

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3384 ORDINANCE COUNCIL SERIES NO.

COUNCIL SPONSOR: IMPASTATO PROVIDED BY: PRESIDENT

INTRODUCED BY MR. GOULD SECONDED BY MR. THOMPSON

ON THE 7TH DAY OF SEPTEMBER, 2006.

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ABANDON AN APPARENT SERVITUDE OF DRAINAGE AS OTHERWISE DRAWN OR SKETCHED IN ATTACHED EXHIBIT "A"

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, that:

SECTION I: Hibernia National Bank (now Capital One National Association) and De Val, Inc. have dedicated & donated the portion of land set out in Exhibit "A" and/or have granted a Servitude and Right of Way Agreement with the Parish dated August 28, 2006.

SECTION II: The Drainage Servitude has been accepted by the Parish and same shall be incorporated into the St. Tammany Parish Drainage Maintenance System Inventory.

SECTION III: Furthermore, it is specifically mandated that a condition of the Drainage Servitude is that the Parish shall abandon what it suggests is a disputed, but an apparent servitude of drainage that heretofore may have existed and been caused by the natural drainage of water across said "Apparent Servitude of Drainage".

SECTION IV: That the manually shaded area of Exhibit "A" sets out the suggested, unrecorded apparent servitude that may exist and otherwise affect title to this instant property.

SECTION V: The Parish hereby abandons such Apparent Servitude of Drainage.

SEVERABILITY: If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect any other provision 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.

REPEAL: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE: This ordinance shall become effective fifteen (15) days after adoption.

MOVED OR ADOPTION BY _____, SECONDED BY _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT: