

1 Introduced January 26, 2016, by Councilman
2 Borchert, seconded by Councilman Caruso (by
3 request of Administration)

4 **Item No. 16-01-3121**

5
6 **ORDINANCE NO. 3798**

7 An ordinance annexing and zoning 0.878 acres of land from Parish ED-1
8 Primary Education District to City A-6 Single Family Residential, as petitioned by St.
9 Tammany Parish School Board, represented by Jeffrey Schoen of Jones Fussell, LLP.

10 WHEREAS, the Slidell City Council has received a petition from the St.
11 Tammany Parish School Board, represented by Jeffrey Schoen of Jones Fussell, LLP, to
12 annex and zone 0.878 acres of land, from Parish ED-1 Primary Education District to City
13 A-6 Single Family Residential; and

14 WHEREAS, said property is bordered by Gause Blvd and Medical Center
15 Drive; and

16 WHEREAS, the Slidell Planning and Zoning Commission has issued a
17 favorable recommendation for said annexation and zoning.

18 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that the
19 following described parcel of land be annexed into the corporate limits of the City of Slidell
20 into Councilmanic District E and zoned A-6 Single Family Residential, and more fully
21 described as follows:

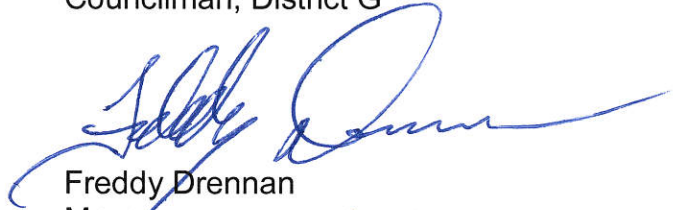
22 All that certain piece or parcel of land, and its component parts, together
23 with all buildings and improvements thereon; also, all rights, ways, means,
24 privileges, servitudes, prescriptions, advantages and appurtenances
25 thereunto belonging or in anywise appertaining thereto, with said parcel
26 containing 0.878 acres of land, situated in Section 1, Township 9 South,
27 Range 14 East, St. Tammany Parish, Louisiana, all as more fully shown on
28 sketch map prepared by J.V. Burkes & Associates, Inc. dated April 13,
29 2015, and revised August 28, 2015, bearing drawing No. 20150172.

1 **ORDINANCE NO. 3798**
2 **ITEM NO. 16-01-3121**
3 **PAGE 2**

4
5 **ADOPTED** this 23rd day of February, 2016.

