

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5969

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

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ON THE 5 DAY OF APRIL , 2018

ORDINANCE TO GRANT CERTAIN TEMPORARY CONSTRUCTION SERVITUDES AND TO DECLARE CERTAIN PARCELS NEAR THE INTERSECTION OF HWY 59 AND THE TAMMANY TRACE AS SURPLUS PROPERTY AND TO AUTHORIZE THE TRANSFER OF SAID PROPERTY TO THE STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT. (WARD 4, DISTRICT 5)

WHEREAS, St. Tammany Parish and the State of Louisiana, Department of Transportation and Development, are parties to an Entity/State Agreement for a curve realignment and tunnel of Highway 59 at its intersection with the Tammany Trace; and

WHEREAS, as part of the Entity/State Agreement, LaDOTD is responsible for land acquisition for the project; and

WHEREAS, Parish owns parcels in the vicinity that are needed for the project in fee and temporarily during construction; and

WHEREAS, Parish desires to transfer the fee parcels via cash sale for appraised value; and

WHEREAS, Parish desires to transfer the temporary construction servitudes via donation in accordance with the Louisiana Local Services Law; and

WHEREAS, the sale of parcels identified as 2-4 and 3-1 and donation of parcels identified as 2-4-c-1, 3-1-c-1 and 3-1-c-2 are as shown on Sheet Nos. 5 and 6 of the property map for State Project No. H.010184 La 59:Curve Realign and Tunnel At Trace, Route La 59, St. Tammany Parish, Louisiana by Robert H. Brooks, III, PLS and Max O. Usrey, III, PLS, dated March 27, 2017, a copy of which is attached hereto.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that parcels identified as 2-4 and 3-1 as shown on Sheet Nos. 5 and 6 of the property map for State Project No. H.010184 La 59:Curve Realign and Tunnel At Trace, Route La 59, St. Tammany Parish, Louisiana by Robert H. Brooks, III, PLS and Max O. Usrey, III, PLS, dated March 27, 2017 are declared to be surplus property no longer needed for a public purpose and to authorize the private sale to the State of Louisiana, Department of Transportation and Development.

BE IT FURTHER ORDAINED: that a temporary construction servitude be granted on parcels identified as 2-4-c-1, 3-1-c-1 and 3-1-c-2 on Sheet Nos. 5 and 6 of the property map for State Project No. H.010184 La 59:Curve Realign and Tunnel At Trace, Route La 59, St. Tammany Parish, Louisiana by Robert H. Brooks, III, PLS and Max O. Usrey, III, PLS, dated March 27, 2017.

BE IT FURTHER ORDAINED: that pursuant to all applicable provisions of law, the Office of the Parish President is authorized to assess, deem, designate and determine that such immovable property to be sold is now surplus.

BE IT FURTHER ORDAINED: that the Office of the Parish President is authorized to exercise its discretion in selling and granting temporary construction servitudes for the purpose of facilitating the construction of the project;

BE IT FURTHER ORDAINED: that all actions previously taken by the Office of the Parish President in furtherance of 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 3 DAY OF MAY, 2018; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

