

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2661

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: CAO

RESOLUTION TO CONCUR/NOT CONCUR WITH THE TOWN OF PEARL RIVER ANNEXATION AND REZONING OF .347 ACRES OF LAND MORE OR LESS FROM PARISH SA SUBURBAN AGRICULTURE DISTRICT TO TOWN OF PEARL RIVER B-2 COMMERCIAL DISTRICT WHICH PROPERTY IS LOCATED LOT 8A, SQ 22, VILLAGE OF GUTHRIE IN SECT 12, T-8-S, R-14-E, ST TAMMANY PARISH, LOUISIANA, WARD 8, DISTRICT 9.

WHEREAS, the TOWN OF PEARL RIVER is contemplating annexation of .347 ACRES of land more or less owned by The TOWN OF PEARL RIVER, and located LOT 8A, SQ 22, VILLAGE OF GUTHRIE IN SECT 12, T-8-S, R-14-E, ST TAMMANY PARISH, LOUISIANA, Ward 8, District 9 (see attachments for complete description); and

WHEREAS, the proposed annexation is consistent with the Annexation Agreement entered into by the TOWN OF PEARL RIVER and St. Tammany Parish effective April 1, 2003; and

WHEREAS, the property requires rezoning from Parish SA Suburban Agriculture District to TOWN OF PEARL RIVER B-2 Commercial District which is an intensification of zoning; and

WHEREAS, the property is **not** developed and the proposed annexation **would not** result in a split of the sales tax revenues, *all sales tax revenue accrues to the City.*

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to **Concur/Not Concur** with the TOWN OF PEARL RIVER annexation and rezoning of .347 ACRES of land more or less, located LOT 8A, SQ 22, VILLAGE OF GUTHRIE IN SECT 12, T-8-S, R-14-E, ST TAMMANY PARISH, LOUISIANA from Parish SA Suburban Agriculture District to TOWN OF PEARL RIVER B-2 COMMERCIAL District in accordance with the *April 1, 2003 Annexation Agreement between the Parish and the TOWN OF PEARL RIVER.*

BE IT FURTHER RESOLVED that should this property be annexed, the St. Tammany Parish Council requires that the TOWN OF PEARL RIVER review development proposals utilizing the applicable Parish Drainage Model and compliance with Parish Drainage Regulations.

BE IT FURTHER RESOLVED that the St. Tammany Parish Council requires that the TOWN OF PEARL RIVER require a Traffic Impact Analysis be performed and that the Parish Department of Engineering be consulted on the traffic and access impacts of any proposed development.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE ____ DAY OF _____, 2009, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, CLERK OF COUNCIL (PR2009-01)

C-2661

Annexation package checklist:

Annexation PR2009-01

- Ework time stamp document
- Annexation Request
(Should include; owner request, property description, survey, etc.)
- Resolution
- Zoning map
- Enhancement map
(If applicable)
- Aerial map
- Ework form
- Ework notes
- Agenda memo
- Files Placed on admin
- Ework - CAO notification

Forward Resolution to MS

Due 6/15/2009

PR2009-01 notes

Date	Department	Note
6/3/2009	DES – T Brown	No DES issues
6/4/2009	Planning S Fontenot	<i>Does not comply</i> with Louisiana Revised Statutes relative to annexations, specifically with respect to the requirement that the property to be annexed be contiguous to the municipality. <i>Does</i> comply with the Pearl River Growth Management Agreement.
6/8/2009	PW – J Lobrano	Property joins two parish maintained roads 7th Street and Ave D. <u><i>a portion of 7th Street may have to be taken out of the maintenance system.</i></u> for it would only be serving the town's property
6/9/2009	Engr – D Zechenelly	Applicant shall comply with the latest St. Tammany Parish Commercial Drainage and Traffic ordinances as adopted by the Parish Council.



Annexation

City: Pearl River

City Case No: processing

Staff Reference PR2009-01

Publication Date: 5/27/2009



Dead Line 6/5/2009



Priority

Owner: town of pearl river

Ward 8

Council District: 9

Map

Location: Lot 8A, Sq 22, village of Guthrie in sect 12, T-8-S, R-14-E, St Tammany Parish, Louisiana

Parish Zoning SA Suburban Agriculture

City Zoning: B-2 Commercial

Subdivision: Village Guthrie

Existing Use: vacant

Developed

Intensification

Concur w/ City

Size: .347 acres

Population:

Concur:

STR: Sect 12, T-8-S, R-14-E

Annex Status: processing

Sales Tax:

City Actions

Council Actions

Ordinance:

City Date:



Resolution:

Council Date:





