

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5774

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. LORINO

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. BELLISARIO

SECONDED BY: MR. BINDER

ON THE 2 DAY OF FEBRUARY , 2017

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PARCEL(S), RIGHT(S) OF WAY AND/OR SERVITUDES FOR PHASE 1 OF RIVERWOOD SUBDIVISION AND COVINGTON COUNTRY CLUB ESTATES DRAINAGE IMPROVEMENTS PROJECT (DISTRICT 4, WARD 4).

WHEREAS, St. Tammany Parish Government desires to acquire certain immovable property; and

WHEREAS, there is a need and public purpose for the acquisition of certain immovable property for drainage improvements, including a certain drainage servitude located in Lot 28 of Riverwood Estates Subdivision (hereinafter referred to as "Property"); and

WHEREAS, St. Tammany Parish Government hereby desires to acquire the Property and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire said Property.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize St. Tammany Parish Government, through the Office of the Parish President, to acquire, by purchase or otherwise, a 1,832 square foot drainage servitude, more or less, as depicted on that certain survey of BFM Corporation LLC, dated December 21, 2015, attached as Exhibit "A" hereto, and excerpt of the foregoing survey, attached as Exhibit "B" hereto.

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

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized and instructed to proceed with the acquisition of the Property in a timely and orderly manner.

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.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized to exercise its discretion in acquiring the Property, and to enter into all agreements and transactions necessary to carry out the intent of this Ordinance.

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 2 DAY OF MARCH , 2017 ; AND BECOMES ORDINANCE COUNCIL SERIES NO ____.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JANUARY 26 , 2017

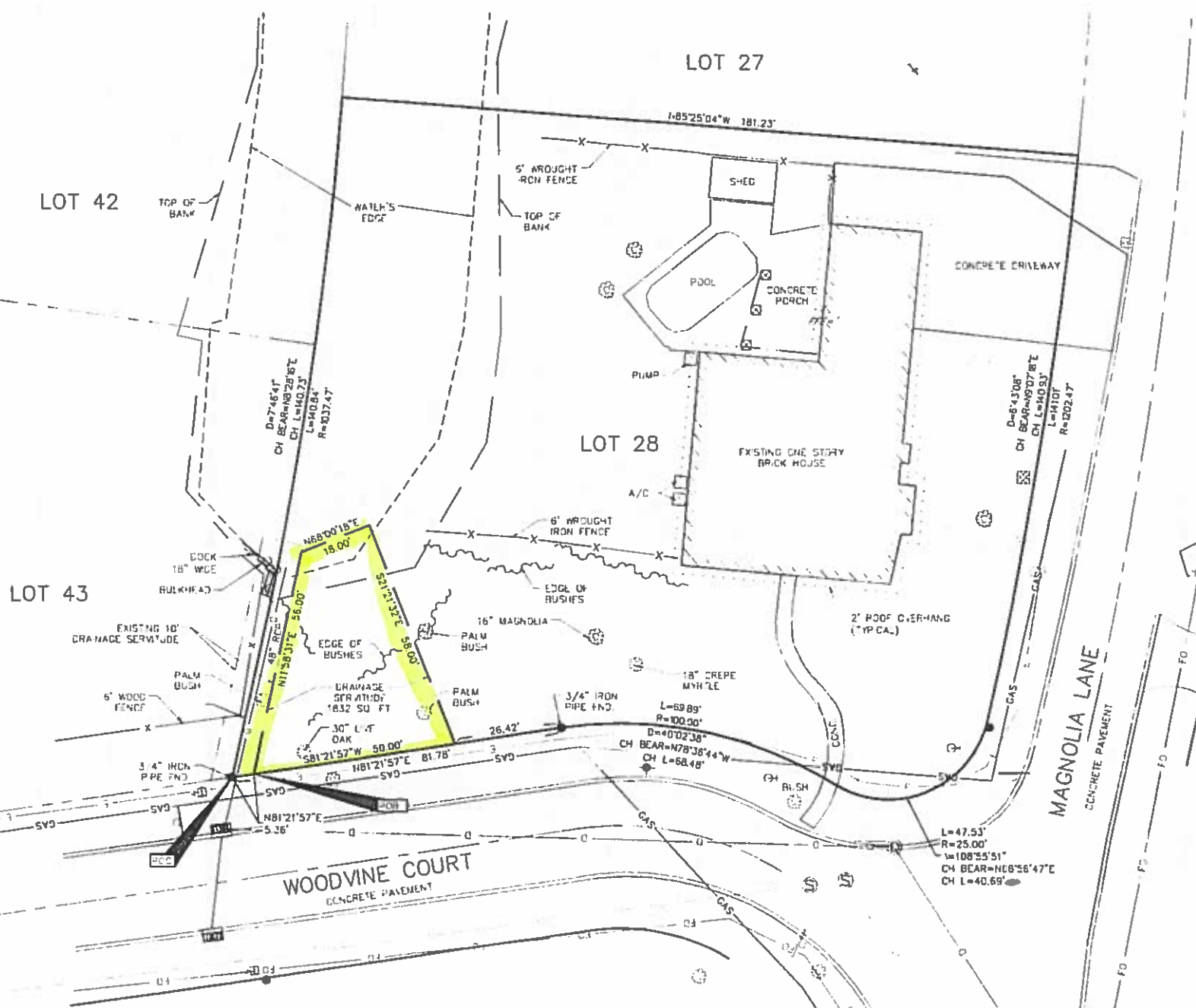
Published Adoption: _____, 2017

Delivered to Parish President: _____, 2017 at _____

Returned to Council Clerk: _____, 2017 at _____

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Ordinance Administrative Comment

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Parish seeks to acquire a certain parcel, right(s) of way and/or servitude(s) for the purpose of drainage improvements. The attached survey describes and depicts the property that Parish seeks to acquire, including a drainage servitude located in Lot 28 of Riverwood Estates Subdivision. The Parish intends to pay no more than appraised value or less, plus closing costs and fees for any property acquired.