

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5283                      ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: FALCONER/BRISTER            PROVIDED BY: DEVELOPMENT

INTRODUCED BY: \_\_\_\_\_                      SECONDED BY: \_\_\_\_\_

ON THE 2 DAY OF OCTOBER , 2014

ORDINANCE TO REVOKE POWERLINE ROAD RIGHT-OF-WAY  
LOCATED NORTH OF LA HIGHWAY 40, NORTHWEST OF BUSH,  
LOUISIANA, WARD 5, DISTRICT 6

WHEREAS, the petitioner who owns property abutting the aforementioned Parish street right-of-way, has petitioned the St. Tammany Parish Council to revoke/alienate the dedication, specifically all of Powerline Road; 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 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 street right-of-way as referred to above, subject to the following:

SECTION I: 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 II: 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.

SECTION III: The applicant must file a minor subdivision application with the Department of Development and receive approval from the parish prior to this ordinance going into effect.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 6 DAY OF NOVEMBER, 2014; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: SEPTEMBER 25, 2014

Published Adoption: \_\_\_\_\_, 2014

Delivered to Parish President: \_\_\_\_\_, 2014 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2014 at \_\_\_\_\_

**APPROVALS:**

\_\_\_\_\_  
POLICE JURY PRESIDENT

\_\_\_\_\_  
CHAIRMAN OR SECRETARY OF PLANNING COMMISSION

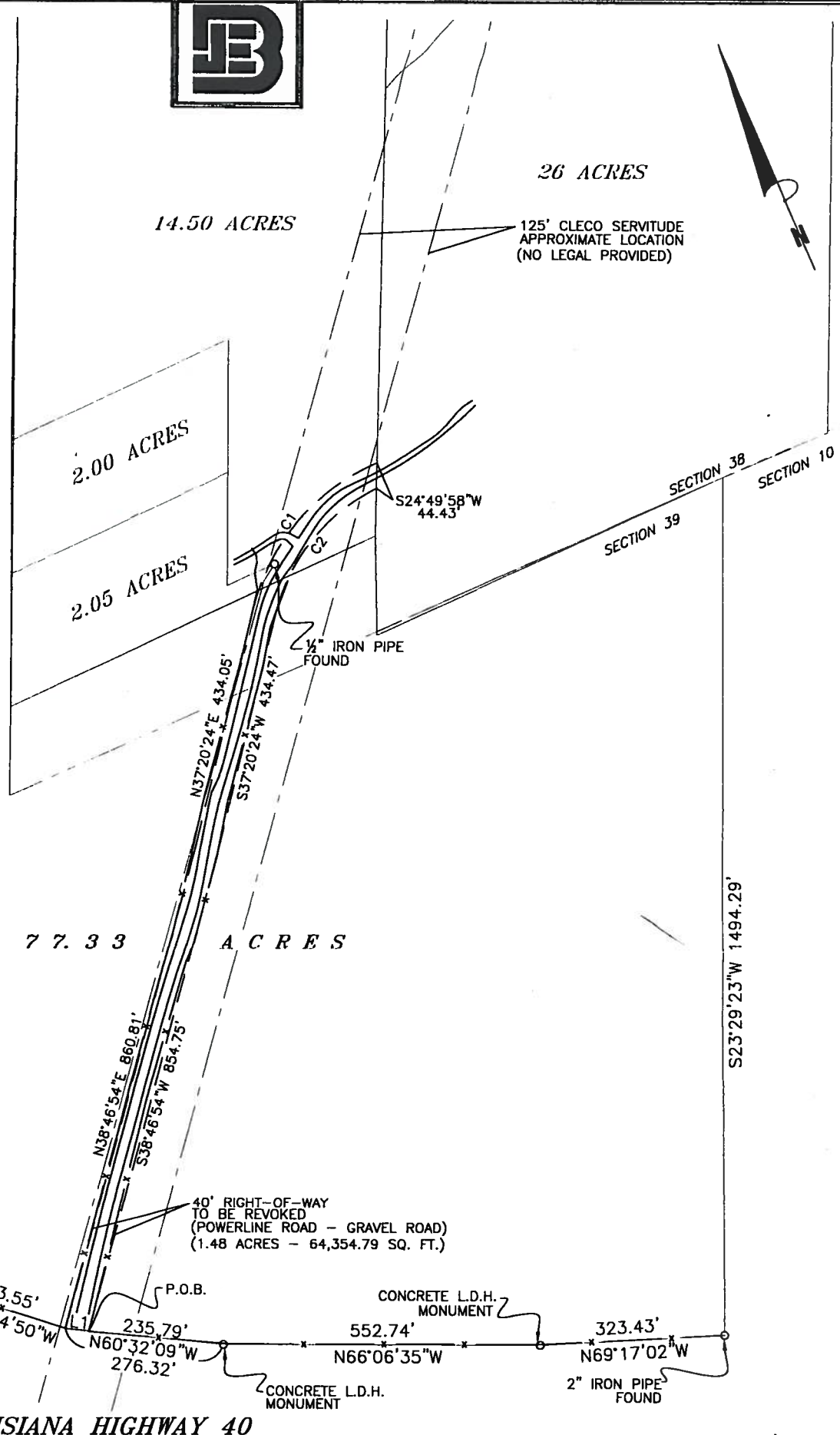
\_\_\_\_\_  
CHAIRMAN OF PUBLIC WORKS COMMITTEE

\_\_\_\_\_  
PARISH ENGINEER

\_\_\_\_\_  
CLERK OF COURT

\_\_\_\_\_  
DATE FILED

\_\_\_\_\_  
MAP FILE NO.