St. Tammany Parish

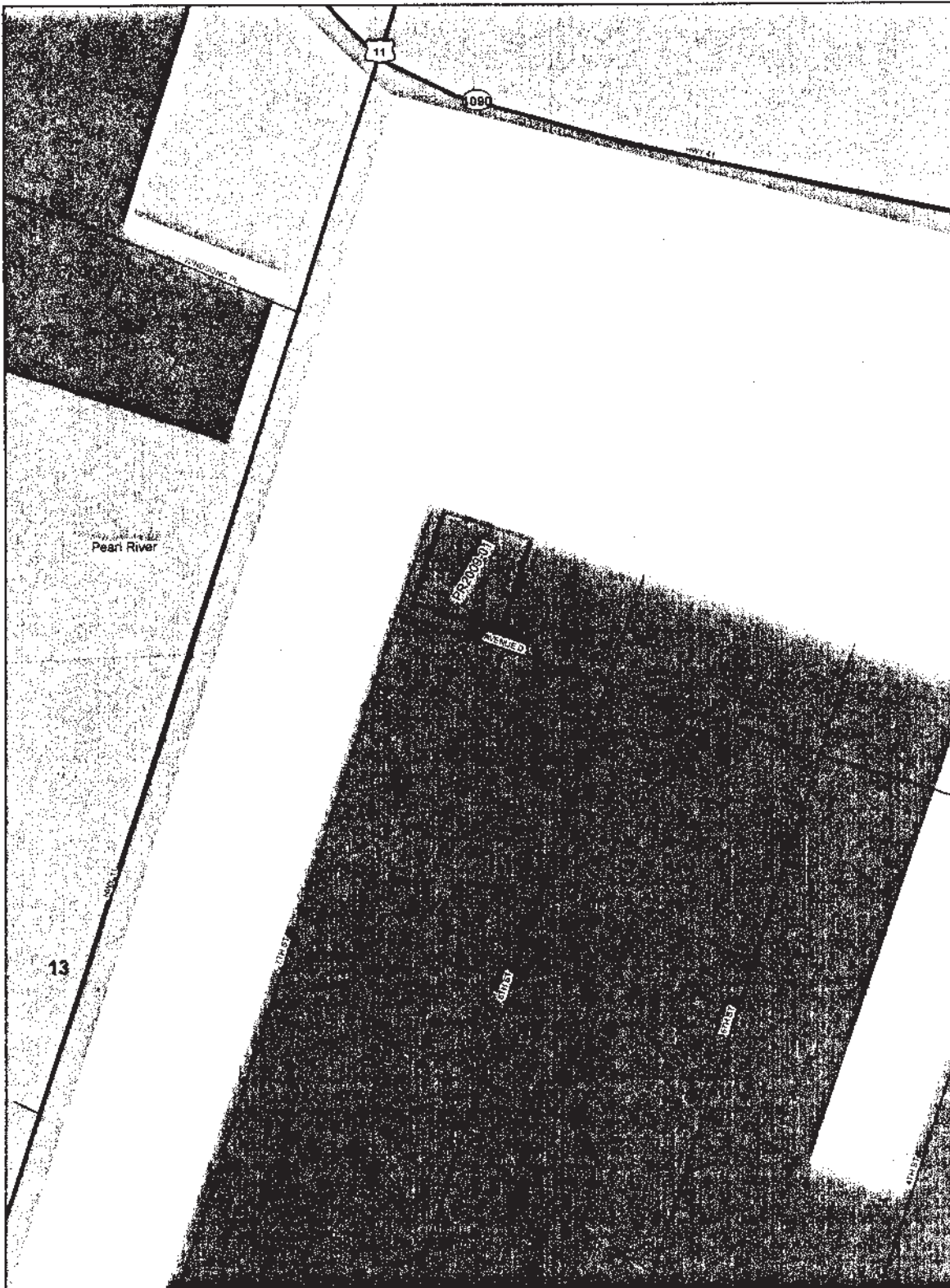
District 3 Coordinator
P. O. Box 628
Covington, LA 70434
Phone: (985) 898-2865
Fax: (985) 898-5238
e-mail: rthompson@stpgov.org

Kevin Davis
Parish President

June 5, 2009

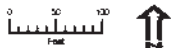
Please be advised that we have received the Annexation Request listed below.

The Town of Pearl River submitted this annexation request on 5/27/2009.
The parish reference number is PR2009-01.



