Introduced September 23, 2014, by Councilwoman Harbison, seconded by Councilman Borchert, (by request of Administration)

### **RESOLUTION R14-28**

A resolution authorizing the publication of a Notice of Intention to create the Northshore Square Economic Development District, State of Louisiana, and to levy a 0.50% sales and use tax therein, under the authority of Part II, Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*); and providing for other matters in connection therewith.

WHEREAS, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, et seq.) (the "EDD Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the EDD Act and other law; and

WHEREAS, the City of Slidell, State of Louisiana (the "City"), acting through this City Council as its governing authority, desires to avail itself of the EDD Act to create an economic development district to be called the "Northshore Square Economic Development District, State of Louisiana" (the "District"), in accordance with La. R.S. 33:9038.32, in which local and State sales tax increments are expected to be determined and used to fund the Northshore Square Economic Development District Trust Fund; and

WHEREAS, La. R.S. 33:9038.39 further permits such economic development districts to levy sales and use taxes at a rate up to two percent (2%) for authorized purposes and/or hotel occupancy taxes at a rate of up to two percent (2%); and

# RESOLUTION R14-28 PAGE 2

WHEREAS, in accordance with the EDD Act, particularly La. R.S. 33:9038.32 and La. R.S. 33:9038.39, the City now desires to give notice of its intention and to hold a public hearing relative to (1) the proposed creation of the District and (2) the proposed levy of a sales and use tax therein, which notice shall be published in the City's official journal two (2) times prior to the public hearing, the first publication to appear at least fourteen (14) days before the date of the public hearing.

NOW THEREFORE, BE IT RESOLVED by the Slidell City Council, acting as the governing authority of the City of Slidell, State of Louisiana, that:

SECTION 1. Intention to Create Economic Development District. In accordance with the EDD Act, and particularly La. R.S. 33:9038.32 and La. R.S. 33:9038.39, this governing authority does hereby give notice of its intention to create an economic development district to be called the "Northshore Square Economic Development District, State of Louisiana," and to levy therein a one-half of one percent (0.50%) sales and use tax pursuant to La. R.S. 33:9038.39 for the purpose of paying the costs of economic development projects as defined in La. R.S. 33:9038.34(M) and La. R.S. 33:9038.36.

The proposed economic development district shall have the boundaries described in Exhibit A to this resolution.

SECTION 2. <u>Notice of Intention</u>. The Council Administrator is authorized and directed to publish a notice of intention, in substantially the following form, which notice shall be published in the City's official journal two (2) times prior to the public hearing, the first publication to appear at least fourteen (14) days before the date of the public hearing:

\* \* \* \* \*

# NOTICE OF INTENTION TO CREATE AN ECONOMIC DEVELOPMENT DISTRICT IN THE CITY OF SLIDELL, STATE OF LOUISIANA, AND TO LEVY A 1% SALES AND USE TAX THEREIN

NOTICE IS HEREBY GIVEN that the City Council of the City of Slidell, State of Louisiana (the "Governing Authority), acting as the governing authority of the City of Slidell, State of Louisiana (the "City") proposes to consider the adoption of an ordinance, pursuant to La. R.S. 33:9038.32, creating an economic development district within the City

# RESOLUTION R14-28 PAGE 3

to be called the "Northshore Square Economic Development District, State of Louisiana" (the "District").

NOTICE IS HEREBY FURTHER GIVEN that upon the creation of the District, the Governing Authority, in its capacity as the governing authority of the newly created District, further proposes to consider the adoption of an ordinance, pursuant to La. R.S. 33:9038.39, levying in the District an additional one-half of one percent (0.50%) sales and use tax, for the purpose of financing economic development projects, as defined in La. R.S. 33:9038.34(M) and La. R.S. 33:9038.36 (the "District Taxes"). The proceeds of the District Taxes, together with the incremental revenues of any other City sales taxes designated by this Governing Authority for such purposes, will be deposited in a special trust fund to be used for the furtherance of economic development projects within the District, all pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, et seq.).

NOTICE IS HEREBY FURTHER GIVEN in accordance with Section 2-263 of the Slidell Code of Ordinances that the City intends to enter into a professional services contract with Adams and Reese LLP, in the City of New Orleans, Louisiana, which may exceed \$15,000 for legal services in connection with the creation of the District and the levy of sales and use taxes in the District, and the negotiation, authorization and approval of a cooperative endeavor agreement with respect thereto.

NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority, acting as the governing authority of both the City the District, will meet in open and public session on Tuesday, October 14, 2014, at six-thirty o'clock (6:30) p.m., at the City Hall Meeting Room, 2045 Second St., Slidell, Louisiana 70458, to hear any objections to the creation of the District and/or the proposed levy of the District Taxes as described above.

A description of the boundaries of the proposed District, and a map of the proposed District, are attached hereto as Exhibit A.

[LEGAL DESCRIPTION & MAP, AS SHOWN IN EXHIBIT A TO THIS RESOLUTION, TO BE ATTACHED TO NOTICE IN PUBLICATIONS]

\* \* \* \* \*

SECTION 3. <u>Public Hearing</u>. At the date, time and place mentioned in the aforesaid Notice of Intention, or at such other time and place as may be determined by the Mayor and properly advertised, this Governing Authority will meet in open and public session, to hear any objections to the proposed creation of the District and the levy of the sales and use tax and/or the hotel occupancy tax described above, and may consider the adoption of ordinances creating the district and levying the aforesaid taxes.

# RESOLUTION R14-28 PAGE 4

SECTION 4. <u>Authorization of Officers</u>. The Mayor, President of the Council and the Council Administrator are hereby authorized, empowered and directed to do any and all things necessary and incidental to carry out the provisions of this resolution.

SECTION 5. Employment of Special Counsel. This governing authority finds and determines that a real necessity exists for the employment of special counsel in connection with the creation of the District, the levy of sales and use taxes in the District, and the negotiation, authorization and approval of a cooperative endeavor agreement with respect thereto, and accordingly Adams and Reese LLP, of New Orleans, Louisiana, are hereby employed as special counsel in connection with the foregoing. Said special counsel shall prepare and submit to this governing authority for adoption all of the proceedings incidental to the foregoing, and shall counsel and advise the City, the District and this governing authority in connection with the foregoing. The fee of special counsel in connection with the foregoing shall be negotiated and paid by the beneficiary of the creation of the District, Morguard Management Company, Inc., or their successors or assigns.

This resolution and the notice of intention contained herein shall also serve as public notification required by Section 2-263 of the Slidell Code of Ordinances that the City intends to enter into a professional services contract with Adams and Reese LLP, in the City of New Orleans, Louisiana, which exceeds \$15,000 for legal services in connection with the creation of the District, the levy of sales and use taxes and hotel occupancy taxes in the District, and the negotiation, authorization and approval of a cooperative endeavor agreement with respect thereto.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 8 NAYS: 1

ABSENT: 0

ABSTAINING: 0

ADOPTED this 23rd day of September, 2014.

Kim/Harbison

President of the Council Councilwoman-at-Large

Thomas P. Reeves Council Administrator

## BOUNDARIES AND MAP OF PROPOSED NORTHSHORE SQUARE ECONOMIC DEVELOPMENT DISTRICT

The proposed district includes the Northshore Square Mall, located in the City of Slidell at the southeast intersection of I-12 and Northshore Blvd., and includes the following four tracts (as shown on the map following the legal descriptions):

THAT CERTAIN TRACT OF LAND SITUATED IN THE STATE OF LOUISIANA, PARISH OF ST. TAMMANY, SECTION 37, TOWNSHIP 8 SOUTH, RANGE 14 EAST, AND MORE FULLY DESCRIBED AS FOLLOWS:

Commence at the intersection of the Southern right of way line of Interstate Highway 12 and the Eastern right of way line of Northshore Blvd. (formerly Airport Road); thence South 01 degrees 03 minutes 47 seconds East 30'; thence in an Easterly direction along the arc of a curve to the left having a radius of 30' a distance of 27.82' to the POINT OF BEGINNING;

