

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3981 ORDINANCE COUNCIL SERIES NO.
COUNCIL SPONSOR: BINDER/DAVIS PROVIDED BY: President/ Legal
INTRODUCED BY: MR. STEFANCIK SECONDED BY: MR. BURKHALTER
ON THE 4TH DAY OF DECEMBER, 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/ROBERT 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 Brownsitch/Robert 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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.

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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: _____, 2008

Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____

Returned to Council Clerk: _____, 2008 @ _____

PROPERTY DESCRIPTION
OF
PARCEL "1-1"

DESCRIPTION OF PARCEL 1-1 BEING A PORTION OF GROUND LOCATED IN SECTION 36, T8S, R14E, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA, SAID PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND RIGHT-OF-WAY MARKER AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF BROWNSWITCH ROAD AND THE EAST RIGHT-OF-WAY LINE OF ROBERT ROAD; PROCEED ACROSS BROWNSWITCH ROAD NORTH 07 DEGREES 26 FEET 13 INCHES EAST FOR A DISTANCE OF 52.91 FEET TO A POINT AT THE INTERSECTION OF NORTH RIGHT-OF-WAY LINE OF BROWNSWITCH ROAD AND THE EAST RIGHT-OF-WAY LINE OF ROBERT ROAD TO THE P.O.B., SAID POINT ALSO DESCRIBED AS P.O.B. "1-1".

THENCE, PROCEED NORTH 11 DEGREES 12 FEET 01 INCHES WEST ALONG THE EAST RIGHT-OF-WAY LINE OF ROBERT ROAD FOR A DISTANCE OF 10.18 FEET TO A POINT; THENCE LEAVING THE EAST RIGHT-OF-WAY LINE OF ROBERT ROAD, PROCEED NORTH 89 DEGREES 33 FEET 11 INCHES EAST FOR A DISTANCE OF 380.78 FEET TO A POINT;

THENCE PROCEED SOUTH 00 DEGREES 26 FEET 49 INCHES EAST FOR A DISTANCE OF 10.00 FEET TO A FOUND ½ INCH IRON ROD ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF BROWNSWITCH ROAD;

THENCE PROCEED ALONG SAID EXISTING RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 33 FEET 11 INCHES WEST FOR A DISTANCE OF 378.88 FEET BACK TO THE POINT OF BEGINNING.

CONTAINING: 3,798.30 SQUARE FEET OR 0.087 ACRES OF LAND, MORE OR LESS.