

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6929

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 7 DAY OF APRIL , 2022

AN ORDINANCE TO OFFICIALLY NAME THE 60 FOOT ROAD IDENTIFIED ON THE ATTACHED SURVEY BAYOU VINCENT POND RD (WARD 9, DISTRICT 14).

WHEREAS, a petition has been submitted to the Department of Planning & Development and forwarded to the Parish 911 Communications District signed by at least 50 percent plus one of the property owners owning or fronting the 60 foot road has been submitted; and

WHEREAS, the St. Tammany Parish 911 Communications District has received, reviewed and approved the Road Name Request Form for the unnamed 60 foot road. Pending Approved Name: Bayou Vincent Pond Road, Nearest Cross-street: Ben Thomas Road Slidell, LA 70460. Since future structures will be addressed off the newly name 60 foot road; the access will be added to the 911 Database and to the 911 Dispatch Map.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that St. Tammany Parish Government officially name the 60 foot road shown on the attached survey as Bayou Vincent Pond Road.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 5 DAY OF MAY , 2022 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: MARCH 30 , 2022

Published Adoption: _____, 2022

Delivered to Parish President: _____, 2022 at _____

Returned to Council Clerk: _____, 2022 at _____



St. Tammany Parish Communications District

28911 Krentel Road
Lacombe, LA 70445
Phone: (985) 898-4911 Fax: (985) 898-4974
Email: address@stp911.org

REQUEST TO APPROVE ROAD NAME

Date: 2/15/22

Proposed Road Name: BAYOU VINCENT POND RD

Submitted by:

Name: Helen Lambert

Phone: 985-898-2529

Email: hlambert@stpgov.org

Applicant's Name: St. Tammany Parish Government

- STP Planning and Development Department
- STP Department of Public Works
- Developer (for subdivisions which have not received Final Plat Approval)
- STP Communications District No. 1
- Municipality _____

Disclaimer: This approval form only states that the proposed Road Name does not cause any duplication errors, could not potentially cause a delay in 911 call-taking, and meets the criteria for an appropriate Road Name for use within St. Tammany Parish. This approval form is valid for 60 days after date of approval.

Reviewed by the STP Communications District No. 1

- The STP Communications District No. 1 has no objection to this request.
- The STP Communications District No. 1 objects to this request for the following reasons:

Approved

Signed: Rodney Hart Date: 2/15/2022
Rodney Hart, Director

For Office Use Only:

St. Tammany Parish/City Government:

- Parish/City Ordinance _____
- Attached Survey
- (if applicable), list of all property owners with contact information

911 Office:

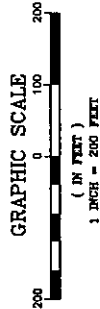
<input type="checkbox"/> VOID	Date: _____	<input type="checkbox"/> Map	<input type="checkbox"/> USPS
<input type="checkbox"/> Completed	Date: _____	<input type="checkbox"/> MSAG	<input type="checkbox"/> Readdressing

POB
THIS POINT IS DESCRIBED AS BEING S89°50'E -
800.95' FROM THE QUARTER CORNER COMMON
TO SECTIONS 33 & 34, T-8-S, R-14-E, ST.
TAMMANY PARISH, LOUISIANA

REFERENCES

- 1.) SURVEY NO. 9690 BY J.V. BURKES &
ASSOCIATES, DATED MAY 28, 1974.
- 2.) SURVEY NO 9767 BY J.V. BURKES &
ASSOCIATES, DATED JUNE 10, 1974.

REVISED: MARCH 24, 2010 -
PARTITION - BC
REVISED: JUNE 24, 2010 -
ACCESS ROAD - JL



SCALE:	1" = 200'
DATE:	10/06/09
DRAWN BY:	BC
CHECKED BY:	JDL
DWG. NO.:	20090952
SHEET	1 OF 1

I certify that this plot does represent an actual
survey and that the bearings and distances
shown are true to the best of my knowledge
and that no encroachments exist, except as
shown. Encumbrances shown hereon are not
necessarily exclusive. Encumbrances of record as
shown on title opinion or title policy will be
added hereto upon request, as surveyor has not
performed any title search or abstract.
I have consulted the Flood Insurance Rate Maps
and found this property is in _____ a Special
Flood Hazard Area.
FIRM #: 225205 0420 E
DATE: 4/21/99
ZONE: A1
B.F.E. = 15'
* Verify prior to construction with local governing body.