6
7 

8 Bill Borchert
9 President of the Council
10 Councilman, District G

11
12 

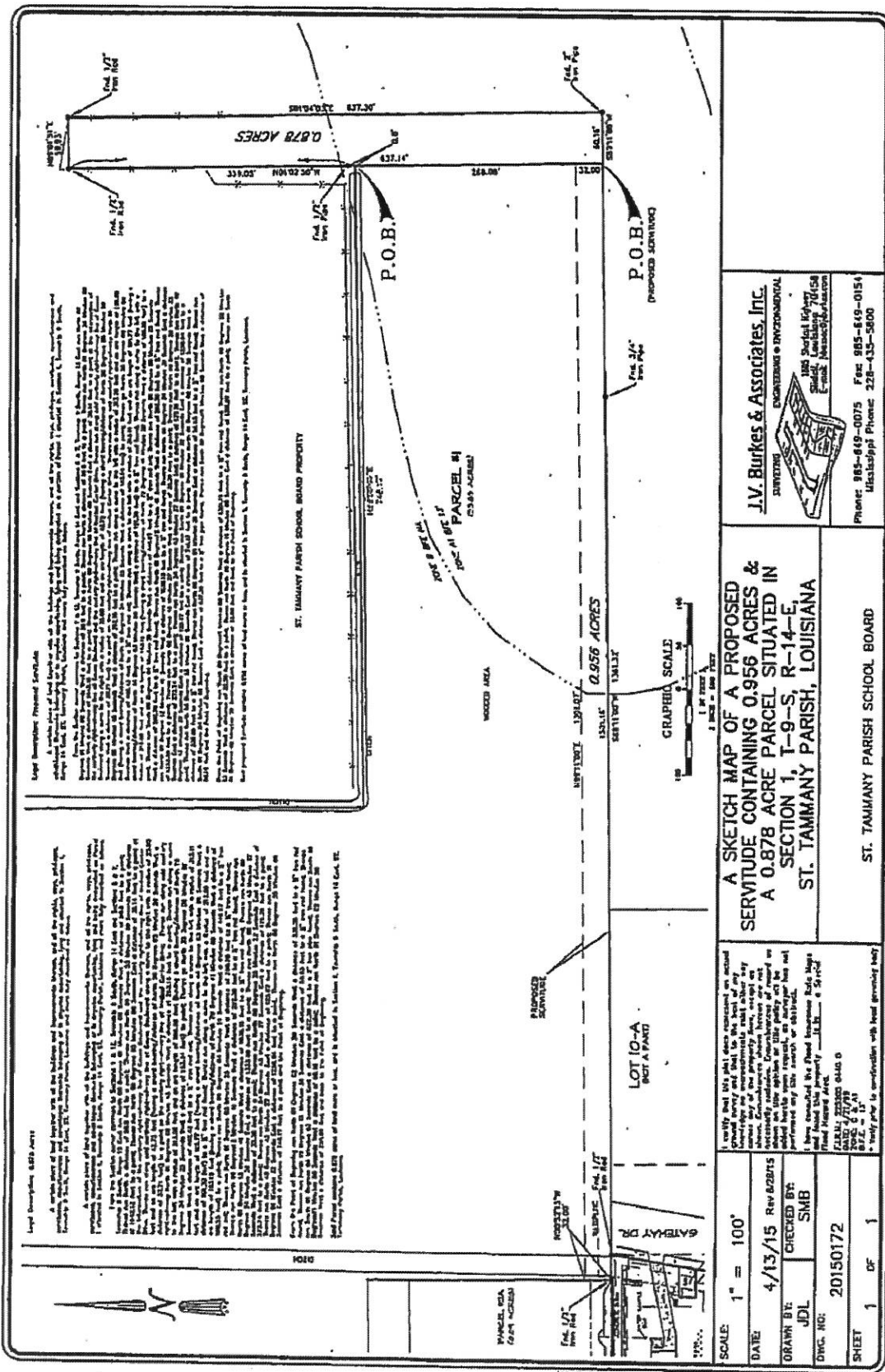
13
14 Freddy Drennan
15 Mayor

16
17 

18 Thomas P. Reeves
19 Council Administrator

DELIVERED	2/24/16
1:00 p.m.	to the Mayor
RECEIVED	3/1/16
9:30 a.m.	from the Mayor

0.878 Acre parcel
0.956 Acre Predial Servitude



Legal Description: Proposed Servitude
 A certain tract of land located within the Parish of St. Tammany, Louisiana, bounded and described as follows: Beginning at the Point of Beginning (P.O.B.) located at the intersection of the proposed servitude and the boundary of the school property; thence North 89° 15' 00" West 120.00 feet to a point; thence North 0° 00' 00" West 120.00 feet to a point; thence South 89° 15' 00" East 120.00 feet to a point; thence South 0° 00' 00" East 120.00 feet to the Point of Beginning. The area of this tract is 0.956 acres. This servitude is proposed for the use of the school property.

Legal Description: 0.878 Acre Parcel
 A certain tract of land located within the Parish of St. Tammany, Louisiana, bounded and described as follows: Beginning at the Point of Beginning (P.O.B.) located at the intersection of the proposed servitude and the boundary of the school property; thence North 89° 15' 00" West 120.00 feet to a point; thence North 0° 00' 00" West 120.00 feet to a point; thence South 89° 15' 00" East 120.00 feet to a point; thence South 0° 00' 00" East 120.00 feet to the Point of Beginning. The area of this tract is 0.878 acres. This parcel is proposed for the use of the school property.