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

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

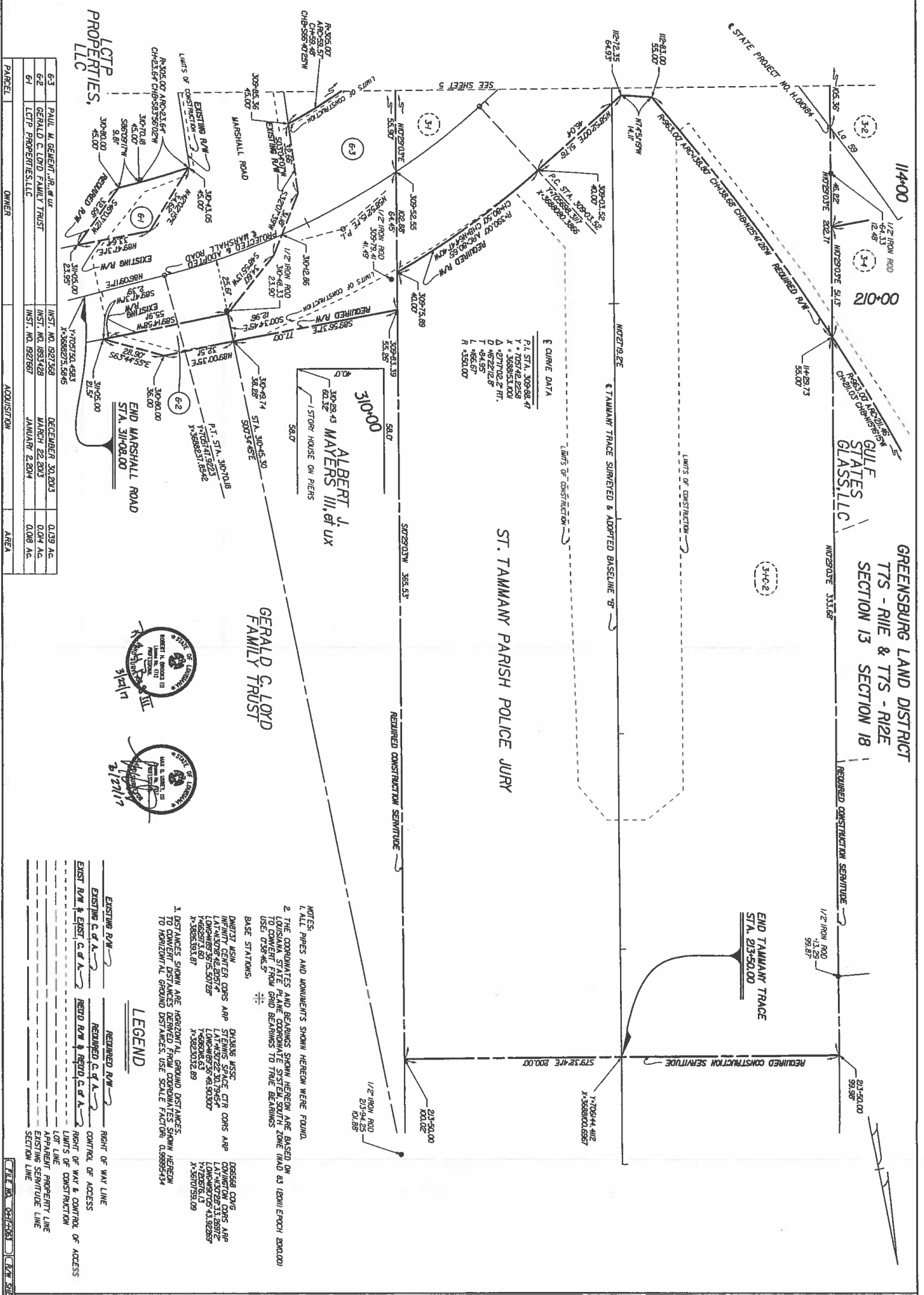
Published Introduction: MARCH 28, 2018

Published Adoption: \_\_\_\_\_, 2018

Delivered to Parish President: \_\_\_\_\_, 2018 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2018 at \_\_\_\_\_

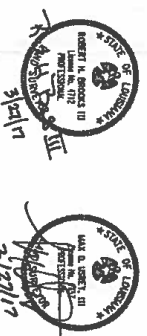




PARCEL	OWNER	ACQUISITION	AREA
6-3	PAUL M. GEMENT, JR. & UX	INST. NO. 1927388 DECEMBER 30, 2013	0.139 AC.
6-2	GERALD C. LOYD FAMILY TRUST	INST. NO. 1934188 MARCH 22, 2013	0.094 AC.
6-1	LCTP PROPERTIES, LLC	INST. NO. 1927667 JANUARY 2, 2014	0.048 AC.

CURVE DATA  
 P.I. STA. 309+88.47  
 Y = 705746.2259  
 X = 3689153.1001  
 Δ = 271°02.2' RT.  
 D = 6222'12.8"  
 T = 494.95'  
 L = 465.67'  
 R = 350.00'

3000  
 ALBERT J. MAYERS III, ET UX  
 30+89.43  
 601.32'  
 STORE HOUSE ON PIERS  
 58.0'



**LEGEND**

EXISTING RW ————

REQUIRED RW ————

RIGHT OF WAY LINE

CONTROL OF ACCESS

RIGHT OF WAY & CONTROL OF ACCESS

LOT LINE

APPARENT PROPERTY LINE

EXISTING SCENTRUE LINE

SECTION LINE

**NOTES:**

- ALL PIPES AND MONUMENTS SHOWN HEREON WERE FOUND.
- THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 83 (2011 EPOCH) 2010.00) TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 038°46.5'
- DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOW HEREON TO HORIZONTAL GROUND DISTANCES USE SCALE FACTOR: 0.99995434

	RIGHT OF WAY MAP STATE PROJECT NO. H.010184 LA 59: CURVE REALIGN AND TUNNEL AT TRACE ST. TAMMANY PARISH Lc 59	COMPUTED PCS MOU CHECKED MLR DETAILED MLR CHECKED PCS	PARISH ST. TAMMANY CONTROL SECTION 000-52, 281-03
	DATE 03/27/2017 SCALE 1"=20'	STATE PROJECT H.010184	PROJECT NUMBER

### **Ordinance Administrative Comment**

ORDINANCE TO GRANT CERTAIN TEMPORARY CONSTRUCTION SERVITUDES AND TO DECLARE CERTAIN PARCELS NEAR THE INTERSECTION OF HWY 59 AND THE TAMMANY TRACE AS SURPLUS PROPERTY AND TO AUTHORIZE THE TRANSFER OF SAID PROPERTY TO THE STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (WARD 4, DISTRICT 5).

In order for LaDOTD to construct the project to realign the curve of Hwy 59 with inclusion of a tunnel for the Tammany Trace, LaDOTD is in need of fee and temporary construction servitude interests in parcels owned by St. Tammany Parish. The fee parcels being sold will be sold for appraised value, and the temporary construction servitudes will be donated for temporary use during the project and returned to Parish thereafter. Louisiana Local Services Law, LSA R.S. 33:1321, et seq., as well as the public benefit of providing highway, recreational and safety improvements provide for additional authority for this transaction.

Parcels identified on the attached maps as 2-4 and 3-1 are being sold for appraised value.

Parcels identified on the attached maps as 2-4-c-1, 3-1-c-1 and 3-1-c-2 are being donated for use as temporary construction servitudes for a period of four (4) years or project completion, whichever is longer, all in compliance with the Louisiana Local Services Law, LSA R.S. 33:1321, et seq.