Thence continue along said curve to the left having a radius of 30° a distance of 19.30°; thence North 88 degrees 56 minutes 13 seconds East, 84.73'; thence along the arc of a curve to the left having a radius of 45.50', a distance of 47.65'; thence North 28 degrees 56 minutes 13 seconds East, 181.48'; thence along the arc of a curve to the right having a radius of 675.00', a distance of 318.12'; thence North 55 degrees 56 minutes 24 seconds East, 199.80'; thence along the arc of a curve to the right having a radius of 375' a distance of 107.99'; thence North 72 degrees 26 minutes 24 seconds East, 130.18'; thence along the arc of a curve to the right having a radius of 225' a distance of 173.78'; thence South 63 degrees 18 minutes 30 seconds East, 156.58'; thence North 26 degrees 41 minutes 30 seconds East, 50.00'; thence South 63 degrees 18 minutes 31 seconds East, 2.60'; thence South 63 degrees 18 minutes 30 seconds East, 169.40' to an iron bar (shown as POINT OF COMMENCEMENT FOR PARCEL MB); thence South 00 degrees 33 minutes 30 seconds East, 1933.33'; thence North 83 degrees 52 minutes 18 seconds West, 102.55'; thence in a Southwesterly direction along the arc of a curve to the right having a radius of 196.55' a distance of 117.87'; thence South 84 degrees 48 minutes 49 seconds West, 142.67'; thence North 05 degrees 41 minutes 31 seconds East, 160.21'; thence South 05 degrees 41 minutes 31 seconds East, 4.78'; thence South 69 degrees 27 minutes 37 seconds West, 276.40'; thence South 79 degrees 34 minutes 22 seconds East 59.33'; thence South 10 degrees 34 minutes 22 seconds East 593.52', to the Northern right of way line of U.S. Highway 190, shown as POINT OF BEGINNING FOR SERVITUDE PARCEL I.

Thence along said right of way line in a Southwesterly direction along the arc of a curve to the left having a radius of 1554.02' a distance of 52.63'; thence continue along said right of way line South 76 degrees 01 minutes 36 seconds West a distance of 47.51'; thence North 10 degrees 34 minutes 22 seconds West 530.00'; thence along the arc of a curve to the right having a radius of 207.55' a distance of 60.23'; thence North 06 degrees 03 minutes 18 seconds East, 277.39'; thence South 88 degrees 56 minutes 12 seconds West, 593.52'; thence North 01 degrees 03 minutes 47 seconds West, 1453.22'; thence North 01 degrees 03 minutes 47 seconds West, 25.00' (to the POINT OF BEGINNING FOR MERVYN'S PARCEL); thence North 88 degrees 56 minutes 13 seconds East, 12.00'; thence North 01 degrees 03 minutes 47 seconds West, 42.00' to the POINT OF BEGINNING.

Said tract having an area of 59.77 acres.

#### 1. Fee Parcel

A CERTAIN PIECE OR PORTION OF GROUND, together with all buildings and improvements thereon and all the rights, ways, privileges, servitudes, appartenences and advantages thereunto belonging, or in anywise appertaining, situated in the STATE OF LOUISIANA, PARISH OF ST. TAMMANY, SECTION 27, T8S, R14E, NORTH SHORE SQUARE, CITY OP SLIDELL, designated as PARCEL A on that North Shore Square Peripheral Land Subdivision by J. J. Krebs & Sons, Inc., dated August 27, 1985 recorded as Map File 937-A, St. Tammany Parish, Louisiana, and according to said survey, said piece of ground is more fully described as follows:

Commence at the intersection of the easterly right of way line of Airport Road and the southerly right of way line of U.S. Interstate Highway No. 12; thence along said southerly line N 88 degrees 56 minutes 13 seconds E, a distance of 24,46°; thence along said southerly line N 15 degrees 43 minutes 44 seconds E a distance of 88,41°; thence along said line N 01 degrees 93 minutes 47 seconds W a distance of 229,10°; thence along said line N 55 degrees 56 minutes 24 seconds E a distance of 492,51° to a point, the point of beginning. Measure thence from the point of beginning along said southerly line N 55 degrees 56 minutes 24 seconds B a distance of 372,88°; thence S 03 degrees 55 minutes 54 seconds B a distance of 327,49°; thence S 26 degrees 41 minutes 30 seconds W a distance of 50°; thence N 63 degrees 18 minutes 30 seconds W distance of 156,58°; thence in a westerly direction along the arc of a curve to the left having a radius of 225° a distance of 173,78°; thence S 72 degrees 26 minutes 24 seconds W a distance of 130,18°; thence in a southwesterly direction along the arc of a curve to the left having a radius of 375° a distance of 107,99°; thence S 55 degrees 56 minutes 24 seconds W a distance of 107,99°; thence N 34 degrees 03 minutes 36 seconds W a distance of 280° to a point on the southerly right of way line of U.S. Interstate Highway 12, the point of beginning.

