

**ST. TAMMANY PARISH COUNCIL**

**ORDINANCE**

ORDINANCE CALENDAR NO. 3152 ORDINANCE COUNCIL SERIES NO. 05-

COUNCIL SPONSOR STEFANCIK/PRESIDENT PROVIDED BY: PLANNING

INTRODUCED BY MR. IMPASTATO SECONDED BY MR. BAGERT

ON THE 28<sup>TH</sup> DAY OF SEPTEMBER 2005

**ORDINANCE TO REVOKE A PORTION OF AN UNNAMED ALLEY IN LACOMBE PARK SUBDIVISION, LOCATED IN WARD 7, DISTRICT 7 (REV 05-08-003)**

**WHEREAS**, the petitioner, who owns property abutting the aforementioned Parish unnamed alleyway, has petitioned the St. Tammany Parish Council to revoke/alienate a portion of the dedication, specifically the west half of the alleyway in Square 173, Lacombe Park Subdivision, in the vicinity of Lacombe, Louisiana; and

**WHEREAS**, the Departments of Public Works, Engineering, and Planning 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 alleyway 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 unnamed alleyway as referred to above, subject to the following:

**SECTION I :** The petitioner, or any other adjacent property owner who wishes to participate, 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**REPEAL:** All ordinances or parts of Ordinances in conflict herewith are hereby and henceforth repealed.

**SEVERABILITY:** If any provision of this Ordinance is held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provisions, 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: \_\_\_\_\_