

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4581

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: BELLISARIO

SECONDED BY: THOMPSON

ON THE 2 DAY OF JUNE, 2011

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PARCELS, RIGHTS OF WAY AND/OR SERVITUDES FOR THE HIGHWAY 59 AT HIGHWAY 1088 RIGHT TURNING LANE PROJECT.

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 road improvements; 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: to authorize the Parish of St. Tammany, to acquire by purchase, donation or servitude, all that certain parcel of ground described in Exhibit "A" attached hereto; 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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 7 DAY OF July, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: MAY 26, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____

EXHIBIT "A" CONTINUED

LEGAL DESCRIPTION
OF
PARCEL 1, (PARCEL TO BE DONATED)
0.139 ACRES

A certain parcel of land situated in Section 1, Township 8 South, Range 11 East, St. Helena Meridian, St. Tammany Parish, Louisiana and more particularly described as follows:

Commence at the corner common to Sections 1, 2 and 38, Township 8 South, Range 11 East, St. Helena Meridian and measure South 72 degrees 50 minutes 16 seconds East a distance of 866.62 feet to a $\frac{1}{2}$ " iron rod on the Eastern right of way of La. Hwy. 59, said point being the POINT OF BEGINNING.

From the POINT OF BEGINNING run along said right of way line and along a curve to the left having a radius of 1,191.47 feet, a delta of 15 degrees 23 minutes 00 seconds, an arc length of 319.90 feet, and a chord which bears North 20 degrees 38 minutes 27 seconds East having a chord distance of 318.94 feet to a $\frac{1}{2}$ " iron rod; thence North 41 degrees 17 minutes 02 seconds East a distance of 37.00 feet to a point on a curve; thence leaving said right of way line along a curve to the right having a radius of 1,209.47 feet, a delta of 16 degrees 45 minutes 29 seconds, an arc length of 353.75 feet, and a chord which bears South 19 degrees 47 minutes 07 seconds West having a chord distance of 352.49 feet; thence North 72 degrees 50 minutes 16 seconds West a distance of 18.34 feet to the POINT OF BEGINNING, and containing 0.139 acres of land, more or less.