ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-C-3013

COUNCIL SPONSOR: BINDER/DAVIS PROVIDED BY: CAO

RESOLUTION TO CONCUR/NOT CONCUR WITH THE TOWN OF ABITA SPRINGS ANNEXATION AND REZONING OF 0.76 ACRE FROM PARISH A-4 (SINGLE FAMILY RESIDENTIAL) AND NC-4 (NEIGHBORHOOD INDUSTRIAL DISTRICT) TO TOWN OF ABITA SPRINGS C (COMMERCIAL DISTRICT) PROPERTY OF WHICH INCLUDES LOTS 1 THROUGH 10 INCLUSIVE PLUS LOTS 12, 14, AND 16 LOCATED IN SQUARE 19, IN THE WEST ABITA SPRINGS SUBDIVISION OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11 EAST IN ST TAMMANY PARISH. (WARD 10, DISTRICT 2)

WHEREAS, the Town of Abita Springs is contemplating annexation of 0.76 acres of land more or less owned by Abita Lumber, Property of which includes Lots 1 through 10 inclusive plus lots 12, 14, and 16 located in Square 19, in the West Abita Springs Subdivision of the West half of the Northeast Quarter of Section 36, Township 6 South, Range 11 East in St Tammany Parish., Ward 10, District 2 (see attachments for complete description); and

WHEREAS, the proposed annexation is not consistent with the Annexation Agreement entered into by the Town of Abita Springs and St. Tammany Parish effective December 21, 2006; and

WHEREAS, the property requires rezoning from Parish A-4 Single Family Resdential NC-4 Neighborhood Industrial District to Town of Abita Springs C - Commercial District which is an intensification of zoning; and

WHEREAS, the property is not developed and the proposed annexation would not result in a split of the sales tax revenues, all sales tax revenue accrues to the Parish.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to Concur/Not Concur with the Town of Abita Springs annexation and rezoning of 0.76 Acre acres of land more or less, Property of which includes Lots 1 through 10 inclusive plus lots 12, 14, and 16 located in Square 19, in the West Abita Springs Subdivision of the West half of the Northeast Quarter of Section 36, Township 6 South, Range 11 East in St Tammany Parish. The property requires rezoning from Parish A-4 Single Family Resdential NC-4 Neighborhood Industrial District to Town of Abita Springs C - Commercial District in accordance with the December 21, 2006 Annexation Agreement between the Parish and the Town of Abita Springs

BE IT FURTHER RESOLVED that should this property be annexed, the St. Tammany Parish Council requires that the Town of Abita Springs review development proposals utilizing the applicable Parish Drainage Model and compliance with Parish Drainage Regulations.

BE IT FURTHER RESOLVED that the St. Tammany Parish Council requires that the Town of Abita Springs require a Traffic Impact Analysis be performed and that the Parish Department of Engineering be consulted on the traffic and access impacts of any proposed development.

THIS	RESOLUTION	N HAVING BE	EEN SUBM	IITTED TO	O A VOT	E, THE VO	TE THERE	ON WAS
AS FOLI	LOWS:							

MOVED FOR ADOPTION BY:	SECONDED BY:
YEAS:	

NAYS:	
ABSTAIN:	
ABSENT:	
THIS RESOLUTION WAS DECLARED ADOPTED REGULAR MEETING OF THE PARISH COUNCIL PRESENT AND VOTING.	
	JERRY BINDER, COUNCIL CHAIRMAN
ATTEST:	
THERESA L. FORD, COUNCIL CLERK	



St. Tammany Parish

P. O. Box 628

Fax: (985) 898-5238 e-mail: rthompson@stpgov.org

Covington, LA 70434

Phone: (985) 898-2865

Parish President

Kevin Davis

November 8, 2010

Please be advised that we have received the Annexation Request listed below.

City of Abita Springs, submitted this annexation request on 10/26/2010. The parish reference number is AB2010-01.

