

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5933

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

COUNCIL SPONSOR: STEFANCIK/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

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

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

ON THE 4 DAY OF JANUARY , 2018

ORDINANCE TO DECLARE IMMOVABLE PROPERTY AS SURPLUS AND TO ACKNOWLEDGE THE AUTHORITY PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 1-06, 3-01 AND 3-09, AND THE LOUISIANA LOCAL SERVICES LAW, FOR THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SLIDELL FOR THE TRANSFER AND DISPOSITION OF SAID PROPERTY (WARD 9, DISTRICTS 12 & 14).

WHEREAS, from time to time, St. Tammany Parish Government ("Parish") may declare immovable property as surplus, and no longer needed for a public purpose, as may be in the best interest of Parish and its citizens; and

WHEREAS, Parish owns certain immovable property fronting Erlanger Avenue in Slidell, Louisiana, as more fully described on Exhibit "A" hereto, which property was donated to Parish for use as a public library by the City of Slidell ("Slidell") by Act of Donation dated September 20, 1966; and

WHEREAS, at this time, Parish no longer has any beneficial use for the aforementioned property as a public library or otherwise, and now desires to declare said property as surplus and to transfer and/or dispose of the same to Slidell; and

WHEREAS, the transfer and/or disposition of said property to the City of Slidell will be in the best interest of the Parish and will further benefit the City of Slidell, which will utilize said property for the benefit of its citizens and the general public; and

WHEREAS, the property will be transferred, in accordance with the provisions of Louisiana Revised Statutes 33:1321, *et seq.*, and/or other applicable local and state legal authority.

THE PARISH OF ST. TAMMANY HEREBY ORDAINED that certain Parish immovable property, as more fully identified on Exhibit "A" hereto, is declared to be surplus property and authorized to be transferred and disposed of.

BE IT FURTHER ORDAINED that pursuant to all applicable provisions of law, the Office of the Parish President is directed and authorized to assess, deem, designate and determine that said property is surplus.

BE IT FURTHER ORDAINED that St. Tammany Parish Government, through the Office of the Parish President, pursuant to Home Rule Charter sections 1-03, 1-06, 3-01 and 3-09, and the Louisiana Local Services Law, is authorized to execute an intergovernmental agreement, which meets or exceeds all requirements of Louisiana law and jurisprudence, with the City of Slidell, Louisiana, for the transfer and/or disposal of said property, and to enter into and execute all other agreements and transactions necessary to carry out the intent of this Ordinance.

BE IT FURTHER ORDAINED that any and 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 1 DAY OF FEBRUARY, 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: DECEMBER 27, 2017

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

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

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

### **Ordinance Administrative Comment**

ORDINANCE TO DECLARE IMMOVABLE PROPERTY AS SURPLUS AND TO ACKNOWLEDGE THE AUTHORITY PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 1-06, 3-01 AND 3-09, AND THE LOUISIANA LOCAL SERVICES LAW, FOR THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SLIDELL FOR THE TRANSFER AND DISPOSITION OF SAID PROPERTY (WARD 9, DISTRICTS 12 & 14).

Parish seeks to declare certain immovable property surplus and authorize the transfer and disposition of said property. Parish is not currently using said property, and now seeks to enter into an intergovernmental agreement and/or other transaction(s) for the transfer and/or disposition of the same to the City of Slidell, Louisiana, which will use said property for the benefit of its citizens. The Louisiana Local Services Law, as codified in Louisiana Revised Statutes § 33:1321, *et seq.*, further authorizes the objectives sought through this Ordinance.

## EXHIBIT "A"

### PROPERTY DESCRIPTION

Two certain lots or parcels of ground, together with all the improvements, thereon, designated as being Lots Eleven (11) and Twelve (12) of Square No. Four (4) of Robert Addition to the Town of Slidell, Louisiana, each measuring sixty (60) foot in width fronting on Erlanger Avenue by a depth of one hundred twenty (120) feet extending northerly between equal and parallel lines.

Said Square No. 4 is bounded by Fremaux Avenue, east by 4th Street, south by Erlanger Avenue, and on the west by Third Street, all in accordance with official map of Town of Slidell, Louisiana, a copy of which is on file in the official records of St. Tammany Parish, Louisiana.