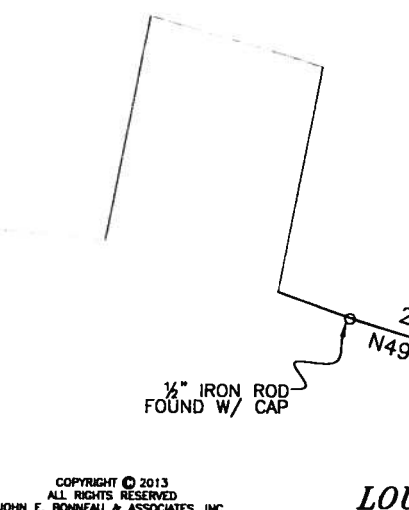
**NOTE:** THE P.O.B. IS REPORTED TO BE S23°29'23"W 1494.29'; N69°17'02"W 323.43'; N66°06'35"W 552.74' AND N60°32'09"W 235.79' FROM THE SECTION CORNER COMMON TO SECTIONS 38, 39 & 10, T-5-S, R-12-E, ST. HELENA MERIDIAN, ST. TAMMANY PARISH, LOUISIANA

**CURVE TABLE:**

NUMBER	RADIUS	LENGTH	BEARING	CHORD
C1	372.46'	344.46'	N64°04'33"E	332.32'
C2	332.46'	289.12'	S62°30'32"W	280.10'

**LINE TABLE:**

NUMBER	BEARING	DISTANCE
L1	N60°32'09"W	40.53'



**LOUISIANA HIGHWAY 40**

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND CONTROL; AND THAT THE SURVEY WAS DONE ON THE GROUND AND IS IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS ADOPTED BY THE STATE OF LOUISIANA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASS "D" SURVEY.

REFERENCE SURVEY: A SURVEY BY ARPENTEUR CONSULTANTS, LLC DATED SEPTEMBER 0, 2010.

**SURVEY MAP OF**  
**A 40' RIGHT-OF-WAY, POWERLINE ROAD (TO BE REVOKED)**  
 situated in  
**SECTIONS 38 & 39, T-5-S, R-12-E**  
 St. Tammany Parish, Louisiana  
 for  
**JAMES P. STOYANOFF &**  
**LAW OFFICE OF MARTHA L. JUMONVILLE**

**BASIS FOR BEARINGS:** The Reference Survey.

**FLOODZONE NOTE:** This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Zone(s) "C" with a Base Flood Elevation of N/A in accordance with Community Panel No. 225205 0065 B; Revised: MARCH 01, 1984

Survey No. 2013 535      Drawn by: SPH      Scale: 1" = 200'  
 Date: NOVEMBER 07, 2013      Revised: 02/06/14(CERTIFICATION AND APPROVALS)

**JOHN E. BONNEAU & ASSOCIATES, INC.**  
 Professional Land Surveyors • Planners and Consultants  
 420 HWY. 1085, EXIT #57 • MADISONVILLE, LA. 70447  
 (985)845-1012 • (985)845-1013 • (985)845-1351 • FAX NO. (985)845-1778  
 www.JEBCOLandSurveying.com • e-mail: jebco1@bellsouth.net

**NOTE:** This is to certify that I have done an actual ground survey and found that no encroachments exist either way across any property lines except as shown.

**NOTE:** Setback lines shall be verified by owner and/or contractor prior to any construction, as an abstract has not been performed by the undersigned.

Servitudes shown hereon are not necessarily exclusive. Servitudes of record as shown on title opinion or title policy will be added hereto upon request, as surveyor has not performed any title search or abstract.

This Survey is Certified  
 True and Correct  
**JOHN E. BONNEAU**  
 REG. No. 4423  
 REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
 State of Louisiana  
 Registration No. 4423

## ADMINISTRATIVE COMMENTS

### CASE ITEMS:

- An ordinance to revoke Powerline Road located on the north side of LA Highway 40, northwest of Bush, Louisiana, Ward 5, District 6

#### **Staff Recommendation:**

Staff recommended approval subject to the revocation ordinance not being signed into law until the minor subdivision application has been submitted, reviewed and approved by the parish.

#### **Planning Commission Recommendation:**

The Planning Commission unanimously recommended approval subject to staff comments.

- An ordinance to amend the St. Tammany Parish Code of Ordinances, Appendix B, Chapter 40 of Subdivision Regulatory Ordinance No. 499, specifically, Section 40-032.04 relative to the roadway elevation standards.

#### **Staff Recommendation:**

Staff recommends approval.

#### **Planning Commission Recommendation:**

The Planning Commission unanimously recommended approval.