

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3367 ORDINANCE COUNCIL SERIES NO. 06-

COUNCIL SPONSOR STEFANCIK/DAVIS PROVIDED BY: PLANNING

INTRODUCED BY MR. BURKHALTER SECONDED BY MS. BRISTER

ON THE 7TH DAY OF SEPTEMBER 2006

**ORDINANCE TO REVOKE A PORTION OF 1ST AVENUE
RIGHT-OF-WAY, LOCATED IN BIRG BOULEVARD
SUBDIVISION, WARD 3, DISTRICT 5**

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 1st Avenue, located in the Birg Boulevard Subdivision, south of Covington, 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 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 revocation of property shall be conditioned upon an "Act of Exchange" whereby the petitioner shall dedicate the to the Parish, in conjunction with the revocation of a portion of 1st Avenue, an approximate 41,232 square feet strip of property to be designated as a new right-of-way that will extend the existing I-12 Service Road approximately 700 feet farther eastward to the west side of the South Street right-of-way as depicted per attached survey plat.

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 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby and henceforth repealed.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.

