

ST. TAMMANY PARISH COUNCIL
ORDINANCE

ORDINANCE CALENDAR NO. 3770AA

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR. GOULD

PROVIDED BY COUNCIL ATTORNEY

INTRODUCED BY: MR. GOULD

SECONDED BY: MR. STEFANCIK

ON THE 6TH DAY OF MARCH 2008

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY TO ACCEPT THE DEDICATION OF EMERALD PINES COURT, ASSOCIATED SUBSURFACE DRAINAGE INFRASTRUCTURE, AND DETENTION POND NO. 1 AND NO. 2, WHICH ARE SITUATED WITHIN EMERALD PINES SUBDIVISION (WARD 1, DISTRICT 1)

WHEREAS, at the present time, Emerald Pines Court, the associated subsurface drainage infrastructure and Detention Pond No. 1 and No. 2 are vested in the Emerald Pines Owners Association, Inc. (the "Association") and are for the private use of the residents/lot owners of Emerald Pine Subdivision. The homeowners and the Association now desire that Emerald Pines Court, the associated subsurface drainage infrastructure and Detention Ponds No. 1 and No. 2 be made public and be maintained by the Parish. Accordingly, the homeowners and the Association desire that the final plat be corrected and/or amended to reflect that Emerald Pines Court, the associated subsurface drainage infrastructure and Detention Pond No. 1 and No. 2 are public. The Association is governed by its Board of Directors and the Board of Directors have met and approved the transfer of the ownership of Emerald Pines Court, the associated subsurface drainage infrastructure and Detention Pond No. 1 and No. 2 to the Parish of St. Tammany; and

WHEREAS, the matter is to be reviewed by the St. Tammany Parish Planning Commission and an act of correction of the final plat of Emerald Pines Subdivision is to be executed by Mr. David B. Scalfano, P.E., PLS. wherein it will be noted that Emerald Pines Court, the associated subsurface drainage infrastructure and Detention Pond No. 1 and No. 2 within Emerald Pines Subdivision are now public; and

WHEREAS, the Department of Engineering has verified that the entrance gates to the subdivision have been removed and that the aforementioned street, the associated subsurface drainage infrastructure and Detention Pond No. 1 and No. 2 have been constructed to Parish standards.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION 1. The Office of the Parish President is authorized to execute, on behalf of St. Tammany Parish, any and all documents necessary to accept a dedication and donation of Emerald Pines Court, the associated subsurface drainage infrastructure and Detention Pond No. 1 and No. 2, which are situated within Emerald Pines Subdivision, all as more particularly depicted on the attached copy of recorded plat File No. 2379, filed June 24, 2002 (Exhibit "A").

SECTION 2. Prior to executing the aforesaid dedication and donation, the Department of Engineering shall verify that the entrance gates to the subdivision have been removed and that the aforementioned street, the associated subsurface drainage infrastructure and Detention Pond No. 1 and No. 2 have been constructed to Parish standards.

SECTION 3. The act of dedication and donation is to include the following: (1) the parish is to maintain Detention Pond No. 1 and No. 2 for drainage purposes only; (2) the parish shall not be responsible for maintenance, repairs and/or replacement of any pumps or fountains within said ponds, which shall continue to be the responsibility of the Association; (3) the Parish shall not be responsible for grass cutting or landscaping (or sprinkler system) around the detention ponds, Common Areas or the Emerald Pines Court median; (4) the Association indemnifies and holds the Parish harmless from any claims and actions for property damages arising out of or associated with the Parish's maintenance of the ponds; (5) the Association shall indemnify and hold the parish harmless from any personal injury claims by persons authorized by the Association to work on the pumps/fountains or to maintain the grass/landscaping associated with the ponds, Common Areas and Median; (6) the Association shall

maintain a policy of liability insurance, which policy shall name the parish as an additional insured for all personal injury claims and actions.

SECTION 4. Upon execution of the aforesaid dedication and transfer, Emerald Pines Court, the associated subsurface drainage infrastructure and Detention Pond No. 1 and No. 2, which are situated within Emerald Pines Subdivision, shall be included in the St. Tammany Parish maintenance system.

SECTION 5. The St. Tammany Parish Selective Road Maintenance System Inventory is amended to include the street set forth in Section 1 herein above.

SEVERABILITY: If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect any other provision 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.

