

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 4134

ORDINANCE COUNCIL SERIES NO. 09-

COUNCIL SPONSOR MR. COOPER

PROVIDED BY COUNCIL ATTORNEY

INTRODUCED BY MR. BILLIOT

SECONDED BY MR. ARTIGUE

ON THE 3RD DAY OF SEPTEMBER 2009

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY TO ACCEPT THE DEDICATION OF THE STREETS AND ROADWAYS SITUATED WITHIN THE HIGHLANDS SUBDIVISION AND IDENTIFIED AS HIGHLANDS CREST DRIVE, TARTAN TRACE, PIPER PLACE, HEATHER HOLLOW, WHITE OAK COURT AND TERRACE TRACE (WARD 2, DISTRICT 2)

WHEREAS, at the present time, the streets and roadways designated as Highlands Crest Drive, Tartan Trace, Piper Place, Heather Hollow, White Oak Court and Terrace Trace are vested in the Highlands Homeowners Association of St. Tammany Parish, Inc. (the "Association") and are for the private use of the residents/lot owners of the Highlands Subdivision. Per the attached Resolution, dated April 25, 2009, the Association was authorized to dedicate the roads within the Highlands Subdivision to the Parish of St. Tammany and to change the subdivision plat to reflect that the subdivision be converted from a private gated subdivision to a public one; and

WHEREAS, the Highlands Homeowners Association of St. Tammany, Inc., upon approval by a vote of 50% or more of the membership which was entitled to vote on the issue, resolved that the original plat of the subdivision be changed to reflect that the subdivision will be converted from a private gated subdivision to a public one and that the gates at the front of the subdivision be removed; and

WHEREAS, the matter of amending the plat and the dedication of the roads and streets as public is to be reviewed by the St. Tammany Parish Planning Commission and an act of correction of the final plat of the Highlands Subdivision is to be executed, converting the subdivision from private to public and specifying that Highlands Crest Drive, Tartan Trace, Piper Place, Heather Hollow, White Oak Court and Terrace Trace are now public; and

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

SECTION 1. Following Planning Commission review of the proposed act of correction and public dedication, and prior to the execution of the act of dedication and donation authorized herein after, an act of correction of the final plat of the Highlands Subdivision shall be executed, converting the subdivision from private to public and specifying that Highlands Crest Drive, Tartan Trace, Piper Place, Heather Hollow, White Oak Court and Terrace Trace are now public.

SECTION 2. Upon confirmation of the Department of Engineering that the roads are in substantial compliance with Parish standards, 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 Highlands Crest Drive, Tartan Trace, Piper Place, Heather Hollow, White Oak Court and Terrace Trace.

SECTION 3. Upon execution of the aforesaid dedication and transfer, and the removal of the gates at the entrance to the Highlands Subdivision, Highlands Crest Drive, Tartan Trace, Piper Place, Heather Hollow, White Oak Court and Terrace Trace shall be included in the St. Tammany Parish maintenance system.

SECTION 4. Upon execution of the aforesaid dedication and transfer, and the removal of the gates at the entrance to the Highlands Subdivision, the St. Tammany Parish Selective Road Maintenance System Inventory shall be amended to include Highlands Crest Drive, Tartan Trace, Piper Place, Heather Hollow, White Oak Court and Terrace Trace.

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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 _____, 2009; AND BECOMES ORDINANCE PARISH COUNCIL SERIES NO. 09-

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction AUGUST 27, 2009

Published adoption _____, 2009

Delivered to Parish President _____, 2009 at _____

Returned to Council Clerk _____, 2009 at _____

RESOLUTION


At a special meeting of the members of the Highlands Homeowners Association of St. Tammany, Inc. held on April 25, 2009, the members of the Association adopted the following resolution:


RESOLVED, that the Highlands Homeowners Association of St. Tammany, Inc. dedicate the roads within the Highlands Subdivision to the Parish of St. Tammany, State of Louisiana, and that the subdivision and the original plat of the subdivision be changed to reflect that the subdivision will be converted from a private gated subdivision to a public one.

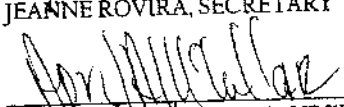
RESOLVED, that in connection with the dedication of the roads from private to public, that the gates at the front of the subdivision be removed.

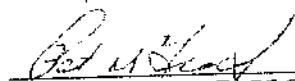
Notice of the meeting at which the aforementioned resolutions were adopted was mailed to each member at their last known mailing address on April 7, 2009. That notice stated the purpose of the meeting and included the agenda for the meeting. Property owners were provided with a copy of the proposed ballot items and a proxy statement to be completed and returned if they could not attend the scheduled meetings. All ballots were counted and recorded. A quorum was present at the meeting and an appropriate vote was taken relative to the aforementioned resolutions. There were 57 votes cast in favor of the resolution and 11 votes cast against the resolutions. Accordingly, the resolutions were approved by a vote of 50% or more of the membership which was entitled to vote on the issue.


STEPHEN LUCIA, PRESIDENT


DIO ENTERLINE, VICE PRESIDENT


JEANNE ROVIRA, SECRETARY


APRIL McCULLAR, TREASURER


PAT McCORMICK, EACC CHAIRPERSON