## ST. TAMMANY PARISH COUNCIL

## ORDINANCE

ORDINANCE CALENDAR NO: 5739

COUNCIL SPONSOR: STEFANCIK/BRISTER

ORDINANCE COUNCIL SERIES NO:

R PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY:

SECONDED BY:

ON THE <u>5</u> DAY OF <u>JANUARY</u>, <u>2017</u>

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE OR OTHERWISE ACQUIRE CERTAIN PARCELS, RIGHTS OF WAY, AND/OR SERVITUDES FOR THE RIVER GLEN DRAINAGE PROJECT (WARD 3, DISTRICT 2).

WHEREAS, St. Tammany Parish Government desires to acquire servitudes upon certain immovable property (hereinafter referred to as "Property"); and

WHEREAS, there is a need an a public purpose for the acquisition of servitudes upon certain immovable property for drainage improvements; and

WHEREAS, St. Tammany Parish Government hereby desires to acquire the Property, rights of way and/or servitudes and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire said Property, servitudes and/or rights of way.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize the Parish of St. Tammany to acquire by purchase, donation or servitude, all or parts of those proposed drainage servitudes and/or rights of way described and depicted in Exhibit "A" 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 the 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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: \_\_\_\_\_\_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 <u>2</u> DAY OF <u>FEBRUARY</u>, <u>2017</u>; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