**SURVEY OF A 26.337 ACRE PARCEL &
A 7.393 ACRE PARCEL
LOCATED NEAR THE CITY OF SLIDELL,
IN SECTION 34, T-8-S, R-14-E,
ST. TAMMANY PARISH,
LOUISIANA**

Declaration is made to original purchaser, or the survey, it is not transferable to additional institutions or
subsequent purchasers. This survey is only valid for the parcel and acreage shown. Property is surveyed in
accordance with the Louisiana Surveying Law, R.S. 9:481. This survey is for a Close _____ survey.
Bearings are based on record bearings unless noted otherwise.

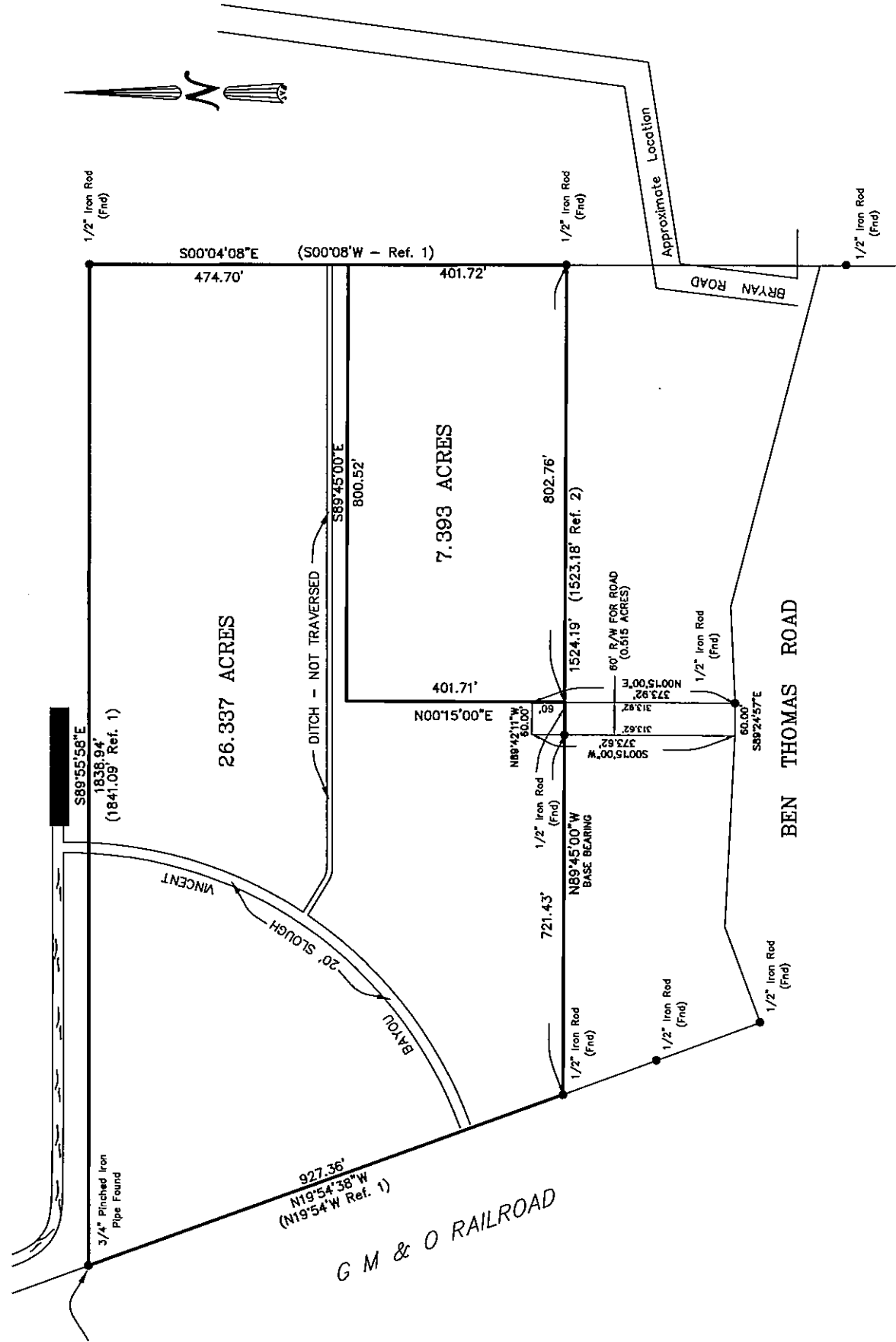
PARISH OF ST. TAMMANY

J.V. Burkes & Associates, Inc.
SURVEYING ENGINEERING • ENVIRONMENTAL

1805 HWY. 190 EAST
Slidell, Louisiana 70458
E-mail: jvb@jvburkes.com

Phone: 985-649-0075 Fax: 985-649-0154
Mississippi Phone: 228-435-5800

SEAN M. BURKES
LA REG. NO. 4785



UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. TAMMANY

DONATION AND DEDICATION OF IMMOVABLE PROPERTY

BE IT KNOWN, that on this 3rd day of August, in the year of our Lord two thousand ten (2010);

BEFORE ME, the undersigned Notaries Public, duly commissioned and qualified and in the presence of the undersigned competent witnesses hereinafter named and undersigned;

PERSONALLY CAME AND APPEARED:

J. O. FITZGERALD & CO., a Louisiana partnership created on October 26, 1977 by Act before R. Bradley Lewis, N.P. and recorded at Instrument No. 376283 of the records of the Parish of St. Tammany, State of Louisiana, appearing herein through its surviving partners, Larry E. Breland, J. R. Fitzgerald and Charles M. Hughes; hereinafter referred to as Donor,

who declares that Donor is the owner of the following described property and that in consideration of the proposed use of the subject property for the benefit of the citizens of the Parish of St. Tammany, it does hereby donate, dedicate, transfer, set over and deliver, without warranty of title, but with full rights of substitution and subrogation to all rights and actions of warranty Donor has or may have, the following described property, to wit:

