

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3936 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: DEAN PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. DEAN SECONDED BY: MR. STEFANCIK

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 CERTAIN PARCELS AND/OR RIGHTS OF WAY FOR THE DIVERSIFIED FOOD ROAD 3 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 Diversified Food Road 3 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 of 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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: SEPTEMBER 18, 2008

Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____

Returned to Council Clerk: _____, 2008 @ _____

Exhibit "A" Ordinance Calendar No. 3936

Legal Description Parcel 1-1

A certain piece or portion of ground situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, commencing at the station 0+07.77 adopted baseline run along the westerly right-of-way of Spice Road north 00 degrees 44 minutes 42 seconds west a distance of 677.48 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING run north 00 degrees 56 minutes 01 seconds west a distance of 440.93 feet to a point; thence leaving said right-of-way, run south 89 degrees 48 minutes 30 seconds east a distance of 69.28 feet to a point; thence run north 52 degrees 23 minutes 35 seconds east a distance of 154.63 feet to a point; thence run north 89 degrees 56 minutes 41 seconds east a distance of 38.64 feet to a point; thence run south 41 degrees 19 minutes 18 seconds west a distance of 160.89 feet to a point; thence run south 20 degrees 35 minutes 23 seconds west a distance of 271.74 feet to a point; thence run south 07 degrees 38 minutes 31 seconds west a distance of 161.26 feet back to the POINT OF BEGINNING.

Said piece or portion of ground contains 0.68 acres (29,822.80 sq. feet) more or less.

Legal Description Parcel 1-2

A certain piece or portion of ground situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, commencing at the station 0+09.84 adopted baseline run along the westerly right-of-way of Spice Road north 00 degrees 44 minutes 42 seconds west a distance of 50.00 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING run north 89 degrees 15 minutes 18 seconds east a distance of 682.13 feet to a point; thence run south 00 degrees 55 minutes 57 seconds east a distance of 100.00 feet to a point; thence run south 89 degrees 15 minutes 18 seconds west a distance of 682.13 feet to a point; thence run north 00 degrees 56 minutes 01 seconds west a distance of 100.00 feet back to the POINT OF BEGINNING.

Said piece or portion of ground contains 1.57 acres (68,213.20 sq. feet) more or less.

Legal Description Parcel 1-3

A certain piece or portion of ground situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, commencing at the station 6+91.89 adopted baseline run north 00 degrees 39 minutes 26 seconds west a distance of 50.00 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING run north 89 degrees 20 minutes 34 seconds east a distance of 204.87 feet to a point; thence run north 00 degrees 43 minutes 53 seconds west a distance of 1,151.96 feet to a point; thence run north 89 degrees 56 minutes 41 seconds east a distance of 60.00 feet to a point; thence run south 00 degrees 43 minutes 53 seconds east a distance of 1,151.33 feet to a point; thence run north 89 degrees 20 minutes 34 seconds east a distance of 100.00 feet to a point; thence run south 89 degrees 20 minutes 34 seconds west a distance of 589.35 feet back to the POINT OF BEGINNING.

Said piece or portion of ground contains 2.94 acres (128,050.00 sq. feet) more or less.

Legal Description Parcel 1-4

A certain piece or portion of ground situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, commencing at the station 12+81.56 adopted baseline run north 00 degrees 38 minutes 20 seconds west a distance of 50.00 feet to the POINT OF BEGINNING.

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From the POINT OF BEGINNING run north 89 degrees 21 minutes 40 seconds east a distance of 306.82 feet to a point; thence run south 00 degrees 44 minutes 42 seconds east a distance of 100.00 feet to a point; thence run south 89 degrees 21 minutes 40 seconds west a distance of 306.81 feet to a point; thence run south 00 degrees 44 minutes 47 seconds west a distance of 100.00 feet back to the POINT OF BEGINNING.

Said piece or portion of ground contains 0.70 acres (30,681.28 sq. feet) more or less.