

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4829

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/BRISTER

PROVIDED BY: PRESIDENT/LEGAL

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 TRANSFER THE PROPERTY AND IMPROVEMENTS FOR THE INTERCHANGE IMPROVEMENTS @ LA-US 11 PROJECT TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (LADOTD).

WHEREAS, the St. Tammany Parish Government desires to transfer certain immovable property and improvements (hereinafter referred to as "Property"); and

WHEREAS, there is a need and a public purpose for the transfer of certain immovable Property including rights-of-way and servitudes to LADOTD so that the Interchange Improvements @ LA-US 11 and its access points can be maintained by LADOTD; and

WHEREAS, the Parish of St. Tammany hereby desires to transfer the Property, rights-of-way and/or servitudes and authorizes the Office of the Parish President to do whatever is necessary to transfer said Property, rights of way and/or servitudes.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize the Parish of St. Tammany, to transfer all that certain parcel of ground described in Exhibit "A" attached hereto.

BE IT FURTHER ORDAINED that pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to do whatever is necessary to transfer the Property, rights-of-way and/or servitudes.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized and instructed to proceed with the transfer of the Property, rights-of-way and/or servitudes in a timely and orderly matter.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized to exercise its discretion in transferring the Property, rights-of-way, and/or servitudes, 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 _____

Ordinance Administrative Comment

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO TRANSFER THE PROPERTY AND IMPROVEMENTS FOR THE INTERCHANGE IMPROVMENTS @ LA-US 11 PROJECT TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (LADOTD).

Pursuant to a verbal agreement, St. Tammany Parish is to transfer the property and improvements to the Louisiana Department of Transportation and Development (LADOTD). The verbiage did not exist in the IGA; however, it was all parties' intentions that the Interchange Improvements @ LA-US 11 Project to be transferred to the LADOTD once complete.