

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5902

ORDINANCE COUNCIL SERIES NO: 17-3833

COUNCIL SPONSOR: STEFANCIK/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. TOLEDANO

SECONDED BY: MS. OBRIEN

ON THE 2 DAY OF NOVEMBER , 2017

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE OR OTHERWISE ACQUIRE CERTAIN SERVITUDES AND/OR RIGHTS OF WAY FOR THE BENEFIT OF THE MAGNOLIA DR. DRAINAGE PROJECT AND TO ENTER INTO AN AGREEMENT FOR THE RESTATEMENT AND ESTABLISHMENT OF A DRAINAGE SERVITUDE (WARD 4, DISTRICT 4).

WHEREAS, St. Tammany Parish Government ("Parish") has previously acquired a twenty (20') foot wide drainage servitude situated, in whole or in part, in Lots 17 and 18, Country Club Estates Extension, St. Tammany Parish, Louisiana, as referenced on those certain plat(s) attached as Exhibit "A" hereto, and/or other maps or plat(s), but which plat(s) did not provide a clear and accurate metes and bounds description of the location of said drainage servitude, as presently situated; and

WHEREAS, there is a need and a public purpose for the acquisition of three (3) additional rights of way and/or temporary construction servitudes, as described and depicted in Exhibit "B" attached hereto (the "Property"), for the benefit of the Magnolia Dr. Drainage Project (the "Project"), which Project will serve to control existing erosion and flooding within and improve the efficiency of drainage for the Project area and/or within the proximity of said area; and

WHEREAS, Parish hereby desires to acquire the Property and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire the same; and

WHEREAS, in conjunction with and for the benefit of the Project, Parish further desires to enter into an agreement for the restatement and establishment of the present location of the foregoing existing drainage servitude with pertinent property owners in the Project area.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize St. Tammany Parish Government to acquire by purchase, donation or otherwise all or parts of those three (3) certain proposed temporary construction servitudes and/or rights of way, as described and depicted in Exhibit "B" attached hereto, and to enter into any and all transactions necessary to restate and/or establish proper metes and bound descriptions of the present location of that certain previously existing drainage servitude made the subject of the Project, as more fully described and depicted on Exhibit "C" attached hereto; and

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; and

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; and

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized to exercise its discretion in acquiring the Property, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; and

BE IT FURTHER ORDAINED that, if purchased, the purchase price shall not exceed the fair market value of the Property as evidenced by an appraisal obtained or supplied to the Parish plus fees and costs; 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: MR. LORINO SECONDED BY: MR. THOMPSON

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: FITZGERALD, THOMPSON, LORINO, TOLEDANO, TANNER, GROBY, BELLISARIO, O'BRIEN, STEFANCIK, BLANCHARD, SMITH (11)

NAYS: (0)

ABSTAIN: (0)

ABSENT: DEAN, CANULETTE, BINDER (3)

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 7 DAY OF DECEMBER , 2017 ; AND BECOMES ORDINANCE COUNCIL SERIES NO 17-3833 .