A certain parcel of land being a 60 foot roadway situated in Section 34, Township 8 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows:

Commencing at the Quarter Corner common to Sections 33 & 34, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana, and run South 89 Degrees 50 Minutes East a distance of 800.95 feet to a point marked by a 3/4 inch iron pipe found on the Easterly Right of Way Line of the G M & O Railroad; thence run South 89 Degrees 55 Minutes 58 Seconds East a distance of 1838.94 feet to a point marked by a 1/2 inch iron rod found; thence run South 00 Degrees 04 Minutes 08 Seconds East a distance of 876.42 feet to a point marked by a 1/2 inch iron rod found; thence run North 89 Degrees 45 Minutes 00 Seconds West a distance of 802.76 feet to a point and the Point of Beginning.

From the Point of Beginning run North 00 Degrees 15 Minutes 00 Seconds East a distance of 60.00 feet to a point; thence run North 89 Degrees 42 Minutes 11 Seconds West a distance of 60.00 feet to a point; thence run South 00 Degrees 15 Minutes 00 Seconds West a distance of 373.62 feet to a point on the Northerly Right of Way Line of Ben Thomas Road; thence run along said Northerly Right of Way Line of Ben Thomas Road South 89 Degrees 24 Minutes 57 Seconds East a distance of 60.00 feet to a point; thence leaving the Right of Way Line of Ben Thomas Road run North 00 Degrees 15 Minutes 00 Seconds East a distance of 373.62 feet to a point being the Point of Beginning. Said parcel contains 0.515 acres, more or less.

AND NOW INTO THESE PRESENTS comes:

THE PARISH OF ST. TAMMANY, a political subdivision of the State of Louisiana, appearing herein through Kevin Davis, Parish President, who is duly authorized to sign and execute this document on behalf of the Parish of St. Tammany, State of Louisiana; hereinafter referred to as Donee;

who accepts the aforesaid donation and dedication of the above described parcel of ground for the benefit of the citizens of the Parish of St. Tammany.

