

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5956

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. TOLEDANO

SECONDED BY: MR. BELLISARIO

ON THE 1 DAY OF MARCH, 2018

ORDINANCE TO ACCEPT ONE OR MORE ACT(S) OF DEDICATION AND DONATION OF PROPERTY FOR THE FUTURE IMPROVEMENT AND CONSTRUCTION OF THE CHRISTWOOD BOULEVARD EXTENSION, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (WARD 1, DISTRICT 1).

WHEREAS, as authorized through the adoption of St. Tammany Parish Resolution Council Series No. C-4796 on April 6, 2017, St. Tammany Parish Government ("Parish") has entered into a Cooperative Endeavor Agreement (the "Agreement") with Christwood, River Chase Shopping Center, L.L.C. ("River Chase"), Christ Episcopal School ("CES") and Christ Episcopal Church of Covington, Louisiana ("CEC") for the construction and extension of Christwood Boulevard to Brewster Road, and related transactions and improvements (the "Christwood Boulevard Extension"), for which all Parties have incurred and/or will incur certain obligations and responsibilities therein; and

WHEREAS, the Christwood Boulevard Extension, as designed and implemented, would serve to improve traffic flow and safety within the vicinity of Christwood Boulevard and Louisiana Highway 21; and

WHEREAS, pursuant to the foregoing Agreement, and in consideration of Parish's obligations therein, Christwood, River Chase, CES and/or CEC (the "Owners") have agreed to dedicate and donate to and for the benefit of Parish, and Parish has agreed to accept, certain parcels of immovable property which comprise, in whole or in part, the right of way for the Christwood Boulevard Extension, and/or related improvements thereto, and which property is more fully described on Exhibits "A," "B" and "C" attached hereto (the "Property"); and

WHEREAS, given the foregoing, there is a need and a public purpose for the acceptance of the Property for the future improvement and construction of the Christwood Boulevard Extension, which project will benefit Parish citizens, and it is accordingly in the best interest of Parish citizens to accept the dedication(s) and donation(s) of said Property; and

WHEREAS, in the event that the improvements and obligations concerning the Christwood Boulevard Extension are terminated pursuant to the Terms of the Agreement and/or by operation of law, the Agreement obligates Parish to revoke the dedication and donation of the Property as accepted and transfer the same back to the Owners as more fully detailed therein.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: the St. Tammany Parish Council accepts one or more Act(s) of Dedication and Donation of the Property into the Parish road maintenance system inventory, which Property is more fully described on Exhibits "A," "B" and "C" attached hereto.

BE IT FURTHER ORDAINED: that the Parish President is hereby authorized to exercise its discretion in acquiring the Property, together with execution of any and all documents necessary to perfect the dedication, donation, transfer and acceptance authorized herein.

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 acquire said Property.

BE IT FURTHER ORDAINED: that the Office of the Parish President is authorized and instructed to proceed with the acquisition of the Property in a timely and orderly manner.

BE IT FURTHER ORDAINED: that pursuant to the Agreement and all applicable provisions of law, the Office of the Parish President, and only upon the termination of the Agreement and/or upon non-fulfillment of pertinent conditions and obligations of Parish and/or the Owners therein, is directed and authorized to assess, deem, designate and determine that the Property is surplus and/or to transfer and/or dispose of said Property back to the Owners and pertinent predecessor(s) in title.

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 5 DAY OF APRIL , 2018 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: FEBRUARY 21 , 2018

Published Adoption: _____ , 2018

Delivered to Parish President: _____ , 2018 at _____

Returned to Council Clerk: _____ , 2018 at _____

EXHIBIT "A"