S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: OCTOBER 25 , 2017

Published Adoption: _____, 2017

Delivered to Parish President: _____, 2017 at _____

Returned to Council Clerk: _____, 2017 at _____

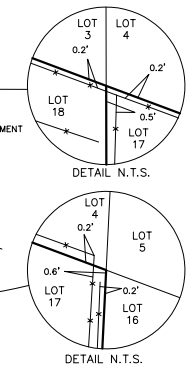
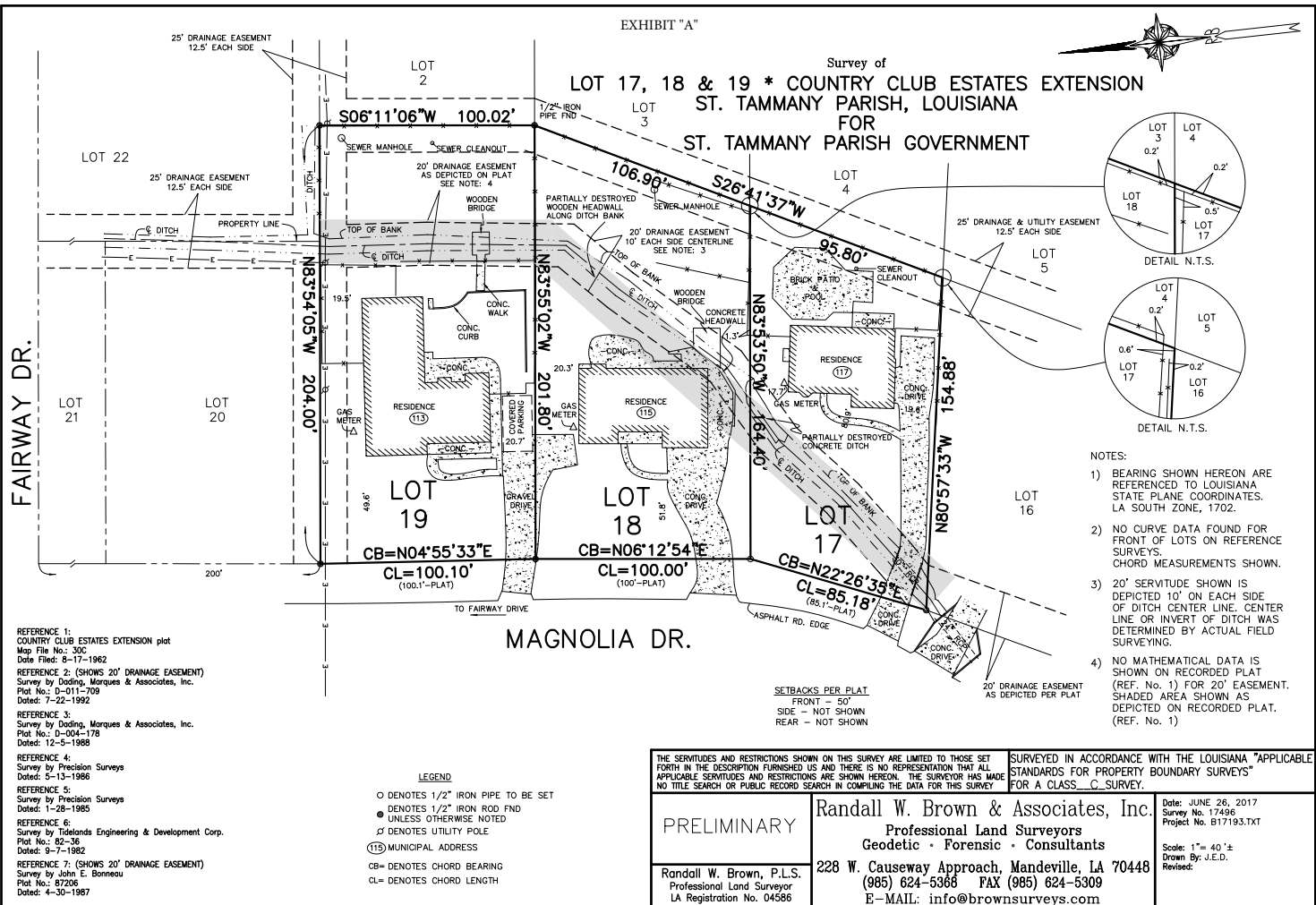
Ordinance Administrative Comment

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE OR OTHERWISE ACQUIRE CERTAIN SERVITUDES AND/OR RIGHTS OF WAY FOR THE BENEFIT OF THE MAGNOLIA DR. DRAINAGE PROJECT AND TO ENTER INTO AN AGREEMENT FOR THE RESTATEMENT AND ESTABLISHMENT OF A DRAINAGE SERVITUDE (WARD 4, DISTRICT 4).

Parish seeks to acquire three (3) certain right(s) of way and/or temporary construction servitude(s) for the purpose of drainage improvements. The attached documentation describes and depicts the property that Parish seeks to acquire. The Parish intends to pay no more than appraised value or less, plus closing costs and fees, as necessary, for any right(s) of way and/or servitude(s) acquired. Additionally, in conjunction with said Project, Parish seeks to enter into an agreement for the restatement and establishment of the location of a previously acquired drainage servitude with all necessary parties.

