

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4462

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

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. GOULD

ON THE 2 DAY OF DECEMBER, 2010

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE, EXPROPRIATE OR OTHERWISE ACQUIRE CERTAIN PARCELS, RIGHTS-OF-WAY AND/OR SERVITUDES LOCATED IN LEXINGTON PLACE SUBDIVISION.

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

WHEREAS, there is a need and a public purpose for the acquisition of certain immovable property for water and sewer infrastructure located in Lexington Place Subdivision; and

WHEREAS, the Parish of St. Tammany 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: THE PARISH OF ST. TAMMANY HEREBY ORDAINS to authorize the Parish of St. Tammany, to acquire by purchase, donation or expropriation all that certain parcel of ground described in Exhibit "A" attached hereto and those; and

That there are futures phases of the Lexington Place Subdivision which will be developed containing water and sewer infrastructure to be acquired by the Parish and this ordinance is to be interpreted as authorizing those future phases as shown on the subdivision plat; and

That pursuant to all applicable provision of law, the Office of the Parish President is directed and authorized to do whatever is necessary to acquire the Property, servitudes and/or rights of way; and

That the Office of the Parish President is authorized and instructed to proceed with the acquisition of the Property, servitudes and/or rights of way in a timely and orderly matter; and

That the Office of the Parish President is authorized to exercise its discretion in acquiring the Property, servitudes and /or rights of way, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; and

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

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 January, 2010; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

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

\_\_\_\_\_  
KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: NOVEMBER 25, 2010

Published Adoption: \_\_\_\_\_, 2010

Delivered to Parish President: \_\_\_\_\_, 2010 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2010 at \_\_\_\_\_

