

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3847 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: BINDER/DAVIS PROVIDED BY: President/ Legal

INTRODUCED BY: _____ SECONDED BY: _____

ON THE _____ DAY OF _____, 2008

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE, EXPROPRIATE OR OTHERWISE ACQUIRE CERTAIN PARCELS AND/OR RIGHTS OF WAY FOR THE BREWSTER ROAD WIDENING PHASE 1 PROJECT AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO

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

WHEREAS, there is a need and a public purpose for the acquisition of certain immovable property for the Brewster Road Widening Phase 1 Project; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the Property 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 Property and/or rights of way.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS to authorize the Parish of St. Tammany to acquire by purchase, donation or expropriation all that certain parcel of ground 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 the Property and/or rights of way; and

That the Office of the Parish President is authorized and instructed to proceed with the acquisition of the Property 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 Property 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 Property as evidenced by an appraisal 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 upon final 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 FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: MAY 29, 2008

Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____

Returned to Council Clerk: _____, 2008 @ _____

PARCEL 1-1
A 22,368 SQ. FT. PARCEL OF GROUND SITUATED IN
SECTION 14, TOWNSHIP 7 SOUTH – RANGE 10 EAST
ST. TAMMANY PARISH, LOUISIANA

All that certain parcel of ground situated in Section 14, Township 7 South – Range 10 East, St. Tammany Parish, Louisiana, and being more fully described as follows:

Commence from the corner common to Sections 11, 12, 13, & 14 Township 7 South – Range 10 East and go South, a distance of 40.00 feet to the Southerly right of way line of Brewster Road; thence go along said right of way North 89 degrees 29 minutes 00 seconds West, a distance of 2,330.48 feet to the **Point of Beginning**.

From the **Point of Beginning** leave said right of way line of Brewster Road and go South 00 degrees 18 minutes 15 seconds West, a distance of 15.16 feet; thence go North 89 degrees 35 minutes 47 seconds West, a distance of 1351.84 feet to a point on the Easterly right of way line of LA Highway 1077; thence go along said right of way North 23 degrees 34 minutes 55 seconds West, a distance of 19.53 feet to a point on the Southerly right of way line of Brewster Road; thence go along said right of way line of Brewster Road South 89 degrees 29 minutes 00 seconds East, a distance of 1359.76 feet back to the **Point of Beginning**.

Said parcel contains 22,368 sq. ft. of land more or less. Survey Number: 08280A

PARCEL 2-1
A 13,892 SQ. FT. PARCEL OF GROUND SITUATED IN
SECTION 14, TOWNSHIP 7 SOUTH – RANGE 10 EAST
ST. TAMMANY PARISH, LOUISIANA

All that certain parcel of ground situated in Section 14, Township 7 South – Range 10 East, St. Tammany Parish, Louisiana, and being more fully described as follows:

Commence from the corner common to Sections 11, 12, 13, and 14 Township 7 South – Range 10 East and go South, a distance of 40.00 feet to a point on the Southerly right of way line of Brewster Road; thence go along said right of way North 89 degrees 29 minutes 00 seconds West, a distance of 1,351.85 feet to the **Point of Beginning**.

From the **Point of Beginning** leave said right of way and go South 00 degrees 18 minutes 15 seconds West, a distance of 13.23 feet; thence go North 89 degrees 35 minutes 47 seconds West, a distance of 978.62 feet; thence go North 00 degrees 18 minutes 15 seconds East, a distance of 15.16 feet to a point on the Southerly right of way line of Brewster Road; thence go along said right of way South 89 degrees 29 minutes 00 seconds East, a distance of 978.63 feet back to the **Point of Beginning**.

Said parcel contains 13,892 sq. ft. of land more or less. Survey Number: 08280B

PARCEL 3-1
A 12,484 SQ. FT. PARCEL OF GROUND SITUATED IN
SECTION 14, TOWNSHIP 7 SOUTH – RANGE 10 EAST
ST. TAMMANY PARISH, LOUISIANA

All that certain parcel of ground situated in Section 14, Township 7 South – Range 10 East, St. Tammany Parish, Louisiana, and being more fully described as follows:

Commence from the corner common to Sections 11, 12, 13, and 14 Township 7 South – Range 10 East and go South, a distance of 40.00 feet to a point on the Southerly right of way line of Brewster Road; thence go along said right of way North 89 degrees 29 minutes 00 seconds West, a distance of 400.00 feet to the **Point of Beginning**.

From the **Point of Beginning** leave said right of way and go South, a distance of 13.00 feet; thence go North 89 degrees 29 minutes 50 seconds West, a distance of 951.92 feet; thence go North 00 degrees 18 minutes 15 seconds East, a distance of 13.23 feet to a point on the Southerly right of way line of Brewster Road; thence go along said right of way South 89 degrees 29 minutes 00 seconds East, a distance of 951.85 feet back to the **Point of Beginning**.

Said parcel contains 12,484 sq. ft. of land more or less. Survey Number: 08280C

PARCEL 4-1
A 2,789 SQ. FT. PARCEL OF GROUND SITUATED IN
SECTION 14, TOWNSHIP 7 SOUTH – RANGE 10 EAST
ST. TAMMANY PARISH, LOUISIANA

All that certain parcel of ground situated in Section 14, Township 7 South – Range 10 East, St. Tammany Parish, Louisiana, and being more fully described as follows:

Commence from the corner common to Sections 11, 12, 13, and 14 Township 7 South – Range 10 East and go South, a distance of 40.00 feet to a point on the Southerly right of way line of Brewster Road; thence go along said right of way North 89 degrees 29 minutes 00 seconds West, a distance of 185.00 feet to the **Point of Beginning**.

From the **Point of Beginning** leave said right of way and go South, a distance of 12.96 feet; thence go North 89 degrees 29 minutes 36 seconds West, a distance of 214.83 feet; thence go North, a distance of 13.00 feet to a point on the Southerly right of way line of Brewster Road; thence go along said right of way South 89 degrees 29 minutes 00 seconds East (South 89 degrees 34 minutes 49 seconds East – plat), a distance of 214.83 feet back to the **Point of Beginning**.

Said parcel contains 2,789 sq. ft. of land more or less. Survey Number: 08280D

PARCEL 4-2
A 2,395 SQ. FT. PARCEL OF GROUND SITUATED IN
SECTION 14, TOWNSHIP 7 SOUTH – RANGE 10 EAST
ST. TAMMANY PARISH, LOUISIANA

All that certain parcel of ground situated in Section 14, Township 7 South – Range 10 East, St. Tammany Parish, Louisiana, and being more fully described as follows:

Commence from the corner common to Sections 11, 12, 13, and 14 Township 7 South – Range 10 East and go South, a distance of 40.00 feet to a point on the Southerly right of way line of Brewster Road also the **Point of Beginning**.

From the **Point of Beginning** leave said right of way and go South, a distance of 12.93 feet; thence go North 89 degrees 29 minutes 36 seconds West, a distance of 185.00 feet; thence go North, a distance of 12.96 feet to a point on the Southerly right of way line of Brewster Road; thence go along said right of way South 89 degrees 29 minutes 00 seconds East (South 89 degrees 34 minutes 49 seconds East – plat), a distance of 185.00 feet back to the **Point of Beginning**.

Said parcel contains 2,395 sq. ft. of land more or less. Survey Number: 08280D