

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7423

ORDINANCE COUNCIL SERIES NO.: _____

COUNCIL SPONSOR: AIREY/COOPER

PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: MR. DAVIS

SECONDED BY: MR. CANULETTE

ON THE 2ND DAY OF NOVEMBER, 2023

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PROPERTY FOR THE ST. TAMMANY PARISH LIBRARY SYSTEM (WARD 4, DISTRICT 5)

WHEREAS, the Parish of St. Tammany and the St. Tammany Parish Library Board of Control recognize that the St. Tammany Parish Library System is equipped, maintained, operated and supported at the expense of the entire Parish, including the incorporated towns and municipalities therein, and all taxes levied and assessed, whether general or special, for its establishment, support and maintenance are borne proportionately by all of the taxable property in the Parish, including that within incorporated municipalities; and

WHEREAS, the parties hereto recognize their obligation to provide the public with sufficient facilities and assets to serve the library needs of the public and to plan for the future library needs of the public as the Parish continues to grow; and

WHEREAS, the Library has identified certain improved property located at 68361 Commercial Way South, Unit D/4, Mandeville, La 70471 (the "Property") as desirable for use with Library's Outreach Service; and

WHEREAS, there is a need and a public purpose for the acquisition of said Property to provide outreach services to the Library system; and

WHEREAS, the Parish of St. Tammany hereby desires to acquire the Property and authorizes the Office of the Parish President to do whatever is necessary to enter into negotiations and acquire said Property.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Parish of St. Tammany is authorized to acquire all that certain improved property located at 68361 Commercial Way South, Unit D/4, Mandeville, La 70471 as more fully described on the exhibit attached hereto (the "Property"); and

BE IT FURTHER ORDAINED: that pursuant to all applicable provisions of law, the Office of the Parish President is authorized to do whatever is necessary to acquire the Property; and

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

BE IT FURTHER ORDAINED: that 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 of closing; 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.

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 7TH DAY OF DECEMBER, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23-____.

JACOB "JAKE" A. AIREY, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: OCTOBER 25, 2023

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____

Exhibit "A"

THAT CERTAIN CONDOMINIUM UNIT, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, designated as UNIT D (referred to as 68361-4 on the as-built survey by Fontcuberta Surveys, Inc., dated April 24, 2007, as MAP ID No. 130-577F, attached as Exhibit B to an act registered at CIN 1688038), THE WEIXEL CENTER, "A CONDOMINIUM", created under the Louisiana Condominium Act, R.S. 9:1121 101, et seq.

Said Condominium Unit is more fully described in the Declaration Creating and Establishing a Condominium Regime for the Weixel Center, "A Condominium", creating and establishing THE WEIXEL CENTER "A CONDOMINIUM", and the plans, maps and surveys attached thereto, dated June 30, 2008, recorded June 30, 2008 as Instrument NO. 1688038 and Map File No. 4708 in the official records of St. Tammany Parish, Louisiana, together with the Interest in the Common Elements for the said Condominium Unit, as well as the use of the Limited Common Elements, as designated in the Condominium Declaration.

The improvements thereon bear the Municipal Number 68361-4, Commercial Way South, Mandeville, La 70471.

Administrative Comment

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACQUIRE CERTAIN PROPERTY FOR THE ST. TAMMANY PARISH LIBRARY SYSTEM (WARD 4, DISTRICT 5)

Council Meeting Date

Introduced: November 2, 2023

Adopted: December 7, 2023

Department

Civil Division Assistant District Attorney for St. Tammany Parish Library System

St. Tammany Parish seeks to acquire and office/warehouse condominium property at 68361 Commercial Way South in Mandeville. The Library system requires the property as a site for its outreach services program. The Parish shall pay no more than appraised value or less, plus closing costs and fees. The Parish shall be the acquiring entity, as the Library is not empowered to own real estate in its name.