

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6422

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 20 DAY OF AUGUST , 2020

ORDINANCE TO REVOKE AN UNOPENED PORTION OF 7TH AVE E., AS DELINEATED ON THE TOWN OF ALEXIUSVILLE SUBDIVISION PLAT (MAP #171B), LOCATED EAST OF NORTH HIGHWAY 190 BETWEEN SQUARES 64 AND 75 AND SQUARES 65 AND 74 OF THE TOWN OF ALEXIUSVILLE SUBDIVISION, SOUTH OF COVINGTON, LOUISIANA, WARD 3, DISTRICT 2. (REV 20-06-005)

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 7th Ave E, located east of North Highway 190 between Squares 64 and 75 and Squares 65 and 74 of the Town of Alexiusville Subdivision, south of Covington, Louisiana; and

WHEREAS, the Department of Public Works, and Department of Planning & Development 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.

SECTION I: The petitioners, or any other adjacent property owner who wishes to participate, if any, shall enter into a private cash sale with the Parish to conclude the revocation/alienation process as set forth in St. Tammany Parish Code of Ordinances Section 35-1, and in accordance with the provisions of La. R.S. 48:701, et seq. and/or La. R.S. 48:711, et seq.

SECTION II: Following execution of the private cash sale(s), the petitioners shall assimilate the right-of-way into its abutting lots through the Parish’s administrative resubdivision process.

SECTION III: 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: _____

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 SEPTEMBER , 2020 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: AUGUST 12 , 2020

Published Adoption: _____ , 2020

Delivered to Parish President: _____ , 2020 at _____

Returned to Council Clerk: _____ , 2020 at _____

Administrative Comments

CASE NO.: REV20-05-006

NAME OF STREET OR ROAD: Unopened portion of 7th Ave E., as delineated on the Town of Alexiusville Subdivision Plat (Map #171B)

NAME OF SUBDIVISION: Town of Alexiusville Subdivision

WARD: 3 PARISH COUNCIL DISTRICT: 2

PROPERTY LOCATION: The property is located east of North Highway 190 between Squares 64 and 75 and Squares 65 and 74 of the Town of Alexiusville Subdivision, south of Covington, Louisiana.

SURROUNDING ZONING: HC-1 Highway Commercial & HC-2 Highway Commercial

PETITIONER/REPRESENTATIVE: Baldwin Motors Inc.

STAFF COMMENTARY:

Department of Planning & Development Comments:

The applicant is proposing to revoke an unopened portion of 7th Ave E. The petitioner desires to assimilate this property into the adjacent commercially zoned properties. It should be noted that Baldwin Motors Inc. owns both properties that abuts the right-of-way proposed for revocation.

Recommendation:

The Staff believes that the proposal is consistent relative to the Louisiana Revised Statutes governing the revocation of immovable property since the right-of-way does not appear to serve any public use or benefit, other than to the applicant. Therefore, the staff has no objections to the proposed revocation request subject to the applicant assimilating their portion of the right-of-way into their adjacent properties through the parish's resubdivision process.