PROPERTY DESCRIPTION

**A .118 ACRE PARCEL OF GROUND
SITUATED IN SECTION 41, TOWNSHIP 7 SOUTH, RANGE 10 EAST
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, SITUATED IN SECTION 41, TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SECTION CORNER COMMON TO SECTIONS 41, 46, 47 AND 52, GO SOUTH 89 DEGREES 41 MINUTES 41 SECONDS WEST A DISTANCE OF 700.00 FEET; THENCE NORTH 00 DEGREES 54 MINUTES 02 SECONDS WEST A DISTANCE OF 308.95 FEET; THENCE SOUTH 89 DEGREES 06 MINUTES 10 SECONDS WEST A DISTANCE OF 158.24 FEET WHICH IS THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, GO WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 184.73 FEET, WITH A RADIUS OF 75.00 FEET, WITH A CHORD BEARING OF SOUTH 89 DEGREES 06 MINUTES 10 SECONDS WEST, WITH A CHORD LENGTH OF 141.45 FEET; THENCE NORTH 89 DEGREES 06 MINUTES 10 SECONDS EAST A DISTANCE OF 141.45 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.118 ACRES (5162 SQ. FT.) OF GROUND MORE OR LESS.

EXHIBIT "B"

PROPERTY DESCRIPTION

**A .282 ACRE PARCEL OF GROUND
SITUATED IN TRACT L-1 * STERLING MANDEVILLE SUBDIVISION
SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, SITUATED IN TRACT L-1, STERLING MANDEVILLE SUBDIVISION, SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SECTION CORNER COMMON TO SECTIONS 41, 46, 47 AND 52, GO SOUTH 89 DEGREES 41 MINUTES 41 SECONDS WEST A DISTANCE OF 700.00 FEET; THENCE NORTH 00 DEGREES 54 MINUTES 02 SECONDS WEST A DISTANCE OF 308.95 FEET; THENCE NORTH 89 DEGREES 04 MINUTES 24 SECONDS EAST A DISTANCE OF 544.91 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 524.01 FEET, WITH A RADIUS OF 600.46 FEET, WITH A CHORD BEARING OF NORTH 64 DEGREES 04 MINUTES 17 SECONDS EAST, WITH A CHORD LENGTH OF 507.54 FEET; THENCE NORTH 39 DEGREES 04 MINUTES 05 SECONDS EAST A DISTANCE OF 42.22 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 144.13 FEET, WITH A RADIUS OF 75.00 FEET, WITH A CHORD BEARING OF NORTH 85 DEGREES 52 MINUTES 37 SECONDS WEST, WITH A CHORD LENGTH OF 122.96 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 28.27 FEET, WITH A RADIUS OF 500.46 FEET, WITH A CHORD BEARING OF NORTH 40 DEGREES 41 MINUTES 09 SECONDS EAST, WITH A CHORD LENGTH OF 28.26 FEET; THENCE NORTH 39 DEGREES 04 MINUTES 05 SECONDS EAST A DISTANCE OF 493.49 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING GO NORTH 71 DEGREES 45 MINUTES 00 SECONDS WEST A DISTANCE OF 28.23 FEET; THENCE NORTH 35 DEGREES 44 MINUTES 21 SECONDS EAST A DISTANCE OF 51.83 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 20.92 FEET, WITH A RADIUS OF 360.00 FEET, WITH A CHORD BEARING OF NORTH 37 DEGREES 24 MINUTES 13 SECONDS EAST, WITH A CHORD LENGTH OF 20.91 FEET; THENCE NORTH 39 DEGREES 04 MINUTES 05 SECONDS EAST A DISTANCE OF 229.77 FEET; THENCE NORTH 05 DEGREES 55 MINUTES 55 SECONDS WEST A DISTANCE OF 43.35 FEET; THENCE NORTH 65 DEGREES 34 MINUTES 30 SECONDS WEST A DISTANCE OF 80.21 FEET; THENCE NORTH 24 DEGREES 25 MINUTES 30 SECONDS EAST A DISTANCE OF 10.45 FEET; THENCE SOUTH 65 DEGREES 59 MINUTES 29 SECONDS EAST A DISTANCE OF 145.91 FEET; THENCE SOUTH 39 DEGREES 04 MINUTES 05 SECONDS WEST A DISTANCE OF 350.77 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.282 ACRES (12276 SQ. FT.) OF GROUND MORE OR LESS.