EXHIBIT "A"

Survey of
LOT 17, 18 & 19 * COUNTRY CLUB ESTATES EXTENSION
ST. TAMMANY PARISH, LOUISIANA
FOR
ST. TAMMANY PARISH GOVERNMENT



- NOTES:
- 1) BEARING SHOWN HEREON ARE REFERENCED TO LOUISIANA STATE PLANE COORDINATES. LA SOUTH ZONE, 1702.
 - 2) NO CURVE DATA FOUND FOR FRONT OF LOTS ON REFERENCE SURVEYS. CHORD MEASUREMENTS SHOWN.
 - 3) 20' SERVITUDE SHOWN IS DEPICTED 10' ON EACH SIDE OF DITCH CENTER LINE. CENTER LINE OR INVERT OF DITCH WAS DETERMINED BY ACTUAL FIELD SURVEYING.
 - 4) NO MATHEMATICAL DATA IS SHOWN ON RECORDED PLAT (REF. No. 1) FOR 20' EASEMENT. SHADED AREA SHOWN AS DEPICTED ON RECORDED PLAT. (REF. No. 1)

- REFERENCE 1:
 COUNTRY CLUB ESTATES EXTENSION plat
 Map File No.: 30C
 Date Filed: 8-17-1962
- REFERENCE 2: (SHOWS 20' DRAINAGE EASEMENT)
 Survey by Dodding, Marques & Associates, Inc.
 Plat No.: D-011-709
 Dated: 7-22-1992
- REFERENCE 3:
 Survey by Dodding, Marques & Associates, Inc.
 Plat No.: D-004-178
 Dated: 12-5-1988
- REFERENCE 4:
 Survey by Precision Surveys
 Dated: 5-13-1986
- REFERENCE 5:
 Survey by Precision Surveys
 Dated: 1-28-1985
- REFERENCE 6:
 Survey by Tidelands Engineering & Development Corp.
 Plat No.: 82-36
 Dated: 9-7-1982
- REFERENCE 7: (SHOWS 20' DRAINAGE EASEMENT)
 Survey by John E. Bonneau
 Plat No.: 87206
 Dated: 4-30-1987

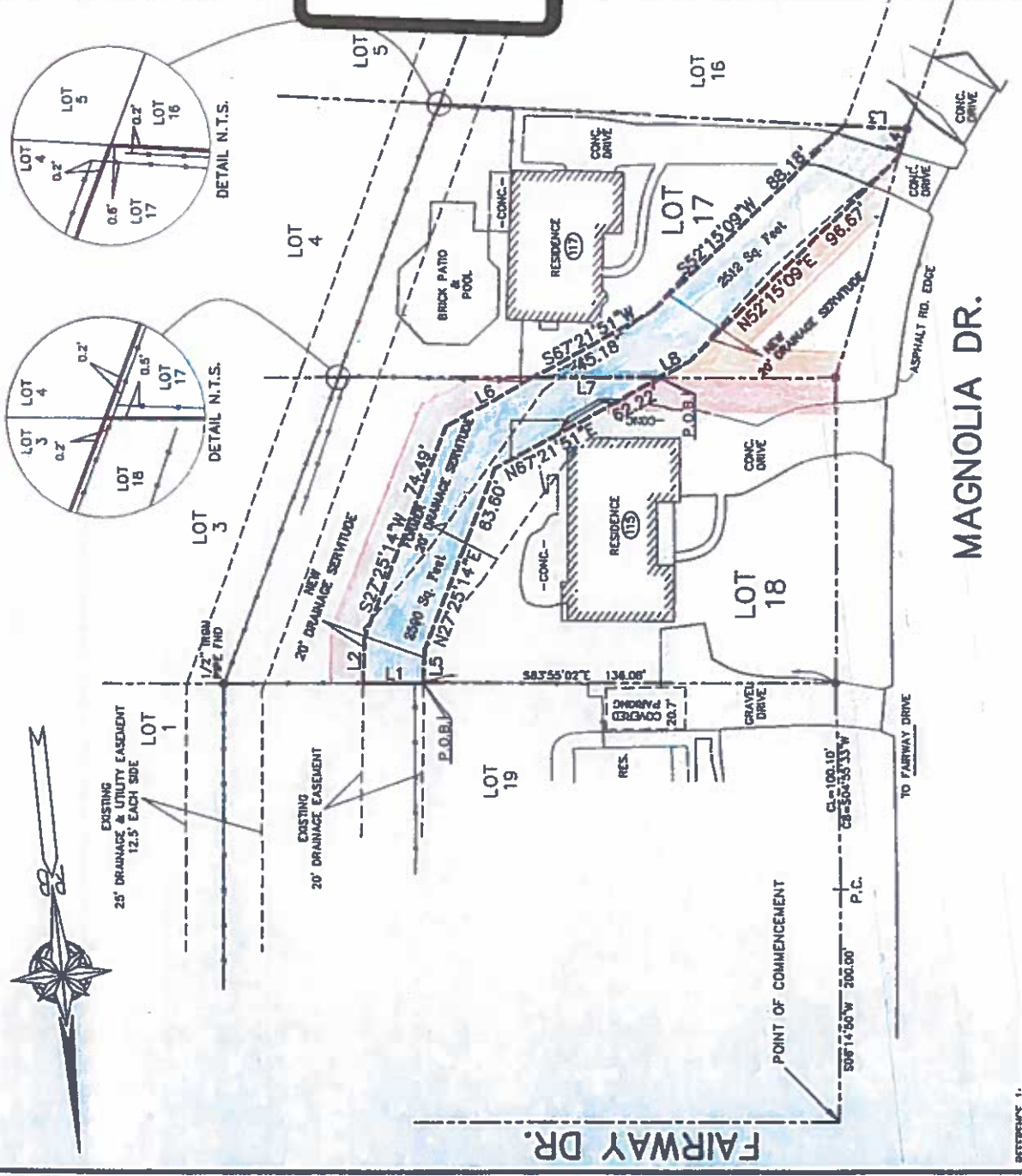
- LEGEND**
- DENOTES 1/2" IRON PIPE TO BE SET
 - DENOTES 1/2" IRON ROD FND UNLESS OTHERWISE NOTED
 - ⚡ DENOTES UTILITY POLE
 - (113) MUNICIPAL ADDRESS
 - CB= DENOTES CHORD BEARING
 - CL= DENOTES CHORD LENGTH