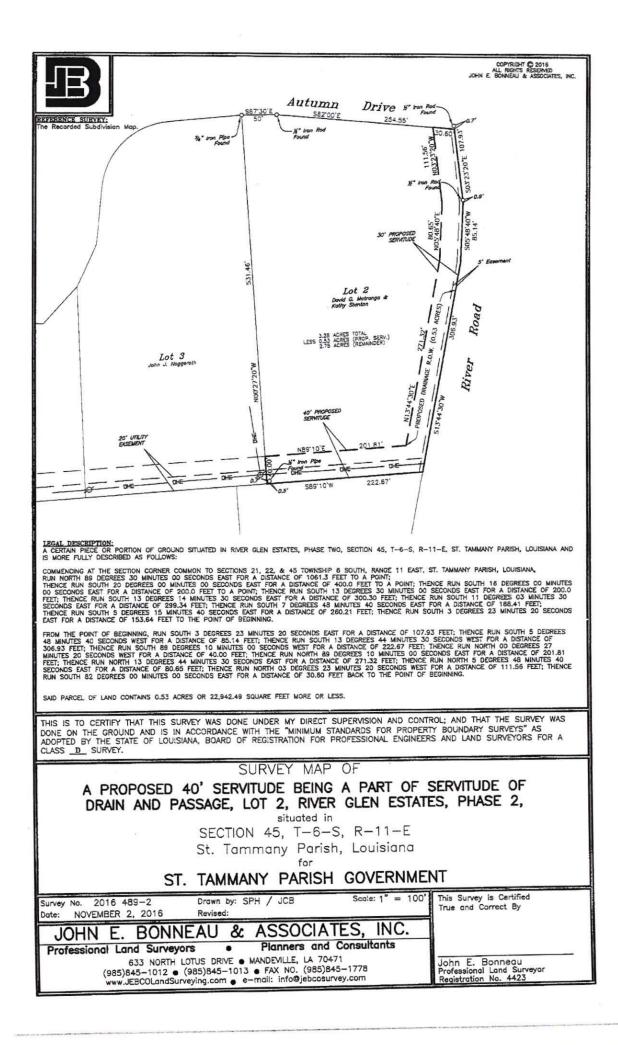
PATRICIA P. BRISTER, PARISH PRESIDENT

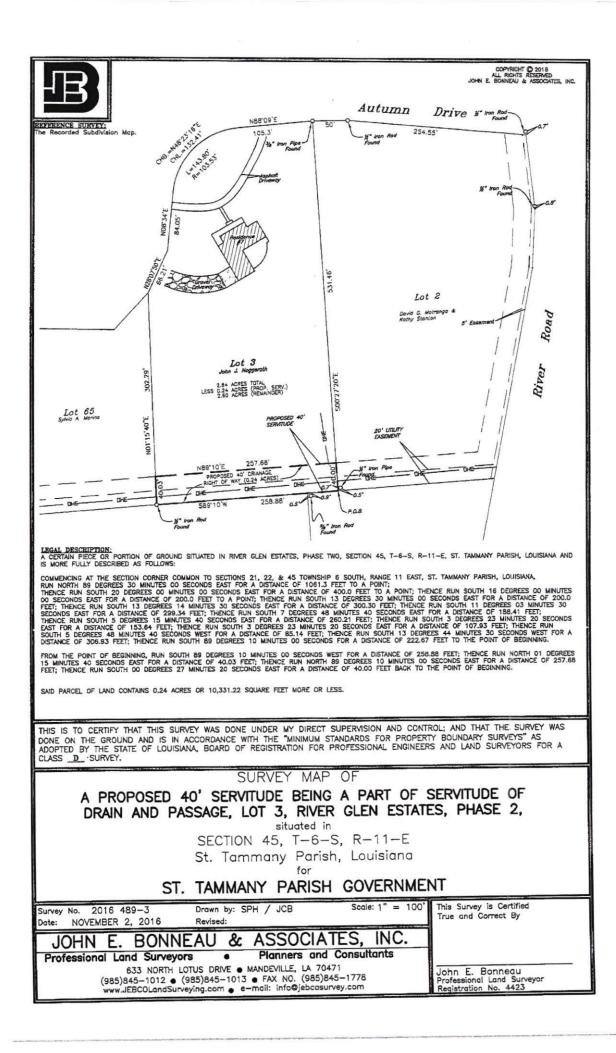
Published Introduction: DECEMBER 29, 2016

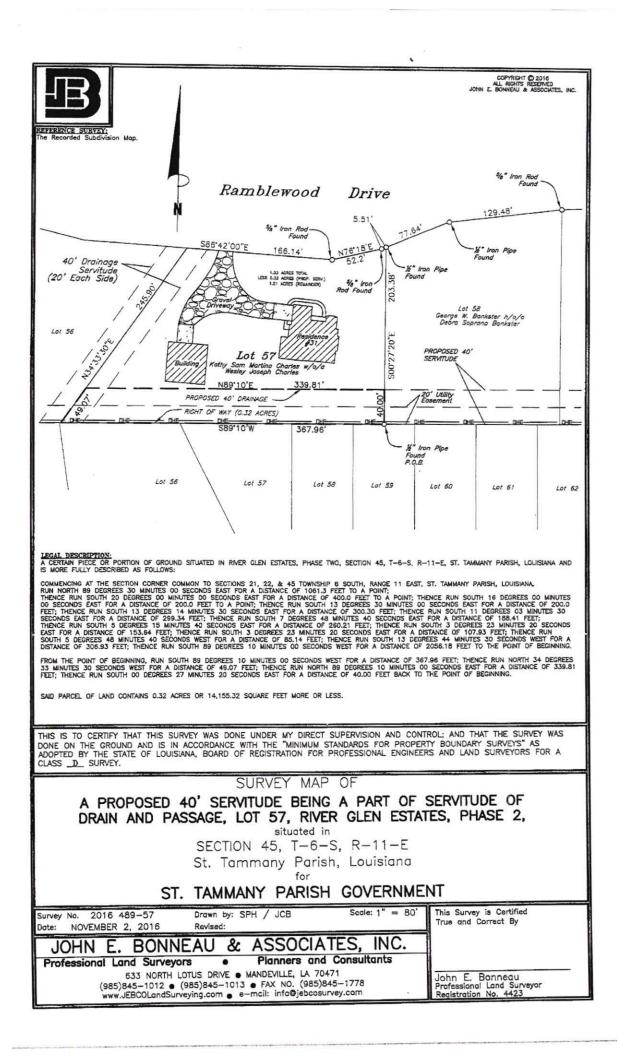
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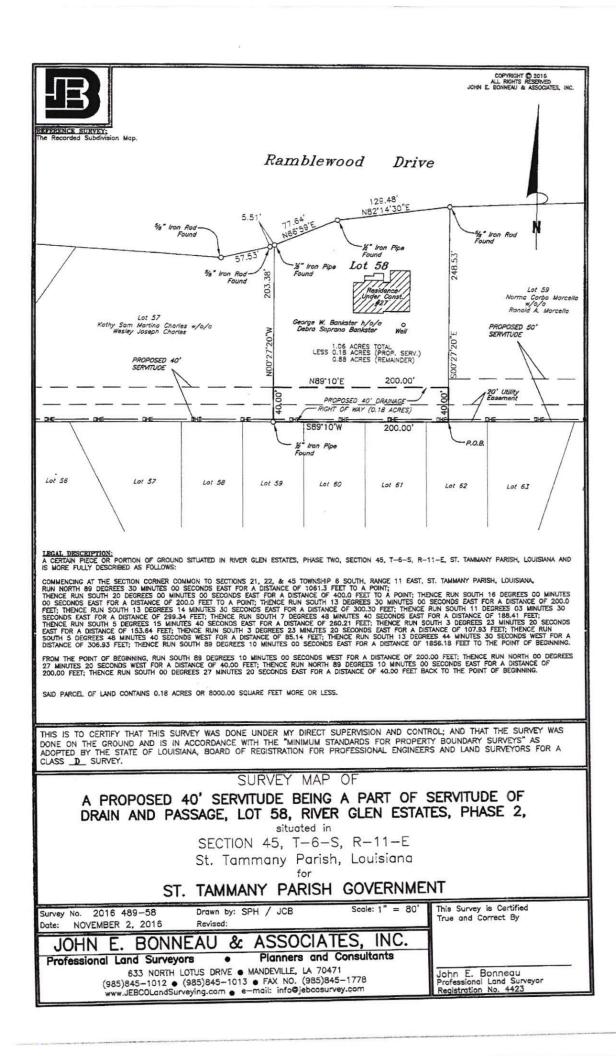
Delivered to Parish President: \_\_\_\_\_, 2017 at \_\_\_\_\_