City:	Abita Springs City Case No: processing		essing	Staff Reference AB2010-01			
			Prio	ority 1			
u.		LITIC					П
					District:		Land
Location:	Lots 1 through 10 inclusive plus lots 12, 14, and 16 located in Square 19, in the West Abita Springs Subdivision of the West half of the Northeast		Parish Zoning	A-4 S	ingle Family Resdenti	al\NC-4 Neig	hborhoo
	Quarter of Section 36, Town	City Zoning:	C - Co	ommercial			
	11 East in St Tammany Paris	sh.		West	Abita Springs		
Lyicting	I I I do valore d		Dovol	lonad	Intensification	Concur	w/ City
Existing Use:	Undeveloped		Population:		Concur:		
Size:	0.76 Acre						
STR:	Sect 36, T-6-S, R-11-E		Annex Status:		Sales Tax:	Parish	
Cit	y Actions			Cour	ncil Actions		
Ordinance:	City I	Date: 12	Resolution:		Council		16.55

STP Department notes:

Date	Department	Originator	Note
10/27	CAO	B Thompson	Property is not located in Growth Management Area.
11/5	Public Works	J Lobrano	Property abuts the unopened portion of Carnation Street Right of Way. They will have to go thru engineering dept for access from Carnation street
11/5	Engineering	D Zechenelly	The Dept. of Engineering has no issues with this annexation provided that all St. Tammany Parish Traffic and Drainage ordinances are followed.
11/5	Engineering	D Zechenelly	The Dept. of Engineering has no issues with this annexation provided that all St. Tammany Parish Traffic and Drainage ordinances are followed.
11/5	Planning	S Fontenot	Complies with Louisiana revised Statutes relative to annexation. Does not comply with Growth Management Agreement as it is outside of the Abita Springs Priority One Area.
11/8	CAO	B Thompson	Bob, I wasn't able to add a note to the Abita annexation. It gave me the error, "Failed to Invoke Action". Our Department has no issues with this annexation. I was able to enter a note on the Slidell annexation. — Tim
			(email note from tim brown- entered by Bthompson)

Town of Abita Springs, La.

TOWN CLERK
SECRETARY-TREASURER
TAX COLLECTOR
JENNIFER B. OALMANN
CLERK

DONNA KILPATRICK

CLERK OF COURT
KATHY ARMAND

ATTORNEY
EDWARD DEANO

BUILDING INSPECTOR
DAVID CHATELAIN
PUBLIC WORKS DIRECTOR

JOHNNY CLAY
PUBLIC WORKS ASSISTANT
SHELLY KING



MAYOR LOUIS FITZMORRIS SHERI SABLE CAMPBELL

(MAYOR PRO-TEM)

TENON DUCAS

TROY DUGAS
TROY DUGAS
PATRICIA EDMISTON
GREG LEMONS
PAT PATTERSON

DEBRA MACLEAN
LINDA MEEKER

PLANNING & ZONING DIRECTOR
CINDY CHATELAIN

ACCOUNTS PAYABLE
KIMBERLY BYRD

October 20, 2010

Councilman James Thompson

St. Tammany Parish P. O. Box 628

Covington, LA 70434

Councilman Gary Cooper St. Tammany Parish P. O. Box 628

Covington, LA 70434

Mr. Robert Thompson Special Revenue Manager St. Tammany Parish P. O. Box 628 Covington, LA 70434

RE: Request from Abita Lumber General Manager, David Melton to annex Lot's 1, 2, 3, 4, 5, 6, 7, 8, 9,10,12,14, and 16 in Square 19, West Abita Springs Subdivision, St. Tammany Parish, Louisiana

Dear Gentleman,

David Melton representative of Abita Lumber requested that the Town of Abita Springs annex Lot's 1, 2, 3, 4, 5, 6, 7, 8, 9,10,12,14, and 16 in Square 19, West Abita Springs Subdivision, St. Tammany Parish, Louisiana into the corporate limits. It went before the Abita Springs Planning and Zoning Commission for recommendation to the Mayor and Council for annexation. It was introduced on October 19, 2010 for consideration by the Board of Aldermen at their November 16th Town Council Meeting.

Please advise if this time table meets with your approval.

Please do not hesitate to contact our office at 985-892-0711 if you need any additional information.

Respectfully,

Jennifer B. Valmann

Town Clerk

JO/dk

Cc: Louis Fitzmorris, Mayor – Town of Abita Springs Edward Deano, Town Attorney – Town of Abita Springs Abita Springs Town Council David Melton - Abita Lumber

ST TAM PAR – ABITA LUMBER ANNEX REQUEST 10-20-2010



21459 Highway 36 P.O. Box 190 ABITA SPRINGS, LOUISIANA 70420 (985) 892-6530 Fax (985) 893-3028

August 24, 2010

To: Town of Abita Springs Planning and Zoning

From: David Melton General Manager

Reference: Annexation of Property Located in St. Tammany Parish

I am requesting that Lot's 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14, and 16, Square 19, West Abita Springs Subdivision, St. Tammany Parish, be annexed into the Town of Abita Springs. I am requesting that this property be annexed with full commercial zoning.

Please reference the attached survey, dated June 30, 2010.

Sincerely,

David Melton

cc: Mayor Louis Fitzmorris Mrs. Cindy Chatelain BY: HABITAT FOR HUMANITY ST. TAMMANY WEST, INC.

STATE OF LOUISIANA

FO PHILIPS BUILDING SUPPLY OF GULFPORT, INC.

PARISH OF ST. TAMMANY

ACT OF CASH SALE

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for the State of Louisiana, and in the presence of the competent witnesses hereinafter named and undersigned, personally came and appeared,

HABITAT FOR HUMANITY ST. TAMMANY WEST, INC., a Louisiana corporation herein represented by Jeffery St. Romain, authorized by corporate Resolution, recorded at Instrument# / / Le 824 of the official records of St. Tamunany Parish, La.; with a mailing address of 1-400 North Lane, Mandeville, Louisiana 70471: VENDOR herein;

who declared that said VENDOR does by these presents grant, bargain, sell, convey, transfer, assign, and over and deliver, with all legal warranties and with full substitution and subrogation to all rights and actions of warranty against all former owners and vendors, unto

PHILLIPS BUILDING SUPPLY OF GULFPORT, INC. (TIN: XX-XXX6847), a corporation organized under the laws of the State of Mississippi, represented by W. J. Hough, President, by virtue of a Resolution of the Board of Directors of said corporation, dated June 7, 2010, attached hereto and made a part hereof, whose current mailing address is P.O. Box 3059, Gulfport, Mississippi 39505; VENDEE herein:

here present and accepting for itself, it's heirs, successors and assigns, all and singular, the following described property, situated in the Parish of St. Tammany, State of Louisiana, to wit:

ALL RIGHT TITLE AND INTEREST IN AND TO:

ALL THOSE CERTAIN LOTS OR PORTIONS OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes and appurtenances thereinto belonging or in anywise appertaining, situated in the Parish of St. Tammany and being more fully described as follows:

Lots I through 10 inclusive plus Lots 12, 14, and 16 located in Square 19, in the West Abita Springs Subdivision of the West half of the Northeast Quarter of Section 36, Township 6 South, Range 11 East in St. Tammany Parish.

Being the same property acquired by Habitat for Humanity St. Tammany West, Inc. by Act of Cash Sale recorded 12/15/2005 at Instrument#1527503.

PROPERTY TAX ASSESSMENT# 134-806-3146

TO HAVE AND TO HOLD the above described property together with all improvements thereto belonging unto the said VENDEE, it's heirs, successors and assigns, in full ownership of property forever, free from any lien, mortgage, privilege or encumbrance whatsoever, with full and general warranty of title, and with full substitution and subrogation to all rights of warranty and other rights held by said VENDOR.

THE CONSIDERATION for this sale is the price and sum of FORTY FIVE THOUSAID FIVE HUMDRED AND NO/100 (\$45,500.00) DOLLARS, which the said VENDFE has truly paid each in hand, in current money, to the said VENDOR, who acknowledges the receipt thereof and grads full acquittance and discharge therefor.

Selfer(s) and Purchaser(s) hereby acknowledge and recognitio that the premises being sold and manufacted are in "AS IS" condition, the Purchaser(s) have had opportunity to fully inspect said premises; and accordingly, Purchaser(s) hereby relieve and release Seller(s), Sellers' agents and all previous owners thereof from any and all claims for vices and defects in said property, whether obvious or latent, known or unknown, easily discoverable or hidden, and particularly for any claim or cause of action for redhibition pursuant to Louisiana Civil Code Articles 2520, et seq., or for diminution of purchase price pursuant to Louisiana Civil Code Articles 2541, et seq.

