

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3082 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: MR. IMPASTATO PREPARED BY: COUNCIL OFFICE

INTRODUCED BY MR. GOULD SECONDED BY MR. BURKHALTER

ON THE 5TH DAY OF MAY, 2005.

ORDINANCE TO REVOKE SEWERAGE AND WATER SERVITUDE ESTABLISHED BY THE PARISH OF ST. TAMMANY WITHIN REVOKED PORTIONS OF WASHINGTON STREET, HARRISON STREET, 8TH STREET, 9TH STREET AND LOT 38, ALPINE VILLAGE ESTATES SUBDIVISION IN SECTION 42, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, AND BEING LOCATED IN THE TOWN OF MAILLEVILLE SUBDIVISION, WARD 3, DISTRICT 3.

WHEREAS, the Parish of St. Tammany revoked portions of Washington Street, Harrison Street, 8th Street, 9th Street and Lot 38, Alpine Village Estates Subdivision in Section 42, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, and being located in the Town of Mailleville Subdivision, Ward 3, District 3, pursuant to Police Jury Ordinance No. 598, adopted June 20, 1974, and

WHEREAS, said ordinance included a clause that granted the Parish a servitude inclusive of the entire width and length of the revoked portions of the streets, as per the attached survey of John G. Cummings & Associates, Professional Land Surveyor dated January 25, 2001, Job No. 9757G, a copy of which is attached hereto and made a part hereof, for laying of sewer and water lines; and

WHEREAS, to date, the Parish has not exercised its right to utilize the servitude for its intended purpose; and

WHEREAS, the property has now been annexed by the City of Covington, and the City of Covington has approved the property in question for development as a planned combined use district, PCUD. It is the desire of the current owner to request that the Parish relinquish its rights over the said servitude since it has not been utilized for its intended purpose to date; and further the current owner claims that the servitude is no longer needed since the properties in the area are already served by individual sewerage and water facilities; and the proposed development of said property provides for municipal and/or private sewer treatment and water;

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened, that it grants revocation of the sewerage and water servitude established by the Parish of St. Tammany within revoked portions of Washington Street, Harrison Street, 8th Street, 9th Street and Lot 38, Alpine Village Estates Subdivision in Section 42, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, and being located in the Town of Mailleville Subdivision, Ward 3, District 3, due to the fact that said servitude no longer serve the purpose for which it was originally intended.

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.