

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5966

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. LORINO

SECONDED BY: MR. DEAN

ON THE 5 DAY OF APRIL , 2018

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE OR OTHERWISE ACQUIRE CERTAIN SERVITUDES AND/OR RIGHTS OF WAY FOR THE BENEFIT OF THE THREE RIVERS ROAD DRAINAGE LATERAL PROJECT (WARD 3, DISTRICT 5).

WHEREAS, St. Tammany Parish Government (hereinafter referred to as "Parish") desires to acquire certain rights of way and/or servitudes upon certain immovable property; and

WHEREAS, there is a need and a public purpose for the acquisition of three (3) certain rights of way and/or drainage servitudes, as described and depicted in Exhibit "A" attached hereto (also hereinafter referred to as the "Property"), for the benefit of the Three Rivers Road Drainage Lateral Project (the "Project"), which Project will entail the construction of a drainage outfall lateral and/or related improvements from Three Rivers Road to a tributary of the Bogue Falaya River, in the approximate proximity of the intersection of Avenue St. Germain and Three Rivers Road, and which Project will serve to improve drainage in the vicinity of the Project area and/or the surrounding areas; 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 the same.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize St. Tammany Parish Government to acquire by purchase, donation or otherwise, all or parts of those proposed servitudes and/or rights of way described and depicted in Exhibit "A" attached 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 said 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 the Office of the Parish President is authorized to exercise its discretion in acquiring the Property, together with all agreements and all transactions necessary to carry out the intent of this Ordinance.

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 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 3 DAY OF MAY, 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: MARCH 28, 2018

Published Adoption: _____, 2018

Delivered to Parish President: _____, 2018 at _____

Returned to Council Clerk: _____, 2018 at _____

Ordinance Administrative Comment

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE OR OTHERWISE ACQUIRE CERTAIN SERVITUDES AND/OR RIGHTS OF WAY FOR THE BENEFIT OF THE THREE RIVERS ROAD DRAINAGE LATERAL PROJECT (WARD 3, DISTRICT 5).

Parish seeks to acquire three (3) certain right(s) of way and/or drainage servitude(s) for the purpose of related drainage improvements. The attached documentation describes and depicts the property that Parish seeks to acquire. The Parish intends to pay no more than appraised value or less, plus closing costs and fees for any right(s) of way and/or servitude(s) acquired.

EXHIBIT "A"

RIGHT OF WAY DESCRIPTION

**A 20 FOOT WIDE RIGHT OF WAY
SITUATED IN A 1.17 ACRE PARCEL OF GROUND
SECTION 17, TOWNSHIP 7 SOUTH, RANGE 11 EAST
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, KNOWN AS A 20 FOOT WIDE RIGHT OF WAY, SITUATED IN A 1.17 ACRE PARCEL OF GROUND, SECTION 17, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE QUARTER CORNER BETWEEN SECTIONS 9 AND 16, TOWNSHIP 7 SOUTH, RANGE 11 EAST, AND GO NORTH 89 DEGREES 16 MINUTES 02 SECONDS WEST A DISTANCE OF 536.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 02 SECONDS EAST A DISTANCE OF 2982.00 FEET; THENCE NORTH 56 DEGREES 46 MINUTES 02 SECONDS WEST A DISTANCE OF 3057.20 FEET; THENCE SOUTH 38 DEGREES 08 MINUTES 58 SECONDS WEST A DISTANCE OF 301.25 FEET; THENCE NORTH 57 DEGREES 49 MINUTES 50 SECONDS WEST A DISTANCE OF 653.66 FEET TO THE POINT OF BEGINNING

FROM THE POINT OF BEGINNING GO SOUTH 35 DEGREES 31 MINUTES 43 SECONDS WEST A DISTANCE OF 20.03 FEET; THENCE NORTH 57 DEGREES 49 MINUTES 50 SECONDS WEST A DISTANCE OF 327.13 FEET; THENCE NORTH 30 DEGREES 37 MINUTES 26 SECONDS EAST A DISTANCE OF 20.01 FEET; THENCE SOUTH 57 DEGREES 49 MINUTES 50 SECONDS EAST A DISTANCE OF 328.85 FEET BACK TO THE POINT OF BEGINNING.

SAID RIGHT OF WAY CONTAINS 6,569 SQUARE FEET OF GROUND MORE OR LESS.