Donee declares and acknowledges (a) that the Donor does not warrant that the conveyed property

St. Tammany Parish 2190
Instrument #: 1784671
Registry #: 2015013 CST
09/20/2010 11:02:00 AM
MB CB X MI UCC

{
}

is free from redhibitory or latent defects or vices or any environmental conditions (including, but not limited to asbestos, lead base-paint or any hazardous substance) and they hereby release and hold harmless Donor from any and all liability for redhibitory or latent defects or vices under Louisiana Civil Code Articles 2520 through 2548; inclusive; (b) that they have had full, complete and unlimited access to the property herein conveyed for all tests and inspections which they, in their sole discretion, deemed sufficiently diligent for the protection of their interests; (c) that they do hereby waive the warranty of fitness for intended purposes or guarantee against hidden or latent redhibitory defects or vices under Louisiana Law, as well as any rights they may have in redhibition for the reduction or return of all or any portion of the purchase price by reason of any defects or vices, pursuant to Louisiana Civil Code Articles 2520 through 2548, inclusive, and 2475, and any other applicable state or federal law, and the jurisprudence thereunder; (d) that this express waiver shall be considered a material and integral part of this sale and consideration thereof; (e) that this waiver has been brought to their attention and explained in detail and that they have voluntarily and knowingly consented to this waiver of (i) warranty of fitness, (ii) warranty against redhibitory vices and defects, and (iii) any rights they may have to the reduction or return of any portion of the purchase price for the herein conveyed property, imposed by Louisiana Civil Code Articles 2475; and (f) that by their signatures, Donee expressly acknowledge all such waivers and the exercise of their right to waive warranty pursuant to Louisiana Civil Code 2503.

Further, Donee agree that the immovable property herein conveyed and all other items located thereon are conveyed by Donor and accepted by Donee "AS IS, WHERE IS", without any warranty of any kind whatsoever, even as to the metes and bounds, zoning, operation, or suitability of such property for the use intended by Donee, and without regard to the presence of apparent or hidden defects and with Donee's full and complete waiver of any and all rights for the return of all or any part of the purchase price by reason of any such defects. Donee acknowledge and declare that neither Donor nor any party whomsoever, acting or purporting to act in any capacity whatsoever on behalf of Donor, has made any direct, indirect, explicit or implicit statement, representation or declaration, whether by written or oral statement or otherwise, and upon which Donor have relied, concerning the existence or non-existence of any quality, characteristic or condition of the property herein conveyed.

The parties specifically acknowledge that said donation is a confirmation and ratification of an obligation to transfer said property to the Parish of St. Tammany as created in an Agreement, dated August 19, 1974, by and between Joseph R. Lee, Jr., *et al.* and J. O. Fitzgerald & Co., recorded at COB 739 folio 15 of the official records of the Parish of St. Tammany, State of Louisiana. The parties further acknowledge and confirm that the transfer of the property to Donee is free and clear of any and all obligations by all parties to said Agreement to improve said property, specifically the construction of a road bed, or bear the cost thereof as may be provided in said Agreement. Donee further agrees to hold harmless and indemnify Donor from any action arising out of said Agreement as it relates to the donation, dedication and construction of a roadway on said property by Donee and at Donee's expense.

All Parish and City, if applicable, taxes up to and including taxes due and exigible in 2009 are paid. The parties acknowledge that the real estate taxes for the year 2010 have not been prorated and the parties relieve me, Notary, from any responsibility for the proration of future taxes. The parties further acknowledge that no certificates nor tax research have been obtained and the parties relieve me, Notary, from any responsibility to the non-production thereof. The parties further acknowledge that the property description used herein was supplied to me, Notary, by the Parish of St. Tammany and the parties relieve me, Notary, from any responsibility in connection therewith.

By reference to the indices in and for the Parish of St. Tammany, it does not appear that said

property has been heretofore alienated by the Donor nor that it is subject to any encumbrance whatever. Donor specifically states that it has not alienated nor encumbered the subject property nor are there any outstanding agreements to transfer or sell the subject property.

All agreements and stipulations herein and all the obligations herein assumed shall insure to the benefit of and be binding upon the successors and assigns of the respective parties, and the Donee, its successors and assigns, shall have and hold the described ownership forever.

THUS DONE AND PASSED, in multiple parts, on the day, month and year hereinabove first written, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers and me, Notary, after due reading of the whole.

