

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5436 ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: TANNER/BRISTER PROVIDED BY: DEVELOPMENT

INTRODUCED BY: _____ SECONDED BY: _____

ON THE 6 DAY OF AUGUST , 2015

ORDINANCE TO REVOKE A PORTION OF 6TH STREET RIGHT-OF-WAY, LOCATED IN CHINCHUBA SUBDIVISION, WARD 4, DISTRICT 4. (REV15-07-002)

WHEREAS, the petitioner, who owns property abutting the aforementioned Parish street right-of-way, has petitioned the St. Tammany Parish Council to revoke/alienate a portion of the dedication, specifically a portion of 6th Street in Chinchuba Subdivision; and

WHEREAS, the Departments of Public Works, Engineering, and Development have reviewed and researched said request and have reported their findings to the St. Tammany Parish Planning Commission; and

WHEREAS, the St. Tammany Parish Planning Commission, upon review of said petition, and after having considered all of the facts relevant to this request, has concluded that said portion of said street right-of-way is no longer needed for public purposes as defined pursuant to Louisiana statutory law, and therefore recommends to the Parish Council the adoption of the proposed revocation request.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, that it hereby concurs with the findings of the Planning Commission and therefore grants approval of the revocation/alienation request for the portion of the street right-of-way as referred to above, subject to the following:

SECTION I: The applicant shall need approval from the Department of Public Works prior to the revocation going into full force and effect.

SECTION II: The petitioner, or any other adjacent property owner who wishes to participate, if any, shall enter into a private cash sale with the Parish to conclude the revocation/alienation process as set forth in P.J. Ord. No. 93-1700, and in accordance with the provisions of L.R.S. 48:720 and 48:725.

SECTION III: All subsurface mineral rights therein shall be retained by St. Tammany Parish, unless otherwise stated within this ordinance; and the Parish shall reserve the right to retain any easements and/or servitudes existing at the time of revocation and/or may also require the establishment of same if the Parish deems it necessary.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 3 DAY OF SEPTEMBER, 2015; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

RICHARD E. TANNER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

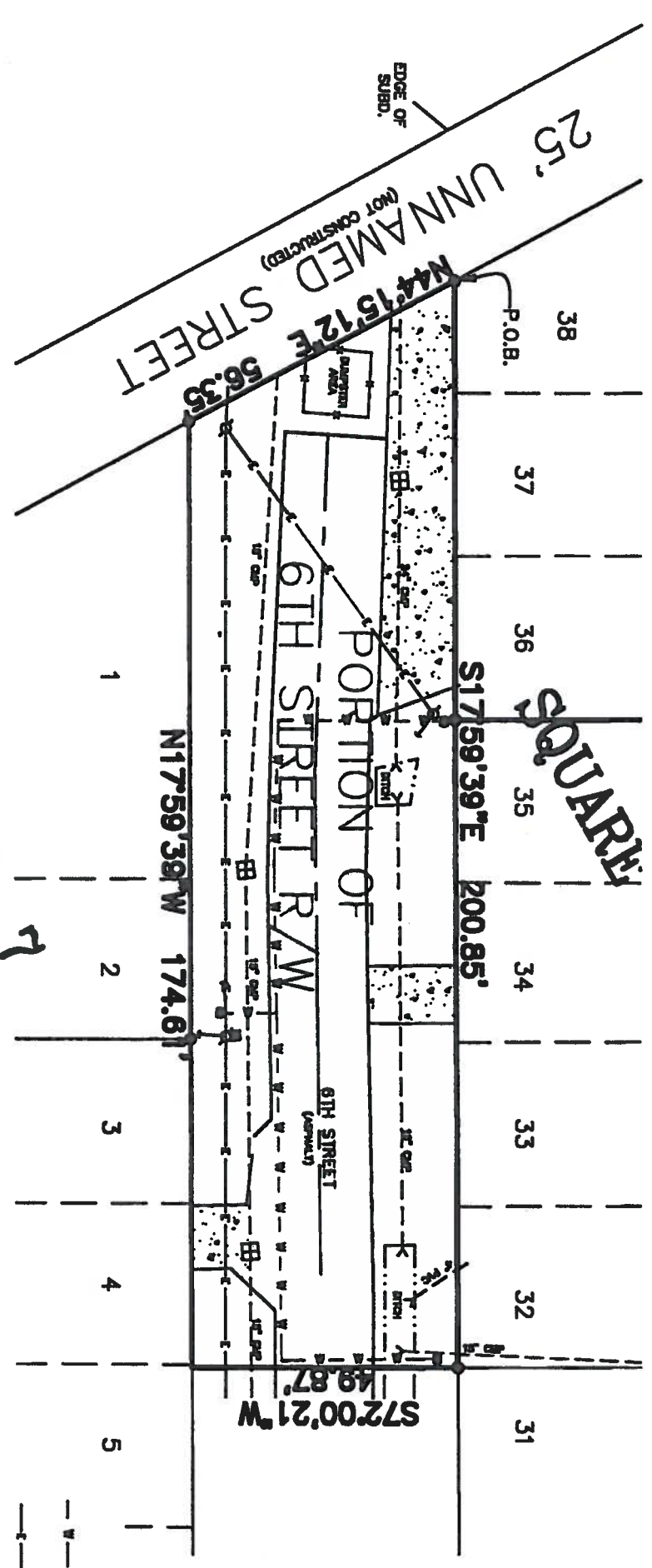
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JULY 30, 2015