RIGHT OF WAY DESCRIPTION

**A 20 FOOT WIDE RIGHT OF WAY
SITUATED IN A 1.23 ACRE PARCEL OF GROUND
SECTION 17, TOWNSHIP 7 SOUTH, RANGE 11 EAST
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, KNOWN AS A 20 FOOT WIDE RIGHT OF WAY, SITUATED IN A 1.23 ACRE PARCEL OF GROUND, SECTION 17, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE QUARTER CORNER BETWEEN SECTIONS 9 AND 16, TOWNSHIP 7 SOUTH, RANGE 11 EAST, AND GO NORTH 89 DEGREES 16 MINUTES 02 SECONDS WEST A DISTANCE OF 536.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 02 SECONDS EAST A DISTANCE OF 2982.00 FEET; THENCE NORTH 56 DEGREES 46 MINUTES 02 SECONDS WEST A DISTANCE OF 3057.20 FEET; THENCE SOUTH 38 DEGREES 08 MINUTES 58 SECONDS WEST A DISTANCE OF 301.25 FEET; THENCE NORTH 57 DEGREES 49 MINUTES 50 SECONDS WEST A DISTANCE OF 527.87 FEET TO THE POINT OF BEGINNING

FROM THE POINT OF BEGINNING GO SOUTH 27 DEGREES 48 MINUTES 53 SECONDS WEST A DISTANCE OF 20.06 FEET; THENCE NORTH 57 DEGREES 49 MINUTES 50 SECONDS WEST A DISTANCE OF 128.49 FEET; THENCE NORTH 35 DEGREES 31 MINUTES 43 SECONDS EAST A DISTANCE OF 20.03 FEET; THENCE SOUTH 57 DEGREES 49 MINUTES 50 SECONDS EAST A DISTANCE OF 125.79 FEET BACK TO THE POINT OF BEGINNING.

SAID RIGHT OF WAY CONTAINS 2,510 SQUARE FEET OF GROUND MORE OR LESS.

RIGHT OF WAY DESCRIPTION

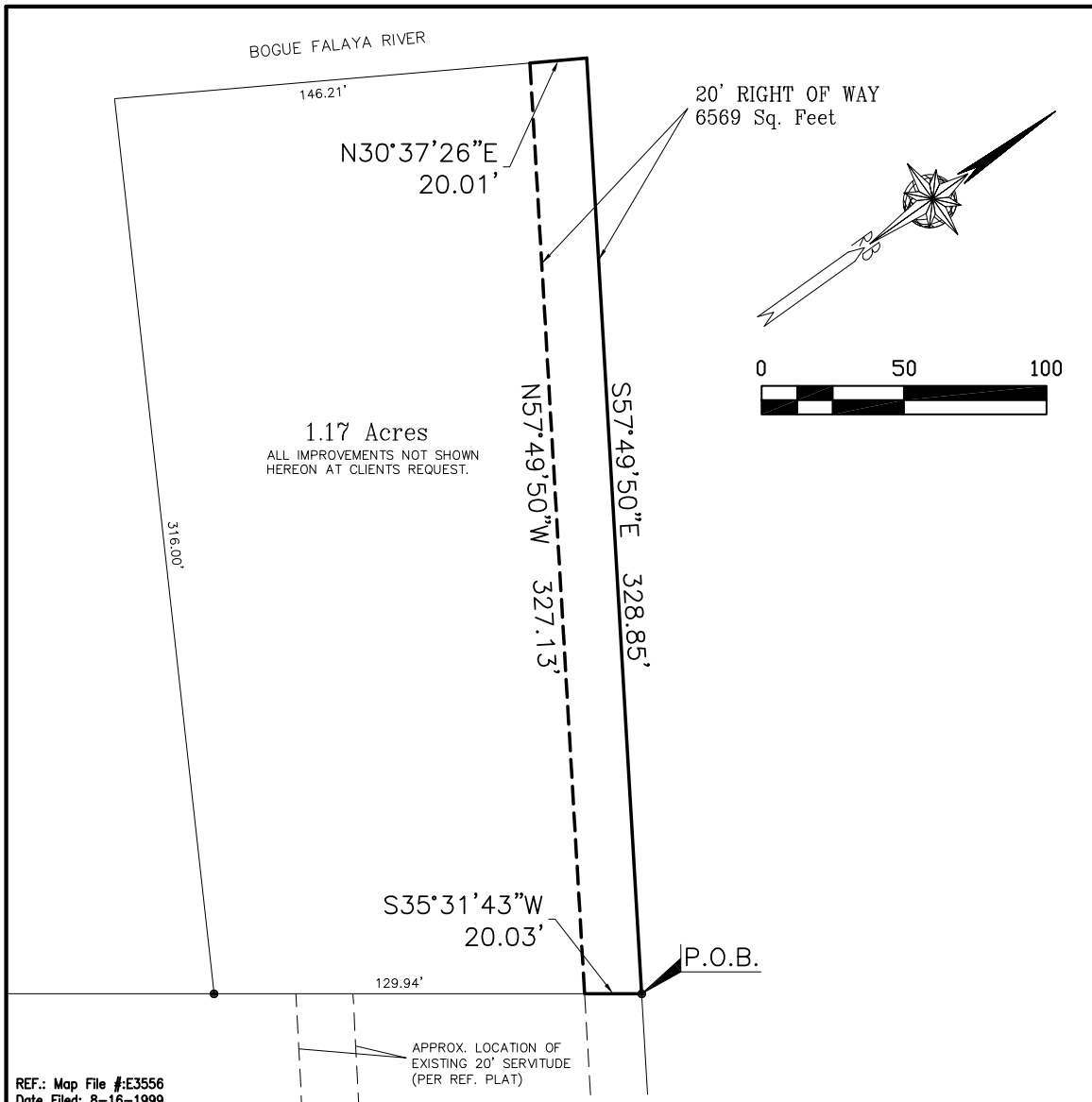
**A 20 FOOT WIDE RIGHT OF WAY
SITUATED IN A 1.05 ACRE PARCEL OF GROUND
SECTION 17, TOWNSHIP 7 SOUTH, RANGE 11 EAST
ST. TAMMANY PARISH, LOUISIANA**