St. Tammany Parish Government
P.O. Box 628
Covington, LA 70434

Kevin C. Davis,
President

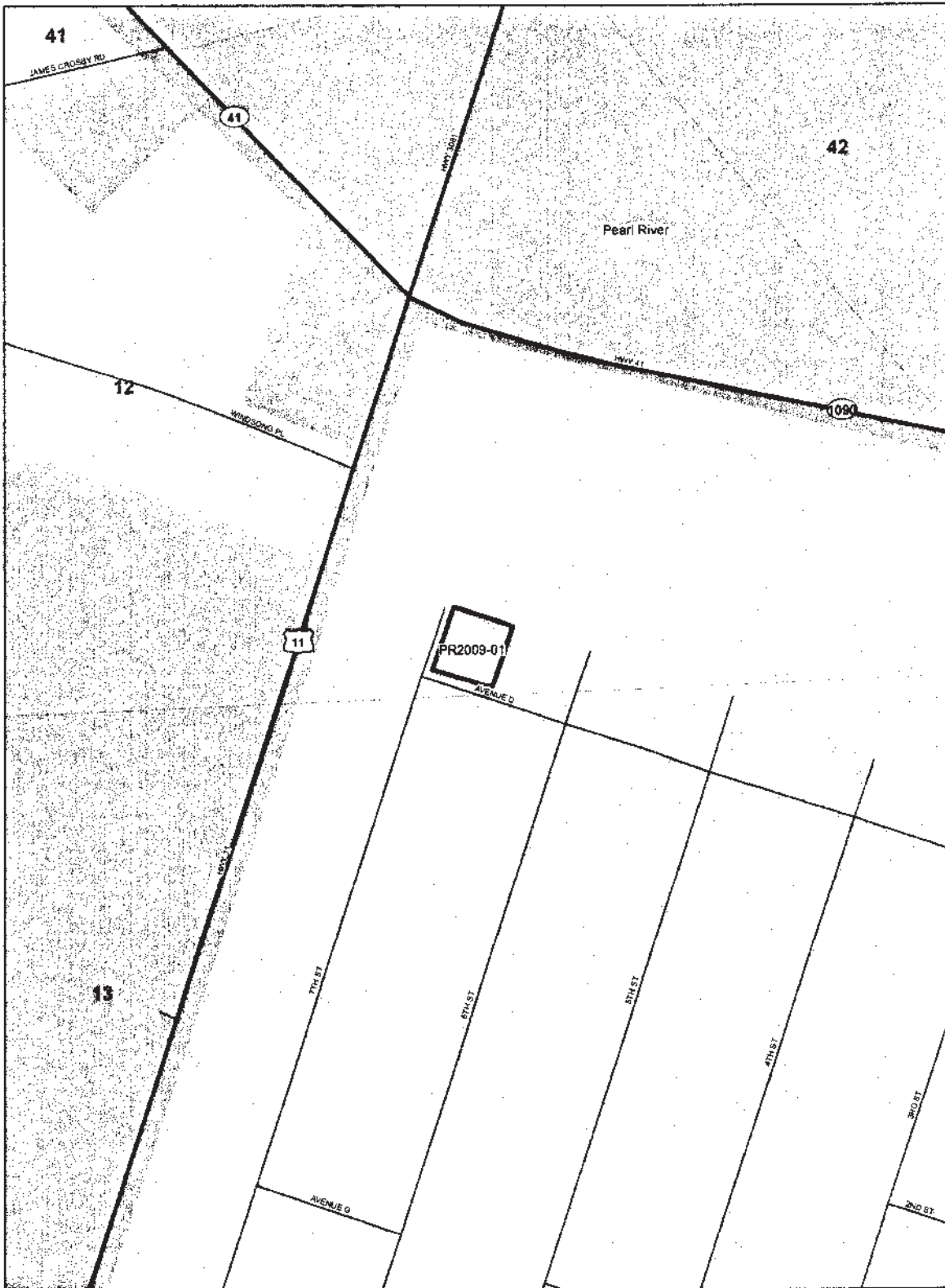


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Note: This map is for planning purposes only. It is not a legally enforceable instrument. Refer to the map of engineering schematic and EIR for detailed information.
Map users who created from different sources of official records and the state of Louisiana, the official of city, parish, or state, is accurate as the source of the data.
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Pearl River Annexation PR2009-01

Legend

Streets	A-1 (UDC) Suburban	A-6 (UDC) Multiple Family Residential	HC-3 Highway Commercial	PR-2 Public Facilities
PR2009-01	A-1A (UDC) Suburban	C-1 Light Commercial	HC-4 Highway Commercial	PR-3 Public Facilities
Streets	A-2 (UDC) Suburban	C-2 Heavy Commercial	M-1 Light Industrial	ED-1 Primary Education
Townships/Ranges	A-3 (UDC) Suburban	C-3 Planned Commercial	M-2 Intermediate Industrial	ED-2 Secondary Education
Sections	A-3A (UDC) Suburban	NC-1 Professional Office	M-3 Heavy Industrial	AT-1 Adult Training Housing
Municipality	A-4 (UDC) Single Family Residential	NC-2 Indoor Retail Services	I-1 Industrial	RFD-1 Rural Farm Development
Zoning Classifications	A-4A (UDC) Single Family Residential	NC-3 Lodging	I-2 Industrial	PUD-1 (UDC) Planned Unit Development
R-1A	A-4B (UDC) Single Family Residential	NC-4 Neighborhood Institutional	I-3 Heavy Industrial	PD-1 (UDC) Planned Unit Development
EDC, RURAL	A-4C (UDC) Single Family Residential	NC-5 Retail and Service	I-4 Heavy Industrial	PD-2 (UDC) Planned Unit Development
SA-5 (UDC) Agriculture	A-5 (UDC) Two Family Residential	NC-6 Public, Culture and Recreational	I-5 Industrial	RC Recreational Construction
E-1 Estate	A-5A (UDC) Two Family Residential	PBC-1 Planned Business Campus	MD-1 Medium Residential	MH-1 Manufactured Housing Overlay
E-2 Estate	A-6 (UDC) Multiple Family Residential	PBC-2 Planned Business Campus	MD-2 Medium Office	TND-1 Traditional Neighborhood Development
E-3 Estate	A-6A (UDC) Multiple Family Residential	HC-1 Highway Commercial	MD-3 Medium Office	TND-2 Traditional Neighborhood Development
E-4 Estate	A-7 (UDC) Multiple Family Residential	HC-2 Highway Commercial	PR-1 Public Facilities	



