

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5816 ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: STEFANCIK/BRISTER PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. THOMPSON SECONDED BY: MR. DEAN

ON THE 4 DAY OF MAY , 2017

ORDINANCE AUTHORIZING ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN RIGHTS OF WAY AND/OR SERVITUDES FOR THE BENEFICIAL USE MARSH CREATION PROJECT (WARD 8, DISTRICT 13).

WHEREAS, St. Tammany Parish Government (the "Parish") desires to acquire certain right(s) of way and/or servitudes upon certain immovable property (the "Property"); and

WHEREAS, there is a need and a public purpose for the acquisition of certain right(s) of way and/or drainage and construction servitudes for the benefit of the Beneficial Use Marsh Creation Project, which will serve to create marshland in prior degraded areas of the Fritchie Marsh, a brackish wetland area, and which will further assist in wetland mitigation for the French Branch (W-15) Drainage Project; and

WHEREAS, St. Tammany Parish Government 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.

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 proposed servitudes and/or right(s) of way described and depicted in Exhibits "A" and "B" attached hereto.

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 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.

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.

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 1 DAY OF JUNE, 2017; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

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

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

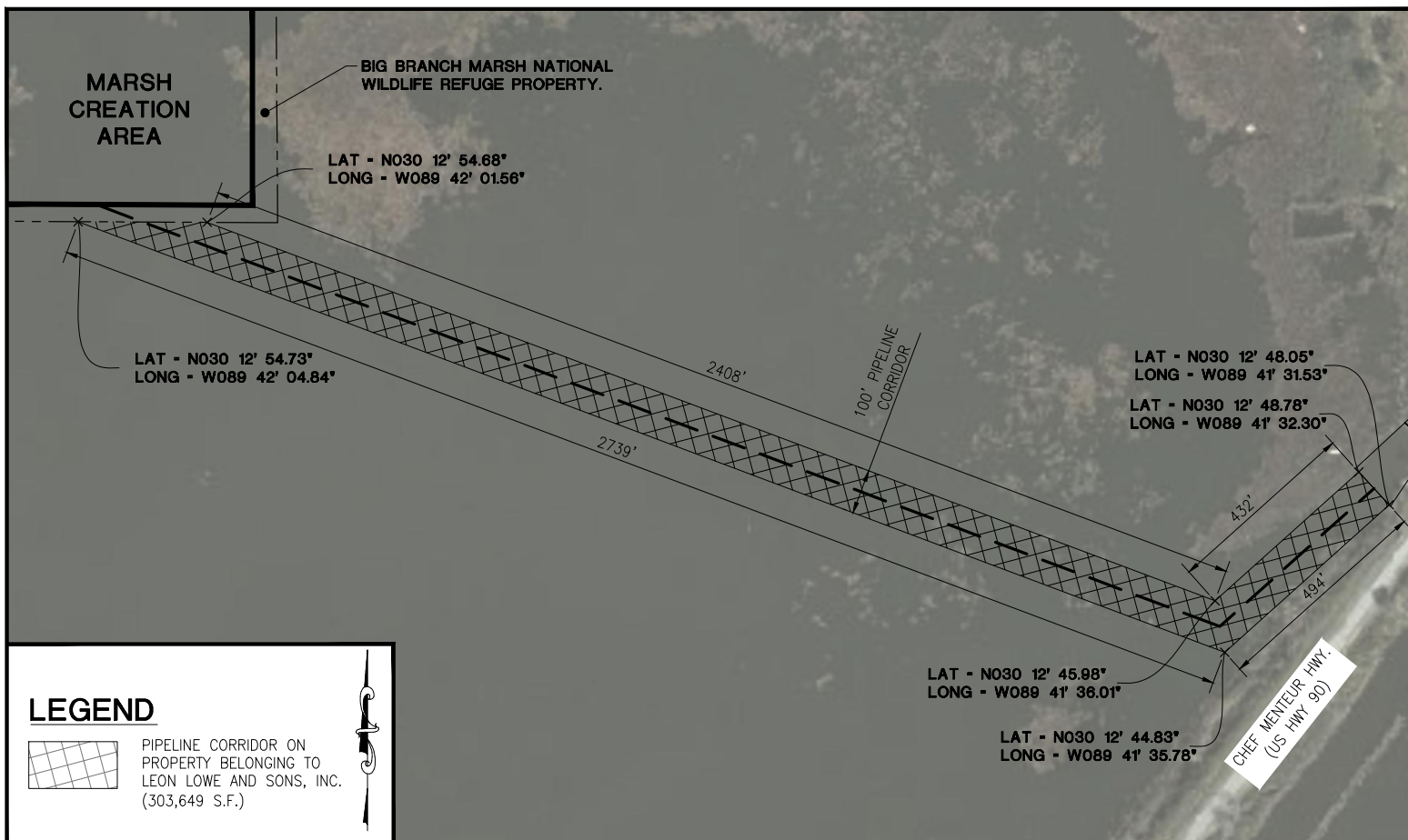
Published Introduction: APRIL 26, 2017

Published Adoption: \_\_\_\_\_, 2017

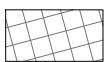
Delivered to Parish President: \_\_\_\_\_, 2017 at \_\_\_\_\_

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

EXHIBIT "A"



**LEGEND**



PIPELINE CORRIDOR ON PROPERTY BELONGING TO LEON LOWE AND SONS, INC. (303,649 S.F.)