SETRACKS PER PLAT
 FRONT - 50'
 SIDE - NOT SHOWN
 REAR - NOT SHOWN

<p>THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.</p>	<p>SURVEYED IN ACCORDANCE WITH THE LOUISIANA "APPLICABLE STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS <u>C</u> SURVEY.</p>	<p>Date: JUNE 26, 2017 Survey No. 17496 Project No. B17193.TXT Scale: 1"= 40'± Drawn By: J.E.D. Revised:</p>
<p>PRELIMINARY</p>	<p>Randall W. Brown & Associates, Inc. Professional Land Surveyors Geodetic • Forensic • Consultants</p>	
<p>Randall W. Brown, P.L.S. Professional Land Surveyor LA Registration No. 04586</p>	<p>228 W. Causeway Approach, Mandeville, LA 70448 (985) 624-5368 FAX (985) 624-5309 E-MAIL: info@brownsurveys.com</p>	

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EXHIBIT
10
tabbles



EASEMENT DESCRIPTION

**A 10 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
SITUATED IN LOT 17, COUNTRY CLUB ESTATES EXTENSION
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, KNOWN AS A 10 FOOT TEMPORARY CONSTRUCTION EASEMENT, SITUATED IN LOT 17, COUNTRY CLUB ESTATES EXTENSION SUBDIVISION, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY LINE OF FAIRWAY DRIVE AND THE EASTERN RIGHT OF WAY LINE OF MAGNOLIA DRIVE; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE OF MAGNOLIA DRIVE A BEARING OF SOUTH 06 DEGREES 14 MINUTES 50 SECONDS WEST A DISTANCE OF 200.00 FEET; THENCE GO A CHORD BEARING OF SOUTH 04 DEGREES 55 MINUTES 33 SECONDS WEST A CHORD DISTANCE OF 100.10 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE GO SOUTH 83 DEGREES 55 MINUTES 02 SECONDS EAST A DISTANCE OF 136.08 FEET; THENCE SOUTH 06 DEGREES 54 MINUTES 16 SECONDS WEST A DISTANCE OF 10.88 FEET; THENCE SOUTH 27 DEGREES 25 MINUTES 14 SECONDS WEST A DISTANCE OF 63.60 FEET; THENCE SOUTH 67 DEGREES 21 MINUTES 51 SECONDS WEST A DISTANCE OF 62.22 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING GO SOUTH 67 DEGREES 21 MINUTES 51 SECONDS WEST A DISTANCE OF 11.36 FEET; THENCE SOUTH 52 DEGREES 15 MINUTES 09 SECONDS WEST A DISTANCE OF 96.67 FEET; THENCE GO A CHORD BEARING OF NORTH 22 DEGREES 26 MINUTES 35 SECONDS EAST A CHORD DISTANCE OF 20.12 FEET; THENCE NORTH 52 DEGREES 15 MINUTES 09 SECONDS EAST A DISTANCE OF 62.26 FEET; THENCE NORTH 83 DEGREES 53 MINUTES 50 SECONDS WEST A DISTANCE OF 32.25 FEET; THENCE GO A CHORD BEARING OF NORTH 22 DEGREES 26 MINUTES 35 SECONDS EAST A CHORD DISTANCE OF 10.42 FEET; THENCE SOUTH 83 DEGREES 53 MINUTES 50 SECONDS EAST A DISTANCE OF 58.44 FEET BACK TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 1278 SQUARE FEET OF GROUND MORE OR LESS.

