

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3883 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: BINDER/DAVIS PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: _____ SECONDED BY: _____

ON THE _____ DAY OF _____, 2008

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO PURCHASE, EXPROPRIATE OR OTHERWISE ACQUIRE CERTAIN PARCELS AND/OR RIGHTS OF WAY FOR THE COVINGTON BY-PASS PHASE 1 SOUTH PROJECT AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO

WHEREAS, the Parish of St. Tammany 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 the Covington By-Pass Phase 1 South Project; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the Property and/or rights of way and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire said Property 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 expropriation of all that certain parcel of ground described in Exhibit "A" attached hereto; and

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 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 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 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

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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 ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____ 2008; AND BECOMES ORDINANCE COUNCIL SERIES NO. 08-.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: JUNE 26, 2008

Published adoption on: _____, 2008

Exhibit "A" Ordinance Calendar No. 3883

**DESCRIPTION ON SOUTHEASTERN LOUISIANA
WATER & SEWER CO LLC**

The parcel of property subject of this dedication and donation is described as follows:

All that certain parcel of ground situated in Section 46, Township 7 South – Range 10 East, St. Tammany Parish, Louisiana, and being more fully described as follows:

Commence from the corner common to Sections 12, 45, & 46 and go North 89 degrees 40 minutes 00 seconds West, a distance of 1,947.18 feet; thence go North 02 degrees 19 minutes 14 seconds East, a distance of 179.48 feet; thence go North 00 degrees 04 minutes 07 seconds East, a distance of 1,824.77 feet to the **Point of Beginning**.

From the **Point of Beginning** go West, a distance of 21.00 feet; thence go North 00 degrees 04 minutes 07 seconds East, a distance of 90.00 feet; thence go North 82 degrees 08 minutes 08 seconds East, a distance of 21.20 feet; thence go South 00 degrees 04 minutes 07 seconds West, a distance of 92.90 feet back to the **Point of Beginning**.

Said parcel contains 1,920 acres of land more or less.

DESCRIPTION ON LMLAND LLC

The parcel of property subject of this dedication and donation is described as follows:

All that certain parcel of ground situated in Section 46, Township 7 South – Range 10 East, St. Tammany Parish, Louisiana, and being more fully described as follows:

Commence from the corner common to Sections 12, 45, & 46 and go North 89 degrees 40 minutes 00 seconds West, a distance of 1,947.18 feet to the **Point of Beginning**.

From the **Point of Beginning** go North 89 degrees 40 minutes 00 seconds West, a distance of 80.05 feet; thence go North 02 degrees 19 minutes 14 seconds East, a distance of 180.68 feet; North 00 degrees 04 minutes 07 seconds East, a distance of 2,515.61 feet to a point on the Southerly right of way line of LA Hwy No. 1085; thence go along said right of way on a curve to the left a radius of 1180.76 feet, an arc length of 59.41 feet; thence leave said right of way and go South 00 degrees 04 minutes 07 seconds West, a distance of 699.37 feet; thence go East, a distance of 21.00 feet; thence go South 00 degrees 04 minutes 07 seconds West, a distance of 1,824.77 feet; thence go South 02 degrees 19 minutes 14 seconds West, a distance of 178.48 feet back to the **Point of Beginning**.

Said parcel contains 4.623 acres of land more or less.

DESCRIPTION ON HAND DONATION

The parcel of property subject of this dedication and donation is described as follows:

A certain parcel of ground located in Section 45, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, more fully described as follows: From the Section corner common to Sections 12, 45, 46, Township 7 South, Range 10 East, go North 89 degrees 40 minutes 00 seconds West 2,028.23 feet to a point; then go North 02 degrees 19 minutes 14 seconds East 180.70 feet to a point; then go North 00 degrees 04 minutes 07 seconds East 1,373.31 feet to a point; then go North 00 degrees 04 minutes 07 seconds East, 1,142.24 feet to a point on the southerly right of way of Louisiana Highway 1085; then go easterly along said southern right of way on an arc having a radius of 1180.76 feet a distance of 60.41 feet (the cord of said arc is North 83 degrees 24 minutes 29 seconds East with a length of 60.41 feet) to the **Point of Beginning**; then go South 00 degrees 04 minutes 07 seconds West 609.40 feet; then go North 82 degrees 08 minutes 08 seconds East 30.0 feet; then go North 00 degrees 04 minutes 07 seconds East 609.40+/- feet to a point on the southerly right of way of Louisiana Highway 1085; then continuing along the southerly right of way of Louisiana Highway 1085, in a southwesterly direction, back to the **Point of Beginning**.