ANY MORTGAGE, CONVEYANCE, OR TAX CERTIFICATES which may be required by custom or law are hereby waived by the Parties hereto, who covenant to hold me, notary, harmless from the non-production thereof. All taxes on the above described property for the three yearparceding passage of this act of sale have been paid. All taxes up to and including the taxes due and exigible in 2009 are paid. No tax protation was done at closing. Taxes for the year 2010 and forward will be the sole responsibility of Vendee. Any future adjustments on said differences shall he solely between Vendee and Vendors and Columbia Title, LLC shall be held harmless. Vendee will be responsible for providing the tax assessor for the Parish where the immovable property is located with the address where property tax and assessment notices are to be mailed. As of the date of this sale, such notices should be sent to the following :PHILLIPS BUILDING SUPPLY OF GULFPORT, INC., P.O. BOX 3059, GULFPORT, MISSISSIPPI 39505.

THUS DONE AND PASSED at my office in Covington, Louisiana, on this 17th day of June 2010, in the presence of the undersigned competent witnesses who sign these presents with the said Appearers and me. Notary, after the teading of the whole.

WITHESSES.

VENDOR-

HABITAT POR

TAMMANY WEST, INC. By: Jeffery St. Romann

VENDEE:

PMELIPS BUILDING SUIPLY OF GULFPORT, INC.

By: W. J. Hough

EDWARD | MURERY NOTARY PUBLIC / LSBR#9843

Camuad J. Marphy Attorney At Law 200 M. Golumbia St. Covington, LA 70433 LSBA # 9043

I Gran, 2 19 VWO, que 19 GPA (part 19 Robel Vaci 19 desc

AWY, or A DISHUR FO. TRUE OF APP FILESCO. 2291 (66) 2191 Phillips Building Supply

of Guliport, Inc. P.O. BOX 3059 CULFPORT, MISSISSIPPI 39505 PHONE: (228) 868-1101 FAX: (228) 868-1165 WALF BOARD HUBULATION ELECTRICAL PLUMBER HARFOWARE

Bugan Yin

2717 HWY, II ROKTH PROAVON LAG PROBE 1601, 22 2613

Resolution of the Board of Directors Of Phillips Building Supply of Gulfport, Inc.

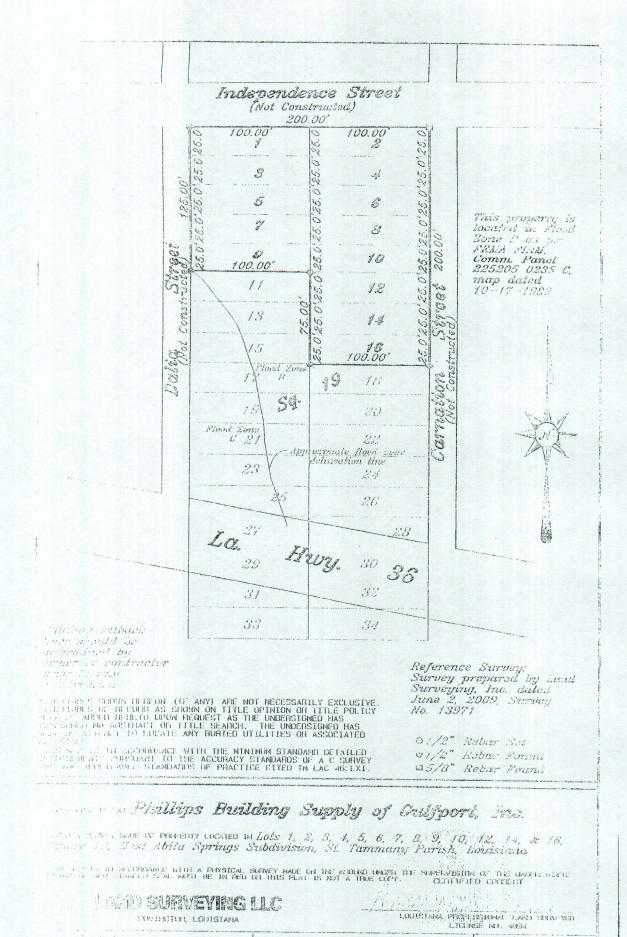
I. Ann P. Hough, Secretary of Phillips Building Supply of Gulfport, Inc., (the "Corporation"), hereby certify that the following is a true copy of resolutions duly adopted by the Board of Directors of the Corporation at a meeting held on June 7, 2010 at which a quorum was present and acting throughout.

