

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6373

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

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: MR. AIREY

SECONDED BY: MR. FITZGERALD

ON THE 7 DAY OF MAY, 2020

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE LOT 9, FRENCH BRANCH ESTATES, PHASE 1 FOR THE LOWER W-15 AREA DRAINAGE PROJECT (WARD 8, DISTRICTS 9, 13)

WHEREAS, St. Tammany Parish Government desires to acquire Lot 9, French Branch Estates, Phase 1 for the Lower W-15 Area Drainage Project (the "Property"); and

WHEREAS, there is a need and public purpose for the acquisition of the Property for the benefit of the Lower W-15 Area Drainage Project, which will serve to improve area drainage; and

WHEREAS, Parish 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 Property.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Parish of St. Tammany, through the Office of the Parish President, is authorized to acquire by purchase, donation or otherwise, Lot 9, French Branch Estates, Phase 1 (the "Property"); and

BE IT FURTHER ORDAINED: that pursuant to all applicable provisions of law, the Office of the Parish President is authorized to do whatever is necessary to acquire said Property; and

BE IT FURTHER ORDAINED: that the Office of the Parish President is authorized to proceed with the acquisition 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 4 DAY OF JUNE, 2020; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
MICHAEL R. LORINO, JR., COUNCIL CHAIRMAN

ATTEST:

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

\_\_\_\_\_  
MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: APRIL 29, 2020

Published Adoption: \_\_\_\_\_, 2020

Delivered to Parish President: \_\_\_\_\_, 2020 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2020 at \_\_\_\_\_

### **Ordinance Administrative Comment**

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE LOT 9, FRENCH BRANCH ESTATES, PHASE 1 FOR THE LOWER W-15 AREA DRAINAGE PROJECT (WARD 8, DISTRICTS 9, 13)

Ordinance No. 18-3871 previously authorized an access servitude over this parcel as part of the project. It has subsequently been determined that full ownership of the entirety of this undeveloped lot is recommended for use in the Lower W-15 Area Drainage Project. Parish seeks to acquire the entirety of this lot to facilitate drainage improvements along the Lower W-15 Canal. The Parish intends to pay no more than appraised value, plus closing costs, for any parcel, right of way and/or servitude acquired.