

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3832 ORDINANCE COUNCIL SERIES NO.     

COUNCIL SPONSOR: MR. BURKHALTER PROVIDED BY: COUNCIL OFFICE

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

ON THE 1<sup>ST</sup> DAY OF MAY, 2008

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE, EXPROPRIATE OR OTHERWISE ACQUIRE ALL CERTAIN PARCELS AND/OR RIGHTS OF WAY FOR THE BEN THOMAS ROAD IMPROVEMENT PROJECT, ST. TAMMANY PARISH, LOUISIANA, WARD 9, DISTRICT 14.

WHEREAS, the Parish of St. Tammany desires to acquire certain immovable properties (hereinafter referred to as "Properties"), and

WHEREAS, there is a need and a public purpose for the acquisition of certain immovable properties for the Ben Thomas Road Improvement Project; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the Properties and/or rights of way and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire said Properties and/or rights of way.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS to authorize the Parish of St. Tammany to acquire all those certain parcels of ground necessary to make road improvements to Ben Thomas Road extending 3500 feet west, more or less, from its intersection with U.S. Highway 11; 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 the Properties and/or rights of way; and

That the Office of the Parish President is authorized and instructed to proceed with the acquisition of the Properties and/or rights of way in a timely and orderly matter; and

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

That, if purchased, the purchase price shall not exceed the fair market value of the Properties as evidenced by appraisals obtained or supplied to the Parish plus fees and costs; and

That any and all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 immediately after final adoption or as per law, which ever is earlier.

ORDINANCE CALENDAR NUMBER: \_\_\_\_\_

ORDINANCE COUNCIL SERIES NO. 08-\_\_\_\_\_

PAGE 2 OF 2

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: \_\_\_\_\_, 2008  
Published adoption on: \_\_\_\_\_, 2008

Delivered to Parish President: \_\_\_\_\_, 2008 @ \_\_\_\_\_  
Returned to Council Clerk: \_\_\_\_\_, 2008 @ \_\_\_\_\_