

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4831

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: GOULD/ BRISTER

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. SMITH

ON THE 12 DAY OF JULY , 2012

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE BY DONATION CERTAIN MOVABLE AND IMMOVABLE ASSETS FROM HI-ROLLERS INVESTMENTS, LLC.

WHEREAS, St. Tammany Parish is one of the fastest growing parishes in the State of Louisiana and with the growth in population comes the need for the governing authority to provide its citizens with certain services such as centralized sewer facilities; and

WHEREAS, in order to accomplish the goal of providing centralized sewer facilities the Parish intends to acquire existing sewer facilities; and

WHEREAS, Parish of St. Tammany desires to acquire all the properties, whether movable or immovable, and all rights, including, without limitation, servitude rights, used in connection with the ownership and operation of the Northshore Commercial Park Subdivision system. Those properties and rights include, the sewer collection, lift station and treatment plant located within the subdivision and in the 20' utility and access servitude located in Northshore Commercial Park, as more fully described in the resubdivision survey by Kelly J. McHugh & Assoc., Inc., dated September 14, 2006, last revised October 31, 2006 and recorded as Map #4342 in the Map records of the Clerk of Court for the Parish of St. Tammany, a copy of which is annexed hereto as Exhibit "A" (hereinafter collectively referred to as "Property"), from Hi-Rollers Investments, LLC in order to fulfill its goal of providing centralized sewer to its citizens; and

WHEREAS, there is a need and a public purpose for the acquisition of certain movable and immovable property from Hi-Rollers Investments, LLC to centralize and provide for government sewer services; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the Property and authorizes the Office of the Parish President to take all actions necessary to conduct negotiations and acquire said Property; and

WHEREAS, the Parish of St. Tammany will acquire the Property by donation.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize the Parish of St. Tammany to acquire by donation and/or quitclaim the Property, whether movable or immovable, and all rights, including, without limitation, servitude rights, used in connection with the ownership and operation of the Northshore Commercial Park utility system. Those properties and rights include, without limitation, the following "Property" described in Exhibit "A" attached hereto.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized to exercise its discretion in acquiring the Property, together with all agreements and all transactions necessary to carry out the intent of this Ordinance.

BE IT FURTHER ORDAINED 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.

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 2 DAY OF AUGUST, 2012; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

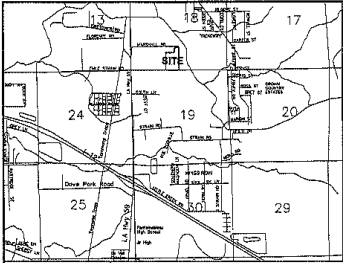
\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JUNE 28, 2012

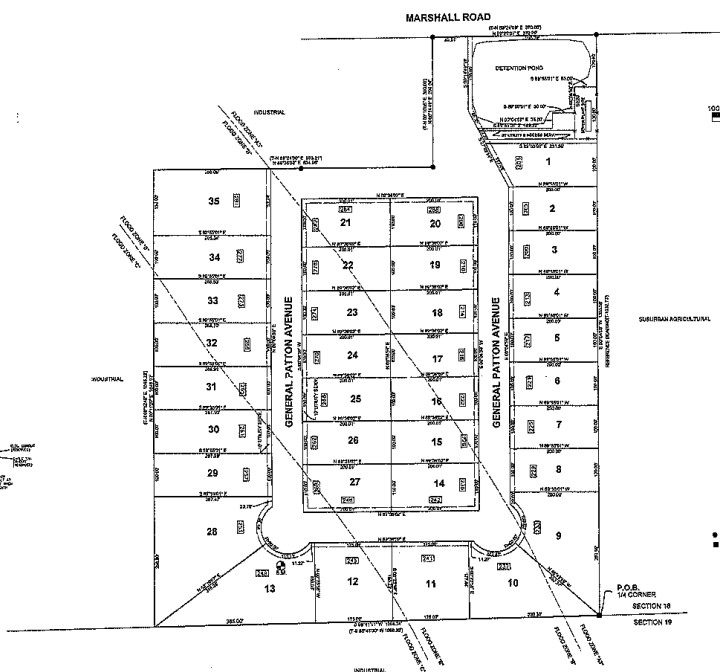
Published Adoption: \_\_\_\_\_, 2012

Delivered to Parish President: \_\_\_\_\_, 2012 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2012 at \_\_\_\_\_