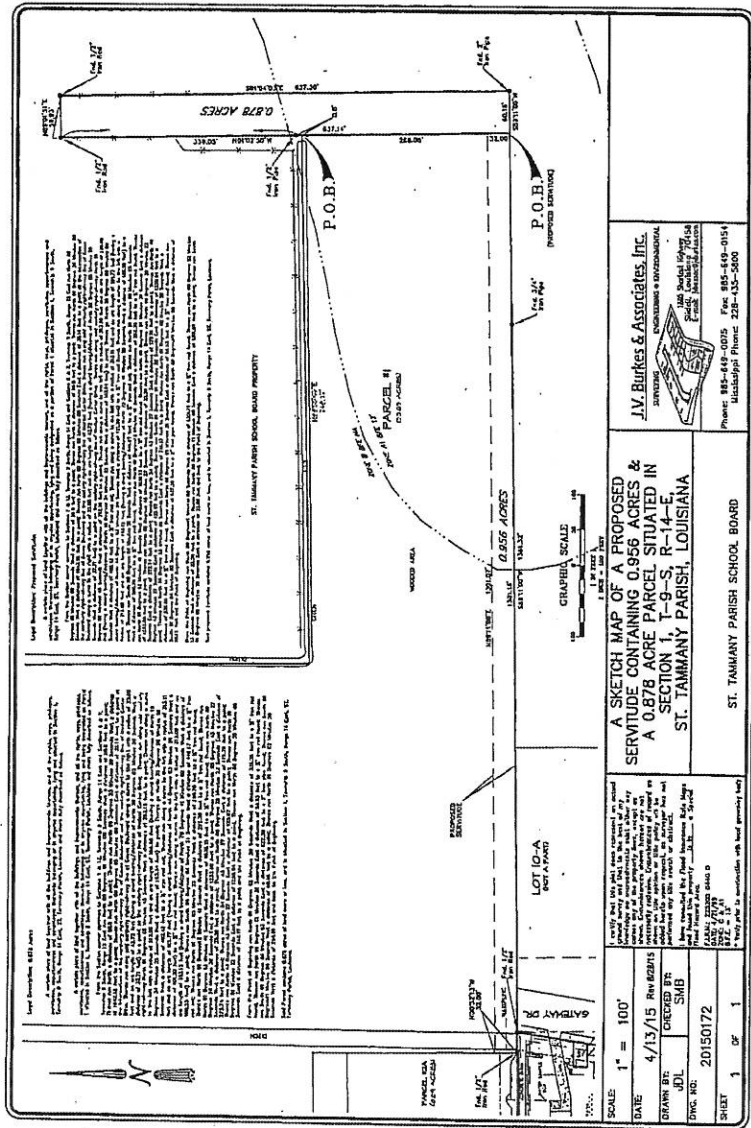
J.V. Burkes & Associates, Inc.
 SURVEYING ENGINEERING & ENVIRONMENTAL
 1000 South Highway 1015B
 Metairie, Louisiana 70002
 Phone: 885-619-0075 Fax: 885-619-0154
 Mississippi Phone: 228-435-5800

A SKETCH MAP OF A PROPOSED SERVITUDE CONTAINING 0.956 ACRES & A 0.878 ACRE PARCEL SITUATED IN SECTION 1, T-9-S, R-14-E, ST. TAMMANY PARISH, LOUISIANA

ST. TAMMANY PARISH SCHOOL BOARD

I certify that this map was prepared by me or under my direct supervision and that I am a duly licensed Professional Surveyor in the State of Louisiana. I have conducted the field measurements and computations and have caused the field measurements to be performed by a duly licensed Professional Surveyor. I have caused the field measurements to be performed by a duly licensed Professional Surveyor. I have caused the field measurements to be performed by a duly licensed Professional Surveyor.

