

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3819

ORDINANCE COUNCIL SERIES NO. 08-

COUNCIL SPONSOR BINDER/DAVIS

PROVIDED BY PLANNING

INTRODUCED BY _____

SECONDED BY _____

ON THE _____ DAY OF _____ 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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: _____

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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 COUNCIL SERIES NO. 08-

JERRY BINDER, COUNCIL CHAIRMAN

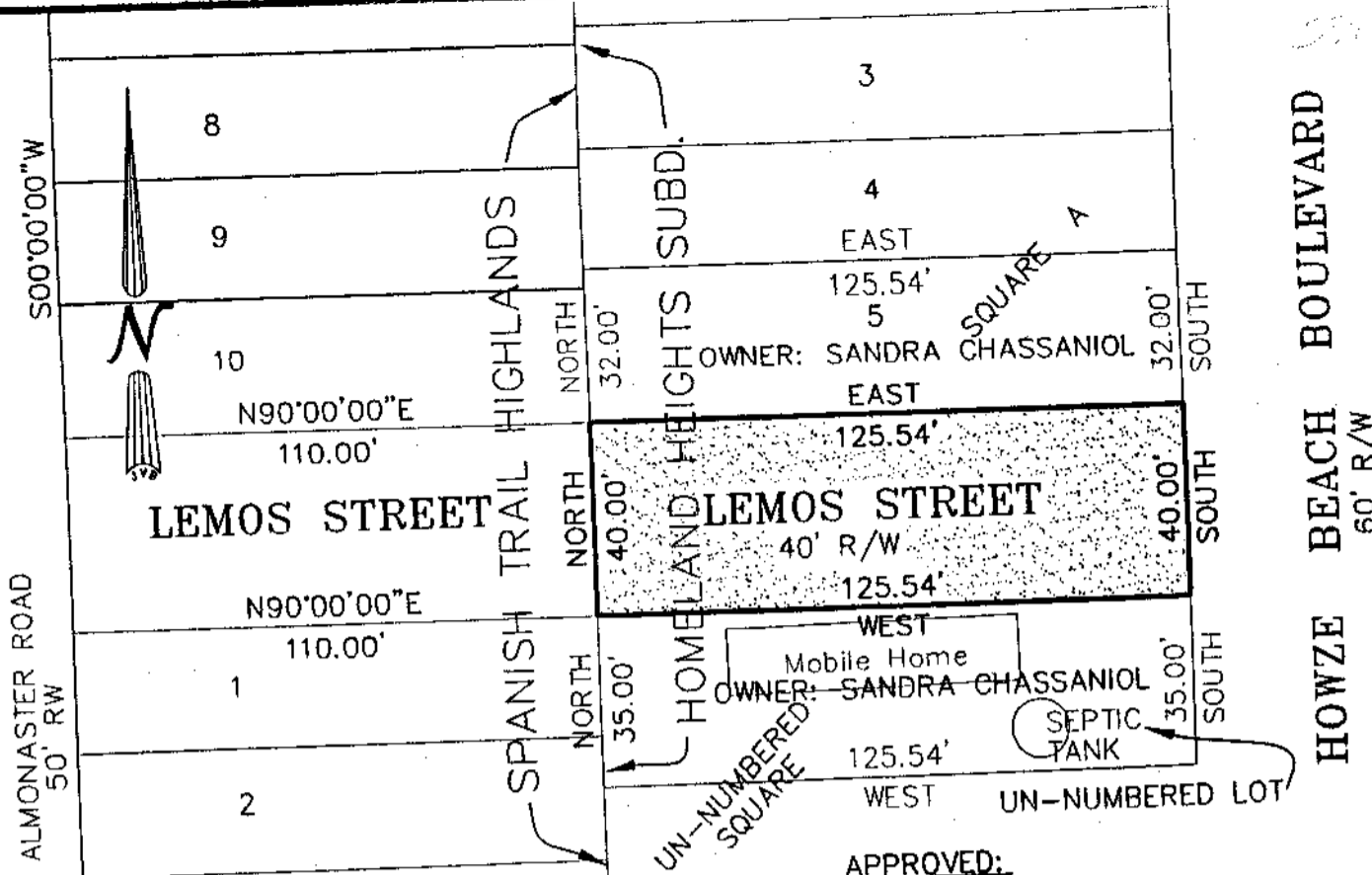
ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: April 24, 2008
Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____
Returned to Council Clerk: _____, 2008 @ _____

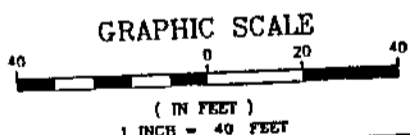


PROPERTY DESCRIPTION
 THAT PORTION OF LEMOS STREET LOCATED IN HOMELAND HEIGHTS SD, NEAR THE CITY OF SLIDELL IN SEC. 44, T-9-S, R-14-E, MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCE AT THE INTERSECTION OF THE NORTHERLY R.O.W. OF LEMOS ST. WITH THE WESTERLY R.O.W. OF HOWZE BEACH BLVD. SAID POINT BEING 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.

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



- BUILDING SETBACKS**
 (* Verify Prior to Construction)
- Front Setback..... *
 - Side Setback..... *
 - Rear Setback..... *

ADDRESS: HOWZE BEACH BOULEVARD

I CERTIFY THAT THIS PLAT 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. 9' *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
 Phone: 985-649-0075 Fax: 985-649-0154
 Mississippi Phone: 228-435-5800

DRAWN BY: **BC** CHECKED BY: **MD**

SCALE:
1" = 40'

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**