EXHIBIT "C"

PROPERTY DESCRIPTION

**A .256 ACRE PARCEL OF GROUND
SITUATED IN TRACT J * STERLING MANDEVILLE SUBDIVISION
SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, SITUATED IN TRACT J, STERLING MANDEVILLE SUBDIVISION, SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SECTION CORNER COMMON TO SECTIONS 41, 46, 47 AND 52, GO SOUTH 89 DEGREES 41 MINUTES 41 SECONDS WEST A DISTANCE OF 700.00 FEET; THENCE NORTH 00 DEGREES 54 MINUTES 02 SECONDS WEST A DISTANCE OF 308.95 FEET; THENCE NORTH 89 DEGREES 04 MINUTES 24 SECONDS EAST A DISTANCE OF 544.91 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 524.01 FEET, WITH A RADIUS OF 600.46 FEET, WITH A CHORD BEARING OF NORTH 64 DEGREES 04 MINUTES 17 SECONDS EAST, WITH A CHORD LENGTH OF 507.54 FEET; THENCE NORTH 39 DEGREES 04 MINUTES 05 SECONDS EAST A DISTANCE OF 42.22 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 144.13 FEET, WITH A RADIUS OF 75.00 FEET, WITH A CHORD BEARING OF NORTH 85 DEGREES 52 MINUTES 37 SECONDS WEST, WITH A CHORD LENGTH OF 122.96 FEET TO A POINT WHICH IS THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, GO ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 175.53 FEET, WITH A RADIUS OF 75.00 FEET, WITH A CHORD BEARING OF NORTH 36 DEGREES 13 MINUTES 34 SECONDS EAST, WITH A CHORD LENGTH OF 138.12 FEET; THENCE NORTH 38 DEGREES 44 MINUTES 43 SECONDS EAST A DISTANCE OF 49.28 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 15.74 FEET, WITH A RADIUS OF 300.00 FEET, WITH A CHORD BEARING OF NORTH 37 DEGREES 14 MINUTES 32 SECONDS EAST, WITH A CHORD LENGTH OF 15.74 FEET; THENCE NORTH 35 DEGREES 44 MINUTES 21 SECONDS EAST A DISTANCE OF 309.27 FEET; THENCE SOUTH 71 DEGREES 45 MINUTES 00 SECONDS EAST A DISTANCE OF 28.23 FEET; THENCE SOUTH 39 DEGREES 04 MINUTES 05 SECONDS WEST A DISTANCE OF 493.49 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 28.27 FEET, WITH A RADIUS OF 500.46 FEET, WITH A CHORD BEARING OF SOUTH 40 DEGREES 41 MINUTES 09 SECONDS WEST , WITH A CHORD LENGTH OF 28.26 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.256 ACRES (11154 SQ. FT.) OF GROUND MORE OR LESS.

Ordinance Administrative Comment

ORDINANCE TO ACCEPT ONE OR MORE ACT(S) OF DEDICATION AND DONATION OF PROPERTY FOR THE FUTURE IMPROVEMENT AND CONSTRUCTION OF THE CHRISTWOOD BOULEVARD EXTENSION, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (WARD 1, DISTRICT 1).

St. Tammany Parish Government seeks to acquire by dedication and donation three (3) parcels of land intended to comprise the future Christwood Boulevard Extension, and related improvements thereto, which shall commence near Brewster Road and extend westbound towards La Hwy. No. 21. Said Project, and the obligations and responsibilities incurred therefor, have been more fully set forth in that certain Cooperative Endeavor Agreement executed by Parish and Christwood, River Chase Shopping Center, L.L.C., Christ Episcopal School, and Christ Episcopal Church of Covington, Louisiana, which Agreement was authorized through the adoption of St. Tammany Parish Resolution Council Series No. C-4796 on April 6, 2017.