

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6556

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ON THE 3 DAY OF DECEMBER , 2020

AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF 10TH STREET, AS DELINEATED ON THE LACOMBE PARK SUBDIVISION PLAT (MAP #183B) LOCATED ON THE SOUTH SIDE OF US HWY 190 BETWEEN SQUARE 85 AND SQUARE 86 OF THE LACOMBE PARK SUBDIVISION, LACOMBE, LOUISIANA, WARD 7, DISTRICT 7 (REV 20-09-008)

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 10th Street, as delineated on the Lacombe Park Subdivision Plat (Map #183B) located on the south side of US Hwy 190 between Square 85 and Square 86 of the Lacombe Park Subdivision, Lacombe, 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.

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: All references to Sanders Street shall be changed to reflect Sanders Street (not constructed)

SECTION II: 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 III: 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 IV: 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 7 DAY OF JANUARY , 2021 ; 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: NOVEMBER 25 , 2020

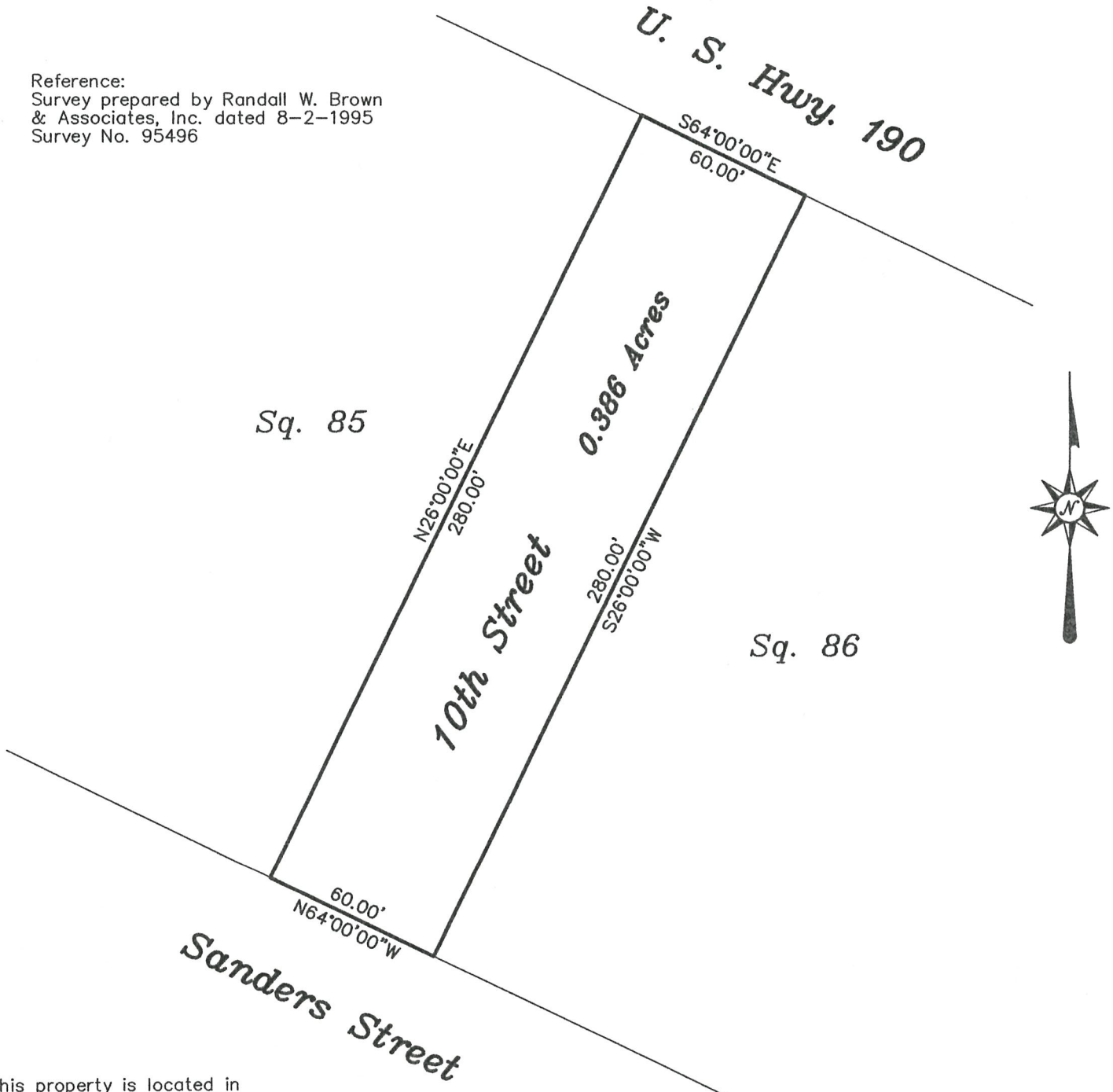
Published Adoption: \_\_\_\_\_ , 2020

Delivered to Parish President: \_\_\_\_\_ , 2020 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_ , 2020 at \_\_\_\_\_

Revocation of a Portion of 10th Street  
 Town of Lacombe, St. Tammany Parish,  
 Louisiana

Reference:  
 Survey prepared by Randall W. Brown  
 & Associates, Inc. dated 8-2-1995  
 Survey No. 95496



This property is located in  
 Flood Zone C as per FEMA  
 FIRM, Comm. Panel No.  
 225205 0390 C, map  
 dated 4-2-1991

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 C SURVEY  
 AND THE APPLICABLE STANDARDS OF PRACTICE CITED IN LAC 46:LXI.

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

MAP PREPARED FOR **Donald and Amy Bordelon**

SHOWN A SKETCH MADE OF PROPERTY LOCATED IN Part of 10th Street Town of Lacombe,  
 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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 landsurveyingllc@gmail.com

STATE OF LOUISIANA  
 CERTIFIED CORRECT  
**BRUCE M. BUTLER, III**  
 License No. 4894  
 PROFESSIONAL LAND SURVEYOR  
 BRUCE M. BUTLER, III  
 LOUISIANA PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. 4894  
 NUMBER 19998

SCALE: 1"=50'

DATE: 9-4-2020

11/13/Donald and Amy Bordelon

### Administrative Comments

CASE NO.: REV20-09-008

NAME OF STREET OR ROAD: Unopened portion of 10th Street, as delineated on the Lacombe Park Subdivision Plat (Map #183B)

NAME OF SUBDIVISION: Lacombe Park Subdivision

WARD: 7 PARISH COUNCIL DISTRICT: 7

PROPERTY LOCATION: The property is located on the south side of US Hwy 190 between Square 85 and Square 86 of the Lacombe Park Subdivision, Lacombe, Louisiana, Ward 7, District 7

SURROUNDING ZONING: HC-3 Highway Commercial

PETITIONER/REPRESENTATIVE: Donald A. Bordelon

### STAFF COMMENTARY:

#### **Department of Planning & Development Comments:**

The applicant is proposing to revoke an unopened portion of 10<sup>th</sup> Street. Donald A. Bordelon desires to assimilate this property into an adjacent residential property, upon which he resides. One (1) property abuts the right-of-way proposed for revocation. The property owner has no objections to the proposed revocation.

#### **Recommendation:**

The Staff has determined 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 his portion of the right-of-way into his adjacent property through the Parish's resubdivision process and the survey being amended to reflect the following:

- Change all references to Sanders Street to reflect Sanders Street (not constructed)