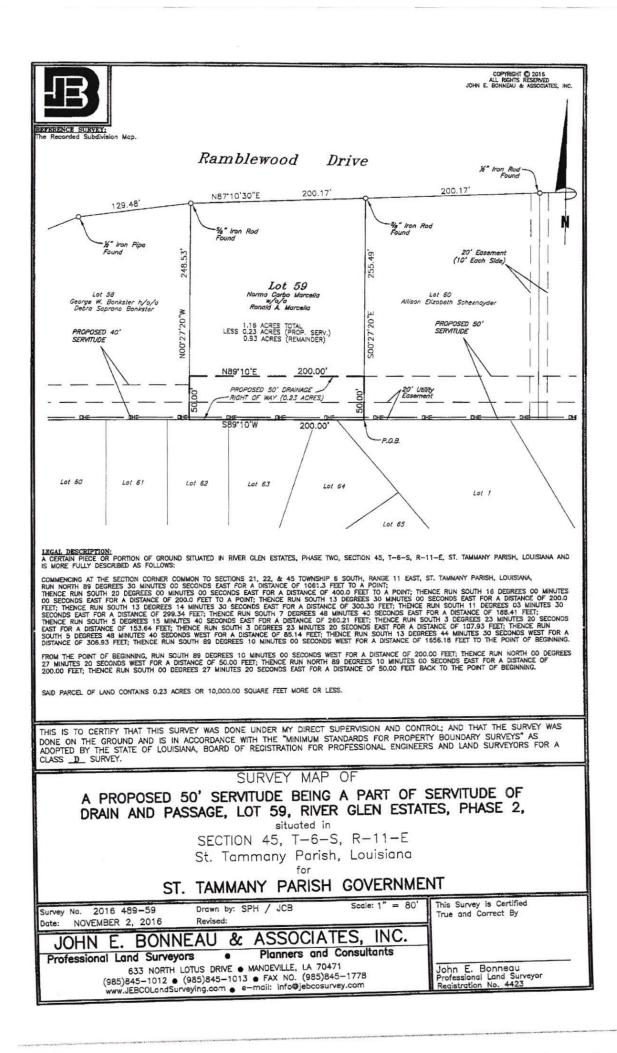
Returned to Council Clerk: \_\_\_\_\_, 2017 at \_\_\_\_\_