WITNESSES:

J. O. FITZGERALD & CO.

Kristian P. Williams
First Witness Signature

BY: Charles M. Hughes, Sr
CHARLES M. HUGHES
PARTNER

Kristian P. Williams
Print First Witness Name

[Signature]
Second Witness Signature


Monya Hidalgo
Print Second Witness Name

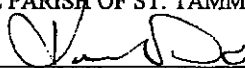
[Signature]
NOTARY PUBLIC
LSBA NO.

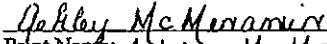
Susan A. Roper
Notary Public
Parish of St. Tammany
State of Louisiana
Notary ID No. 035086


Sworn to and subscribed
before me this 2nd day
of April, 2010
[Signature]
Notary Public

THUS DONE AND PASSED, on this 30th day of August, 2010,
in the presence of the undersigned competent witnesses, who hereunto sign their names with the said
appears and me, Notary, after due reading of the whole.

WITNESSES:

Print Name: Darys L. Williams

THE PARISH OF ST. TAMMANY
BY: 
Kevin Davis, Parish President


Print Name: Ashley McMenamin


KELLY M. RABALAIK
NOTARY PUBLIC
LSBA NO. 26705

GOVERNMENT

THE PARISH OF ST. TAMMANY NUMBER 2007-15430 DIVISION " J "

VERSUS 22ND JUDICIAL DISTRICT COURT

LUCILLE ALFORD STATE OF LOUISIANA

FILED: Sept. 8, 2010 *Shannon [Signature]*
DEPUTY CLERK St. Tammany Parish 1633
Instrument #: 1784301
Registry #: 2014346 PSH
09/15/2010 4:30:00 PM
MB CB X MI UCC

CONSENT JUDGMENT

THIS MATTER was set for a hearing on July 1, 2010. The parties wishing to resolve this matter, have reached a Consent Judgment.

THE PARTIES, wishing to compromise and settle the issues between them concerning this Expropriation, submit this Consent Judgment to the Court for signature.

THE COURT, having been informed of certain agreements and stipulations of the parties relative to the issue of the Expropriation of the Subject Property, and the court, after the stipulations, consents, and agreements of the parties were agreed to in writing in conformity with Civil Code articles 3071, et. seq., renders judgment as follows:

IT IS ORDERED, ADJUDGED, AND DECREED in lieu of any monetary consideration being paid between the parties, that the parties have agreed to partition the ownership of the entire parcel of the Subject Property into two separate parcels of property, with each party receiving full ownership, including all mineral rights, of their respective parcel.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court recognizes that BRON FANE ALFORD is the proper party defendant in these proceedings, that he is enrolled as such, and has the authority to execute this Consent Judgment.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that in consideration of the property herein received by him, in full ownership, as the owner of all rights and interest that Ana Lucille Crane Alford had or may have had in the Subject Property, BRON FANE ALFORD, does hereby grant, bargain, sell, convey, transfer, assign, set over, and deliver unto ST. TAMMANY PARISH, here present and accepting for itself, its successors and assigns, and acknowledging due transfer and delivery, all and singular of any and all interest he may own in

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PARISH OF ST. TAMMANY v. LUCILLE ALFORD, 22ND JDC# 2007-15430-J, CONSENT JUDGMENT, Page 2 of 4

and to the following described property, to wit:

A CERTAIN PIECE OF LAND located in Section 34, T-8-S, R-14-E, St. Tammany Parish, Louisiana, more particularly described as follows:

Commence at the Quarter Corner common to Sections 33 & 34, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana and run South 89 Degrees 50 Minutes East a distance of 800.95 feet to a ¾" iron pipe found on the Easterly Right Of Way Line of the G M & O Railroad and the Point of Beginning.