EASEMENT DESCRIPTION

**A 10 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
SITUATED IN LOT 18, COUNTRY CLUB ESTATES EXTENSION
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, KNOWN AS A 10 FOOT TEMPORARY CONSTRUCTION EASEMENT, SITUATED IN LOT 18, COUNTRY CLUB ESTATES EXTENSION SUBDIVISION, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY LINE OF FAIRWAY DRIVE AND THE EASTERN RIGHT OF WAY LINE OF MAGNOLIA DRIVE; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE OF MAGNOLIA DRIVE A BEARING OF SOUTH 06 DEGREES 14 MINUTES 50 SECONDS WEST A DISTANCE OF 200.00 FEET; THENCE GO A CHORD BEARING OF SOUTH 04 DEGREES 55 MINUTES 33 SECONDS WEST A CHORD DISTANCE OF 100.10 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE GO SOUTH 83 DEGREES 55 MINUTES 02 SECONDS EAST A DISTANCE OF 156.08 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING GO SOUTH 83 DEGREES 55 MINUTES 02 SECONDS EAST A DISTANCE OF 10.00 FEET; THENCE SOUTH 06 DEGREES 53 MINUTES 50 SECONDS WEST A DISTANCE OF 16.74 FEET; THENCE SOUTH 27 DEGREES 25 MINUTES 14 SECONDS WEST A DISTANCE OF 79.93 FEET; THENCE SOUTH 67 DEGREES 21 MINUTES 51 SECONDS WEST A DISTANCE OF 18.42 FEET; THENCE NORTH 83 DEGREES 53 MINUTES 50 SECONDS WEST A DISTANCE OF 20.80 FEET; THENCE NORTH 67 DEGREES 21 MINUTES 51 SECONDS EAST A DISTANCE OF 33.02 FEET; THENCE NORTH 27 DEGREES 25 MINUTES 14 SECONDS EAST A DISTANCE OF 74.49 FEET; THENCE NORTH 06 DEGREES 53 MINUTES 50 SECONDS EAST A DISTANCE OF 14.79 FEET BACK TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 1187 SQUARE FEET OF GROUND MORE OR LESS.

EASEMENT DESCRIPTION

**A 10 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
SITUATED IN LOT 18, COUNTRY CLUB ESTATES EXTENSION
ST. TAMMANY PARISH, LOUISIANA**

