

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3800

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR. GOULD

PROVIDED BY COUNCIL ATTORNEY

INTRODUCED BY: MR. GOULD

SECONDED BY: MR. STEFANCIK

ON THE 3RD DAY OF APRIL, 2008

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY TO ACCEPT THE DEDICATION OF COLONIAL COURT, DONNETTE STREET RIGHT OF WAY, DRAINAGE SERVITUDE AND DETENTION POND AREAS THAT ARE SITUATED WITHIN COLONIAL VILLAGE SUBDIVISION (WARD 4, DISTRICT 5)

WHEREAS, at the present time, Colonial Court, Donnette Street (right-of-way), and the two (2) detention pond areas at the entrance to the subdivision are vested in the Colonial Village Owners' Association (the "Association"), and/or the developer of Colonial Village Subdivision, and are for the private use of the residents/lot owners of Colonial Village Subdivision. The homeowners, the Association and the developer now desire that Colonial Court, Donnette Street (right-of-way), the two (2) detention pond areas at the entrance to the subdivision, and the fifteen (15) foot drainage servitude that is adjacent to Lot #24, and located on the property owned by Briarwood Utility Company, be made public and be maintained by the Parish; and

WHEREAS, the homeowners, the Association and the developer desire that the final plat be corrected and/or amended to reflect that Colonial Court, Donnette Street (right-of-way), the two (2) detention pond areas at the entrance to the subdivision, and the fifteen (15) foot drainage servitude that is adjacent to Lot #24 are public; and

WHEREAS, the matter is to be reviewed by the St. Tammany Parish Planning Commission and an act of correction of the final plat of Colonial Village Subdivision is to be executed by Kelly McHugh and Associates, surveyor of record, converting the subdivision from private to public and specifying that Colonial Court, Donnette Street (right-of-way), the two (2) detention pond areas at the entrance to the subdivision, and the fifteen (15) foot drainage servitude that is adjacent to Lot #24 are now public (See attached copy of Final Plat); and

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION 1. The Office of the Parish President is authorized to execute, on behalf of St. Tammany Parish, any and all documents necessary to accept a dedication and donation of Colonial Court, Donnette Street (right-of-way), the two (2) detention pond areas at the entrance to the subdivision, and the fifteen (15) foot drainage servitude that is adjacent to Lot #24.

SECTION 2. Following Planning Commission review, and prior to executing the aforesaid act of dedication and donation, an act of correction of the final plat of Colonial Village Subdivision shall be executed by Kelly McHugh and Associates, surveyor of record, converting the subdivision from private to public and specifying that Colonial Court, Donnette Street (right-of-way), the two (2) detention pond areas at the entrance to the subdivision, and the fifteen (15) foot drainage servitude that is adjacent to Lot #24 are now public.

SECTION 3. Upon execution of the aforesaid dedication and transfer, Colonial Court and the Donnette Street right-of-way shall be included in the St. Tammany Parish maintenance system.

SECTION 4. Upon execution of the aforesaid dedication and transfer, the St. Tammany Parish Selective Road Maintenance System Inventory shall be amended to include Colonial Court and the Donnette Street right-of-way. Following the transfer, necessary improvements to the roadside drainage ditches, driveway culverts and roadway panels and joints are to be provided in accordance with plans prepared by the Department of Engineering, to be constructed by the Department of Public Works and contract work.

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.

DATE OF ENACTMENT: This ordinance shall become effective immediately upon final adoption.

MOVED FOR ADOPTION BY _____, SECONDED BY _____

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

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____, 2008; AND BECOMES ORDINANCE PARISH COUNCIL SERIES NO. _____

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction MARCH 27, 2008
Published adoption _____, 2008

Delivered to Parish President _____, 2008 at _____
Returned to Council Clerk _____, 2008 at _____