

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3819

ORDINANCE COUNCIL SERIES NO. 08-

COUNCIL SPONSOR BINDER/DAVIS

PROVIDED BY PLANNING

INTRODUCED BY: MR. BURKHALTER

SECONDED BY: MR. STEFANCIK

ON THE 1<sup>ST</sup> DAY OF MAY, 2008

**ORDINANCE TO REVOKE A PORTION OF LEMOS STREET  
RIGHT-OF-WAY, LOCATED IN HOMELAND HEIGHTS  
SUBDIVISION, WARD 9, DISTRICT 12**

**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 Lemos Street, located in Homeland Heights Subdivision; 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 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.

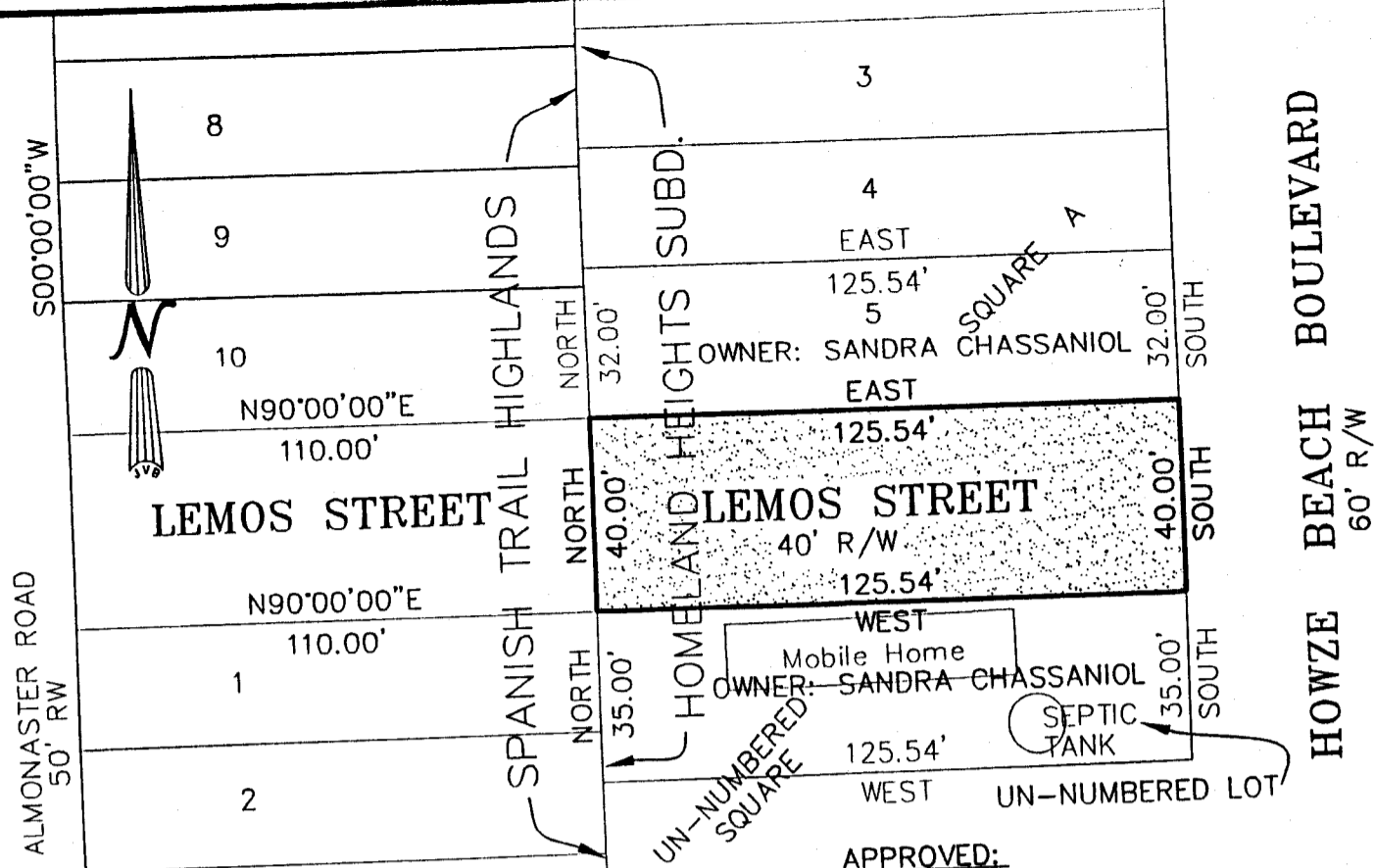
**SECTION II:** All subsurface mineral rights therein shall be retained by St. Tammany Parish, unless otherwise stated within this ordinance; and the Parish shall reserve the right to retain any easements and/or servitudes existing at the time of revocation and/or may also require the establishment of same if the Parish deems it necessary.