ALL THAT CERTAIN PARCEL OF GROUND, KNOWN AS A 20 FOOT WIDE RIGHT OF WAY, SITUATED IN A 1.05 ACRE PARCEL OF GROUND, SECTION 17, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE QUARTER CORNER BETWEEN SECTIONS 9 AND 16, TOWNSHIP 7 SOUTH, RANGE 11 EAST, AND GO NORTH 89 DEGREES 16 MINUTES 02 SECONDS WEST A DISTANCE OF 536.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 02 SECONDS EAST A DISTANCE OF 2982.00 FEET; THENCE NORTH 56 DEGREES 46 MINUTES 02 SECONDS WEST A DISTANCE OF 3057.20 FEET; THENCE SOUTH 38 DEGREES 08 MINUTES 58 SECONDS WEST A DISTANCE OF 301.25 FEET TO THE POINT OF BEGINNING

FROM THE POINT OF BEGINNING GO SOUTH 30 DEGREES 32 MINUTES 53 SECONDS WEST A DISTANCE OF 52.65 FEET; THENCE NORTH 59 DEGREES 27 MINUTES 07 SECONDS WEST A DISTANCE OF 10.00 FEET; THENCE NORTH 30 DEGREES 32 MINUTES 53 SECONDS EAST A DISTANCE OF 32.93 FEET; THENCE NORTH 57 DEGREES 49 MINUTES 50 SECONDS WEST A DISTANCE OF 516.91 FEET; THENCE NORTH 27 DEGREES 48 MINUTES 53 SECONDS EAST A DISTANCE OF 20.06 FEET; THENCE SOUTH 57 DEGREES 49 MINUTES 50 SECONDS EAST A DISTANCE OF 527.87 FEET

SAID RIGHT OF WAY CONTAINS 10,876 SQUARE FEET OF GROUND MORE OR LESS.



REF.: Map File #:E3556
Date Filed: 8-16-1999

NOTE:
OWNER OR BUILDER RESPONSIBLE
FOR VERIFYING SETBACKS BEFORE
CONSTRUCTION BEGINS.
● DENOTES 1/2" IRON ROD FND
UNLESS OTHERWISE NOTED

The point of beginning is said to be North 89 degrees 16 minutes 02 seconds West a distance of 536.00 feet; thence South 00 degrees 01 minutes 02 seconds East a distance of 2982.00 feet; thence North 56 degrees 46 minutes 02 seconds West a distance of 3057.20 feet; thence South 38 degrees 08 minutes 58 seconds West a distance of 301.25 feet; thence North 57 degrees 49 minutes 50 seconds West a distance of 653.66 feet from the quarter corner between sections 9 and 16, township 7 South, Range 11 East, St. Tammany Parish, Louisiana