Pearl River Annexation PR2009-01

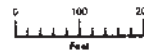


St. Tammany Parish Government
P.O. Box 628
Covington, LA 70434

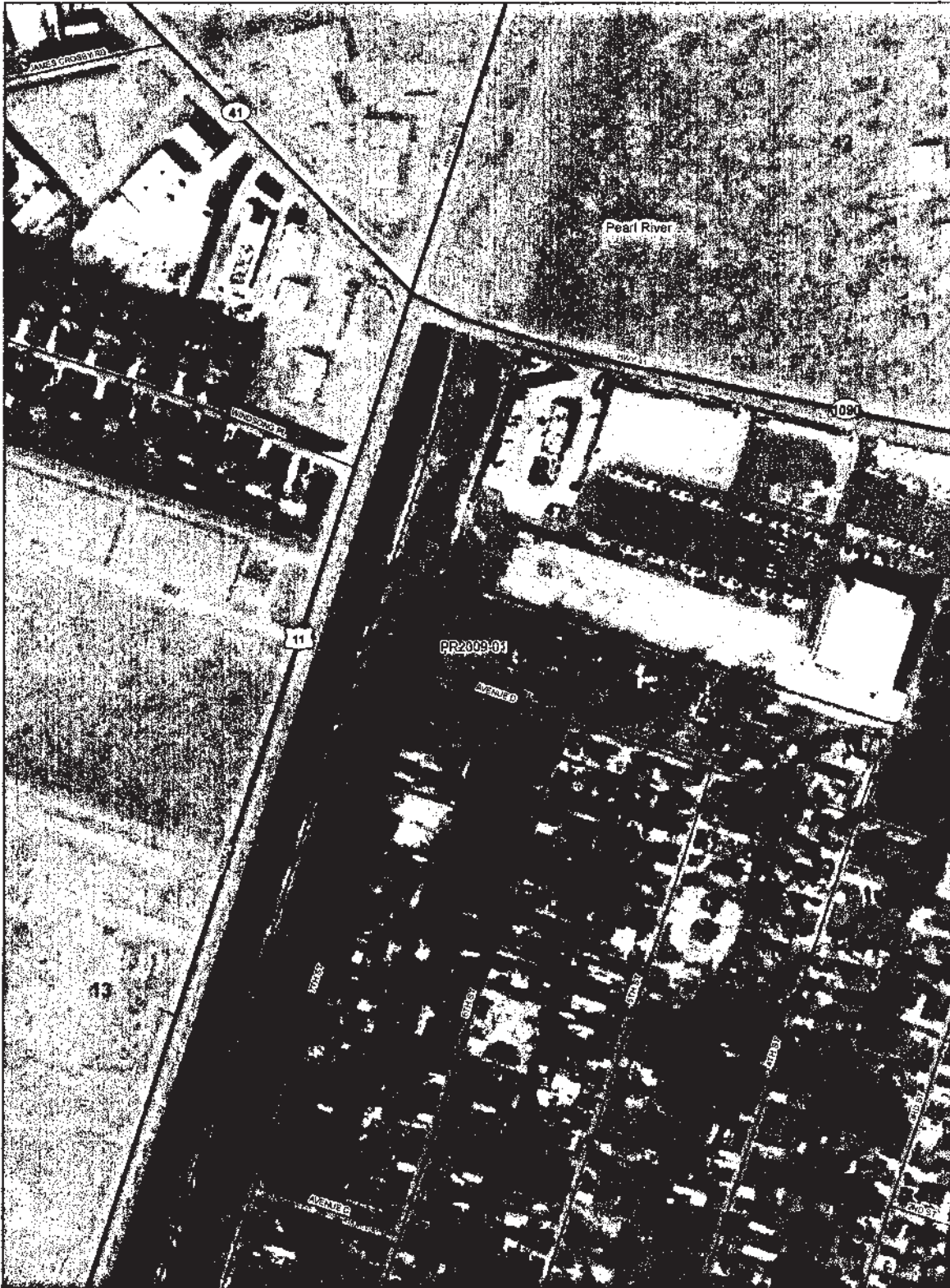
Kevin C. Davis,
President

Legend

- | | | | |
|---|----------------|---|----------------------|
| — | Streams | ■ | Pearl River UG Areas |
| — | Streets | ■ | Tax Type |
| □ | Township/Range | ■ | Priority 1 |
| □ | Sections | ■ | Priority 2 |
| □ | Municipality | ■ | Growth Management |



This map was produced by St. Tammany Parish Information Services.
Note: This map is for planning purposes only. It is not a legally recorded plan, survey, official tax map or engineering schematic, and it is not intended to be used as such.
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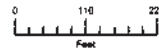
Pearl River Annexation PR2009-01



St. Tammany Parish Government
 P.O. Box 628
 Covington, LA 70434
 Kevin C. Davis,
 President