#### Easement Parcel

A CERTAIN RASEMENT as created in the act of Cash Sale from Homart Development Company to the City of Slidell, dated August 1, 1986, registered in COB 1269, folio 144, and as assigned to General Cinema Corporation of Louisiana in Cash Sale of Property, dated October 14, 1986, registered in COB 1279, folio 871, filed October 17, 1986, Instrument No. 95677, and assigned to Carmike Cinemas, Inc. in Cash Sale of Property, dated May 11, 1994, registered as Instrument No. 906802, over that certain piece or portion of ground, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, appuntenances and advantages thereunto belonging, or in anywise appentaining, situated in the STATE OF LOUISIANA, PARISH OF ST. TAMMANY, SECTION 37, T88, R14E, NORTH SHORE SQUARE, CITY OF SLIDELL, designated as 9.657, MORE OR LESS, ACRE PORTION OF SHOPPING CENTER PARCEL, on that certain survey by J. J. Krebs, Inc., Surveyors, dated August 27, 1985, and according to said survey, said piece or portion of ground is more fally described as follows:

Commence at the intersection of the easterly right of way line of Aisport Road and the southerly right of way line of Interstate Highway 12, measure thence along said southerly line North 88 degrees 56 minutes 13 seconds East a distance of 24.46 feet; thence along said southerly line North 15 degrees 43 minutes 44 seconds East a distance of 88.41 feet; thence North 01 degrees 03 minutes 47 seconds West a distance of 229.10 feet; thence along said line North 55 degrees 56 minutes 24 seconds East a distance of 897.44 feet to a point; measure thence along said southerly line North 86 degrees 04 minutes 06 seconds East a distance of 372.88 feet to a point, the point of beginning. Measure thence from the point of beginning North 86 degrees 04 minutes 06 seconds East a distance of 47.60 feet; thence along said southerly line South 68 degrees 35 minutes 08 seconds East a distance of 128.99 feet thence South 26 degrees 41 minutes 30 seconds West a distance of 317.93 feet; thence North 63 degrees 18 minutes 31 seconds West a distance of 2.60 feet; thence North 03 degrees 55 minutes 54 seconds West a distance of 327.49 feet to a point on the southerly right of way line of Interstate Highway 12, the point of beginning.

# PARCEL II (Parcel B-2)

A certain piece or parcel of ground located in the State of Louisiana, Parish of St. Tammany, Section 37, Township 8 South, Range 14 East, City of Slidell designated as Parcel B-2 and more fully described as follows:

Commence at the intersection of the southerly right of way line of Interstate Highway 12 and the old Easterly right of way line of Northshore Blvd. (formerly Airport Road) and proceed North 88 degrees, 56 minutes 13 seconds East, 15.46 feet to a point; thence North 15 degrees, 43 minutes 44 seconds East 88.41 feet to a point; thence North 01 degrees 03 minutes 47 seconds West 159.22 feet to the POINT OF BEGINNING; thence continue North 01 degrees, 03 minutes 47 seconds West 69.88 feet to a point; thence North 55 degrees 56 minutes 24 seconds East 492.61 feet to a point; thence South 34 degrees 03 minutes 36 seconds East 200.00 feet to a point; thence South 55 degrees 56 minutes 24 seconds West, 120.70 feet to a point; thence along a curve to the left having a radius of 675.00 feet the chord of which bears South 42 degrees 26 minutes 19 seconds West for an arc distance of 292.72 feet to a point; thence North 61 degrees 03 minutes 47 seconds West 204.37 feet to a point; thence South 88 degrees 56 minutes 13 seconds West, 40.00 feet to the POINT OF BEGINNING.

Said tract contains 2.38 acres.