**NORTHSHORE COMMERCIAL PARK**  
SECTION 19, TOWNSHIP 7 SOUTH, RANGE 12 EAST  
ST. TAMMANY PARISH, LOUISIANA



- RESTRICTIVE COVENANTS**
1. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF SOLID WASTE...
  2. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF LIQUID WASTE...
  3. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF HAZARDOUS WASTE...
  4. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF FLAMMABLE LIQUIDS...
  5. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF EXPLOSIVES...
  6. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF RADIOACTIVE MATERIALS...
  7. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF OTHER HAZARDOUS MATERIALS...
  8. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF SOLID WASTE...
  9. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF LIQUID WASTE...
  10. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF HAZARDOUS WASTE...
  11. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF FLAMMABLE LIQUIDS...
  12. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF EXPLOSIVES...
  13. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF RADIOACTIVE MATERIALS...
  14. NO PORTION OF ANY LOT SHALL BE USED FOR THE STORAGE OF OTHER HAZARDOUS MATERIALS...

*Map #4342* 4/1/01



*Kelly J. McHugh*  
LAND SURVEYOR  
NO. 14822, STATE OF LOUISIANA

AREA	USE	MIN. LOT AREA	MIN. LOT WIDTH	MIN. LOT DEPTH	MIN. LOT FRONT SETBACK	MIN. LOT SIDE SETBACK	MIN. LOT REAR SETBACK
INDUSTRIAL	INDUSTRIAL	10,000	100	100	25	10	10
SUBURBAN AGRICULTURAL	SUBURBAN AGRICULTURAL	10,000	100	100	25	10	10

**APPROVALS**

FOR: *[Signature]*  
 APPROVAL: *[Signature]*  
 REGISTERED PROFESSIONAL ENGINEER

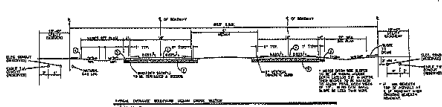
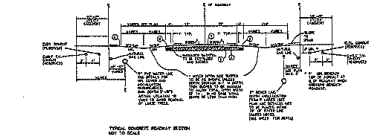
FOR: *[Signature]*  
 APPROVAL: *[Signature]*  
 REGISTERED PROFESSIONAL ENGINEER

FOR: *[Signature]*  
 APPROVAL: *[Signature]*  
 REGISTERED PROFESSIONAL ENGINEER

DATE: 11-22-2006 4:54:22 PM

**LEGEND**

- 1/2" IRON ROD FOUND
- 2"X2" SQ. IRON ROD FOUND



**LEGAL DESCRIPTION**

A certain portion of and situated in Section 19, Township 7 South, Range 12 East, St. Tammany Parish, Louisiana, containing more or less the following described land, to-wit:

**PRECINCT DELIVERY SIZES (PROVIDED BY COWI/CORNING)**

PRECINCT	DELIVERY SIZE	PRECINCT	DELIVERY SIZE
1	100' X 100'	18	100' X 100'
2	100' X 100'	19	100' X 100'
3	100' X 100'	20	100' X 100'
4	100' X 100'	21	100' X 100'
5	100' X 100'	22	100' X 100'
6	100' X 100'	23	100' X 100'
7	100' X 100'	24	100' X 100'
8	100' X 100'	25	100' X 100'
9	100' X 100'	26	100' X 100'
10	100' X 100'	27	100' X 100'
11	100' X 100'	28	100' X 100'
12	100' X 100'	29	100' X 100'
13	100' X 100'	30	100' X 100'
14	100' X 100'	31	100' X 100'
15	100' X 100'	32	100' X 100'
16	100' X 100'	33	100' X 100'
17	100' X 100'	34	100' X 100'
18	100' X 100'	35	100' X 100'

**NORTHSHORE COMMERCIAL PARK**  
SECTION 19, TOWNSHIP 7 SOUTH, RANGE 12 EAST  
ST. TAMMANY PARISH, LA.

BY: *[Signature]*  
 KELLY J. MCHUGH & ASSOC., INC.  
 LAND SURVEYOR  
 845 CALVEZ ST., HARRISVILLE, LA. 70421

SCALE: 1" = 100'

### **Ordinance Administrative Comment**

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE BY DONATION CERTAIN MOVABLE AND IMMOVABLE ASSETS FROM HI-ROLLERS INVESTMENTS, LLC.

The Parish seeks to acquire a small sewer collection and treatment system operated by Hi-Rollers Investments, LLC servicing Northshore Commercial Park. Parish currently provides water to the customers served by this system. The property/system will be donated to the Parish.