

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 4050 ORDINANCE COUNCIL SERIES NO.

COUNCIL SPONSOR: MS. CRAWFORD-HOWELL PROVIDED BY: LEGAL

INTRODUCED BY: MS. CRAWFORD-HOWELL SECONDED BY: MR. BELLISARIO

ON THE 2ND DAY OF APRIL, 2009

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 OLD MILITARY ROAD AT CLEO ROAD 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 Old Military Road at Cleo Road 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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: 4050

ORDINANCE COUNCIL SERIES NO. 09-

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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 _____ 2009; AND BECOMES
ORDINANCE COUNCIL SERIES NO. 09-

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: _____, 2009
Published adoption on: _____, 2009

Delivered to Parish President: _____, 2009 @ _____
Returned to Council Clerk: _____, 2009 @ _____

Exhibit "A" Ordinance Calendar No. 4050

J. V. Burkes & Associates, Inc.
1805 Hwy. 190 Shortcut Highway, Slidell, La. 70458
phone (985) 649-0075 ♦ fax (985) 649-0154
Engineering ♦ Surveying ♦ Environmental
August 12, 2008

Attachment to J. V. Burkes & Assoc. survey # 20080411 (08-04-2008).
LEGAL DESCRIPTION - RIGHT-OF-WAY ACQUISITION
PIECE 1 - RONNIE REINE
SECTION 13 - TOWNSHIP 8 SOUTH - RANGE 14 EAST
SAINT TAMMANY PARISH, LOUISIANA
For: St. Tammany Parish Government

A parcel of land, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

From the ¼ quarter section corner common to Sections 13, Township 8 South, Range 14 East; thence go S.89°24'00"E.- 724.10 ft. to a 1/2" iron rod; N.01°37'22"W.- 309.84 ft. and N.55°00'31"W.- 428.38 ft. to the Point of Beginning. Thence go

North 66 Degrees 01 minutes 34 seconds West - 43.64 feet to a point. Thence
South 78 Degrees 36 minutes 52 seconds West - 87.87 feet to a point. Thence
South 53 Degrees 32 minutes 40 seconds West - 42.68 feet to a point on the eastern
r/w line of "Cleo Road". Thence
North 34 Degrees 59 minutes 22 seconds East - 92.41 feet along the said r/w line to
to a point. Thence
North 79 Degrees 59 minutes 22 seconds East - 28.28 feet along the said r/w line to
to a point of intersection of "Cleo Road" and LA HWY 1090. Thence
South 55 Degrees 00 minutes 31 second East - 97.04 feet to the Point of Beginning.

Containing 0.08 acre of land more or less, a certain access easement, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana.

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Attachment to J. V. Burkes & Assoc. survey # 20080411 (08-04-2008).
LEGAL DESCRIPTION - RIGHT-OF-WAY ACQUISITION
PIECE 2 - RONNIE REINE
SECTION 13 - TOWNSHIP 8 SOUTH - RANGE 14 EAST
SAINT TAMMANY PARISH, LOUISIANA
For: St. Tammany Parish Government

A parcel of land, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

From the $\frac{1}{4}$ quarter section corner common to Sections 13, Township 8 South, Range 14 East; thence go S.89°24'00"E.- 724.10 ft. to a 1/2" iron rod; N.01°37'22"W.- 309.84 ft. and N.55°00'31"W.- 428.38 ft. thence go N.66°01'34"W.- 43.64 ft. thence go S.78°36'52"W.- 87.87 ft. thence go S.53°32'40"W.- 42.68 ft. thence go N.47°26'21"W.- 80.70 ft. to the Point of Beginning. Thence go

North 15 Degrees 10 minutes 10 seconds East - 107.64 feet to a point. Thence South 55 Degrees 15 minutes 08 seconds East - 16.93 feet to a point. Thence South 10 Degrees 00 minutes 38 seconds East - 27.67 feet to a point Thence South 34 Degrees 59 minutes 22 second West - 81.77 feet to the Point of Beginning.

Containing 0.04 acre of land more or less, a certain access easement, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana.

