

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5955 ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

ON THE 1 DAY OF MARCH , 2018

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE BY DONATION A CERTAIN PARCEL AND/OR RIGHT OF WAY ALONG SMITH ROAD IN PEARL RIVER (WARD 8, DISTRICT 11).

WHEREAS, St. Tammany Parish desires to acquire certain immovable property as described on Exhibit "A" attached hereto; and

WHEREAS, there is a need and a public purpose for the acquisition of said immovable property to extend the right of way along Smith Road; and

WHEREAS, the St. Tammany Parish hereby desires to acquire the immovable property and/or right of way and authorizes the Office of the Parish President to do whatever is necessary to acquire said property.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that St. Tammany Parish Government, through the Office of the Parish President, is directed and authorized to acquire by donation the property described on Exhibit "A" attached hereto; and

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 said parcel; and

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 5 DAY OF APRIL , 2018 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

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

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: FEBRUARY 21 , 2018

Published Adoption: \_\_\_\_\_ , 2018

Delivered to Parish President: \_\_\_\_\_ , 2018 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_ , 2018 at \_\_\_\_\_

ALL THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Section 10, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the  $\frac{1}{4}$  section corner between Sections 3 & 10, Township 8 South, Range 14 East; thence go (A) North 89 degrees 45 minutes 11 seconds East 208.56 feet along the South side of Rhonda road to a  $\frac{1}{2}$  inch iron rod. (R) East 208.71 feet; North 89 degrees 11 minutes 46 seconds East 388.40 feet along the South side of Rhonda Road to a  $\frac{1}{2}$  inch iron rod at point of departure. (A) South 00 degrees 01 minute 36 seconds West 299.54 feet. (R) South 00 degrees 30 minutes 00 seconds West 300.00 feet; and East 255.00 feet to a  $\frac{1}{2}$  inch iron rod at the Point of Beginning. Thence go East 13.00 feet to a  $\frac{1}{2}$  inch iron rod on the existing Western right of way line of Smith Road. Thence South 1017.06 feet along said existing right of way line to a magnetic nail and the point of intersection with the Northern right of way line of Pine Street Extension. Thence (A) North 89 degrees 52 minutes 10 seconds West 13.00 feet along said Northern right of way line to a magnetic nail. (R) North 89 degrees 51 minutes 00 seconds West. Thence North 1017.03 feet to the Point of Beginning.

Containing 0.30 acres of land, more or less, lying and situated in Section 10, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana.

**Portion of Assessment No. 1258072326.**



RHONDA ROAD

POINT OF BEGINNING IS N89°45'11"E 208.56';  
THENCE N89°11'46"E 388.40';  
THENCE S00°01'36"W 299.54';  
THENCE EAST 35.00'; THENCE  
SOUTH 410.00' FROM A  
3/4" IRON PIPE FOUND AT THE  
QUARTER CORNER COMMON  
TO SEC. 10-T8S-R14E  
& SEC. 3-T8S-R14E

P.O.B.

EAST 220.00'

PARCEL 1  
(0.518 ACRES)

NORTH 205.00'

WEST 220.00'

PARCEL 2  
(0.518 ACRES)

102.50'

WEST 220.00'

SOUTH 205.00'

EDGE OF ASPHALT

SMITH ROAD

0.30 ACRE  
(TO BE DEDICATED TO  
SMITH ROAD 12/14)

402.03'

PINE STREET EXTENSION

APPROVED:

*Ken Collier*

SECRETARY OF PLANNING COMMISSION DATE

*D. J. Deere*

DIRECTOR OF ENGINEERING DATE

*Dr. Claudine M. Theriot*

CLERK OF COURT DATE

01-06-2017 5596F

DATE FILED FILE NO.

TOTAL AREA: 45,100 SQ. FT. OR 1.036 ACRES

*Robert A. Smith*  
CHAIRMAN, PLANNING COMM.

LEGEND

- 1/2" Iron Rod Set
- 1/2" Iron Rod Found
- ⊕ Cross

ADDRESS: SMITH ROAD

GRAPHIC SCALE



( IN FEET )

1 INCH = 50 FEET

BUILDING SETBACKS  
(\* Verify Prior to Construction)

Front Setback.....\*

Side Setback.....\*

Rear Setback.....\*

I CERTIFY THAT THIS PLAT DOES REPRESENT AN  
ACTUAL GROUND SURVEY AND THAT TO THE  
BEST OF MY KNOWLEDGE NO ENCROACHMENTS  
EXIST EITHER WAY ACROSS ANY OF THE  
PROPERTY LINES, EXCEPT AS SHOWN.

PROPERTY IS SURVEYED IN ACCORDANCE WITH THE  
LOUISIANA "MINIMUM STANDARDS FOR PROPERTY  
BOUNDARY SURVEYS" FOR A CLASS C SURVEY.  
BEARINGS ARE BASED ON RECORD BEARINGS UNLESS  
NOTED OTHERWISE.

ENCUMBRANCES SHOWN HEREON ARE NOT  
NECESSARILY EXCLUSIVE. ENCUMBRANCES OF RECORD  
AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE  
ADDED HERETO UPON REQUEST, AS SURVEYOR HAS  
NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

F.I.R.M. No. 225205 041 D  
F.I.R.M. Date 4/21/99  
ZN: C B.F.E. N/A  
\* Verify prior to construction with  
Local Governing Body.

DRAWING NO.  
1062223 RS

DATE:  
6/12/06

**J.V. Burkes & Associates, Inc.**

SURVEYING ENGINEERING • ENVIRONMENTAL  
1805 Shortcut Highway  
Slidell, Louisiana 70458  
E-mail: jvbassoc@jvburkes.com

DRAWN BY:  
DLT

CHECKED BY:  
RMK

SCALE:  
1" = 50'

LAST REVISED: 3/11/16 RESUB.

Phone: 985-649-0075 Fax: 985-649-0154  
Mississippi Phone: 228-435-5800  
DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE  
SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS  
OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS  
ORIGINAL SEAL OF SURVEYOR.

**A MINOR SUBDIVISION MAP OF  
A 1.036 ACRE PARCEL OF LAND  
IN SECTION 10, T-8-S, R-14-E,  
GREENSBURG LAND DISTRICT,  
ST. TAMMANY PARISH, LOUISIANA**

CERTIFIED  
TO: TAMP CONSTRUCTION



### **Resolution Administrative Comment**

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE BY DONATION A CERTAIN PARCEL AND/OR RIGHT OF WAY ALONG SMITH ROAD IN PEARL RIVER (WARD 8, DISTRICT 11).

The Parish seeks to acquire a 13' by 1017.06' "spite strip" situated along the west side of Smith Road in Pearl River. A tract owner in the chain of title subdivided a larger portion of property into several lots purportedly fronting Smith Road. However, a 13' wide strip of property fronting those lots has landlocked the subject lots from legal access to Smith Road. Parent tract owner was foreclosed upon, and foreclosing lender conveyed the 13' wide strip to one of the lot purchasers.

Parish's acquisition of the 13' wide strip will cure a title defect for the remaining lot owners, none of whom are responsible for the spite strip. Further, Parish's acquisition will widen Parish's Smith Road right of way and incorporate drainage ditch features that are situated within said 13'.

The acquisition shall occur via Act of Dedication and Donation, without Parish paying any compensation for the property.