Survey of
A 20 FOOT RIGHT OF WAY
SECTION 17 – TOWNSHIP 7 SOUTH – RANGE 11 EAST
ST. TAMMANY PARISH, LOUISIANA

THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY

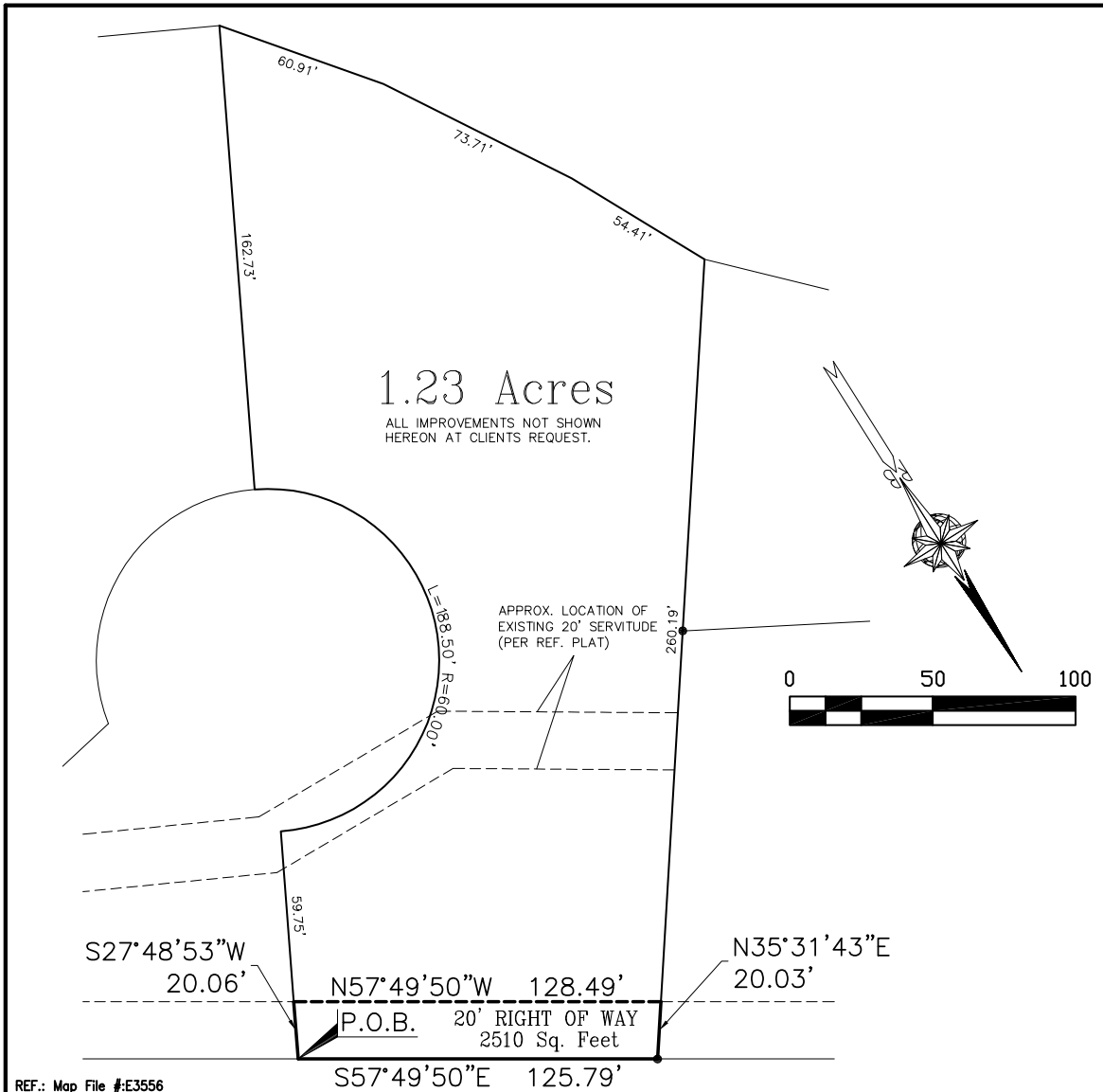
SURVEYED IN ACCORDANCE WITH THE LOUISIANA "APPLICABLE STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY.