Legend

- Streams
- Streets
- Township/Range
- Sections
- Municipality



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RR2009-01

RECEIVED

1:43 PM
2147

MAY 27 2009

RUBY GAULEY
Mayor Pro Tempore

TOWN OF PEARL RIVER

P.O. Box 1270

Pearl River, Louisiana 70452

Telephone (985) 863-5800

FAX (985) 863-2586

townofpearlriver@charterinternet.com

VIRGIL PHILLIPS
DAVID McQUEEN
JAY SCROGGINS
MARIE CROWE

ALFARCEE

BENNIE RAYNOR
Chief of Police

DIANE HOLLIE
Town Clerk

RONALD W. "RON" GUTH
Town Attorney



JAMES LAVIGNE
Mayor

May 21, 2009

Mr. Bob Thompson
St. Tammany Parish Council
P.O. Box 628
Covington, La. 70435

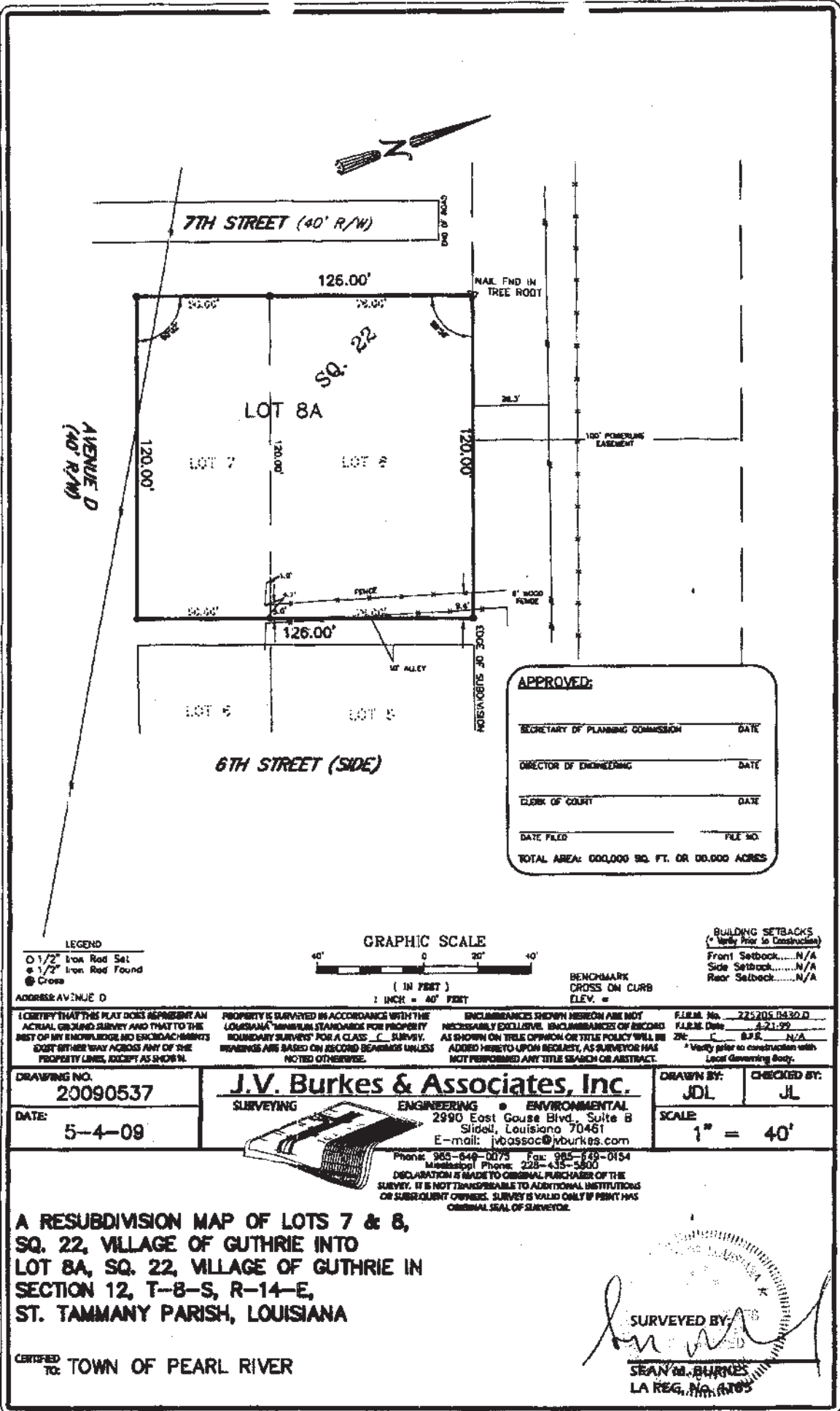
Dear Mr. Thompson,

The Town of Pearl River is requesting to annex lots Lots 7 & 8 (copy enclosed) from the Village of Guthrie into the corporate limits of the Town. This site will be used for a water tower and water well. The Town is requesting this property be zoned B-2.