SCALE: 1" = 100'
 DATE: 4/13/15 REV: 02/01/15
 DRAWN BY: JDL CHECKED BY: SMB
 DWG. NO.: 20150172
 SHEET: 1 OF 1



Use of this map is limited to the purpose for which it was prepared. It is not to be used for any other purpose without the consent of the Surveyor General. The Surveyor General is not responsible for any errors or omissions in this map. The Surveyor General is not responsible for any errors or omissions in this map. The Surveyor General is not responsible for any errors or omissions in this map.

ST. TAMMANY PARISH SCHOOL BOARD PROPERTY

WOODS AREA

LOT 10-A

0.956 ACRES

GRAPHICAL SCALE

ST. TAMMANY PARISH SCHOOL BOARD

A SKETCH MAP OF A PROPOSED SERVITUDE CONTAINING 0.956 ACRES & A 0.878 ACRE PARCEL SITUATED IN SECTION 1, T-9-S, R-14-E ST. TAMMANY PARISH, LOUISIANA

J.V. Burkes & Associates, Inc. Surveyors and Engineers

Phone: 855-449-0025 Fax: 855-449-0154
Baton Rouge, Louisiana 70802-5000

Scale: 1" = 100'
Date: 4/13/15
Drawn by: JDL
Checked by: SMB
Disc. No.: 20150172
Sheet: 1 of 1

ST. TAMMANY PARISH SCHOOL BOARD

0.878 Acres (60' wide Strip)

St Tammany Parish Clerk of Court - page 1 of 14

CASH SALE AND
NON-EXCLUSIVE PREDIAL SERVITUDE
FOR ALL PURPOSES

UNITED STATES OF AMERICA

STATE OF LOUISIANA

BY: PARISH OF ST. TAMMANY

TO: ST. TAMMANY PARISH SCHOOL BOARD

PARISH OF ST. TAMMANY

BE IT KNOWN, that on the dates hereinafter set forth and before the undersigned Notaries Public, duly commissioned and qualified in and for the State and Parish below named, and in the presence of the witnesses hereinafter named and undersigned:

PERSONALLY CAME AND APPEARED:

PARISH OF ST. TAMMANY, a political subdivision of the State of Louisiana and the governing authority of St. Tammany Parish, whose current mailing address is P. O. Box 628, Covington, Louisiana, 70434; herein appearing by and through Patricia P. Brister, its Parish President, duly authorized, by Ordinance No. 15-3338 dated 6/4/, 2015 an original of which is attached hereto and made part hereof and marked as Exhibit "A" for reference,

herein called SELLER, who declared that for the price of TWENTY-FIVE THOUSAND AND NO/100 (\$25,000.00) DOLLARS, cash, receipt of which is acknowledged, SELLER hereby sells and delivers, with all legal warranties and full subrogation to all rights, title, and actions SELLER have or may have unto:

ST. TAMMANY PARISH SCHOOL BOARD (TIN: XX-XXX1305), a political subdivision of the State of Louisiana, created pursuant to its Constitution and laws, whose mailing address is P. O. Box 940, Covington, Louisiana 70434; herein appearing by and through W. L. "Trey" Folse, III, its Secretary, duly authorized by Resolution dated July 9, 2015, an original of which is attached hereto and made part hereof, marked as Exhibit "B" for reference;

herein called BUYER, the following described property the possession and delivery of which BUYER acknowledges:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, and its component parts, together with all buildings and improvements thereon; also, all rights, ways, means, privileges, servitudes, prescriptions, advantages and appurtenances thereunto belonging or in anywise appertaining thereto, situated in Section 1, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the Section corner common to Sections 1 and 12, Township 9 South, Range 14 East and Sections 6 and 7, Township 9 South, Range 15 East, run North 00 degrees 01 minutes 00 seconds West a distance of 50.0 feet to a point; thence run North a distance of 50.0 feet to a point; thence run North 89 degrees 55 minutes 00 seconds West a distance of 1642.12 feet to a point; thence run North 00 degrees 05 minutes

St. Tammany Parish 46
Instrmnt #: 1998950
Registry #: 2399651 bvs
10/08/2015 9:03:00 AM
MB CB X MI UCC