RESOLVED, that W. J. Hough, President and CEO of Phillips Building Supply of Galiport, Inc., is hereby authorized to act on behalf of Phillips Building Supply of Galiport, Inc. in any matter concerning the purchase a parcel of land in Abita Springs, St. Fannany Parish, Louisiana, or for any other issue relating to Phillips Building Supply of Galiport, Inc.

IN WITNESS WHEREOF, I have heretinto set my hand and affixed the seal of the Corporation on the

1 day or June , 2010.

Corporate Seal



DATE: June 30, 2010

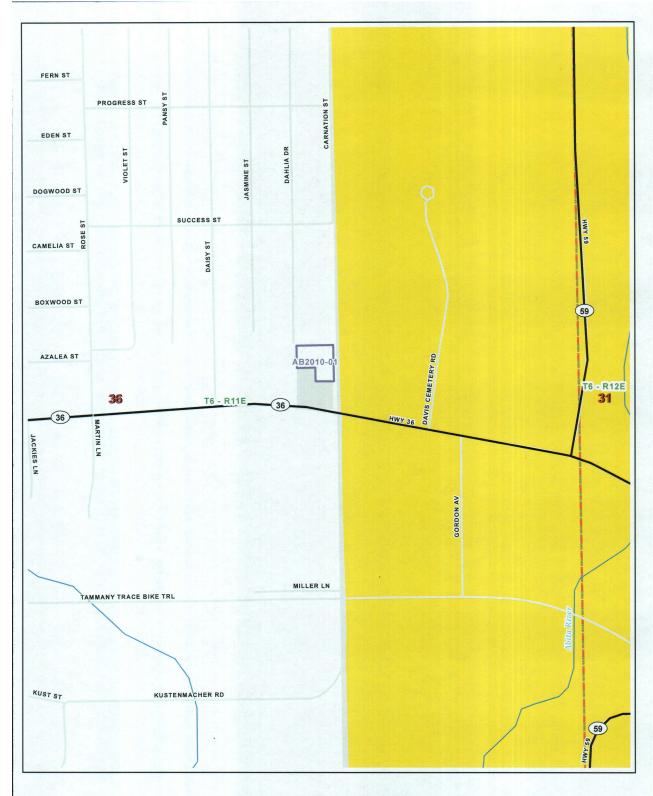
NUMBER 15037

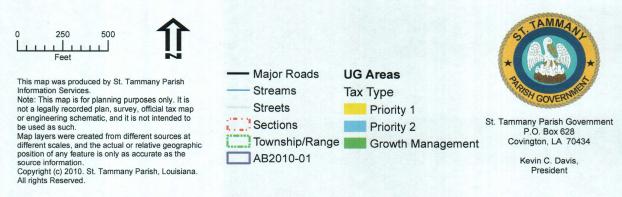
COMINCTON, LOUISTANA

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION TO CONCUR/NOT CONCUR WITH THE TOWN OF ABITA SPRINGS ANNEXATION AND REZONING OF 0.76 ACRES OF LAND MORE OR LESS FROM PARISH A-4 SINGLE FABILITY RESIDENTALINC-4 NEIGHBORHOLOD INDUSTRIAL DISTRICT TO TOWN OF ABITA SPRINGS C - COMMERCIAL DISTRICT, PROPERTY OF WHICH INCLUDES LOTS I THROUGH ID INCLUSIVE PURUS IOTS 12, 14, AND 16 LOCATED IN SQUARE 19, IN THE WEST ABITA SPRINGS SUBDIVISION OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 36. TOWNSHIP 6 SOUTH, RANGE I LEAST IN ST TAMMANY PARISH, WARD 10, DISTRICT 2. **HEREAS, the Town of Abita Springs is contemplating annexation of 0.76 acres of land more or less owned by Abita umber, Property of which includes Lots 1 through 10 inclusive plus lots 12, 14, and 16 located in Square 19, in the West half of the Northeast Quarter of Section 36, Township 6 South, Range 11 East in St ammany Parish, Ward 10, District 2 (see attachments for complete description); and **WHEREAS, the proposed annexation is not consistent with the Annexation Agreement entered into by the Town of Abita prings and St. Tammany Parish effective December 21, 2006; and **WHEREAS, the property requires rezoning from Parish A-4 Single Family Resdential/NC-4 Neighborhood Industrial District to Town of Abita Springs C - Commercial District which is an intensification of zoning; and **WHEREAS, the property is not developed and the proposed annexation would not result in a split of the sales tax evenues, all sales tax revenue accrues to the Parish. **THE PARISH OF ST. TAMMANY HEREBY RESOLVES to Concur/Not Concur with the Town of Abita Springs nnexation and rezoning of 0.76 acres of land more or less, Property of which includes Lots I through 10 inclusive plus ots 12, 14, and 16 located in Square 19, in the West Abita Springs Subdivision of the West half of the Northead Quarter of Section 36, rownship 6 South, Range I I East in St Tammany Parish. The property requires rezoning from Parish A-4 single Family Resdential/NC-4 Neighborhood Industrial District to Town of Abita Springs C - Commerci	RESOLUTION COUNCIL SERIES NO
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ATTEST:	THIS RESOLUTION WAS DECLARED ADOPTED ON THE DAY OF, 2010, AT A REGULA MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.
	JERRY BINDER, COUNCIL CHAIRMAN
	ATTEST:
THERESA FORD, CLERK OF COUNCIL (AB2010-01)	THERESA FORD CLERK OF COUNCIL (A P2010 01)











