

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4506

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. THOMPSON

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 3 DAY OF FEBRUARY, 2011

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE 2009 SOUTH WEST COMPREHENSIVE REZONING AREA TWO (CRA-2) OF ST. TAMMANY PARISH, LA TO RECLASSIFY 0.439 ACRE SITUATED IN SECTION 42, TOWNSHIP 7 SOUTH, RANGE 11 EAST, FROM ITS PRESENT HC-2 (HIGHWAY COMMERCIAL DISTRICT) TO HC-3(HIGHWAY COMMERCIAL DISTRICT)(WARD 3,DISTRICT3)(THOMPSON)(ZC11-02-007)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law has recommended to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area be changed from its present HC-2 (Highway Commercial District) to HC-3 (Highway Commercial District) (see Exhibit "A" for complete boundaries); and

WHEREAS, the St. Tammany Parish Council has held its public hearing in accordance with law; and

WHEREAS, the St. Tammany Parish Council has found it necessary for the purpose of protecting the public health, safety and general welfare, to designate the above described property as HC-3 (Highway Commercial District) .

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: in regular session convened that:

SECTION I: The zoning classification of the above described property is hereby changed from its present HC-2 (Highway Commercial District) to HC-3 (Highway Commercial District) .

SECTION II: The official zoning map of the Parish of St. Tammany shall be and is hereby amended to incorporate the zoning reclassification specified in Section I hereof.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3 DAY OF March, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: JANUARY 27, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____

of 629.25 feet to a point; thence measure South 14 degrees 34 minutes 30 seconds East, a distance of 60.07 feet to a point; thence measure South 14 degrees 40 minutes East, a distance of 300.43 feet to a point; thence measure South 75 degrees 40 minutes West, a distance of 300.64 feet to a point; thence measure South 14 degrees 28 minutes 43 seconds East, a distance of 897.37 feet to a point; thence measure North 75 degrees 26 minutes 26 seconds East, a distance of 400.0 feet to a point; thence measure South 14 degrees 28 minutes 43 seconds East, a distance of 200.0 feet to a point; thence measure North 75 degrees 26 minutes 26 seconds East, a distance of 434.0 feet to a point; thence measure South 14 degrees 28 minutes 43 seconds East, a distance of 460.0 feet to a point; thence measure South 75 degrees 26 minutes 26 seconds West, a distance of 834.0 feet to a point; thence measure in a Southwesterly direction along the arc of a curve to the right having a radius of 150.0 feet, a distance of 108.41 feet to a point; thence measure in a Southwesterly direction along the arc of a curve to the left having a radius of 90.0 feet, a distance of 65.05 feet to a point; thence measure South 75 degrees 18 minutes 17 seconds West, a distance of 542.78 feet to a point; thence measure South 17 degrees 22 minutes 43 seconds East, a distance of 47.13 feet to a point; thence measure South 28 degrees 58 minutes 55 seconds East, a distance of 133.81 feet to a point; thence measure in a Southerly direction along the arc of a curve to the right having a radius of 3956.72 feet, a distance of 33.74 feet to a point; thence measure North 75 degrees 38 minutes 17 seconds East, a distance of 362.52 feet to a point; thence measure South 14 degrees 21 minutes 43 seconds East, a distance of 139.30 feet to a point; thence measure South 76 degrees 38 minutes 17 seconds West, a distance of 50.88 feet to a point; thence measure South 25 degrees 27 minutes 58 seconds West, a distance of 158.44 feet to a point; thence measure South 14 degrees 21 minutes 43 seconds East, a distance of 37.39 feet to a point; thence measure in a Southwesterly direction along the arc of a curve to the right having a radius of 10.0 feet, a distance of 11.39 feet to a point; thence measure in a Southeasterly direction along the arc of a curve to the left having a radius of 10.0 feet, a distance of 8.21 feet to a point; thence measure South 14 degrees 21 minutes 43 seconds East, a distance of 42.73 feet to the Point of Beginning.

From the Point of Beginning, continue South 14 degrees 21 minutes 43 seconds East, a distance of 84.45 feet to a point; thence measure South 66 degrees 22 minutes 10 seconds West, a distance of 28.66 feet to a point; thence measure South 76 degrees 52 minutes 36 seconds West, a distance of 81.89 feet to a point; thence measure South 44 degrees 38 minutes 26 seconds West, a distance of 59.41 feet to a point; thence measure North 14 degrees 21 minutes 43 seconds West, a distance of 147.98 feet to a point; thence measure North 75 degrees 38 minutes 17 seconds East, a distance of 13.58 feet to a point; thence measure North 74 degrees 56 minutes 01 seconds East, a distance of 123.51 feet to a point; thence measure South 14 degrees 21 minutes 43 seconds East, a distance of 31.61 feet to a point; thence measure North 75 degrees 38 minutes 17 seconds East, a distance of 24.0 feet back to the Point of Beginning, containing 0.439 acres.