REPEAL: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

DATE OF ENACTMENT: This ordinance shall become effective immediately upon final 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 _____, 2008; AND BECOMES ORDINANCE PARISH COUNCIL SERIES NO. _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

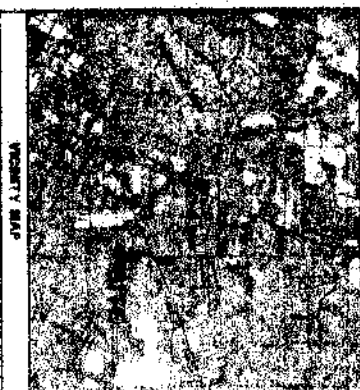
Published introduction February 28, 2008

Published adoption _____, 2008

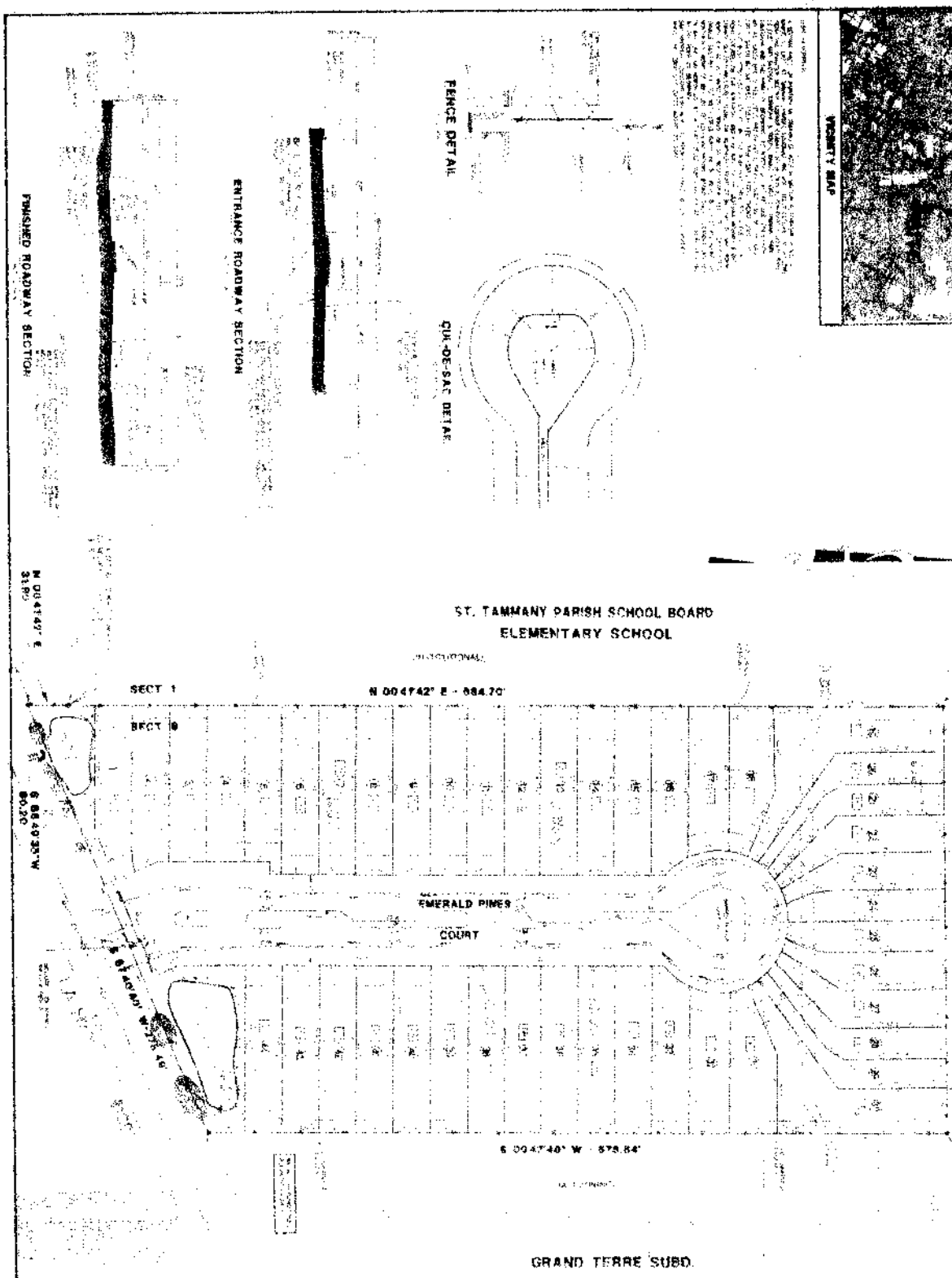
Delivered to Parish President _____, 2008 at _____

Returned to Council Clerk _____, 2008 at _____

Order 3970



EMERALD PINES SECTION
LOCATED IN SECTION 6, TOWNSHIP 8 SOUTH, RANGE 12 EAST, ST. TAMMANY PARISH, LOUISIANA



FENCE DETAIL

QUI-DE-SAC DETAIL

ENTRANCE ROADWAY SECTION

FINISHED ROADWAY SECTION

ST. TAMMANY PARISH SCHOOL BOARD
ELEMENTARY SCHOOL

SECTIONAL

SECT 1

SECT 6

EMERALD PINES
COURT

S 00 47 40' W - 578.84'

GRAND TERRE SUBD.

S 88 48 30' W - 600.00'

REMINGTON COURT

W. L. ...

APPROVAL:
[Signatures]
CERTIFICATION:
[Signatures]

RECORDED
PLAN

N **NORTHLAKE ENGINEERS & SURVEYORS, INC.**
Professional Engineers and Surveyors

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RESTRICTIVE COVENANTS