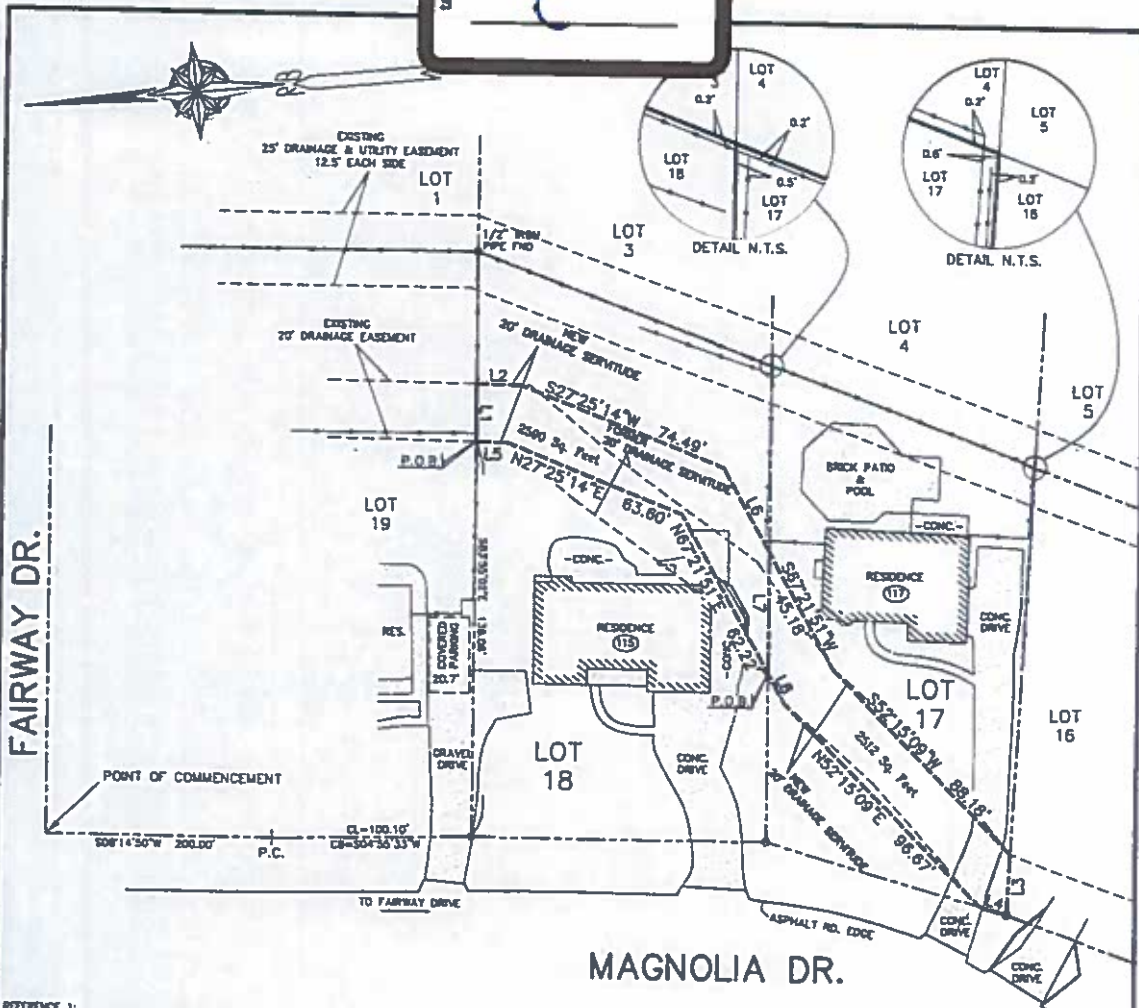
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FROM THE POINT OF BEGINNING GO SOUTH 67 DEGREES 21 MINUTES 51 SECONDS WEST A DISTANCE OF 20.80 FEET; THENCE NORTH 83 DEGREES 53 MINUTES 50 SECONDS WEST A DISTANCE OF 58.44 FEET; THENCE GO A CHORD BEARING OF NORTH 06 DEGREES 12 MINUTES 54 SECONDS EAST A CHORD DISTANCE OF 10.00 FEET; THENCE SOUTH 83 DEGREES 53 MINUTES 50 SECONDS EAST A DISTANCE OF 76.65 FEET BACK TO THE POINT OF BEGINNING,

SAID EASEMENT CONTAINS 675 SQUARE FEET OF GROUND MORE OR LESS.

EXHIBIT
C



- REFERENCE 1:
COUNTRY CLUB ESTATES EXTENSION plat
Map File No.: 30C
Date Filed: 8-17-1982
- REFERENCE 2: (SHOWS 20' DRAINAGE EASEMENT)
Survey by Dading, Marquis & Associates, Inc.
Plat No.: 0-011-709
Date: 7-22-1982
- REFERENCE 3:
Survey by Dading, Marquis & Associates, Inc.
Plat No.: 0-004-178
Date: 12-8-1988
- REFERENCE 4:
Survey by Precision Surveys
Date: 3-13-1988
- REFERENCE 5:
Survey by Precision Surveys
Date: 1-28-1985
- REFERENCE 6:
Survey by Telecon Engineering & Development Corp.
Plat No.: 82-36
Date: 9-7-1982
- REFERENCE 7: (SHOWS 20' DRAINAGE EASEMENT)
Survey by John C. Bonneau
Plat No.: 87286
Date: 4-30-1987

LINE TABLE

LINE	BEARING	DISTANCE
L1	S83°55'02"E	20.00'
L2	S06°53'50"W	14.79'
L3	N80°57'33"W	20.83'
L4	N22°26'35"E	9.70'
L5	N06°54'16"E	10.68'
L6	S67°21'51"W	33.02'
L7	N83°53'50"W	41.60'
L8	N67°21'51"E	11.36'

NOTE:
OWNER OR BUILDER RESPONSIBLE
FOR VERIFYING SETBACKS BEFORE
CONSTRUCTION BEGINS.

