

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4767

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. BELLISARIO

ON THE 5 DAY OF APRIL , 2012

ORDINANCE ACCEPTING ACT OF DEDICATION AND DONATION OF A TWENTY-FIVE (25') FOOT RIGHT-OF-WAY AND SERVITUDE FOR THE FUTURE IMPROVEMENT OF THE EXTENSION OF MAX JUDE LANE, AND TO ACCEPT SAID SERVITUDE AND RIGHT-OF-WAY INTO THE PARISH SELECTIVE ROAD MAINTENANCE SYSTEM. (WARD 4, DISTRICT 5)

WHEREAS, in accordance with the provisions of Section 20-004.01 of the Code of Ordinances, the property owners involved in the dedication have stated their intention to dedicate the twenty-five (25') servitude and right of way required by R.S. 48:495 for the extension of Max Jude Lane. And, in accordance with the provisions of R.S. 33:3682, the owners of not less than fifty (50%) per cent of the front footage of land abutting the proposed extension of Max Jude Lane have petitioned to have the said extension of Max Jude Lane included in the Parish Selective Road Maintenance System for future improvement. (See Sketch, attached as Exhibit A, for reference); and

WHEREAS, it is in the best interest of the public health, safety and welfare to accept the dedication and donation of said twenty-five (25') foot right of way and servitude for future improvement and extension of Max Jude Lane, subject to the provisions set forth herein below.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it accepts the Act of Dedication and Donation of the twenty-five (25') foot servitude and right of way by the owner(s) of the property to be dedicated, situated in Section 30, Township 7 South, Range 12 East, St. Tammany Parish, Louisiana, which servitude/right of way is more particularly depicted on the survey attached hereto as Exhibit B.

THE PARISH OF ST. TAMMANY HEREBY FURTHER ORDAINS that the Parish President and/or the C.A.O. is hereby authorized to execute any and all documents necessary to perfect the dedication, donation, transfer and acceptance authorized hereby, which shall be subject to the following: Any maintenance or improvement to the existing road and/or dedicated servitude is dependent upon the necessary funds being appropriated for that purpose.

THE PARISH OF ST. TAMMANY HEREBY FURTHER ORDAINS that, in accordance with Sec. 20-004.01(E) of the St. Tammany Parish Code of Ordinances, the existing road and dedicated servitude and right of way for the extension of Max Jude Lane shall be accepted and included, without further requirement, into the Parish Selective Road Maintenance System.

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: _____

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

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3 DAY OF MAY, 2012; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: APRIL 26, 2012

Published Adoption: _____, 2012

Delivered to Parish President: _____, 2012 at _____

Returned to Council Clerk: _____, 2012 at _____