Sincerely,

James Lavigne, Mayor
Town of Pearl River

ENCLOSURE



APPROVED:

SECRETARY OF PLANNING COMMISSION _____ DATE _____

DIRECTOR OF ENGINEERING _____ DATE _____

CLERK OF COURT _____ DATE _____

DATE FILED _____ FILE NO. _____

TOTAL AREA: 600,000 SQ. FT. OR 00.000 ACRES

LEGEND

○ 1/2" Iron Rod Set
 ⊕ 1/2" Iron Rod Found
 ⊙ Cross

ADDRESS AVENUE D



BUILDING SETBACKS
 (* Verify Prior to Construction)

Front Setback.....N/A
 Side Setback.....N/A
 Rear Setback.....N/A

BENCHMARK
 CROSS ON CURB
 ELEV. =

I CERTIFY THAT THIS PLAN DOES REPRESENT AN
 ACTUAL GROUND SURVEY AND THAT TO THE
 BEST OF MY KNOWLEDGE NO ENCROACHMENTS
 EXIST EITHER WAY ACROSS ANY OF THE
 PROPERTY LINES, EXCEPT AS SHOWN.

PROPERTY IS SURVEYED IN ACCORDANCE WITH THE
 LOUISIANA "MINIMUM STANDARDS FOR PROPERTY
 BOUNDARY SURVEYS" FOR A CLASS C SURVEY.
 BEARINGS ARE BASED ON RECORD BEARINGS UNLESS
 NOTED OTHERWISE.

ENCUMBRANCES SHOWN HEREON ARE NOT
 NECESSARILY EXCLUSIVE. ENCUMBRANCES ON RECORD
 AS SHOWN ON THIS OPINION OR TITLE POLICY WILL BE
 ADDED HERETO UPON REQUEST, AS SURVEYOR HAS
 NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

F.I.R.M. No. 225205.0430.D
 F.A.R.E. Date 4-21-09
 ZONE C S.F.R. N/A
 * Verify prior to construction with
 Local Governing Body.

DRAWING NO.
20090537

DATE:
5-4-09

J.V. Burkes & Associates, Inc.
 SURVEYING ENGINEERING • ENVIRONMENTAL
 2990 East Gause Blvd., Suite B
 Slidell, Louisiana 70461
 E-mail: jvbassoc@jvburkes.com

Phone: 985-649-0075 Fax: 985-649-0154
 Mississippi Phone: 228-435-5800

DRAWN BY: **JDL** CHECKED BY: **JL**

SCALE:
1" = 40'

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE
 SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS
 OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS
 ORIGINAL SEAL OF SURVEYOR.

**A RESUBDIVISION MAP OF LOTS 7 & 8,
 SQ. 22, VILLAGE OF GUTHRIE INTO
 LOT 8A, SQ. 22, VILLAGE OF GUTHRIE IN
 SECTION 12, T-8-S, R-14-E,
 ST. TAMMANY PARISH, LOUISIANA**

