

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4560

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: STEFANCIK

SECONDED BY: BURKHALTER

ON THE 5 DAY OF MAY, 2011

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE FROM ROAD HOME CORPORATION, CERTAIN PARCELS, RIGHTS OF WAY AND/OR SERVITUDES.

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 from the Road Home Corporation; 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 Act of Transfer or by Act of Donation 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.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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 2 DAY OF June, 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: APRIL 28, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____

Exhibit "A"

TAM-079813

ALL THAT CERTAIN LOT OR PARCEL OF GROUND, together with all the rights, ways, means, privileges, servitudes, appurtenances, advantages and component parts thereunto belonging or in anywise appertaining, lying and being situated in Section 44, township 9 South, Range 14 East, St. Tammany Parish, Louisiana, and more fully described as follows, to wit:

Commencing at the Southwest corner of a certain piece of land acquired by Dalton J. Barranger, recorded in COB 190, folio 586, go North 34 degrees 37 minutes East along the west right of way line of U. S. Highway 11, 2020 feet to a point of beginning. From the point of beginning, continue North 34 degrees 37 minutes East along the West right of way line of said Highway 40 feet; thence North 55 degrees 23 minutes West 60 feet; thence South 34 degrees 37 minutes West 40 feet; thence South 55 degrees 23 minutes East 60 feet back to the point of beginning. All in accordance with map and plat of survey by Albert A. Lovell, Land Surveyor, dated August 4, 1989, Job No. 100655. The improvements bearing the municipal address of 4443 Pontchartrain Drive, Slidell, Louisiana 70458.