**DUPLANTIS DESIGN GROUP, PC**  
CIVIL ENGINEERING - ARCHITECTURE

314 EAST BAYOU ROAD THIBODAUX, LA 70301  
PHONE: 985.447.0090 || FAX: 985.447.7009

THIBODAUX | COVINGTON | HOUSTON | BATON ROUGE | HOUMA

REQUIRED TEMPORARY CONSTRUCTION SERVITUDE FOR PIPELINE CORRIDOR FROM RE-HANDLING SITE TO MARSH CREATION AREA ON PROPERTY BELONGING TO LEON LOWE AND SONS, INC.  
FOR: THE BENEFICIAL MARSH CREATION PROJECT  
ST. TAMMANY PARISH, LA  
DDG PROJECT #14-532

DATE: 4/11/2017

SCALE IN FEET



EXHIBIT "B"

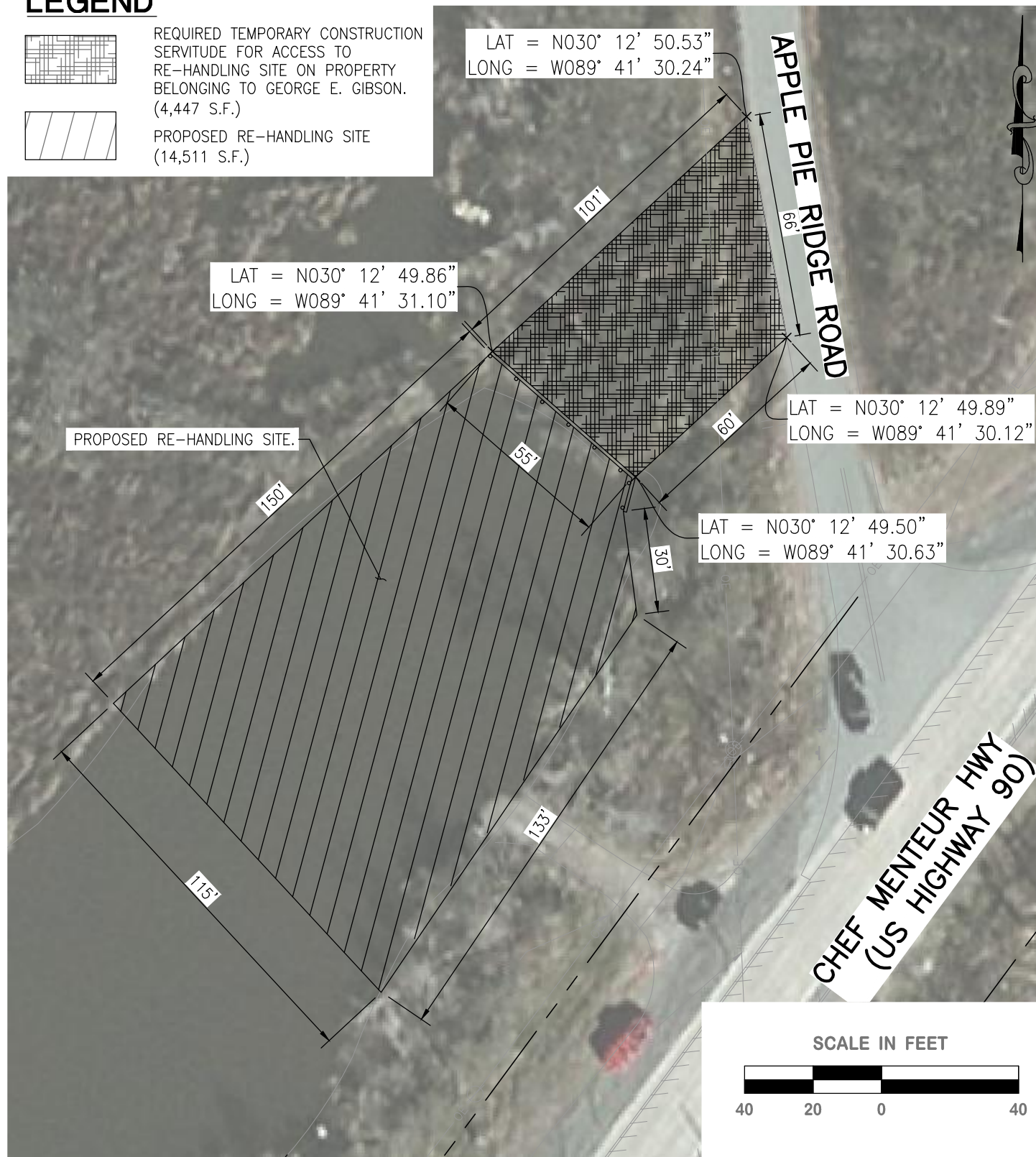
**LEGEND**



REQUIRED TEMPORARY CONSTRUCTION  
SERVITUDE FOR ACCESS TO  
RE-HANDLING SITE ON PROPERTY  
BELONGING TO GEORGE E. GIBSON.  
(4,447 S.F.)



PROPOSED RE-HANDLING SITE  
(14,511 S.F.)



**DDG**  
**DUPLANTIS DESIGN GROUP, PC**  
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REQUIRED TEMPORARY CONSTRUCTION SERVITUDE  
FOR ACCESS TO RE-HANDLING SITE ON PROPERTY  
BELONGING TO GEORGE E. GIBSON.  
FOR: THE BENEFICIAL MARSH CREATION PROJECT  
ST. TAMMANY PARISH, LA  
DDG PROJECT #14-532

DATE: 3/30/2017

### **Ordinance Administrative Comment**

ORDINANCE AUTHORIZING ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN RIGHTS OF WAY AND/OR SERVITUDES FOR THE BENEFICIAL USE MARSH CREATION PROJECT (WARD 8, DISTRICT 13).

Parish seeks to acquire certain right(s) of way and/or servitudes for the purpose of drainage improvements and wetlands mitigation. The attached survey 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 for any right(s) of way and/or servitudes acquired.