CERTIFIED
 TO: **TOWN OF PEARL RIVER**

SURVEYED BY

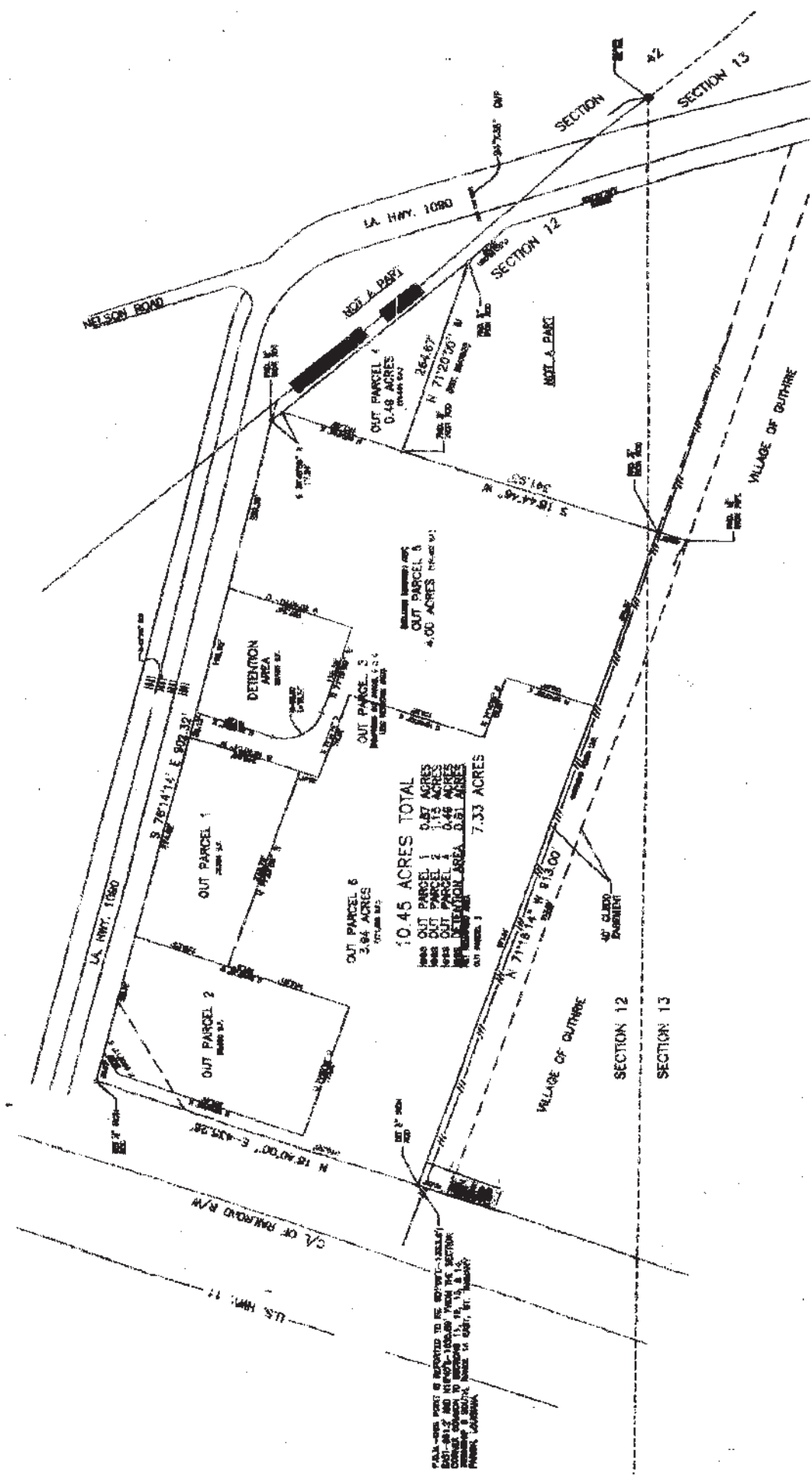
SEAN M. BURKES
 LA REG. No. 4705

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Site Location by Plans - 10/11

#630A - MAPS MAY NOT PRINT TO SCALE





10.45 ACRES TOTAL

OUT PARCEL 1	0.87 ACRES
OUT PARCEL 2	1.15 ACRES
OUT PARCEL 3	0.44 ACRES
OUT PARCEL 4	0.44 ACRES
DEVIATION AREA	0.51 ACRES
OUT PARCEL 5	7.33 ACRES

ALL-NEW PLOT IS REFERRED TO AS SEWER-LINE...
 2001-2012 AND STRONG-100000 FROM THE SECTION...
 CORNER STATION TO INTERSECTION OF SECTION 12, 13 & U.S. HWY. 1080...
 POINTS TO BE SURVEYED...

A. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HUD-1 UNIFORM SETTLEMENT STATEMENT

B. TYPE OF LOAN:
 N/A (Cash) 6. Title Number Town/Roper 7. Loan Number

8. Mortgage Insurance Case Number

C. Note: this form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(P.O.C.*)" were paid outside the closing. They are shown here for informational purposes and are not included in the totals. Note: TIN = Taxpayer's Identification Number.

D. Name and address of borrower: Town of Pearl River, Louisiana
 P.O. Box 1270
 Pear River, LA 70452

E. Name, address and TIN of seller:
 James A. Roper SSN: [REDACTED]
 Ginger A. Roper - SSN: [REDACTED]
 3196 Cowden Avenue
 Memphis, TN 38117

F. Name and address of lender: N/A

G. Property Location: Lots 7 & 8, Sq. 22, Village of Guthrie
 Pear River, St. Tammany Parish, Louisiana 70452

H. Settlement Agent: name, address and TIN:
 Fed ID#: [REDACTED]
 TriAmerica, Inc.
 39460 Willis Alley - Town Hall
 Pearl River, LA 70452

I. Settlement Date: MAY 14, 2009

Place of Settlement: Office of Settlement Agent above

J. SUMMARY OF BORROWER'S TRANSACTION

100 GROSS AMOUNT DUE FROM BORROWER:	
101 Contract sales price	30,000.00
102 Personal property	
103 Borrower settlement charges (line 1400)	1,785.70
104	
105	
<i>Adjustments for items paid by seller in advance</i>	
106 City/town taxes	
107 County taxes	
108 Assessments	
109	
110	
111	
112	
120 GROSS AMOUNT DUE FROM BORROWER	31,785.70

K. SUMMARY OF SELLER'S TRANSACTION

400 GROSS AMOUNT DUE TO SELLER:	
401 Contract sales price	30,000.00
402 Personal property	
403	
404	
405	
<i>Adjustments for items paid by seller in advance</i>	
406 City/town taxes	
407 County taxes	
408 Assessments	
409	
410	
411	
412	
420 GROSS AMOUNT DUE TO SELLER	30,000.00

200 AMOUNTS PAID BY OR ON BEHALF OF BORROWER:

201 Deposit or earnest money	1,000.00
202 Principal amount of new loan(s)	
203 Existing loan(s) taken subject to	
204	
205	
206	
207	
208	
209	
<i>Adjustments for items unpaid by seller</i>	
210 City/town taxes	
211 County taxes 01-01-09 to 05-14-09	60.52
212 Assessments	
213	
214	
215	
216	
217	
218	
219	
220 TOTAL PAID BY/FOR BORROWER	1,060.52

500 REDUCTIONS IN AMOUNT DUE TO SELLER

501 Excess deposit (see instructions)	
502 Settlement charges to seller (line 1400)	3,400.00
503 Existing loan(s) taken subject to	
504 Payoff of first mortgage loan	
505 Payoff of second mortgage loan	
506	
507	
508	
509	
<i>Adjustments for items unpaid by seller</i>	
510 City/town taxes	
511 County taxes 01-01-09 to 05-14-09	60.52
512 Assessments	
513	
514	
515	
516	
517	
518	
519	
520 TOTAL REDUCTION IN AMOUNT DUE SELLER	3,510.52

