

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3825 ORDINANCE COUNCIL SERIES NO. 08-

COUNCIL SPONSOR: BINDER/DAVIS PROVIDED BY: ENGINEERING

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

ON THE 1ST DAY OF MAY 2008

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY TO, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACCEPT ACT OF DEDICATION AND DONATION FROM EAST WIN LLC FOR A DRAINAGE SERVITUDE, LOCATED IN SECTIONS 24 AND 25, T6S, R12E, AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO

WHEREAS, the Parish of St. Tammany desires to acquire a drainage servitude through an Act of Dedication and Donation (hereinafter referred to as "Property"), and

WHEREAS, there is a need and purpose for a drainage servitude, located in Sections 24 and 25, Township 6 South, Range 12 East, more fully described with a full legal description contained in the attached Exhibit "A"; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the drainage servitude and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire said drainage servitude; and

WHEREAS, East Win LLC is the owner of the property described herein and desires to donate/dedicate to the Parish a drainage servitude over and above the Property.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS to authorize the Parish of St. Tammany to acquire the above described drainage servitude over the "Property" described in Exhibit "A" attached hereto; 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 acquire or otherwise accept the donation/dedication of the drainage servitude; and

That the Office of the Parish President is authorized and instructed to proceed with the acquisition of the drainage servitude in a timely and orderly matter; and

That the Office of the Parish President is authorized to exercise its discretion in acquiring this drainage servitude, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; and

That any and all actions previously taken by the Office of the Parish President in furtherance of the actions described herein are ratified and accepted accordingly.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 within fifteen (15) days after adoption.

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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 COUNCIL SERIES NO. 08-.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: April 24, 2008
Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____
Returned to Council Clerk: _____, 2008 @ _____

EXHIBIT "A"

The parcel of property subject of this dedication and donation is described as follows:

THAT CERTAIN PIECE OR PORTION OF GROUND, situated in the Parish of St. Tammany, State of Louisiana, commences from the one-quarter corner on line common to Sections 24 and 25, Township 6 South, Range 12 East, measures South 1455 feet, more or less, to a point; thence East 575 feet, more or less, to the most northerly corner of Lot 10, Block 7, Hillcrest Country Club Estates Subdivision, Addition No. 3, thence South 31 degrees, 55 minutes West, 178.2 feet to a corner common to Lots 9 and 10 of said block, Addition, Subdivision; thence North 51, degrees, 45 minutes West, 97.4 feet to the most northerly corner of Lot 9, said Block and Subdivision thence South 45 degrees, 20 minutes West, 85 feet to a point; thence South 32 degrees, 55 minutes West, 100 feet to a corner common to Lots 8 and 9, said Block, Addition, Subdivision; thence North 48 degrees, 00 minutes West, 1540 feet, more or less, to a point in the easterly right of way line of Snead Drive, said point being on an easterly extension of the line common to Lots 56 and 57 said Block, Addition, Subdivision; thence along said right of way line North 11 degrees, 10 minutes East, 400 feet, more or less, to a point; thence North 04 degrees, 15 minutes West, 328 feet, more or less, to a point; thence North 13 degrees, 00 minutes West, 395 feet, more or less, to a point; thence North 22 degrees, 15 minutes West, 100 feet, more or less, to a point ; thence North 33 degrees, 00 minutes West, 416 feet, more or less to a point of beginning.

FROM THE POINT OF BEGINNING go North 62 degrees 06 minutes 05 seconds East, a distance of 540 feet to a point, thence go North 27 degrees 53 minutes 55 seconds West, a distance of 45 feet to a point, thence go South 62 degrees 06 minutes 05 seconds West, a distance of 563.56 feet to a point. thence go South 59 degrees 25 minutes 00 seconds East, a distance of 45 feet to the point of beginning.

Being a portion of property acquired by East Win LLC from Paul Lea, M.D. on April 30, 1996 in a Non-Warranty Contribution/Exchange For Membership/Sale recorded as Instrument #1006945 of records of the Clerk of Court of St. Tammany Parish, Louisiana.