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Major Roads

Streams

Streets

Sections

Township/Range

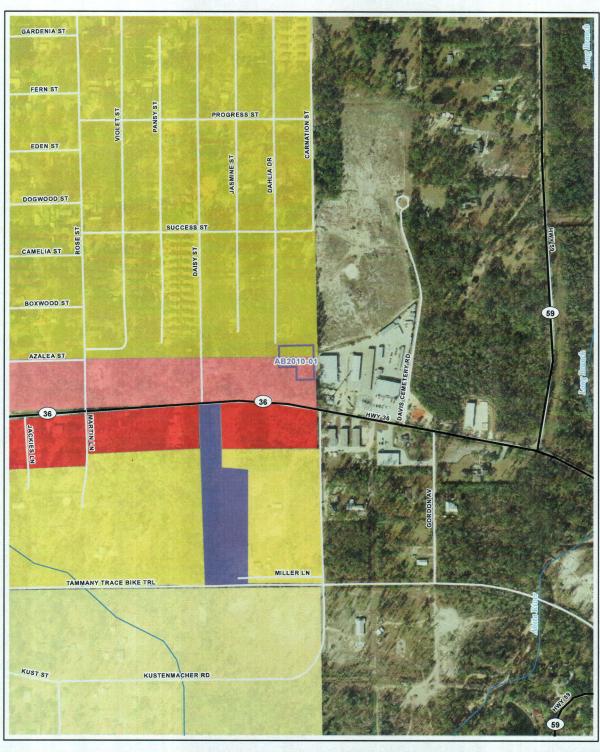
AB2010-01

Abita Springs

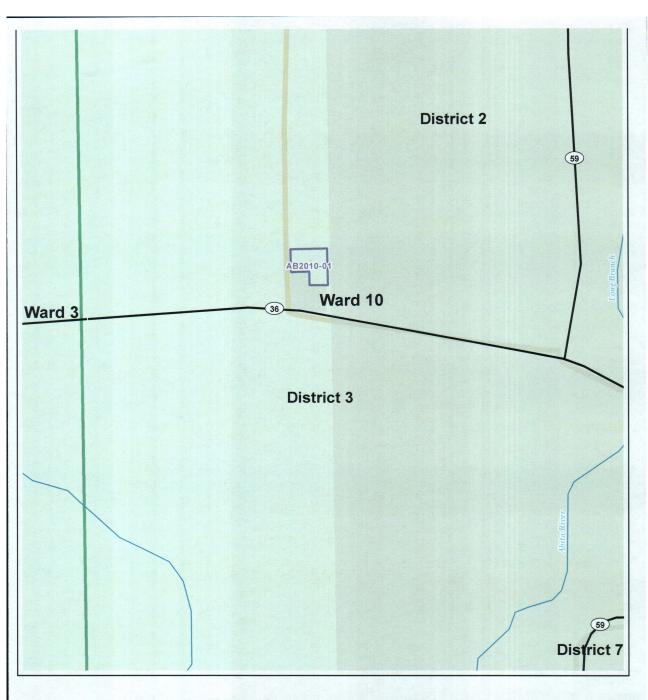


St. Tammany Parish Government P.O. Box 628 Covington, LA 70434

Kevin C. Davis, President









Major Roads
Streams
AB2010-01