300 CASH AT SETTLEMENT FROM/TO BORROWER

301 Gross amt due from borrower (Ln 120)	31,785.70
302 Less amt paid by/for borrower (Ln 220)	1,060.52
303 CASH <input checked="" type="checkbox"/> FROM BORROWER	30,725.18

600 CASH AT SETTLEMENT TO/FROM SELLER

601 Gross amt due to seller (Ln 420)	30,000.00
602 Less reduction in amt due seller (520)	3,510.52
603 CASH <input checked="" type="checkbox"/> TO SELLER	26,489.48

STATEMENT OF DISCLOSURE (FORM 1099-S) Proceeds from Real Estate Transactions, Tax Year 2009 SETTLER STATEMENT: The information contained in Blocks E, G, H, I and on line 401 (or if line 401 is asterisked, line 405 and 404) is important for information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this item is required to be reported and the IRS determines that it has not been reported. If this real estate sale was your main income, file Form 2119, Sale of Your Home, with Form 1040 even if you had a loss or you did not replace your home. If the real estate was not your main home, report the transaction on Form 4797, Sale of Business Property, Form 6252, Installment Sale Income, and/or Schedule D, Form 1040, Capital Gains and Losses. You must provide the Settlement Agent (in Block H) with your correct taxpayer identification number. If you do not provide the settlement agent with your correct taxpayer identification number, you may be subject to civil or criminal penalties imposed by law. Under penalties of perjury I certify that the number shown on this statement is my correct taxpayer identification number.

L. SETTLEMENT CHARGES		
700 TOTAL SALES/BROKER'S COMMISSION based on price \$ 30,000.00 @ 10.00 % =		
3,000.00		
Division of Commission (line 700) as follows:		
701 \$ 3,000.00 to Top Agent Realty, Inc.		
702 \$ to		
703 Commission paid at settlement		
704		3,000.00
800 ITEMS PAYABLE IN CONNECTION WITH LOAN		
801 Loan Origination fee %		
802 Loan Discount %		
803 Appraisal Fee to		
804 Credit Report to		
805 Lender's Inspection Fee		
806 Mortgage Insurance Application Fee to		
807 Assumption Fee		
808		
809		
810		
811		
900 ITEMS REQUIRED BY LENDER TO BE PAID IN ADVANCE		
901 Interest from to @ \$ /day		
902 Mortgage Insurance Premium for months to		
903 Hazard Insurance Premium for years to		
904 years to		
905		
1000 RESERVES DEPOSITED WITH LENDER		
1001 Hazard insurance months @ \$ per month		
1002 Mortgage insurance premium for months @ \$ per month		
1003 City property taxes months @ \$ per month		
1004 County property taxes months @ \$ per month		
1005 Annual assessments months @ \$ per month		
1006 months @ \$ per month		
1007 months @ \$ per month		
1008 Aggregate Accounting Adjustment		
1100 TITLE CHARGES		
1101 Settlement or closing fee to Titlamerica, Inc.		150.00
1102 Abstract or title search to A Public Record Search, Inc.	243.50	
1103 Title examination to Titlamerica, Inc.	200.00	
1104 Title insurance binder to		
1105 Document preparation to		
1106 Notary fees to Tina K. Tuino	150.00	
1107 Attorney's fees to Titlamerica, Inc. (includes above item numbers 1101-1108)	200.00	
1108 Title insurance to Commonwealth Land Title (P) (includes above item numbers)	197.20	
1109 Lender's coverage \$		
1110 Owner's coverage \$ 30,000.00		
1111 Closing Protection Letter to Commonwealth Land Title	25.00	
1112 Mortgage, Conveyance and Tax Research Certificates		150.00
1113 Special Power of Attorney - Mandate to Titlamerica, Inc.		150.00
1200 GOVERNMENT RECORDING AND TRANSFER CHARGES		
1201 Recording fees: Deed \$ 75.00 Mortgage \$ Releases \$	75.00	
1202 City/county tax/stamps: Deed \$ Mortgage \$		
1203 State tax/stamps Deed \$ Mortgage \$		
1204		
1205		
1300 ADDITIONAL SETTLEMENT CHARGES		
1301 Survey to J. V. Burkes & Associates, Inc.	695.00	
1302 Pest inspection to		
1303		
1304		
1305		
1400 TOTAL SETTLEMENT CHARGES (enter on lines 103, Section J and 502, Section K)	1,785.70	3,450.00

CERTIFICATION: I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

Town of Pearl River
 By: James Lavigne, Mayor Borrower
 By: Ginger A. Roper Seller
Michelle Cook Agent
 By: James A. Roper Seller
Michelle Cook Agent

To the best of my knowledge the HUD-1 Settlement Statement which has prepared is a true and accurate account of the funds which were received and have been or will be disbursed by the undersigned as part of the settlement of this transaction.

Settlement Agent Michelle Cook Date 05/14/09

WARNING: It is a Federal offense to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see Title 18 U.S. Code Section 1001 and Section 1010.