THAT CERTAIN PORTION OF GROUND, known as Farm No. 162 on the map of Liberty Farms and lots, made by A. B. Mundinger, C.E., in October, 1912, according to which said farm contains three acres, more or less, and is situated in the Parish of St. Tammany, La., to the East of Bayou Liberty, in Section 37, Township 8 South, Range 14 East, St. Helen Meridian, and measures as follows, to-wit: Two hundred and ninety feet (actual and title) front on the old Mandeville-Slidell Road; four hundred and thirty seven and 17/100 (437.17') feet actual (435' per title) on the side line dividing it from Farm No. 163; five hundred thirty and 01/100 (530.01') feet actual (528' per title) in depth on the side line dividing it from Farm No. 161; and two hundred seventy two and 73/100 (272.73') actual (272' per title) feet in width in the rear and front on Fifth Street.

#### AND

A CERTAIN PIECE OR PORTION OF GROUND situated in the State of Louisiana, Parish of St. Tammany, Section 37, T8S, R14E, designated as a portion of Revoked Old Mandeville Road per COR 1026, folio 72 and more fully described as follows:

Commence from the intersection of the northerly right of way line of U. S. Highway 190 and the Westerly boundary of Slidell Manor Subdivision; thence along said westerly boundary line N 00 deg.33'30" W a distance of 509.74 feet (501.93 feet Title), to a point on the intersection of the easterly boundary line of Farm Lot 162, Liberty Farms Subdivision, and the southerly right of way line of Poplar Street, the point of beginning. Measure thence from the point of beginning along said easterly line N 40 deg 27'20"W a distance of 290.00 feet (280.00 feet Title); thence N 49 deg. 32' 40" E a distance of 20.00 feet; thence S 40 deg. 27' 20" E a distance of 266.08 feet to a point on the westerly boundary line of Slidell Manor Subdivision; thence along said westerly line S 00 deg. 33'30" E a distance of 31.18 feet to a point on the southerly right of way line of Poplar Street, the point of beginning.

All as more fully shown on plan of survey by Krebs, LaSalle, LeMieux Consultants, Inc., dated July 6, 1998, revised July 29, 1998,

Being the same property acquired by Slidell Acquisition Corp. from 12 Northwest Slidell, LLC, and its members/managers, Helen Reynolds Cassell and George Reynolds per Act passed before Nicole S. Tygier, Notary Public, dated August 14, 1998 and registered in CIN 1110460, for the Parish of St. Tammany, State of Louisiana.

[DESCRIPTION CONTINUES ON NEXT PAGE]

### LESS AND EXCEPT

A CERTAIN TRACT OF LAND CONTAINING 7.4999 ACRES AND BEING HORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at an Iron Bar shown as POINT OF COMMENCEMENT FOR PARCEL MB. Thence South 00 degrees 33 minutes 30 seconds East, 426.74'; Thence South 84 degrees 18 minutes 29 seconds West, 44.18' to the POINT OF BEGINNING POR PARCEL MB:

Thence South 84 degrees 18 minutes 29 seconds West, 197.04'; Thence South 05 degrees 41 minutes 31 seconds East, 76.70'; Thence South 84 degrees 18 minutes 29 seconds West, 183.58'; Thence South 05 degrees 34 minutes 54 seconds East, 937.87'; Thence North 84 degrees 18 minutes 29 seconds East, 291.28'; Thence North 06 degrees 33 minutes 30 seconds West, 1018.66'; to the POINT OF BEGINNING FOR FARCEL HB.

