

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4651

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: BURKHALTER

SECONDED BY: ARTIGUE

ON THE 6 DAY OF OCTOBER, 2011

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE, EXPROPRIATE OR OTHERWISE ACQUIRE CERTAIN RIGHTS OF WAY AND/OR SERVITUDES LOCATED AT THE SOUTHEAST INTERSECTION OF HIGHWAY 59 AND HIGHWAY 1088.

WHEREAS, the St. Tammany Parish Government desires to acquire certain rights of way and/or servitudes to connect water and sewer lines into lines presently located in the Parish’s right of way; and

WHEREAS, there is a need and a public purpose for the acquisition of certain right of way and/or servitudes for water and sewer infrastructure located on the site of the CVS Pharmacy to be constructed at the southeast intersection of Highway 59 with Highway 1088; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the 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 rights of way and/or servitudes.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: to authorize the Parish of St. Tammany, to acquire by purchase, donation or expropriation all the rights of way and/or servitudes depicted in 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 the rights of way and/or servitudes; and

BE IT FURTHER ORDAINED, that the Office of the Parish President is authorized and instructed to proceed with the acquisition of the rights of way and/or servitudes in a timely and orderly matter; and

BE IT FURTHER ORDAINED, that the Office of the Parish President is authorized to exercise its discretion in acquiring the rights of way and/or servitudes, together with all agreements and all transactions necessary to carry out the intent of this Ordinance; and

BE IT FURTHER ORDAINED, that if purchased, the purchase price shall not exceed its fair market value as evidenced by an appraisal obtained or supplied to the Parish plus fees and costs; 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.

[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 3 DAY OF NOVEMBER, 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: SEPTEMBER 29, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____