**REPEAL:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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: \_\_\_\_\_



**PROPERTY DESCRIPTION**  
 THAT PORTION OF LEMOS STREET LOCATED IN HOMELAND HEIGHTS SD, NEAR THE CITY OF SLIDELL IN SEC. 44, T-9-S, R-14-E, MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCE AT THE INTERSECTION OF THE NORTHERLY R.O.W. OF LEMOS ST. WITH THE WESTERLY R.O.W. OF HOWZE BEACH BLVD. SAID POINT BEING THE POINT OF BEGINNING, THENCE MEASURE ALONG THE R.O.W. OF HOWZE BEACH BLVD, SOUTH - 40.00' TO ITS INTERSECTION WITH THE SOUTHERLY R.O.W. OF LEMOS ST., THENCE DEPARTING HOWZE BEACH BLVD. R.O.W. MEASURE ALONG THE LEMOS ST. R.O.W., WEST - 125.54' TO ITS INTERSECTION WITH THE SUBDIVISION BOUNDARY BETWEEN HOMELAND HEIGHTS SD. & SPANISH TRAIL HIGHLANDS,, THENCE MEASURE ALONG SAID BOUNDARY LINE NORTH - 40.00' TO THE NORTHERLY R.O.W. OF LEMOS ST., THENCE MEASURE ALONG SAID R.O.W., EAST - 125.54' TO ITS INTERSECTION WITH HOWZE BEACH BLVD. R.O.W. AND THE POINT OF BEGINNING.

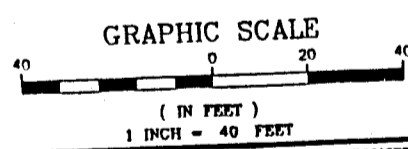
**APPROVED:**

_____ POLICE JURY PRESIDENT	_____ DATE
_____ CHAIRMAN PUBLIC WORKS COMMITTEE	_____ DATE
_____ SECRETARY OF PLANNING COMMISSION	_____ DATE
_____ ST. TAMMANY PARISH ENGINEER	_____ DATE
_____ CLERK OF COURT	_____ DATE
_____ DATE FILED	_____ FILE NO.

**\*\*NOTE**  
 ST. TAMMANY PARISH REQUIRES THE MINIMUM FINISHED FLOOR ELEVATION IN THIS AREA TO MATCH THE ABFE DETERMINED BY FEMA.  
 ZONE: AE10  
 ABFE: 10'  
 PANEL: LA-LL41  
 DATE: JANUARY 18, 2006

**BUILDING SETBACKS**  
 (\* Verify Prior to Construction)

- Front Setback..... \*
- Side Setback..... \*
- Rear Setback..... \*



**LEGEND**

- 1/2" Iron Rod Set
- 1/2" Iron Rod Found
- ⊕ Cross

ADDRESS: HOWZE BEACH BOULEVARD

I CERTIFY THAT THIS PLAN DOES REPRESENT AN ACTUAL GROUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCROACHMENTS EXIST EITHER WAY ACROSS ANY OF THE PROPERTY LINES, EXCEPT AS SHOWN.

PROPERTY IS SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY. BEARINGS ARE BASED ON RECORD BEARINGS UNLESS NOTED OTHERWISE.

ENCUMBRANCES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. ENCUMBRANCES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

F.I.R.M. No. 225205 0420 E  
 F.I.R.M. Date 4/21/99  
 ZN: AS B.F.E. 2' \*\*See Note  
 \* Verify prior to construction with Local Governing Body.

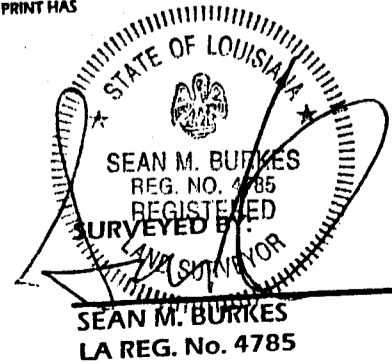
DRAWING NO. 20070912  
 DATE: 5/05/06

**J.V. Burkes & Associates, Inc.**  
 SURVEYING ENGINEERING • ENVIRONMENTAL  
 1805 HWY. 190 EAST  
 Slidell, Louisiana 70458  
 E-mail: jvbassoc@jvburkes.com

DRAWN BY: BC  
 CHECKED BY: MD  
 SCALE: 1" = 40'

Phone: 985-649-0075 Fax: 985-649-0154  
 Mississippi Phone: 228-435-5800  
 DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL OF SURVEYOR.

**A PORTION OF LEMOS STREET (TO BE REVOKED)**  
 LOCATED NEAR THE CITY OF SLIDELL  
 IN HOMELAND HEIGHTS SUBDIVISION  
 SEC. 44, T-9-S, R-14-E,  
 ST. TAMMANY PARISH, LOUISIANA



CERTIFIED TO: SANDRA CHASSANIOL