

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6763

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 2 DAY OF SEPTEMBER , 2021

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO TRANSFER IMMOVABLE PROPERTY TO THE ST. TAMMANY PARISH CORONER’S OFFICE AND ENTER INTO ASSOCIATED COOPERATIVE ENDEAVOR AGREEMENT AS TO CERTAIN FUNDING AND OPERATION EXPENSES, PURSUANT TO LA. R.S. 13:5726 (DISTRICT 11, WARD 7).

WHEREAS, St. Tammany Parish Government (“Parish”) desires to facilitate the transfer of certain immovable property, including buildings, component parts and other appurtenances to the St. Tammany Parish Coroner’s Office pursuant to Act No. 151 of the 2021 Regular Session of the Louisiana Legislature, codified as La. R.S. 13:5726; and

WHEREAS, said immovable property comprises the St. Tammany Parish Corner facility sited at 65278 La. Hwy. 434 in Lacombe and consists of approximately 40.001 acres; and

WHEREAS, the Parish, and/or parties on Parish’s behalf, have made drainage/pond constructions, water well improvements and water line extensions that require a servitude, whether by reservation or separate grant; and

WHEREAS, Parish desires to facilitate the transfer of the immovable property in accordance with La. R.S. 13:5726; and

WHEREAS, La. R.S. 13:5726 requires Parish and Coroner to enter into a Cooperative Endeavor Agreements addressing matters of property use and funding, and Parish desires to enter into same.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that St. Tammany Parish Government, through the Office of the Parish President, is authorized to transfer the property described and depicted in the exhibit attached hereto to the St. Tammany Parish Coroner’s Office in accordance with La. R.S. 13:5726; and

BE IT FURTHER ORDAINED: that St. Tammany Parish Government, through the Office of the Parish President, is authorized to reserve and/or acquire by separate instrument servitudes for continued maintenance and operation of drainage/pond constructions, water well improvements and water line extensions in a manner and to the extend deemed necessary by the Office of the Parish President; and

BE IT FURTHER ORDAINED: that St. Tammany Parish Government, though the Office of the Parish President, is authorized to enter into a Cooperative Endeavor Agreement, which meets or exceeds all requirements of Louisiana law and jurisprudence, with the St. Tammany Parish Coroner’s Office for the permitted use of immovable property and funding.

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 7 DAY OF OCTOBER , 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: AUGUST 25 , 2021

Published Adoption: _____ , 2021

Delivered to Parish President: _____ , 2021 at _____

Returned to Council Clerk: _____ , 2021 at _____

EXHIBIT "A"

A PORTION OF GROUND, together with all buildings and improvements thereon, and all rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, lying and being situated in St. Tammany Parish, Louisiana in the SW 1/4 of Section 4 and the SE 1/4 of Section 5, Township 8 South, Range 13 East, Greensburg Land District, St. Tammany Parish, Louisiana, beginning at a point, said point being the section corner common to Sections 4, 5, 8 & 9, Township 8 South, Range 13 East, being the point of beginning, thence proceed North $89^{\circ}45'00''$ West a distance of 300.00 feet to a point on the eastern right-of-way of Louisiana Highway 434; thence proceed North $31^{\circ}00'12''$ East along said eastern right-of-way a distance of 1,456.57 feet to a point; thence leaving said right-of-way proceed South $58^{\circ}59'48''$ East a distance of 2,081.33 feet to a point; thence proceed South $00^{\circ}00'00''$ East a distance of 177.72 feet to a point; thence proceed South $90^{\circ}00'00''$ West a distance of 2,234.25 to the point of beginning.

Said portion of ground contains 40.001 acres of land, more or less, all in accordance with Survey Drawing No. F-5480-2006 by BFM Corporation, LLC, dated December 4, 2006.

Being the same property acquired by St. Tammany Parish by Act recorded at Instrument No. 1596230 in the records maintained by the Clerk of Court for the Parish of St. Tammany.

Ordinance Administrative Comment

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO TRANSFER IMMOVABLE PROPERTY TO THE ST. TAMMANY PARISH CORONER'S OFFICE AND ENTER INTO ASSOCIATED COOPERATIVE ENDEAVOR AGREEMENT AS TO CERTAIN FUNDING AND OPERATION EXPENSES, PURSUANT TO LA. R.S. 13:5726 (DISTRICT 11, WARD 7).

In compliance with Act 151 of 2021 Regular Session of the Louisiana Legislature, the Parish seeks to transfer the Coroner's facility back to the ownership of the Coroner's Office. During Parish's ownership, drainage/pond improvements were made, and the onsite well was modified with lines extended. Servitudes are to be reserved/obtained for ongoing maintenance and operation as determined necessary. Act 151 also requires a Cooperative Endeavor Agreement addressing use of the Coroner's facility and funding matters.