

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4639

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: CANULETTE

SECONDED BY: BELLISARIO

ON THE 1 DAY OF SEPTEMBER, 2011

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PARCELS, RIGHTS OF WAY AND/OR SERVITUDES FOR LA 1085/BOOTLEGGER ROAD WIDENING (BOOTLEGGER ROAD/FRANCIS ROAD ROUNDABOUT).

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 for road improvements; 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 purchase, donation or servitude, 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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.

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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 6 DAY OF OCTOBER, 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: AUGUST 25, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____

Exhibit "A"

**DESCRIPTION OF
PARCEL 1-1**

DESCRIPTION OF A 0.021 ACRE PARCEL OF LAND LOCATED IN SECTION 1, TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA.

SAID 0.021 ACRE PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CORNER COMMON TO SECTIONS 1 & 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST AND SECTIONS 36 AND 37, TOWNSHIP 6 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA, THENCE SOUTH 00°36'24" EAST ALONG THE SECTION LINE COMMON TO SECTIONS 1 & 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST FOR A DISTANCE OF 2542.23 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 00°36'24" EAST ALONG THE SECTION LINE COMMON TO SECTIONS 1 & 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST ALSO BEING THE WESTERLY RIGHT OF WAY OF FRANCIS ROAD FOR A DISTANCE OF 35.25 FEET TO A POINT LOCATED AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY OF FRANCIS ROAD AND THE NORTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD;

THENCE, ALONG THE NORTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 803.13 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 86°03'35" WEST FOR A DISTANCE OF 70.22 FEET FOR AN ARC LENGTH OF 70.24 FEET TO A POINT LOCATED ON THE NORTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD;

THENCE NORTH 73°00'17" EAST FOR A DISTANCE OF 40.94 FEET TO A POINT AND CORNER;

THENCE NORTH 47°21'21" EAST FOR A DISTANCE OF 41.49 FEET TO A POINT LOCATED ON THE WESTERLY RIGHT OF WAY OF FRANCIS ROAD ALSO BEING
THE POINT OF BEGINNING.

CONTAINING: 904 SQUARE FEET OR 0.021 ACRES OF LAND, MORE OR LESS.

Exhibit "A"
(continued)

DESCRIPTION OF PARCEL 1-2

DESCRIPTION OF A 0.091 ACRE PARCEL OF LAND LOCATED IN SECTION 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA.

SAID 0.091 ACRE PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CORNER COMMON TO SECTIONS 1 & 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST AND SECTIONS 36 AND 37, TOWNSHIP 6 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA, THENCE SOUTH 00°36'24" EAST ALONG THE SECTION LINE COMMON TO SECTIONS 1 & 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST FOR A DISTANCE OF 1903.16 FEET A POINT AND CORNER; THENCE SOUTH 89°23'36" EAST FOR A DISTANCE OF 60.00 FEET TO A POINT AND CORNER; THENCE SOUTH 00°36'24" EAST ALONG THE EASTERLY RIGHT OF WAY OF FRANCIS ROAD FOR A DISTANCE OF 631.59 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 05°00'51" EAST FOR A DISTANCE OF 67.49 FEET TO A POINT AND CORNER ;

THENCE SOUTH 10°27'00" EAST FOR A DISTANCE OF 62.74 FEET TO A POINT AND CORNER;

THENCE SOUTH 18°25'19" EAST FOR A DISTANCE OF 51.10 FEET TO A POINT AND CORNER;

THENCE SOUTH 54°51'06" EAST FOR A DISTANCE OF 50.42 FEET TO A POINT LOCATED ON THE NORTHERLY RIGHT OF WAY OF BOOTLEGGERS ROAD;

THENCE SOUTH 79°46'07" WEST ALONG THE NORTHERLY RIGHT OF WAY OF BOOTLEGGERS ROAD FOR A DISTANCE OF 37.80 FEET TO A POINT AND CORNER ;

THENCE CONTINUE ALONG THE NORTHERLY RIGHT OF WAY OF BOOTLEGGERS ROAD SOUTH 80°45'08" WEST FOR A DISTANCE OF 35.60 FEET TO A POINT LOCATED AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF FRANCIS ROAD AND THE NORTHERLY RIGHT OF WAY OF BOOTLEGGERS ROAD;

THENCE NORTH 00°36'24" WEST ALONG THE EASTERLY RIGHT OF WAY OF FRANCIS ROAD FOR A DISTANCE OF 218.89 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 3,948 SQUARE FEET OR 0.091 ACRES OF LAND, MORE OR LESS.

