

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5072 ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: BINDER/BRISTER PROVIDED BY: DEVELOPMENT

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

ON THE 5 DAY OF SEPTEMBER, 2013

ORDINANCE TO REVOKE A PORTION OF ST. BENEDICT STREET RIGHT-OF-WAY, LOCATED IN COVINGTON-ST. BENEDICT SUBDIVISION, WARD 3, DISTRICT 2. (REV13-08-002)

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 St. Benedict Street, located in Covington-St. Benedict 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 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 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.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 OCTOBER , 2013 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

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

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

Published Introduction: August 29 , 2013

Published Adoption: \_\_\_\_\_ , 2013

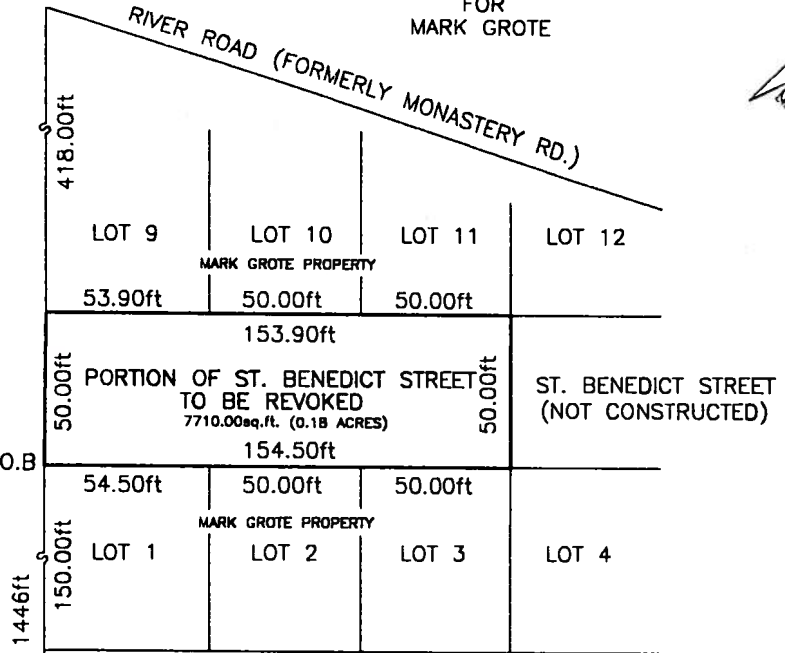
Delivered to Parish President: \_\_\_\_\_ , 2013 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_ , 2013 at \_\_\_\_\_

REVOCATION OF A PORTION OF ST. BENEDICT STREET  
FOR  
MARK GROTE



ST. JOSEPH STREET (NOT CONSTRUCTED)  
NOT A PART OF SUBDIVISION



NOTE: THIS PROPERTY HAS NO PUBLIC OR PRIVATE SERVITUDES OR EASEMENTS FOR UTILITIES, DRAINAGE, ECT.

SW. CORNER OF THE  
S.E. 1/4 OF THE S.E.  
1/4 OF SEC. 17, T6S, R11E.

SECTION 17  
SECTION 20

DESCRIPTION

A CERTAIN PIECE OR PORTION OF GROUND SITUATED IN SECTION 17, TOWNSHIP 6 SOUTH, RANGE 11 EAST, BEING A PART OF COVINGTON~ST. BENEDICT SUBDIVISION AND MORE FULLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 17, T6S, R11E GO NORTH 1446ft TO A POINT LOCATED AT THE SOUTHWEST CORNER OF ST. BENEDICT STREET AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING CONTINUE NORTH 50ft TO A POINT LOCATED AT THE NORTHWEST CORNER OF ST. BENEDICT STREET; THENCE GO ALONG THE NORTH EDGE OF SAID STREET EASTERLY 153.90ft TO A POINT; THENCE SOUTHERLY 50ft TO A POINT ON THE SOUTH EDGE OF ST. BENEDICT STREET; THENCE WESTERLY 154.50ft ALONG THE SOUTH EDGE OF ST. BENEDICT STREET AND THE POINT OF BRGINNING.

PARISH PRESIDENT \_\_\_\_\_

SECRETARY OF THE PLANNING COMMISSION \_\_\_\_\_

DIR. OF THE DEPT. OF ENGINEERING \_\_\_\_\_

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

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

DATE \_\_\_\_\_ FILE NO. \_\_\_\_\_

Reference 1) MAP OF COVINGTON ST. BENEDICT SUBDIVISION, SURVEYED BY ROBERT A. BERLIN, DATED JULY 6, 1953. SAID SUBDIVISION MAP FILED IN THE OFFICIAL RECORDS OF THE ST. TAMMANY PARISH CLERK OF COURT AND WAS USED AS THE BASIS OF DIRECTION SHOWN.

	REVOCATION OF A PORTION OF ST. BENEDICT STR. OF THE COVINGTON~ST. BENEDICT SUBDIVISION, SECTION 17, TOWNSHIP 6 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA.		
	<b>D &amp; S SURVEYORS, INC.</b> PROFESSIONAL LAND SURVEYORS 2401 N. HWY. 190, SUITE 203, COVINGTON, LOUISIANA 70433 OFFICE(985)892-2847~FAX(985)892-2806		
	JOB NO. 13-66	DRAWN WRS CHECKED WRS	DATE 06/26/2013 SCALE 1"=50'

WAYNE R. SIMKIN P.L.S. REG. # 4751

**ADMINISTRATIVE COMMENTS**  
***(REV13-08-002 Revocation of a Portion of St. Benedict Street)***

**Overview:**

The applicant wants to revoke a 50' wide strip of unopened St. Benedict Street for the purpose of assimilating said property into the lots that he owns on both sides of the street.

**Staff Recommendation:**

The staff believes that the proposal is consistent relative to the Louisiana Revised Statutes governing the revocation of immovable property since the right-of-way does not appear to serve any public use or benefit, other than to the applicant. To that end, the staff has no objections to the proposed revocation request subject to the applicant assimilating said property in with his six lots by filing application for an administrative resubdivision to combine the properties into one lot.

**Planning Commission Recommendation:**

The Planning Commission unanimously recommended approval.