Published Adoption: _____, 2015

Delivered to Parish President: _____, 2015 at _____

Returned to Council Clerk: _____, 2015 at _____



SQUARE

PROPERTY DESCRIPTION: PORTION OF 6TH STREET R/W

COMMENCING FROM THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SIXTH STREET AND THE SOUTHERLY RIGHT OF WAY LINE OF A 25 FOOT UNNAMED STREET, ALSO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING GO: SOUTH 7 DEGREES 59 MINUTES 39 SECONDS EAST, A DISTANCE OF 200.85 FEET; THENCE GO SOUTH 72 DEGREES 00 MINUTES 21 SECONDS WEST, A DISTANCE OF 49.87 FEET; THENCE GO NORTH 17 DEGREES 59 MINUTES 39 SECONDS WEST, A DISTANCE OF 174.61 FEET; THENCE GO NORTH 44 DEGREES 15 MINUTES 12 SECONDS EAST, A DISTANCE OF 56.35 BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 9,362 SQUARE FEET OF LAND MORE OR LESS.

- LEGEND:**
- W — WATERLINE (AS L)
 - E — OVERHEAD ELECT
 - WATER METER
 - TELEPHONE RISER
 - ⊠ POWER POLE
 - ⊞ DROP INLET

● DENOTES 1/2" RON ROD FND
 ● UNLESS OTHERWISE NOTED

Note: I have consulted the Federal Inun Flood Hazard Boundary Maps and described as NOT located in R is located in Flood Zone
 FIRM Panel# 225205 D

THE SURVEY AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL UNRECORDED SURVEYS AND RESTRICTIONS ARE SHOWN HEREIN. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY. SURVEYED IN ACCORD WITH MINIMUM STANDARD FOR A CLASS C.

Randall W. Brown & Associates,

Professional Land Surveyors
 Geodetic • Forensic • Consultants

228 W. Causeway Approach, Mandeville, LA
 (985) 624-6368 FAX (985) 624-6309
 E-MAIL: info@brownstlveys.com



ADMINISTRATIVE COMMENTS

CASE ITEM:

An ordinance to revoke a portion of 6th Street located in Chinchuba Subdivision, Ward 4, District 4

Staff Recommendation:

The staff recommended denial of the revocation request due to the fact said right-of-way was being used by the parish for drainage and access to a drainage lateral.

Planning Commission Recommendation:

The Planning Commission unanimously recommended approval subject to the applicant working with our public works department to come up with a solution to the issues at hand.