

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3784

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: _____

SECONDED BY: _____

ON THE _____ DAY OF _____, 2008

ORDINANCE AUTHORIZING PARISH PRESIDENT TO PURCHASE, EXPROPRIATE OR OTHERWISE ACQUIRE CERTAIN PARCELS OF LAND FOR DRAINAGE IMPROVEMENTS IN TAMMANY HILLS SUBDIVISION AS DESCRIBED IN EXHIBIT "A" HERETO

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

WHEREAS, there is a need and a public purpose for drainage, specifically, erecting in-line retention, more fully described in Project No. 67029 of the Department of Engineering for St. Tammany Parish; and

WHEREAS, in order to construct the improvements described in Project No. 67029 it is necessary to acquire a right of way and or acquire the Property; and

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

THE PARISH OF ST. TAMMANY HEREBY ORDAINS to authorize the Parish of St. Tammany to acquire 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

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

That the Office of the Parish President is authorized to exercise its discretion in acquiring the Property, 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: February 28, 2008

Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____

Returned to Council Clerk: _____, 2008 @ _____

EXHIBIT "A"

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ALL THAT CERTAIN PIECES OR PORTIONS OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Tammany, in that area known as Tammany Hills Subdivision, all in accordance with the plans of subdivision filed with the Clerk of Court for St. Tammany Parish as Map File Nos. 663A and 860B; and further by plans of resubdivision of Lots 31 and 33 into Lot 31A, and Lots 35 and 37 into Lot 37A by Wilson-Pope, P.L.S. and filed as Map File Nos. 3642F and 3645A, and is more fully described as follows, to wit:

Lot 31A and 37A, Square 90, Tammany Hills Subdivision, St. Tammany Parish, Louisiana.