

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3952

ORDINANCE COUNCIL SERIES NO. ____

COUNCIL SPONSOR: BINDER

PROVIDED BY: PRESIDENT/ LEGAL

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. BELLISARIO

ON THE 2ND DAY OF OCTOBER, 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 FREMAUX INTERCHANGE SERVICE ROAD 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 Fremaux Interchange Service Road 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 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 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 FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: OCTOBER 23, 2008
Published adoption on: _____, 2008

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

Exhibit "A" Ordinance Calendar No. _____

THAT PORTION OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Southwest Quarter of the Southeast Quarter of

Being the same property acquired by vendor herein under deed from Horner G. Fritchie, dated January 25, 1955, registered in C.O.B. 227, folio 293, Records of St. Tammany Parish, Louisiana.

THAT PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana Lots 7 and 8 as shown on a plat of survey no. 1528, dated February 4, 1955, made by H.G. Fritchie, Parish Surveyor, of the property belonging to Joseph Baroni, in the Southwest quarter of Southeast quarter, Section 11, Township 9 South, Range 14 East, 8th Ward, St. Tammany Parish, Louisiana, and said Lots 7 and 8 are described by meets and bounds together as follows:

From the northeast corners of the aforementioned southwest quarter of southeast quarter go west 40 feet; thence south 648 feet to U.S. Highway No. 190; thence along the northerly line of right of way of U.S. Highway No. 190, north 68 degrees 30 minutes west 161.10 feet to a point of beginning which is the southeast corner of said Lot 7; thence north along the line between lots 7 and 3, 4, 5, and 6, a distance of 240.90 feet to a south line of lot two; thence west long the south line of lot 2, 100 feet to the northwest corner of said lot 8; thence south along the line between lots 8 and 9 a distance of 201.50 feet to U.S. Highway No. 190 south 68 degrees 30 minutes east 107.40 feet to the point of departure.

Being the same property acquired by vendor herein under deed form Horner G. Fritchie, dated January 14, 1957, registered in Conveyance Office Book 249, page 51, St. Tammany Parish, Louisiana.

LESS AND EXCEPT THE FOLLOWING

A certain piece of parcel of land lying and situated in Section 11, Township 9 South, Range 14 east, Greensburg Lane District, St. Tammany Parish, Section 11, Township 9 South, Range 14 East, in the Eighth Ward of the Parish of St. Tammany, State of Louisiana, designated as Lots 1, 2, 3, 4, 5, 6, and 9 of the subdivision of the Baroni property, which lots are shown on a plat or survey by H.G. Fritchie, Parish Surveyor, dated February 19, 1957, annexed hereto, and together, are described as follows:

From the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section 11, Township 9 South Range 14 East, run West 40 feet to west line of public road; thence South along said road, 199.8 feet to Northeast corner and point of beginning of property herein described. Thence South along said road 448.2 feet intersect North right-of-way line of U.S. Highway No. 190; thence in a Westerly direction, along north line of said Highway 161.10 feet to Southeast corner of Lot 7; thence in a Westerly direction, along north line of said Highway 161.10 feet to Southeast corner of Lot 7; thence North along the east line of Lot 7 which is also the rear or west line of Lots 3, 4, 5, and 6, 240.90 feet to a point in south line of Lot 2; thence West along the north or rear line of Lots 7 and 8 which is also the south sideline of Lot 2, 100 feet to the rear corner common to Lots 8 and 9; Thence South along the side line between Lots 8 and 9, 201.50 feet to a point in north line of U.S. Highway No. 190; thence in a westerly direction along the north line of said Highway, 74.40 feet to a point thence North 5 degrees, 45 minutes East, along the west line of Lot 9, 167.20 feet to a point; thence North 35 degrees, 30 minutes East, along the West line of Lot 9 and the rear or west line of Lots 1 and 2, 190 feet to the northwest corner of Lot 1; thence East, along North line of Lot 1, 191.70 feet to a point of beginning on Public Road.