00 seconds East a distance of 35.14 feet to a point at the intersection of the northerly right of way line of Gause Boulevard and the easterly right of way line of Medical Center Drive; thence run along said northerly right of way line of Gause Boulevard along a curve to the right with a radius of 25.00 feet and an arc length of 42.72 feet (having a chord bearing/distance of North 50 degrees 05 minutes 59 seconds West a distance of 37.71 feet) to a point on the easterly right of way line of Medical Center Drive; thence run along said easterly right of way North 01 degrees 08 minutes 45 seconds West a distance of 262.16 feet to a point; thence run along a curve to the left with a radius of 313.00 feet and an arc length of 186.85 feet (having a chord bearing/distance of North 18 degrees 34 minutes 25 seconds West a distance of 183.94 feet) to a point; thence go North 35 degrees 00 minutes 08 seconds West a distance of 402.42 feet to an 1/2 inch iron rod set; thence run along a curve to the left with a radius of 313.11 feet and an arc length of 101.77 feet (having a chord bearing/distance of North 44 degrees 03 minutes 09 seconds West a distance of 101.30 feet) to an 1/2 inch iron rod found; thence run along a curve to the left with a radius of 313.00 feet and an arc length of 183.15 feet (having chord bearing/distance of North 70 degrees 41 minutes 00 seconds West a distance of 180.55 feet) to point; thence run South 89 degrees 04 minutes 51 seconds West a distance of 446.67 feet to an 1/2 inch iron rod set; thence run North 01 degrees 05 minutes 25 seconds West a distance of 280.70 feet to an 1/2 inch iron rod found; thence run North 01 degrees 12 minutes 41 seconds West a distance of 292.30 feet to an 1/2 inch iron rod found; thence run North 01 degrees 12 minutes 41 seconds West a distance of 1038.15 feet to an 1/2 inch iron rod found; thence run North 89 degrees 24 minutes 39 seconds East a distance of 1333.80 feet to a point; thence run North 02 degrees 45 minutes 27 seconds West a distance of 35.30 feet to a point; thence run North 88 degrees 28 minutes 22 seconds East a distance of 272.74 feet to a point; thence run North 54 degrees 43 minutes 27 seconds East a distance of 179.26 feet to a point; thence run North 49 degrees 43 minutes 27 seconds East a distance of 125.97 feet to a point; thence run South 01 degrees 01 minutes 22 seconds East a distance of 1250.04 feet to a point; thence run North 88 degrees 55 minutes 09 seconds East a distance of 748.17 feet to a point and the POINT OF BEGINNING.

From the POINT OF BEGINNING run North 01 degrees 02 minutes 50 seconds West a distance of 339.05 feet to an 1/2 inch iron rod found; thence run North 89 degrees 01 minutes 51 seconds East a distance of 59.93 feet to an 1/2 inch iron rod found; thence run South 01 degrees 04 minutes 03 seconds East a distance of 637.30 feet to a 2 inch iron pipe found; thence run South 89 degrees 11 minutes 00 seconds West a distance of 60.16 feet to a point; thence run North 01 degrees 02 minutes 50 seconds West a distance of 298.09 feet back to the POINT OF BEGINNING.

Said parcel contains 0.878 acres of land, more or less, and is situated in Section 1, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana. All as more fully shown on sketch map prepared by J. V. Burkes & Associates, Inc. dated April 13, 2015, and revised August 28, 2015, bearing drawing No. 20150172, a copy of which is attached hereto and made part hereof.

Being a portion of the property acquired by the Parish of St. Tammany from Tenent 100 Medical Center Slidell, L.L.C., by act dated October 11, 2011 and October 14, 2011, and recorded as Instrument No. 183176 of the conveyance records of St. Tammany Parish, Louisiana.

THE ABOVE DESCRIBED PROPERTY IS SUBJECT TO THE FOLLOWING:

1. Any restrictive covenants of record filed in the Clerk of Court's office for St. Tammany Parish, including the Declaration of Restrictive Covenants, Rights of Use, Servitudes, and Building and Use Restrictions dated March 31, 2006, and recorded as Instrument No. 1553734 of the conveyance records of St. Tammany Parish, Louisiana.