Randall W. Brown, P.L.S.
Professional Land Surveyor
LA Registration No. 04586

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E-MAIL: info@brownsurveys.com

Date: JULY 26, 2017
Survey No. 17865
Project No. (CR5) .
Scale: 1" = 50' ±
Drawn By: RJB
Revised:

X:\Survey\Shared\17SURVEY\17865 pt1.dwg
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REF.: Map File #E3556
Date Filed: 8-16-1999

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**Survey of
A 20 FOOT RIGHT OF WAY
SECTION 17 – TOWNSHIP 7 SOUTH – RANGE 11 EAST
ST. TAMMANY PARISH, LOUISIANA**

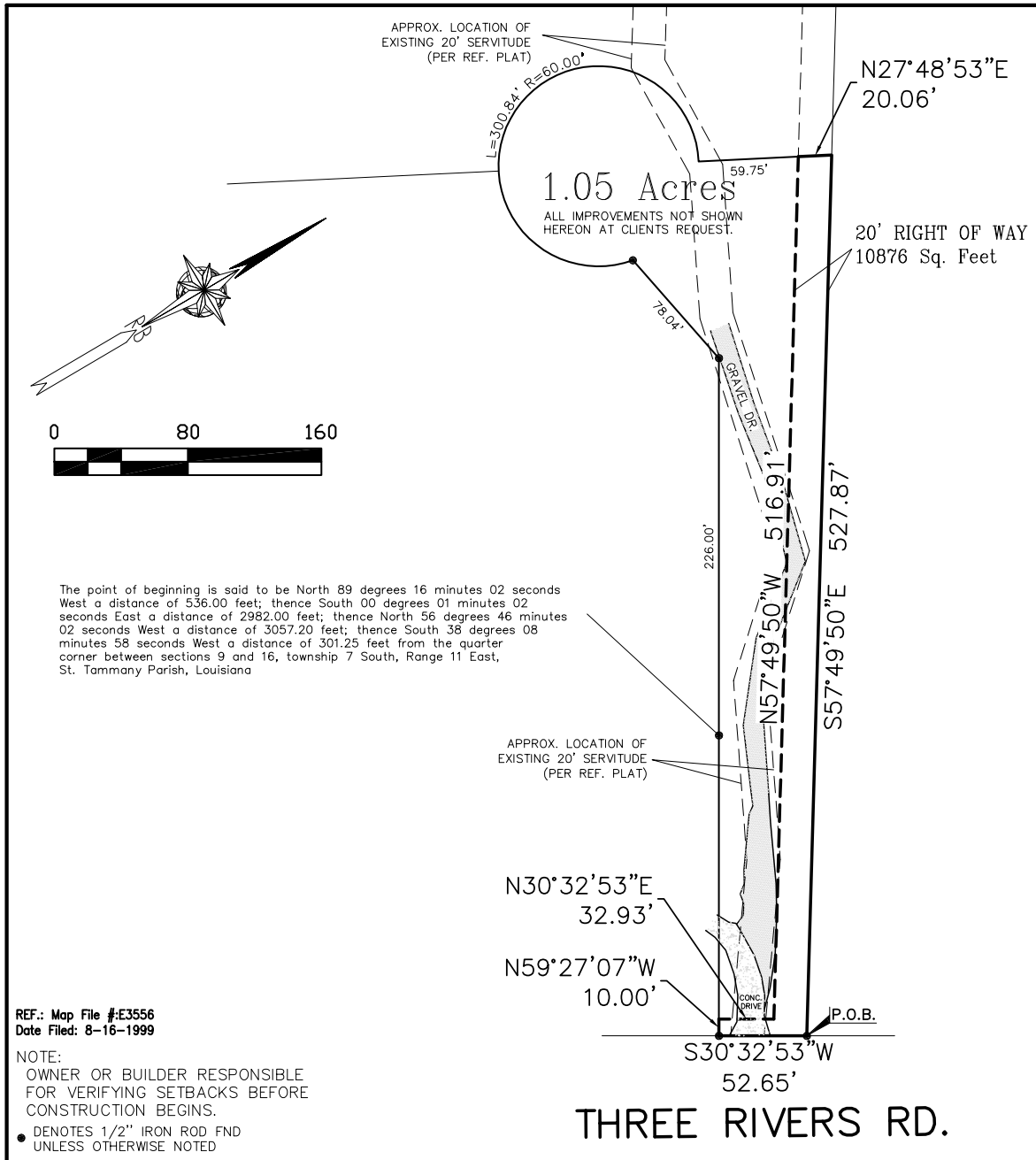
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Date: JULY 26, 2017
Survey No. 17865
Project No. (CR5)
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Drawn By: RJB
Revised:



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A 20 FOOT RIGHT OF WAY
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ST. TAMMANY PARISH, LOUISIANA

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