SETBACKS PER PLAT
FRONT - 50'
SIDE - NOT SHOWN

LEGEND

- (115) MUNICIPAL ADDRESS
- CB= DENOTES CHORD BEARING
- CL= DENOTES CHORD LENGTH
- DENOTES 1/2" IRON ROD FND
● UNLESS OTHERWISE NOTED

Survey of
**A 20 FOOT WIDE DRAINAGE SERVITUDE SITUATED IN
LOTS 17 & 18, COUNTRY CLUB ESTATES EXTENSION
ST. TAMMANY PARISH, LOUISIANA**

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SURVEYED IN ACCORDANCE WITH THE LOUISIANA "APPLICABLE STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY.

RANDALL W. BROWN
REG. NO. 51586
Professional Land Surveyor
LA Registration No. 04586

Randall W. Brown & Associates, Inc.
Professional Land Surveyors
Geodetic • Forensic • Consultants
228 W. Causeway Approach, Mandeville, LA 70448
(985) 824-5368 FAX (985) 824-5309
E-MAIL: info@brownsurveys.com

Date: SEPTEMBER 25, 2017
Survey No. 17718
Project No. (CRS)
Scale: 1" = 50' ±
Drawn By: RJB
Revised:

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SERVITUDE DESCRIPTION

**A 20 FOOT WIDE DRAINAGE SERVITUDE
SITUATED IN LOT 17, COUNTRY CLUB ESTATES EXTENSION
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, KNOWN AS A 20 FOOT DRAINAGE SERVITUDE, SITUATED IN LOT 17, COUNTRY CLUB ESTATES EXTENSION SUBDIVISION, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY LINE OF FAIRWAY DRIVE AND THE EASTERN RIGHT OF WAY LINE OF MAGNOLIA DRIVE; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE OF MAGNOLIA DRIVE A BEARING OF SOUTH 08 DEGREES 14 MINUTES 50 SECONDS WEST A DISTANCE OF 200.00 FEET; THENCE GO A CHORD BEARING OF SOUTH 04 DEGREES 55 MINUTES 33 SECONDS WEST A CHORD DISTANCE OF 100.10 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE GO SOUTH 83 DEGREES 55 MINUTES 02 SECONDS EAST A DISTANCE OF 136.08 FEET; THENCE SOUTH 06 DEGREES 54 MINUTES 16 SECONDS WEST A DISTANCE OF 10.88 FEET; THENCE SOUTH 27 DEGREES 25 MINUTES 14 SECONDS WEST A DISTANCE OF 63.60 FEET; THENCE SOUTH 67 DEGREES 21 MINUTES 51 SECONDS WEST A DISTANCE OF 62.22 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING GO SOUTH 83 DEGREES 53 MINUTES 50 SECONDS EAST A DISTANCE OF 41.60 FEET; THENCE SOUTH 67 DEGREES 21 MINUTES 51 SECONDS WEST A DISTANCE OF 45.18 FEET; THENCE SOUTH 52 DEGREES 15 MINUTES 09 SECONDS WEST A DISTANCE OF 88.18 FEET; THENCE NORTH 80 DEGREES 57 MINUTES 33 SECONDS WEST A DISTANCE OF 20.83 FEET; THENCE NORTH 22 DEGREES 26 MINUTES 35 SECONDS EAST A DISTANCE OF 9.70 FEET; THENCE NORTH 52 DEGREES 15 MINUTES 09 SECONDS EAST A DISTANCE OF 96.67 FEET; THENCE NORTH 67 DEGREES 21 MINUTES 51 SECONDS EAST A DISTANCE OF 11.36 FEET BACK TO THE POINT OF BEGINNING.

SAID SERVITUDE CONTAINS 2512 SQUARE FEET OF GROUND MORE OR LESS.

SERVITUDE DESCRIPTION

**A 20 FOOT WIDE DRAINAGE SERVITUDE
SITUATED IN LOT 18, COUNTRY CLUB ESTATES EXTENSION
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, KNOWN AS A 20 FOOT DRAINAGE SERVITUDE, SITUATED IN LOT 18, COUNTRY CLUB ESTATES EXTENSION SUBDIVISION, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

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SAID SERVITUDE CONTAINS 2590 SQUARE FEET OF GROUND MORE OR LESS.