Exhibit "A"
(continued)

DESCRIPTION OF PARCEL 1-3

DESCRIPTION OF A 0.013 ACRE PARCEL OF LAND LOCATED IN SECTION 1, TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA.

SAID 0.013 ACRE PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CORNER COMMON TO SECTIONS 12, 45 & 46, TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA, THENCE NORTH 89°33'55" WEST ALONG THE SECTION LINE COMMON TO SECTIONS 12 & 45 TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA FOR A DISTANCE OF 2027.23 FEET TO A CORNER; THENCE NORTH 1°33'07" EAST ALONG THE SECTION LINE COMMON TO SECTIONS 12 & 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA FOR A DISTANCE OF 180.70 FEET TO THE CORNER COMMON TO SECTIONS 1, 12 & 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA, THENCE NORTH 0°42'00" WEST ALONG THE SECTION LINE COMMON TO SECTIONS 1 & 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA FOR A DISTANCE OF 2468.05 FEET TO **THE POINT OF BEGINNING**;

THENCE NORTH 21°09'14" WEST FOR A DISTANCE OF 26.07 FEET TO A POINT AND CORNER;

THENCE NORTH 49°23'56" WEST FOR A DISTANCE OF 31.00 FEET TO A POINT LOCATED ON THE SOUTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD;

THENCE ALONG THE SOUTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD, ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 873.13 FEET, THE LONG CHORD OF WHICH BEARS NORTH 84 °41'22" EAST FOR A DISTANCE OF 32.50 FEET, FOR AN ARC LENGTH OF 32.51 FEET TO A POINT LOCATED AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD AND THE WESTERLY EDGE OF A 90 FOOT ROAD RIGHT OF WAY;

THENCE SOUTH 00°42'00" EAST ALONG THE WESTERLY EDGE OF A 90 FOOT ROAD RIGHT OF WAY FOR A DISTANCE OF 47.50 FEET TO **THE POINT OF BEGINNING**.

CONTAINING: 575 SQUARE FEET OR 0.013 ACRES OF LAND, MORE OR LESS.

Exhibit "A"
(continued)

DESCRIPTION OF PARCEL 1-4

DESCRIPTION OF A 0.076 ACRE PARCEL OF LAND LOCATED IN SECTION 45, TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA.

SAID 0.076 ACRE PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CORNER COMMON TO SECTIONS 12, 45 & 46, TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA, THENCE NORTH 89°33'55" WEST ALONG THE SECTION LINE COMMON TO SECTIONS 12 & 45 TOWNSHIP 7 SOUTH, RANGE 10 EAST, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA FOR A DISTANCE OF 1937.18 FEET TO A CORNER; THENCE NORTH 1°33'07" EAST ALONG THE EASTERLY EDGE OF A 90 FOOT ROAD RIGHT OF WAY FOR A DISTANCE OF 179.35 FEET TO A POINT AND CORNER, THENCE NORTH 0°42'00" WEST ALONG EASTERLY EDGE OF A 90 FOOT ROAD RIGHT OF WAY FOR A DISTANCE OF 2423.57 FEET TO **THE POINT OF BEGINNING;**

THENCE NORTH 00°42'00" WEST ALONG THE EASTERLY EDGE OF A 90 FOOT ROAD RIGHT OF WAY FOR A DISTANCE OF 106.19 FEET TO A POINT LOCATED AT THE INTERSECTION OF EASTERLY EDGE OF A 90 FOOT ROAD RIGHT OF WAY AND THE SOUTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD;

THENCE ALONG THE SOUTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1180.76 FEET, THE LONG CHORD OF WHICH BEARS NORTH 80 °01'46" EAST FOR A DISTANCE OF 10.81 FEET, FOR AN ARC LENGTH OF 10.81 FEET TO A POINT LOCATED ON THE SOUTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD;

THENCE NORTH 79°46'02" EAST ALONG THE SOUTHERLY RIGHT OF WAY OF BOOTLEGGER ROAD FOR A DISTANCE OF 74.45 FEET TO A POINT AND CORNER;

THENCE SOUTH 46°16'55" WEST FOR A DISTANCE OF 69.65 FEET TO A POINT AND CORNER;

THENCE SOUTH 27°44'53" WEST FOR A DISTANCE OF 38.98 FEET TO A POINT AND CORNER;

THENCE SOUTH 20°04'44" WEST FOR A DISTANCE OF 41.14 FEET TO THE **POINT OF BEGINNING.**

CONTAINING: 3292 SQUARE FEET OR 0.076 ACRES OF LAND, MORE OR LESS.