

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3826

ORDINANCE COUNCIL SERIES NO. ____

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. BURKHALTER

SECONDED BY: MR. STEFANCIK

ON THE 1ST DAY OF MAY, 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 US HIGHWAY 11 AT I-12 INTERCHANGE IMPROVEMENTS 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 US Highway 11 at I-12 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 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 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 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: April 24, 2008
Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____
Returned to Council Clerk: _____, 2008 @ _____

EXHIBIT "A"

That certain portion of ground identified as Parcel 1-1 together with all the buildings and improvements thereon, situated in the State of Louisiana, Parish of St. Tammany, in Section 26, T-8-S, R-14-E, in that part now known as BROWN'S VILLAGE SQUARE, as shown on a right of way map prepared for ST. Tammany Parish by Burk-Kleinpeter, Inc. dated November 15, 2007, said portion of ground is bounded on the west by the westerly right of way of US Highway 11 and the northerly right of way of Brown's Village Road, more particularly described as follows:

Commencing at the intersection of the northerly right of way of Brown's Village Road and the westerly right of way of US Highway 11; thence N 45° 37' 35" E, 194.36' (feet) to the point of beginning; thence N 18° 07' 14" E, 946.51' (feet); thence N 89° 18' 18" E, 15.85' (feet); thence S 18° 07' 14" W, 840.65' (feet); thence S 23° 23' 52" W, 100.30' (feet); thence N 45° 37' 35" W, 12.50' (feet) to the point of beginning, containing 0.313 acres more or less.