

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6807

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

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: MR. TOLEDANO

SECONDED BY: MR. DAVIS

ON THE 4 DAY OF NOVEMBER , 2021

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE PROPERTY FOR THE WESTWOOD REGIONAL DETENTION POND PROJECT AND TO RELEASE SUCH PROPERTY FROM MOST HOLY TRINITY CONSERVATION AREA (WARD 4, DISTRICT 5)

WHEREAS, St. Tammany Parish Government desires to acquire certain immovable property, more or less, as shown on the attached preliminary plan for the construction of the Westwood Regional Detention Pond project (the "Property"); and

WHEREAS, there is a need and a public purpose for the acquisition of the Property for construction of and improvement to area drainage; and

WHEREAS, Parish hereby desires to acquire the Property for use as regional drainage detention improvements; and

WHEREAS, the Property, with surrounding properties, is presently encumbered by a Conservation Servitude dated June 24, 2014 and recorded at Instrument No. 1946337, as amended by the Supplement and Amendment of Conservation Servitude dated February 17, 2017 and recorded at Instrument No. 2053729; and

WHEREAS, in conjunction with the donation of the Property, Parish seeks to amend the Conservation Servitude to release the Property from the Conservation Servitude, all as authorized by the original Conservation Servitude, in order to fulfill the Westwood Regional Detention Pond project on the Property.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that St. Tammany Parish Government, through the Office of the Parish President, is authorized to acquire the property identified as attached hereto as drainage detention areas for the Westwood Regional Detention Pond project; and

BE IT FURTHER ORDAINED: that St. Tammany Parish Government, through the Office of the Parish President, is authorized to release the property identified as attached hereto as drainage detention areas for the Westwood Regional Detention Pond project from the Most Holy Trinity Conservation Area by amendment to the conservation servitude; and

BE IT FURTHER ORDAINED: that the Office of the Parish President is hereby authorized to exercise its discretion in acquiring the property and/or all related rights of way, infrastructure and/or servitudes in full ownership, together with signing all documents, agreements and transactions necessary to carry out the intent of this Ordinance; and

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 DECEMBER, 2021; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
MICHAEL R. LORINO, JR., COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
KATRINA L. BUCKLEY, COUNCIL CLERK

\_\_\_\_\_  
MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: OCTOBER 27, 2021

Published Adoption: \_\_\_\_\_, 2021

Delivered to Parish President: \_\_\_\_\_, 2021 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2021 at \_\_\_\_\_



PRELIMINARY PLAN

PROPOSED PARISH DETENTION POND SECTIONS 26 & 39, T-7-S, R-11-E, GREENSBURG LAND DISTRICT ST. TAMMANY PARISH, LOUISIANA	
REVISIONS MARK DATE	KELLY J. McHUGH & ASSOC., INC. CIVIL ENGINEERS & LAND SURVEYORS 845 GALVEZ ST. - MANDEVILLE, LA. 626-5611
SCALE: 1" = 300' DRAINE DRJ CHECKED: KJM	DATE: 10-12-21 JOB NO.: 19-394 DWS. INC.

### **Ordinance Administrative Comment**

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE PROPERTY FOR THE WESTWOOD REGIONAL DETENTION POND PROJECT AND TO RELEASE SUCH PROPERTY FROM MOST HOLY TRINITY CONSERVATION AREA (WARD 4, DISTRICT 5)

Most of the property identified as needed for the Westwood Regional Detention Pond is presently encumbered by the Most Holy Trinity Conservation Area by agreement with the Archdiocese and Brentwood Estates as conditions to their respective developments. Now that Parish has identified the Pond areas, it is now appropriate to proceed with full acquisition of the property needed for the Pond. Full acquisition will include an amendment to the Conservation Area to remove that portion of Pond property within the Conservation Area in order to allow the Pond project to proceed.