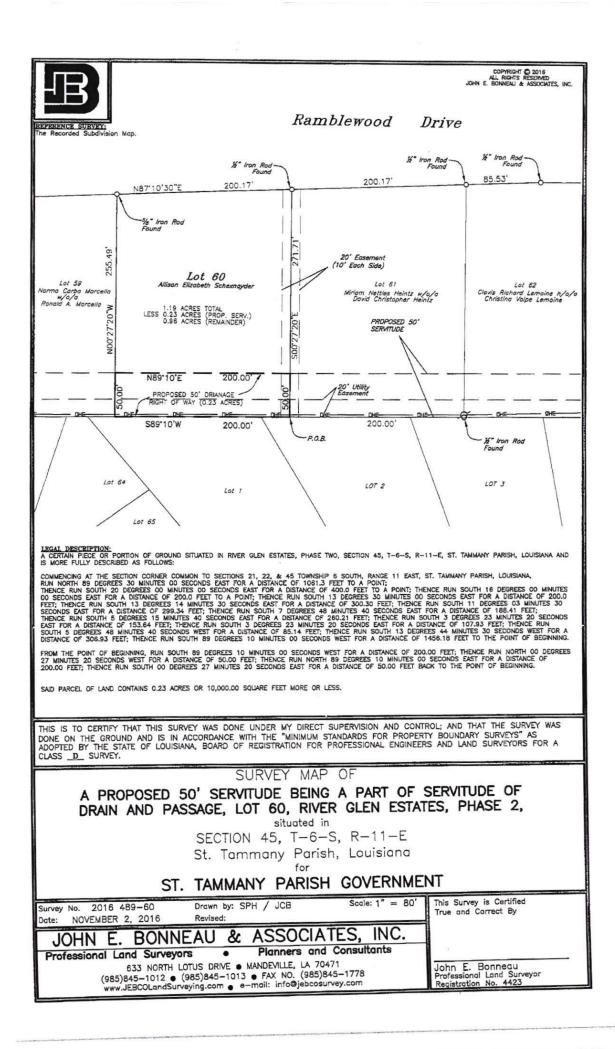


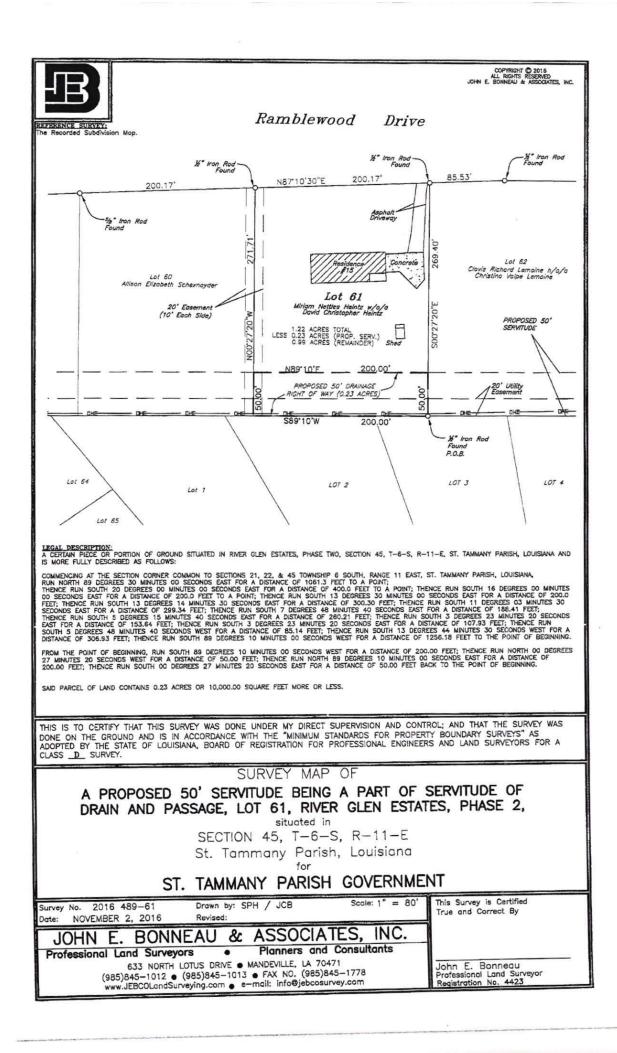


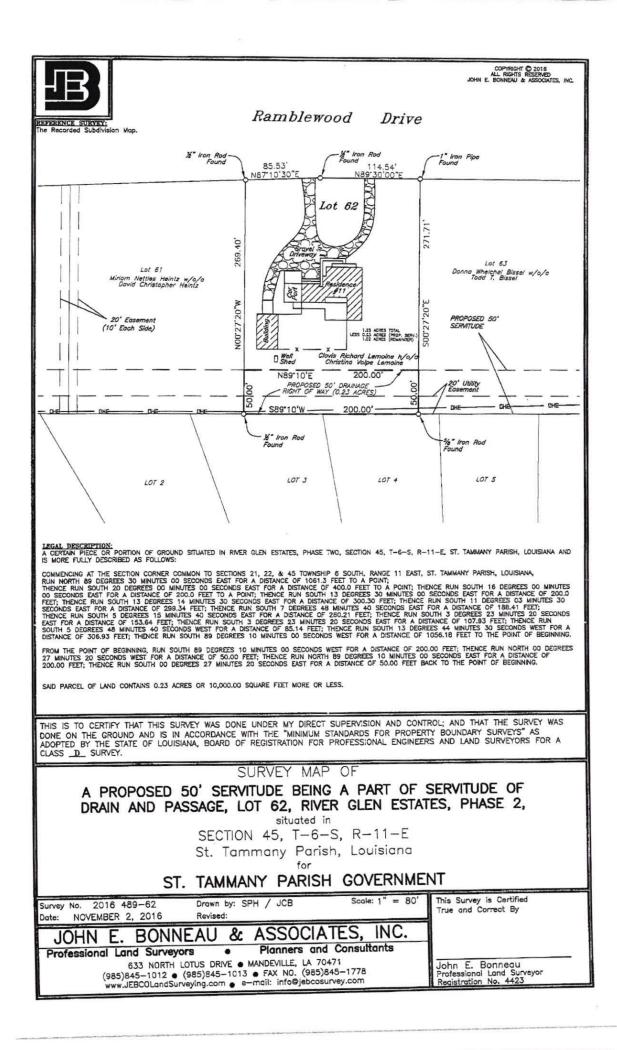


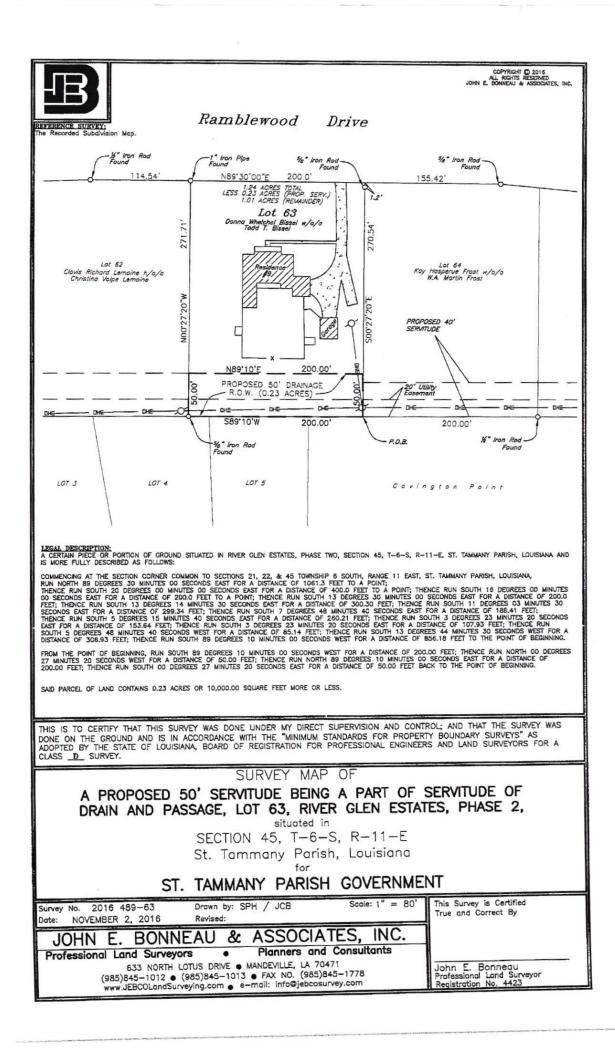


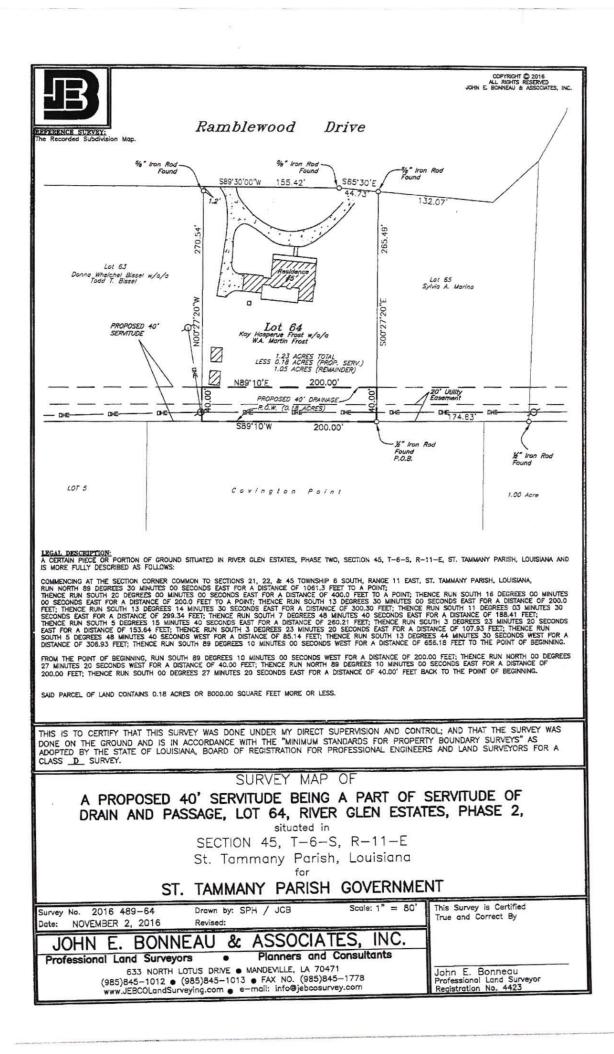