2. Conditions including apparent servitudes of drain, as shown on Minor Subdivision Plat by Sean M. Burkes, L.S. dated February 11, 2010, filed for record as Map File No. 4869A.
3. All matters shown on Survey Map prepared by Sean M. Burkes, La. Reg. No. 4785, for J. V. Burkes & Associates, Inc., under Dwg. No. 201110399 and dated July 28, 2011.

The parties hereto waive the production of mortgage and conveyance, and relieve and release me, Notary, from any and all responsibility in connection therewith.

Title to said property will be taken subject to any and all laws, ordinances or governmental regulations (including but not limited to building and zoning ordinances, environmental Protection Statutes and/or Department of Environmental quality regulations, and/or any U. S. Army Corps of Engineers Wetlands regulations) restricting or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvements now or hereafter erected on the land, or the effect of any violation of any such law, ordinance or governmental regulation. No guarantees are made relative to compliance with the above.

Taxes for the current year (2015) are exempt. The taxes for all subsequent years, if applicable, will be paid by BUYER. All property tax statements and/or notices required to be mailed shall be addressed as follows:

St. Tammany Parish School Board
c/o Mr. W. L. "Trey" Folse, III, Superintendent
P. O. Box 940
Covington, Louisiana 70434

* * * * *

NON-EXCLUSIVE PREDIAL SERVITUDE FOR ALL PURPOSES

The parties hereto further declared that for and in consideration of the sum of TWELVE THOUSAND TWO HUNDRED FIFTY AND NO/100 (\$12,250.00) DOLLARS, cash, receipt of which is acknowledged, SELLER does hereby grant unto

ST. TAMMANY PARISH SCHOOL BOARD (TIN: XX-XXX1305), a political subdivision of the State of Louisiana, created pursuant to its Constitution and laws, whose mailing address is P.O. Box 940, Covington, Louisiana 70434; herein appearing by and through W. L. "Trey" Folse, III, its Secretary, duly authorized by Resolution dated July 9, 2015, an original of which is attached hereto and made part hereof, marked as Exhibit "B" for reference;

