

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3827

ORDINANCE COUNCIL SERIES NO. \_\_\_\_

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. BURKHALTER

SECONDED BY: MR. STEFANCIK

ON THE 1<sup>ST</sup> 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 LA HIGHWAY1077 - 4 LANE - I-12 TO 1085 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 Highway 1077 (I-12 to Bootlegger) 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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"

State Project No. 852-03-0012  
LA 1077 - 4 Lane - I-12 To 1085

Parcel 1-1 Morrison Investments, LLC

A certain piece or portion of ground situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish Louisiana, commencing at the Station 167+38.05 from State Project No. 852-03-0012 adopted baseline run North 66 degrees 15 minutes 15 seconds east a distance of 36.62 feet to a point on the easterly right-of-way line of La. Hwy. 1077 and the point of beginning.

From the point of beginning, run north 24 degrees 32 minutes 57 seconds west a distance of 819.19 feet to a point; thence leaving said right-of-way, run north 88 degrees 38 minutes 36 seconds east a distance of 28.67 feet to a point; thence run south 24 degrees 31 minutes 19 seconds east a distance of 808.82 feet to a point; thence run south 67 degrees 28 minutes 09 seconds west a distance of 25.99 feet back to the point of beginning.

Said piece or portion of ground contains 0.49 acres (21,296.70 sq. ft.) more or less.

Parcel 1-2 Levere C. Montgomery, III

A certain piece of portion of ground situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, commencing at the Station 167+42.83 from State Project No. 852-03-0012 adopted baseline run South 66 degrees 17 minutes 18 seconds west a distance of 23.46 feet to a point on the westerly right-of-way line of La. Hwy. 1077 and the point of beginning.

From the point of beginning and leaving said right-of-way, run south 66 degrees 16 minutes 41 seconds west a distance of 24.03 feet to a point; thence run north 24 degrees 31 minutes 19 seconds west a distance of 787.06 feet to a point; thence run north 00 degrees 48 minutes 34 seconds west a distance of 58.75 feet to a point; thence run south 24 degrees 32 minutes 57 seconds east a distance of 841.34 feet back to the point of beginning.

Said piece or portion of ground contains 0.45 acres (19,405.75 sq. ft.) more or less.

Parcel 2-1 Facilities Holdings, LLC

A certain piece or portion of ground situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, commencing at the Station 175+57.38 from State Project No. 852-03-0012 adopted baseline run north 65 degrees 28 minutes 55 seconds east a distance of 28.55 feet to a point on the easterly right-of-way line of La. Hwy. 1077 and the point of beginning.

From the point of beginning, run north 24 degrees 32 minutes 57 seconds west a distance of 815.44 feet to a point; thence leaving said right-of-way, run north 89 degrees 00 minutes 53 seconds east a distance of 29.17 feet to a point; thence run south 24 degrees 31 minutes 19 seconds east a distance of 815.06 feet to a point; thence run south 88 degrees 38 minutes 36 seconds west a distance of 28.67 feet back to the point of beginning.

Said piece or portion of ground contains 0.50 acres (21,645.16 sq. ft.) more or less.

Parcel 2-2 Joyce Hale Burns, et al

A certain piece or portion of ground situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, commencing at the Station 175+84.57 from State Project No. 852-03-0012 adopted baseline run south 65 degrees 28 minutes 55 seconds west a distance of 31.36 feet to a point on the westerly right-of-way line of La. Hwy. 1077 and the point of beginning.

From the point of beginning and leaving said right-of-way, run south 00 degrees 48 minutes 34 seconds east a distance of 58.75 feet to a point; thence run north 24 degrees 31 minutes 19 seconds west a distance of 1,212.05 feet to a point; thence run north 58 degrees 19 minutes 47 seconds west a distance of 211.21 feet to a point; thence run north 00 degrees 39 minutes 56 seconds west a distance of 118.15 feet to a point; thence run north 89 degrees 55 minutes 27 seconds east a distance of 28.02 feet to a point; thence run south 63 degrees 06 minutes 54 seconds east a distance of 111.80 feet to a point; thence run south 18 degrees 05 minutes 19 seconds east a distance of 22.51 feet to a point; thence run south 24 degrees 32 minutes 57 seconds east a distance of 1,320.45 feet back to the point of beginning.

Said piece of portion of ground contains 1.17 acres (50,912.83 sq. ft.) more or less.

Parcel 3-1 Goodbee Land Company, LLC

A certain piece or portion of ground situated in Section 3, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, commencing at the Station 183+72.26 from State Project No. 852-03-0012 adopted baseline run north 65 degrees 28 minutes 55 seconds east a distance of 28.20 feet to a point on the easterly right-of-way line of La. Hwy. 1077 and the point of beginning.

From the point of beginning, run north 24 degrees 32 minutes 57 seconds west a distance of 506.16 feet to a point; thence run north 32 degrees 53 minutes 18 seconds east a distance of 42.66 feet to a point; thence leaving said right-of-way, run south 58 degrees 14 minutes 09 seconds east a distance of 96.36 feet to a point; thence, run south 28 degrees 48 minutes 09 seconds west a distance of 43.94 feet to a point; thence run south 05 degrees 46 minutes 41 seconds west a distance of 53.91 feet to a point; thence run south 24 degrees 31 minutes 19 seconds east a distance of 387.85 feet to a point; thence run south 89 degrees 00 minutes 53 seconds west a distance of 29.17 feet back to the point of beginning.

Said piece or portion of ground contains 0.43 acres (18,632.26 sq. ft.) more or less.