

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3935

ORDINANCE COUNCIL SERIES NO.

COUNCIL SPONSOR: BELLISARIO

PROVIDED BY: PRESIDENT/ LEGAL

INTRODUCED BY: MR BELLISARIO

SECONDED BY: MR. BINDER

ON THE 11TH DAY OF SEPTEMBER, 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 BROWNSWITCH/MILITARY ROAD INTERSECTION 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 Browns witch/Military Road Intersection 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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.

ORDINANCE CALENDAR NUMBER: 3935

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 FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: SEPTEMBER 18, 2008

Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____

Returned to Council Clerk: _____, 2008 @ _____

Exhibit "A" Ordinance Calendar No. 3935

DESCRIPTION OF PARCEL 1-1 BEING A PORTION OF GROUND LOCATED IN SECTION 31, T8 S – R 15 E, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA. SAID PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ½ INCH IRON ROD AT THE APPARENT NORTH RIGHT-OF-WAY LINE OF BROWNSWITCH ROAD AND THE APPARENT EAST RIGHT-OF-WAY LINE OF WALNUT STREET; PROCEED ALONG THE APPARENT NORTH RIGHT-OF-WAY LINE OF BROWNSWITCH ROAD NORTH 89°09'24" EAST FOR A DISTANCE OF 304.03 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO DESCRIBED AS P.O.B. "1-1" ON A REFERENCE DRAWING OF NORTH MILITARY ROAD, PLANS OF PROPOSED INTERSECTION IMPROVEMENTS, STATE PROJECT: 852-26-0017, BY :SJB GROUP, DATED 07/02/08.

THENCE LEAVING SAID RIGHT-OF-WAY, PROCEED NORTH 61°27'23" EAST FOR A DISTANCE OF 102.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MILITARY ROAD AND CORNER:

THENCE PROCEED ALONG SAID RIGHT-OF-WAY SOUGH 18°04'50" EAST FOR A DISTANCE OF 49.91 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF BROWNSWITCH ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF MILITARY ROAD AND CORNER:

THENCE PROCEED ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF BROWNSWITCH ROAD SOUTH 89°09'24" WEST FOR A DISTANCE OF 105.57 FEET BACK TO THE POINT OF BEGINNING.

CONTAINING: 2,516.03 SQUARE FEET OF LAND, MORE OR LESS, ALL IN ACCORDANCE WITH A REFERENCED DRAWING BY SJB GROUP, L.L.C. AND DATED JULY 02, 2008.