a non-exclusive, predial servitude over, under and across the below described property, which shall run with the land and is more fully described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, and its component parts, together with all buildings and improvements thereon; also, all rights, ways, means, privileges, servitudes, prescriptions, advantages and appurtenances thereunto belonging or in anywise appertaining thereto, lying and being designated as a portion of Parcel 1 situated in Section 1, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the Section corner common to Sections 1 and 12, Township 9 South, Range 14 East and Sections 6 and 7, Township 9 South, Range 15 East, run North 00 degrees 01 minutes 00 seconds West a distance of 50.0 feet to a point; thence run North a distance of 50.0 feet to a point; thence run North 89 degrees 55 minutes 00 seconds West a distance of 1642.12 feet to a point; thence run North 00 degrees 05 minutes 00 seconds East a distance of 35.14 feet to a point at the intersection of the northerly right of way line of Gause Boulevard and the easterly right of way line of Medical Center Drive; thence run along said northerly right of way line of Gause Boulevard along a curve to the right with a radius of 25.00 feet and an arc length of 42.72 feet (having a chord bearing/distance of North 50 degrees 05 minutes 59 seconds West a distance of 37.71 feet) to a point on the easterly right of way line of Medical Center Drive; thence run along said easterly right of way North 01 degrees 08 minutes 45 seconds West a distance of 262.16 feet to a point; thence run along a curve to the left with a radius of 313.00 feet and an arc length of 186.85 feet (having a chord bearing/distance of North 18 degrees 34 minutes 25 seconds West a distance of 183.94 feet) to a point; thence go North 35 degrees 00 minutes 08 seconds West a distance of 402.42 feet to an 1/4 inch iron rod set; thence run along a curve to the left with a radius of 313.11 feet and an arc length of 101.77 feet (having a chord bearing/distance of North 44 degrees 03 minutes 09 seconds West a distance of 101.30 feet) to an 1/4 inch iron rod found; thence run along a curve to the left with a radius of 313.00 feet and an arc length of 183.15 feet (having chord bearing/distance of North 70 degrees 41 minutes 00 seconds West a distance of 180.55 feet) to point; thence run South 89 degrees 04 minutes 51 seconds West a distance of 446.67 feet to an 1/4 inch iron rod set; thence run North 01 degrees 05 minutes 25 seconds West a distance of 280.70 feet to an 1/4 inch iron rod found; thence run North 01 degrees 12 minutes 41 seconds West a distance of 292.30 feet to an 1/4 inch iron rod found; thence run North 01 degrees 12 minutes 41 seconds West a distance of 1038.15 feet to an 1/4 inch iron rod found; thence run North 89 degrees 24 minutes 39 seconds East a distance of 1333.80 feet to a point; thence run North 02 degrees 45 minutes 27 seconds West a distance of 35.30 feet to a point; thence run North 88 degrees 28 minutes 22 seconds East a distance of 272.74 feet to a point; thence run North 54 degrees 43 minutes 27 seconds East a distance of 179.26 feet to a point; thence run North 49 degrees 43 minutes 27 seconds East 125.97 feet to a point; thence run South 01 degrees 01 minutes 22 seconds East a distance of 1250.04 feet to a point; thence run North 88 degrees 55 minutes 09 seconds East a distance of 748.17 feet to a point; thence run North 01 degrees 02 minutes 50 seconds West a distance of 339.05 feet to an 1/4 inch iron rod found; thence run North 89 degrees 01 minutes 51 seconds East a distance of 59.93 feet to an 1/4 inch iron rod found; thence run South 01 degrees 04 minutes 03 seconds East a distance of 637.30 feet to a 2 inch iron pipe found; thence run South 89 degrees 11 minutes 00 seconds West a distance of 60.16 feet to the POINT OF BEGINNING of the non-exclusive predial servitude of passage.

From the POINT OF BEGINNING of the non-exclusive predial servitude of passage, run South 89 degrees 11 minutes 00 seconds West a distance of 1301.16 feet to an 1/4 inch iron rod found; thence run North 00 degrees 52 minutes 13 seconds West a distance of 32.00 feet to a point; thence run North 89 degrees 11 minutes 00 seconds East a distance of 1301.07 feet to a point; thence run South 01 degrees 02 minutes 50 seconds East a distance of 32.00 feet back to the POINT OF BEGINNING of the non-exclusive predial servitude of passage.

This non-exclusive predial servitude of passage contains 0.956 acres of land more or less, and is situated in Section 1, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana. All as more fully shown on sketch map prepared by J. V. Burkes & Associates, Inc. dated April 13, 2015, and revised August 28, 2015, bearing drawing No. 20150172, a copy of which is attached hereto and made part hereof.

The parties further acknowledge that this servitude shall include the right of the parties, their heirs, successors and/or assigns to use said servitude for the placement and continued use of utilities, including but not limited to the right to have all electric power companies use the servitude area for electric power distribution lines, telephone service, cable television service, water distribution service, natural gas distribution service and/or sewerage collection line service.

It is further agreed and understood that this is a non-exclusive servitude and that the parties reserve the said servitude for themselves, their heirs', successors' and/or assigns' use, benefit and for utilities services as well as to grant to third parties a non-exclusive servitude of passage together with the right of utility purposes.

* * * * *

WAIVER OF WARRANTY AND REDHIBITION

It is expressly agreed that the property herein conveyed as well as the property which is the subject of the non-exclusive predial servitude and all improvements and component parts, of whatever nature and kind, and all of the items located thereon are conveyed by SELLER and accepted by BUYER "AS IS, WHERE IS," without any warranties of any kind whatsoever, whether expressed or implied, including contamination, zoning and/or wetlands determination, even as to the metes and bounds, zoning, operation or suitability of such property for the use intended by the BUYER, without regard to the presence of apparent or hidden defects and with the BUYER'S full and complete waiver of any and all rights for the return of all or any part of the purchase price by reason of any such defects.

