

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 4053 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR. GOULD PROVIDED BY COUNCIL ATTORNEY

INTRODUCED BY: MR. STEFANCIK SECONDED BY: MR. BURKHALTER

ON THE 7TH DAY OF MAY 2009

ORDINANCE ACCEPTING ACT OF DEDICATION AND DONATION OF A TWENTY-FIVE FOOT RIGHT OF WAY AND SERVITUDE FOR FUTURE IMPROVEMENTS, EXPANSION AND/OR WIDENING OF LOUISIANA HIGHWAY 59, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Ward 4 District 5)

WHEREAS, Aphelion Holdings, L.L.C. is the owner of an approximately 4.3569 acre tract being a portion of Lot 2 of Winnfield F. Beaujeaux Acreage Subdivision (Winnfield M. Beaujeaux Acreage Subdivision – Title), located in Section 1, T8S, R11E, St. Tammany Parish, Louisiana; and

WHEREAS, said property immediately abuts Louisiana Highway No. 59; and

WHEREAS, Aphelion Holdings, L.L.C. has agreed to dedicate and donate a twenty-five (25') foot right of way and servitude to the Parish in consideration of the use by Parish of the property transferred, in cooperation with the Louisiana Department of Transportation and Development, for the future improvements, expansion and/or widening of Louisiana State Highway No. 59 (Hwy. 59) for the benefit of transferee and the citizens of St. Tammany Parish; and

WHEREAS, it is in the best interest of the public health, safety and welfare to accept the dedication and donation of said twenty-five (25') foot right of way and servitude in order to have Hwy. 59 improved, expanded and/or widened.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it accepts the Act of Dedication and Donation by Aphelion Holdings, L.L.C., dedicating and donating a twenty-five (25') foot right of way and servitude abutting Hwy. 59 and being a part of an approximately 4.3569 acre tract being a portion of Lot 2 of Winnfield F. Beaujeaux Acreage Subdivision (Winnfield M. Beaujeaux Acreage Subdivision – Title), located in Section 1, T8S, R11E, St. Tammany Parish, Louisiana.

THE PARISH OF ST. TAMMANY HEREBY FURTHER ORDAINS that the Parish President and/or the C.A.O. is hereby authorized to execute any and all documents necessary to perfect the dedication, donation, transfer and acceptance authorized hereby.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 immediately upon adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ORDINANCE CALENDAR NUMBER: 4053

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ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE ____ DAY OF _____ 2009 AND BECOMES ORDINANCE COUNCIL SERIES NO. 09-.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: APRIL 30, 2009
Published adoption on: _____, 2009
Delivered to Parish President: _____, 2009 @ _____
Returned to Council Clerk: _____, 2009 @ _____