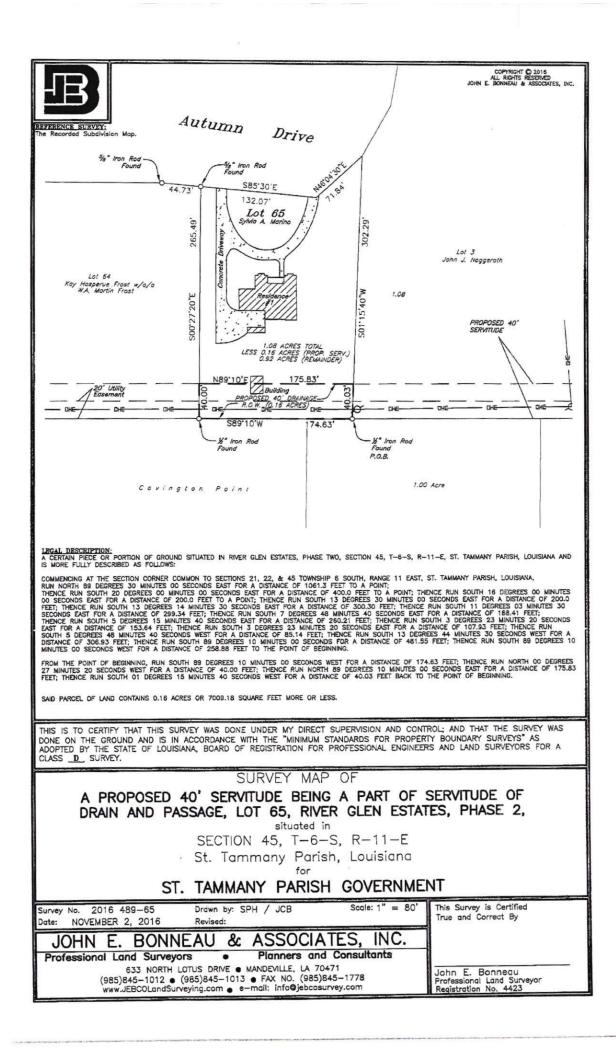












## **Ordinance Administrative Comment**

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE OR OTHERWISE ACQUIRE CERTAIN PARCELS, RIGHTS OF WAY, AND/OR SERVITUDES FOR THE RIVER GLEN DRAINAGE PROJECT (WARD 3, DISTRICT 2).

St. Tammany Parish seeks to acquire servitudes across multiple parcels for a drainage project. Parish intends to pay no more than appraised value or less, plus costs and fees.