FEET TO A POINT; THENCE RUN NORTH 68 DEGREES 58 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 446.91 FEET TO A POINT; THENCE RUN SOUTH 21 DEGREES 01 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 221.43 FEET TO A POINT; THENCE RUN SOUTH 60 DEGREES 15 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 361.74 FEET TO A POINT; THENCE RUN SOUTH 30 DEGREES 33 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 177.94 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY INTERSTATE 12;

THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING:

NORTH 68 DEGREES 55 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 214.25 FEET TO A POINT; SOUTH 67 DEGREES 31 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 415.14 FEET TO A POINT; NORTH 68 DEGREES 56 MINUTES 31 SECONDS WEST FOR A DISTANCE OF 2148.28 FEET TO A POINT ON A CURVE TO THE RIGHT (CLOCKWISE & TANGENT); ALONG SAID CURVE WITH A RADIUS OF 23,068.31 FEET AND AN ARC LENGTH OF 252.24 FEET TO A POINT; NORTH 64 DEGREES 20 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 101.17 FEET TO A POINT; NORTH 69 DEGREES 53 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 704.32 FEET TO A POINT; NORTH 55 DEGREES 10 MINUTES 42 SECONDS WEST FOR A DISTANCE OF 315.57 FEET TO A POINT; NORTH 36 DEGREES 18 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 272.27 FEET TO A POINT; NORTH 10 DEGREES 45 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 298.56 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN NORTH 51 DEGREES 51 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 401.51 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF PINNACLE PARKWAY; THENCE RUN ALONG SAID RIGHT-OF-WAY SOUTH 65 DEGREES 54 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 33.00 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN NORTH 37 DEGREES 47 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 82.35 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF PINNACLE PARKWAY;

THENCE RUN ALONG SAID RIGHT-OF-WAY THE FOLLOWING:

NORTH 65 DEGREES 54 MINUTES 56 SECONDS WEST FOR A DISTANCE OF 91.00 FEET TO A POINT ON A CURVE TO THE RIGHT (CLOCKWISE & TANGENT); ALONG SAID CURVE WITH A RADIUS OF 360.00 FEET AND AN ARC LENGTH OF 228.33 FEET TO A POINT; NORTH 29 DEGREES 34 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 77.97 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & TANGENT); ALONG SAID CURVE WITH A

RADIUS OF 360.00 FEET AND AN ARC LENGTH OF 48.58 FEET TO A POINT; NORTH 29 DEGREES 52 MINUTES 30 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 WITH AN ARC LENGTH OF 71.14 FEET, A CHORD BEARING OF NORTH 50 DEGREES 37 MINUTES 49 SECONDS WEST AND A CHORD LENGTH OF 71.03 FEET TO A POINT; NORTH 56 DEGREES 08 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 135.18 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 137.41 ACRES OR 5,985,593.63 SQ. FT. MORE OR LESS.