Any listing of warranties to be waived is by way of example, and not intended as an exclusive list, as all warranties are waived. Particular reference is made to the waiver of warranty, waiver of rights of redhibition and any claim in quanti minoris by the BUYER to all improvements found on the above described property.

BUYER acknowledges and declares that neither the SELLER nor any party, whomsoever, acting or purporting to act in any capacity whatsoever on behalf of the SELLER has made any direct, indirect, explicit or implicit statement, representation or declaration, whether by written or oral statement or otherwise, and upon which BUYER has relied, concerning the existence or non-existence of any quality, characteristic, or condition of the property herein conveyed. BUYER has had full, complete and unlimited access to the property herein conveyed for all tests and inspections which BUYER, in BUYER'S sole discretion deem sufficiently diligent for the protection of BUYER'S interests.

BUYER expressly waives the warranty of fitness and the warranty against redhibitory vices and defects, whether apparent or latent, imposed by Louisiana Civil Code Articles 2520 through 2548, inclusive, and any other applicable state or federal law and the jurisprudence thereunder.

BUYER also waives any rights BUYER may have in redhibition or to a reduction of the purchase price pursuant to Louisiana Civil Code Articles 2520 through 2548, inclusive, in connection with the property hereby conveyed to BUYER by SELLER. By BUYER'S signature BUYER expressly acknowledges all such waivers and BUYER'S exercise of BUYER'S right to waive warranty pursuant to Louisiana Civil

Code Articles 2520 through 2548, inclusive.

THE BUYER ACKNOWLEDGES THAT (A) THE FOREGOING WAIVERS HAVE BEEN CALLED TO BUYER'S ATTENTION; (B) BUYER HAS READ THE SAME; (C) THE WAIVERS HAVE BEEN EXPLAINED TO BUYER AND THAT BUYER FULLY UNDERSTANDS THE PROVISIONS THEREOF; AND (D) THE WAIVERS CONTAINED HEREIN ARE A MATERIAL AND INTEGRAL CONSIDERATION FOR THIS ACT OF SALE.

ST. TAMMANY PARISH SCHOOL BOARD

BY: [Signature] BUYER

All parties signing the within instrument have declared themselves to be of full legal capacity.

All agreements and stipulations herein, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors and assigns of the respective parties, and the BUYER, its successors and/or assigns shall have and hold the described property in full ownership forever.

THIS DONE AND SIGNED by the parties at Mandeville, Louisiana, on the 30th day of September, 2015, in the presence of me, Notary, and the undersigned competent witnesses who have signed in the presence of the parties and me, Notary.

WITNESSES:

[Signature]
PRINTED NAME: Anne Patolovich

[Signature]
PRINTED NAME: Loribby Lafont

PARISH OF ST. TAMMANY PARISH
BY: [Signature]
PATRICIA P. BRISTER
PARISH PRESIDENT

[Signature]
PRINTED NAME: Kelly M. Babalis
NOTARY PUBLIC (BAR # 26705)

THUS DONE AND SIGNED by the parties at Covington, Louisiana, on the 1st
day of October, 2015, in the presence of me, Notary, and the undersigned competent
witnesses who have signed in the presence of the parties and me, Notary.

WITNESSES:

Diana Blaise
PRINTED NAME: DIANA BLAISE
Trinise Pire
PRINTED NAME: Trinise Pire

ST. TAMMANY PARISH SCHOOL BOARD

BY: W. L. "Trey" Folse, III
W. L. "TREY" FOLSE, III
Superintendent
SECRETARY

David S. Pittman
PRINTED NAME: DAVID S. PITTMAN
NOTARY PUBLIC (BAR # 24604)

TITLE INSURANCE
PRODUCING AGENT: A. WILLIAM MYSING, JR
LICENSE # 127607
UNDERWRITER: COMMONWEALTH LAND TITLE INSURANCE COMPANY
OPINED BY: MARIAN M. LIVAUDAIS, BAR No. 8638