Said property is sold, conveyed, and accepted subject to any and all valid restrictions, servitudes, mineral conveyances and/or reservations of record affecting same if any.

Title to said property will be taken subject to any and all laws, ordinances or governmental regulations (including but not limited to building and zoning ordinances, environmental Protection Statutes and/or Department of Environmental Quality regulations, and/or any U. S. Army Corps of Engineers Wetlands

regulations) restricting or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvements now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions or area of the land, or the effect of any violation of any such law, ordinance or governmental regulation. No guarantees are made relative to compliance with the above.

MORTGAGE, CONVEYANCE AND TAX CERTIFICATES ARE WAIVED BY THE PARTIES HERETO, WHO HEREBY EXONERATE ME, NOTARY FROM ANY AND ALL LIABILITY ON ACCOUNT OF NON-PRODUCTION OF SAME.

To have and to hold the said property unto said Purchaser forever.

This present sale and conveyance is made and accepted for and in consideration of the sum and price of [REDACTED], lawful current money of the United States of America, which amount the said Purchaser has paid in ready CASH, receipt of which is hereby acknowledged by said Vendor, and full discharge and acquittance granted therefor.

Whenever the word "Vendor" is used in this act, it shall be construed to include "Vendors," and whenever the word "Purchaser" is used it shall be construed to include "Purchasers."

All the agreements and stipulations herein contained, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, and assigns of the respective parties hereto.

All taxes assessed against the property herein conveyed have been paid. Taxes for the year of 2006 will be pro-rated.

THUS DONE, READ AND PASSED at my office in the City of Covington, Parish of St. Tammany, State of Louisiana, in the presence of Charlotte Cleland and Elsie Bruney, competent witnesses, who have hereunto signed their names with the parties and me, said Notary, the day, month and year first above written.

WITNESSES:

Charlotte Cleland
CHARLOTTE CLELAND

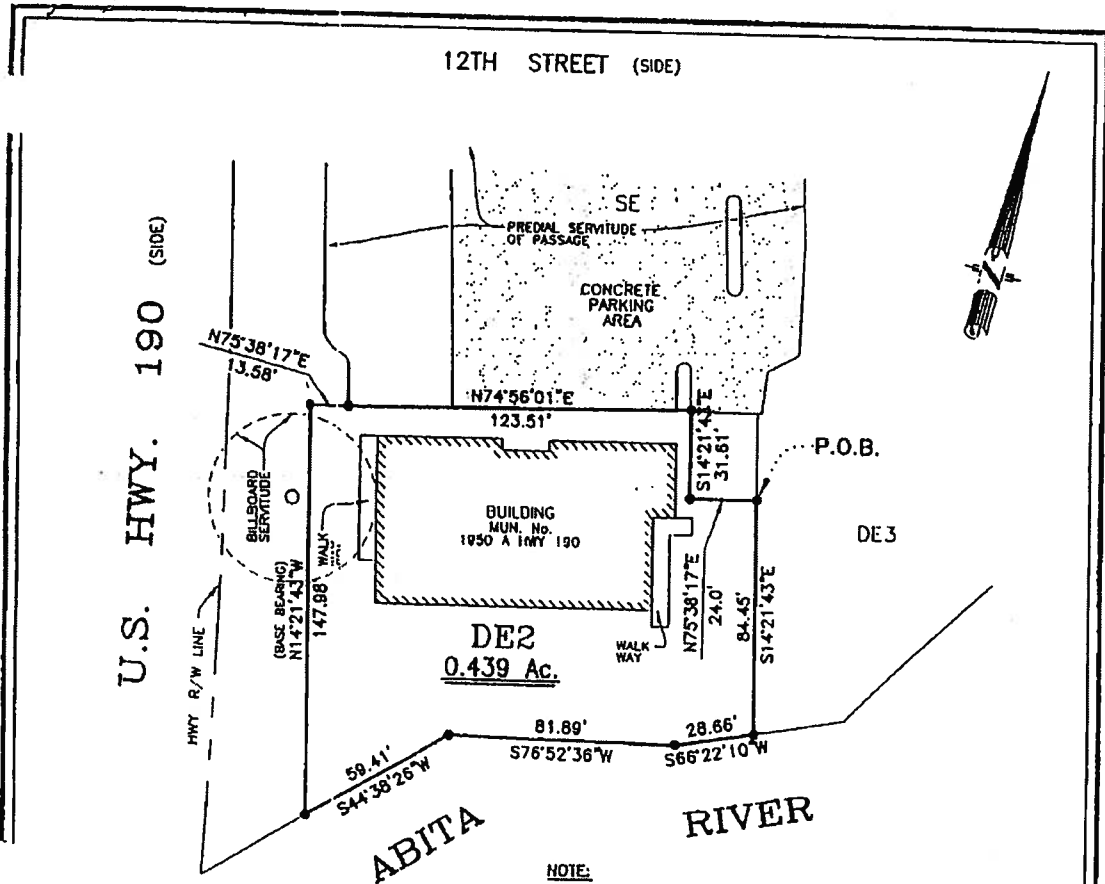
Elsie Bruney
ELSIE BRUNEY

ABITA VIEW, L.L.C.