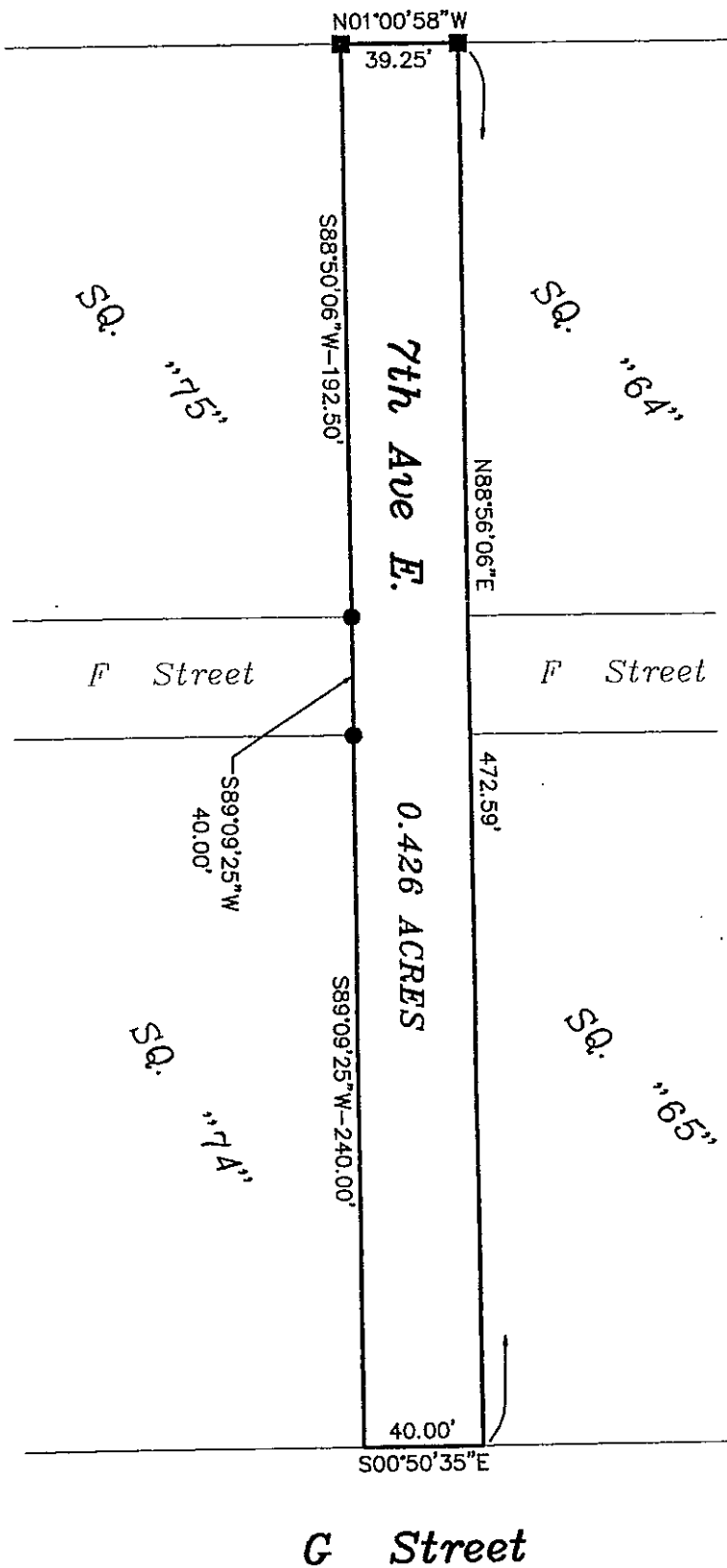
U.S. Hwy. 190

Note: This is not a Boundary Survey Map

Reference:
 1) A Survey Map by this Firm, Dated 8-17-2015, #17026
 2) A Survey Map in Inst. #914482, Clerk of Courts Office

Bearings were derived by Magnetic Compass

* A Revocation of a Portion of 7th Avenue E., Town of Alexiusville, St. Tammany Parish, La.



(Must verify prior to Construction)
 Building Setbacks
 Front:
 Side:
 Rear:
 Side Street:

LEGEND:
 ■ = Fnd. Conc. Hwy. Mon.
 ● = Fnd. 1/2" Iron Rod

SERVITUDES SHOWN HEREON (IF ANY) ARE NOT NECESSARILY EXCLUSIVE SERVITUDES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST AS THE UNDERSIGNED HAS PERFORMED NO ABSTRACT OR TITLE SEARCH. THE UNDERSIGNED HAS MADE NO ATTEMPT TO LOCATE ANY BURIED UTILITIES OR ASSOCIATED PEDESTALS.
 THIS MAP IS NOT IN ACCORDANCE WITH THE STANDARD DETAILED REQUIREMENTS PURSUANT TO THE ACCURACY STANDARDS OF A BOUNDARY SURVEY AND THE APPLICABLE STANDARDS OF PRACTICE CITED IN LAC 46:1X1.

MAP PREPARED FOR **BALDWIN MOTORS, INC.**

SHOWN A SURVEY MADE OF PROPERTY LOCATED IN A Portion of 7th Avenue E., located in the Town of Alexiusville, St. Tammany Parish, Louisiana

THIS MAP IS NOT IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE SUPERVISION OF THE UNDERSIGNED. SIGNATURE AND STAMPED SEAL MUST BE IN RED OR THIS PLAT IS NOT A TRUE COPY.

LAND SURVEYING LLC
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 landsur@bellsouth.net email

STATE OF LOUISIANA
 BRUCE M. BUTLER, III
 CERTIFIED LICENSE NO. 4864
 PROFESSIONAL
 3-17-2020
 BRUCE M. BUTLER, III
 LOUISIANA PROFESSIONAL LAND SURVEYOR
 LICENSE NO. 4864

SCALE:

1" = 60'

DATE:

3-16-2020

NUMBER:

19758