

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6808

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 4 DAY OF NOVEMBER , 2021

AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF SHUBERT LANE, LOCATED NORTH OF GINA DENNEY LANE AND SOUTH OF LOWE DAVIS RD, NORTHEAST OF ABITA SPRINGS, LOUISIANA, WARD 10, DISTRICT 6. (REV 21-08-004)

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 Shubert Lane located north of Gina Denney Lane and south of Lowe Davis Road, northeast of Abita Springs, 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: The current owners shall combine the right-of-way and lots 1, 2 ,3, 4 and 5 into one (1) single parcel through the Parish’s administrative resubdivision process.

SECTION II: The current owners shall contact the 911 office and request that the five (5) separate addresses received for Lots 1-5 be changed to reflect one (1) single address.

SECTION III: 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 IV: 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 V: 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 2 DAY OF DECEMBER, 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: OCTOBER 27, 2021

Published Adoption: _____, 2021

Delivered to Parish President: _____, 2021 at _____

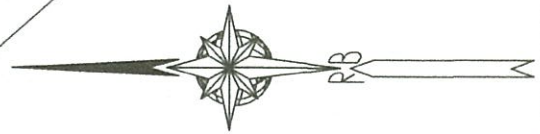
Returned to Council Clerk: _____, 2021 at _____

LEGAL DESCRIPTION

COMMENCING FROM THE CORNER COMMON TO SECTIONS 14, 15, 22, & 23, TOWNSHIP 6 SOUTH, RANGE 12 EAST, ST. TAMMANY PARISH, LA, AND GO NORTH 89 DEGREES 53 MINUTES WEST A DISTANCE OF 1334.72 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES WEST A DISTANCE OF 294.15 FEET TO THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING GO SOUTH 89 DEGREES 53 MINUTES EAST A DISTANCE OF 439.21 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES WEST A DISTANCE OF 60.00 FEET; THENCE NORTH 89 DEGREES 53 MINUTES WEST A DISTANCE OF 439.21 FEET; THENCE NORTH 00 DEGREES 09 MINUTES EAST A DISTANCE OF 60.00 FEET BACK TO THE POINT OF BEGINNING.

LOT 3

S00°09'00"W
60.00'



12" TREE CLUSTER ON TRUE CORNER

LOT 2

LOT 4

SHUBERT LANE R/W

BASIS FOR BEARINGS
S89°53'00"E

439.21'

26353 Sq. Feet

439.21'
(439.36-PLAT)

N89°53'00"W

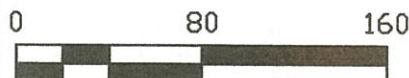
LOT 1

LOT 5

UTILITY NOTE:
NO UTILITIES WERE FOUND
INSIDE OF THE RIGHT OF WAY.

P.O.B.

60.00'
N00°09'00"E



REFERENCE:
Minor Subdivision By Thomas J. Fontcuberta
Map File No.: 5104A
Date Filed: 10-22-2012

Note: I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described IS NOT located in a special flood hazard area, it is located in Flood Zone C.

NOTE:
OWNER OR BUILDER RESPONSIBLE FOR OBTAINING SETBACKS BEFORE CONSTRUCTION BEGINS.

● DENOTES 1/2" IRON ROD FND UNLESS OTHERWISE NOTED

FIRM Panel# 2252050175C Rev. 10-17-1989

Revocation plat of
A PORTION OF SHUBERT LANE RIGHT OF WAY
SECTION 22, TOWNSHIP 6 SOUTH, RANGE 12 EAST
ST. TAMMANY PARISH, LOUISIANA

NO ATTEMPT HAS BEEN MADE BY RANDALL W. BROWN & ASSOC., INC. TO VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVITUDES, EASEMENTS, RIGHTS OF WAY, DEED RESTRICTIONS, WETLANDS OR ENVIRONMENTAL ISSUES OR OTHER ENCUMBRANCES ON THIS PROPERTY OTHER THAN THOSE FURNISHED BY THE CLIENT.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA "APPLICABLE STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY.



Randall W. Brown & Associates, Inc.
Professional Land Surveyors

Date: JULY 7, 2021
Survey No. 21472
Project No. (CR5) A21370.TXT

Scale: 1" = 80' ±
Drawn By: RJB
Revised:

Randall W. Brown, P.L.S.
Professional Land Surveyor
LA Registration No. 04586

228 W. Causeway Approach, Mandeville, LA 70448
(985) 624-5368 FAX (985) 624-5309
info@brownsurveys.com

Administrative Comments

CASE NO.: REV21-08-004

NAME OF STREET OR ROAD: Unopened portion of Shubert Lane

NAME OF SUBDIVISION: Shubert Minor Subdivision

WARD: 10 PARISH COUNCIL DISTRICT: 6

PROPERTY LOCATION: The property is located north of Gina Denney Lane and south of Lowe Davis Road, northeast of Abita Springs, Louisiana, Ward 10, District 6.

SURROUNDING ZONING: A-2 Suburban District

PETITIONER/REPRESENTATIVE: James R. Young and Karen M. Fontana Young

STAFF COMMENTARY:

Department of Planning & Development Comments:

The applicant is requesting to revoke an unopened portion of Shubert Lane, to assimilate this property into the adjacent residential properties.

The unopened portion of Shubert Lane that the petitioner is seeking to revoke was dedicated to the Parish as a part of the Shubert Lane Minor Subdivision, recorded as Map File No. 5104A with the Clerk of Court for St. Tammany Parish.

Recommendation:

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.

If approved, the revocation of the subject property should be conditioned on the following items:

All five (5) lots and the Shubert Lane portion of right-of-way be combined into one (1) single lot through the parish's administrative resubdivision process.

The five (5) separate addresses for lots 1-5 received from the 911 office several months ago must be updated.