BY: William A. Ball
William A. Ball
JB DIVISIONS, L.L.C.

BY: John Barry 4/15/06
John Barry

[Signature]
NOTARY PUBLIC
AUGUST J. HAND
BAR ROLL #17584



NOTE:
 THIS PROPERTY HAS A LEGAL MEANS OF ACCESS PER PREDIAL SERVITUDE OF PASSAGE RECORDED IN INSTRUMENT No. 1470932 OF THE OFFICIAL RECORDS OF THE CLERK OF COURT OF ST. TAMMANY PARISH, LA.

THE UNDERSIGNED DOES NOT WARRANT THAT THIS PROPERTY IS IN CONFORMANCE WITH ALL PARISH REGULATIONS.

THE DESIGNATION OF THIS PROPERTY IS FOR REFERENCE ONLY AND MAY NOT REPRESENT A LEGAL DESIGNATION.

P.O.B. shown hereon is described as being located N89°07'W, 1101.31'; S14°40'43"E, 457.48'; S75°31'45"W, 600.0'; S14°29'17"E, 599.58'; S75°24'31"W, 84.80'; S75°28'52"W, 410.0'; S14°31'16"E, 212.60'; S75°37'47"W, 425.0'; S14°31'17"E, 829.25'; S14°34'30"E, 80.07'; S14°40'E, 300.43'; S75°40'W, 300.64'; S14°28'43"E, 897.37'; N78°28'28"E, 400.0'; S14°28'43"E, 200.0'; N78°28'28"E, 434.0'; S14°28'43"E, 480.0'; S75°28'28"W, 834.0'; 106.41'; Southwesterly along the arc of a curve to the right, Radius of 150.0'; 106.41'; Southwesterly along the arc of a curve to the left, Radius of 90.0'; 65.05'; S75°38'17"W, 542.78'; S17°22'43"E, 47.13'; S28°58'53"E, 133.81'; Southerly along the arc of a curve to the right, Radius of 3856.72', 33.74'; N75°38'17"E, 362.52'; S14°21'43"E, 136.30'; S76°38'17"W, 50.88'; S25°27'58"W, 158.44'; S14°21'43"E, 37.30'; Southwesterly along the arc of a curve to the right, Radius of 10.0', 11.39'; Southwesterly along the arc of a curve to the left, Radius of 10.0', 8.21'; and S14°21'43"E, 42.73' from the Fourth Mile Post from the Southwest Corner of Township 6 South, Range 11 East, St. Tammany Parish, La.

LEGEND

● = IRON ROD SET

REFERENCE SURVEY AND BASIS FOR BEARINGS:

SKETCH BY THIS FIRM, DATED 10-01-2004, PLAT FILE No. 210-406.

NOTE:

ANY UTILITIES, DITCHES, AND/OR ADDITIONAL SERVITUDES THAT MAY EXIST WITHIN THIS PROPERTY, IF ANY, ARE NOT SHOWN HEREON.

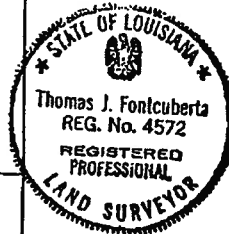
THIS IS TO ADVISE THAT I HAVE CONSULTED THE F.E.M.A. FLOOD INSURANCE RATE MAPS AND FIND THAT THE SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE "A8" PER PANEL NUMBER 225205 0231 C, DATED 10-17-89.

THIS IS TO ADVISE THAT THIS PLAT REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND UNDER THE DIRECT SUPERVISION OF THE UNDERSIGNED AND IS IN ACCORDANCE WITH THE ADOPTED LOUISIANA MINIMUM STANDARDS OF PRACTICE FOR PROPERTY BOUNDARY SURVEYS FOR A CLASS "C" SURVEY.

SURVEY OF A PARCEL OF GROUND
 (DESIGNATED HEREON AS LOT "DE2")
 SITUATED IN SECTION 42
 TOWNSHIP 7 SOUTH
 RANGE 11 EAST
 ST. TAMMANY PARISH, LA

PREPARED FOR:

J B DMSION, LLC
 AND CITIZENS SAVINGS BANK



FONTCUBERTA
Surveys
 INCORPORATED

PROFESSIONAL
 LAND SURVEYORS

Thomas J. Fontcuberta
 SURVEYOR

DATE	SCALE	P.O. BOX 1792 COVINGTON, LA. 70434 PHONE: (985) 893-7461	DRAWN BY	CHECKED BY	JOB NO.	PLAT FILE NO.
1-03-2006	1" = 50'		HAM	TJF	464026	130-183