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Attachment to J. V. Burkes & Assoc. survey # 20080411 (08-04-2008).
LEGAL DESCRIPTION - RIGHT-OF-WAY ACQUISITION
PIECE 3 - KEITH BAKER
SECTION 13 - TOWNSHIP 8 SOUTH - RANGE 14 EAST
SAINT TAMMANY PARISH, LOUISIANA
For: St. Tammany Parish Government

A parcel of land, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

From the ¼ quarter section corner common to Sections 13, Township 8 South, Range 14 East; thence go S. 89°24'00"E.- 724.10 ft. to a 1/2" iron rod; N. 01°37'22"W.- 309.84 ft. and N. 55°00'31"W.- 494.75 ft. thence go N. 34°59'29"E.- 79.90 ft. to the **Point of Beginning**.
Thence go

North 55 Degrees 16 minutes 19 seconds East - 97.84 feet to a point. Thence
North 34 Degrees 52 minutes 36 seconds East - 50.05 feet to a point. Thence
South 54 Degrees 58 minutes 04 seconds East - 47.42 feet to a point Thence
South 10 Degrees 33 minutes 29 seconds East - 70.78 feet to the **Point of Beginning**.

Containing **0.08 acre of land more or less**, a certain access easement, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana.

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Attachment to J. V. Burkes & Assoc. survey # 20080411 (08-04-2008).
LEGAL DESCRIPTION - RIGHT-OF-WAY ACQUISITION
PIECE 4 - KEITH BAKER
SECTION 13 - TOWNSHIP 8 SOUTH - RANGE 14 EAST
SAINT TAMMANY PARISH, LOUISIANA
For: St. Tammany Parish Government

A parcel of land, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

From the ¼ quarter section corner common to Sections 13, Township 8 South, Range 14 East; thence go S.89°24'00"E.- 724.10 ft. to a 1/2" iron rod; N.01°37'22"W.- 309.84 ft. and N.55°00'31"W.- 494.75 ft. thence go N.34°59'29"E.- 79.90 ft. thence go N.55°16'19"W.- 97.84 ft. to the Point of Beginning. Thence go

North 55 Degrees 16 minutes 19 seconds East - 108.02 feet to a point. Thence Along the arc of a curve to the right (radius=532.98 ft.; Ch. Bear/Dist N.53°26'01"W.- 41.99 ft.) a distance of 42.00 feet. Thence

North 34 Degrees 52 minutes 36 seconds East - 22.11 feet to a point. Thence South 68 Degrees 06 minutes 28 seconds East - 120.48 feet to a point Thence South 54 Degrees 58 minutes 04 seconds East - 32.60 feet to a point Thence South 34 Degrees 52 minutes 36 seconds West - 50.05 feet to the Point of Beginning.

Containing 0.14 acre of land more or less, a certain access easement, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana.

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August 12, 2008

Attachment to J. V. Burkes & Assoc. survey # 20080411 (08-04-2008).

LEGAL DESCRIPTION - RIGHT-OF-WAY ACQUISITION

PIECE 5 - KEITH BAKER

SECTION 13 - TOWNSHIP 8 SOUTH - RANGE 14 EAST

SAINT TAMMANY PARISH, LOUISIANA

For: St. Tammany Parish Government

A parcel of land, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

From the ¼ quarter section corner common to Sections 13, Township 8 South, Range 14 East; thence go S.89°24'00"E.- 724.10 ft. to a 1/2" iron rod; N.01°37'22"W.- 309.84 ft. and N.55°00'31"W.- 494.75 ft. thence go N.34°59'29"E.- 79.90 ft. thence go N.55°16'19"W.- 205.86 ft. Along the arc of a curve to the right (radius=532.98 ft.; Ch. Bear/Dist N.53°26'01"W.- 41.99 ft.) a distance of 42.00 feet to the **Point of Beginning**. Thence go

Along the arc of a curve to the right (radius=532.98 ft.; Ch. Bear/Dist N.47°49'57"W.- 62.17 ft.) a distance of 62.20 feet. Thence

South 68 Degrees 06 minutes 28 seconds East - 63.28 feet to a point. Thence

South 34 Degrees 52 minutes 36 seconds West - 22.11 feet to the **Point of Beginning**.

Containing 0.02acre of land more or less, a certain access easement, lying and situated in Section 13, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana.

INTER OFFICE



Kevin Davis
Parish President

MEMORANDUM

**ST. TAMMANY PARISH GOVERNMENT
LEGAL DEPARTMENT**

Date: March 30, 2009

To: Bill Oiler
CAO

From: Kelly M. Rabalais *Kelly*
Executive Counsel

Re: PLACEMENT OF ITEM ON OFF THE FLOOR COUNCIL AGENDA

I am requesting the following item be placed on the April 2, 2009 Council Agenda. This item needs to be Off The Floor because it is of a time sensitive nature.

ORDINANCE FOR INTRODUCTION:

ORDINANCE TO AUTHORIZE 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 OLD MILITARY ROAD AT CLEO ROAD PROJECT AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO

ok
WJ
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