#### AND

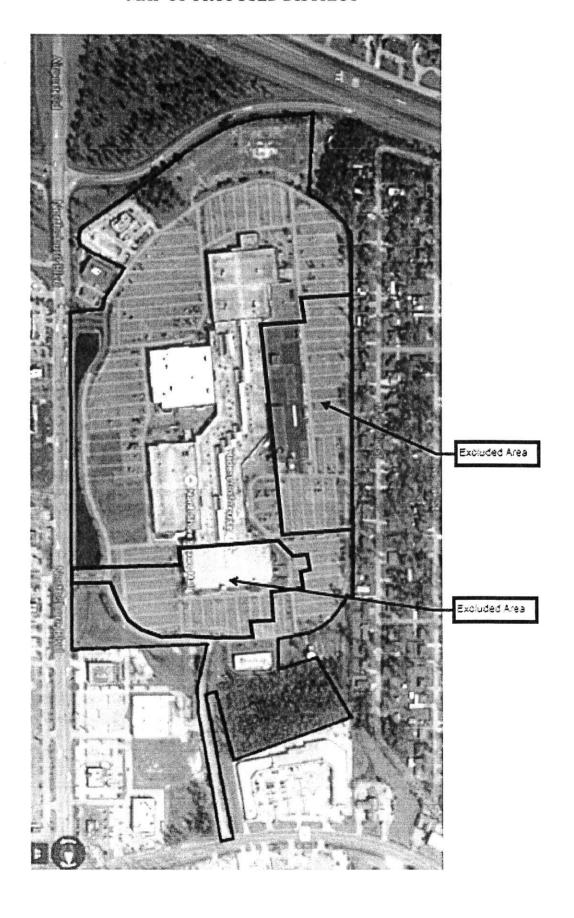
#### Part IV Dillard's Parcel

A certain piece or portion of ground located in the State of Louisiana, Parish of St. Tammany, Section 37, Township 8 South, Range 14 East, City of Slidell designated as Parcel D and more fully described as follows:

COMMENCE at the intersection of the southerly line of the Mervyn's Parcel and the new Easterly right of way line of Northshore Blvd. (formerly Airport Road) and proceed South 01 degrees 03 minutes 47 seconds East, along said easterly right of way line of Northshore Blvd. (formerly Airport Road) 1156.24 feet to the POINT OF BEGINNING; thence proceed North 88 degrees 27 minutes 26 seconds East, 198.49 feet to a point; thence North 05 degrees 50 minutes 38 seconds West, 15.46 feet to a point; thence North 84 degrees 09 minutes 22 seconds East, 325.23 feet to a point; thence North 05 degrees 50 minutes 38 seconds West, 92.67 feet to a point; thence North 84 degrees 18 minutes 29 seconds East, 427.84 feet to a point; thence South 05 degrees 50 minutes 38 seconds East 55.03 feet, to a point; thence North 84 degrees 09 minutes 22 seconds East 59.16 feet to a point; thence South 44 degrees 40 minutes 58 seconds East, 27.07 feet to a point; thence South 44 degrees 40 minutes 58 seconds East, 27.07 feet to a point; thence North 84 degrees 09 minutes 22 seconds East, 67.66 feet to a point; thence South 05 degrees 50 minutes 38 seconds East 110.92 feet to a point; thence South 84 degrees 09 minutes 22 seconds West 41.22 feet to a point; thence South 05 degrees 50 minutes 38 seconds East 52.41 feet to a point; thence South 84 degrees 09 minutes 22 seconds West 117.81 feet to a point; thence South 85 degrees 50 minutes 38 seconds East 120.70 feet to a point; thence North 66 degrees 12 minutes 52 seconds West 30.85 feet to a point; thence South 05 degrees 50 minutes 38 seconds East 10.07 feet to a point; thence North 65 degrees 12 minutes 52 seconds West 30.85 feet to a point; thence South 05 degrees 50 minutes 38 seconds East 86.23 feet to a point; thence South 84 degrees 18 minutes 51 seconds West 206.22 feet to a point; thence North 86 degrees 17 minutes 53 seconds West 319.05 feet to a point; thence along a curve to the right having a radius of 268.87 feet, the chord of which bears North 40 degrees 19 minutes 43 seconds West, for an arc distance of 309.97 feet to a point; thence South 88 degrees 27 minutes 26 seconds West 197.98 feet to a point; thence North 01 degrees 03 minutes 47 seconds West 25.00 feet to the POINT OF BEGINNING.

Being the same property depicted as Parcel D pursuant to a plan of resubdivision by McLin Land Surveying, Inc., dated June 20, 1994, recorded under Map File No. 1234 on June 29, 1994 in the public records of St. Tammany Parish, Louisiana.

# MAP OF PROPOSED DISTRICT



## RESOLUTION R14-28 PAGE 11

# STATE OF LOUISIANA PARISH OF ST. TAMMANY

I, the undersigned Council Administrator of City of Slidell, State of Louisiana (the "City"), do hereby certify that the foregoing ten (10) pages constitute a true and correct copy of a resolution adopted by the governing authority of the City on September 23, 2014, authorizing the publication of a Notice of Intention to create the Northshore Square Economic Development District, State of Louisiana, and to levy a 1.00% sales and use tax therein, under the authority of Part II, Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 et seq.); and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the City on this the 23rd day of September, 2014.

	ourns remain
(SEAL)	Thomas P. Reeves
	Council Administrator

A. DD.