From the Point of Beginning run South 89 Degrees 55 Minutes 58 Seconds East a distance of 1838.94 feet to a ½" iron rod found; thence run South 00 Degrees 04 Minutes 08 Seconds East a distance of 876.42 feet to a ½" iron rod found; thence run North 89 Degrees 45 Minutes 00 Seconds West a distance of 1524.19 feet to a ½" iron rod found on the Easterly Right Of Way Line of the G M & O Railroad; thence run along said Easterly Right Of Way Line of the G M & O Railroad North 19 Degrees 54 Minutes 38 Seconds West a distance of 927.36 feet and back to the Point of Beginning. Said parcel contains 26.337 acres more or less. All as shown by a survey dated October 6, 2009, as revised on March 24, 2010, and June 24, 2010, by J.V. Burkes and Associates, Inc., drawing No. 20090952, a copy of which is annexed hereto.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that in consideration of the property received by it, in full ownership, St. Tammany Parish does hereby grant, bargain, sell, convey, transfer, assign, set over and deliver unto BRON FANE ALFORD, here present and accepting for himself, his successors, heirs, and assigns, and acknowledging due transfer and delivery, all and singular, any and all interest it may own in and to the following property, to wit:

A CERTAIN PARCEL OF GROUND located in Section 34, T-8-S, R-14-E, St. Tammany Parish, Louisiana, more particularly described as follows:

Commence at the Quarter Corner common to Sections 33 & 34, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana and run South 89 Degrees 50 Minutes East a distance of 800.95 feet to a ¾" iron pipe found on the Easterly Right Of Way Line of the G M & O Railroad; thence run South 89 Degrees 55 Minutes 58 Seconds East a distance of 1838.94 feet to a ½" iron rod found; thence run South 00 Degrees 04 Minutes 08 Seconds East a distance of 474.70 feet to the Point of Beginning.

From the Point of Beginning run South 00 Degrees 04 Minutes 08 Seconds East a distance of 401.72 feet to a ½" iron rod found; thence run North 89 Degrees 45 Minutes 00 Seconds West a distance of 802.76 feet to a point; thence run North 00 Degrees -15 Minutes 00 Seconds East a distance of 401.71 feet to a point; thence run South 89 Degrees 45 Minutes 00 Seconds East a distance of 800.52 feet and back to the Point of Beginning. Said parcel contains 7.393 acres more or less. All as shown by a survey dated October 6, 2009, as revised on March 24, 2010, and June 24, 2010, by J.V. Burkes and Associates, Inc., drawing No. 20090952, a copy of which is annexed hereto.

PARISH OF ST. TAMMANY v. LUCILLE ALFORD, 22ND JDC# 2007-15430-J, CONSENT JUDGMENT Page 3 of 4

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Parish grants to BRON FANE ALFORD, a servitude of passage over a parcel of ground 60' wide and approximately 715.34 feet long originating at Ben Thomas Road, headed north, initially over the 60' x 313' right of way for a road that the Parish has south of the partitioned properties and north of Ben Thomas Road as shown by a survey dated October 6, 2009, as revised on March 24, 2010, and June 24, 2010, by J.V. Burkes and Associates, Inc., drawing No. 20090952, a copy of which is annexed hereto, and then continuing north an additional approximate 412.34' along and adjacent to the entire Western boundary line to the northwest corner of the heretofore described Alford property. This servitude of passage shall continue in existence until a road is constructed as further provided in this Judgment.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Parish shall construct a public road, initially a gravel road, to be hard surfaced at a later date that extends north from Ben Thomas Road within the 60' x 313' right of way, and continues north an additional approximate 412.34' over the property partitioned to St. Tammany Parish, to the northwest corner of the property partitioned to BRON FANE ALFORD, and once the gravel road is in place, the servitude of passage shall be extinguished in its entirety. The Parish shall begin the construction of the gravel road within one year from the date that this partition judgment is executed. The final length of the road may be conditioned upon determinations/restrictions from the Corps of Engineers and/or other Agencies. If the public road cannot be constructed all the way to the northwest corner of the property partitioned to BRON FANE ALFORD, then the full width of the servitude will be extinguished up to the road's northern end. In this situation, the 60' wide servitude shall extend from the northern end of the road a distance necessary to maintain a minimum of 237' from the southwest corner of the Alford Property along its western boundary line. However, if restrictions are such that no road can be constructed along the western boundary line of the aforesaid Alford property, then the parties shall work together to assure that BRON FANE ALFORD has access to his property, at no expense to him, and the 60' wide servitude of passage shall be modified accordingly, and the road constructed accordingly.

PARISH OF ST. TAMMANY v. LUCILLE ALFORD, 22ND JDC# 2007-15430-J, CONSENT JUDGMENT Page 4 of 4


IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk of Court is hereby authorized and ordered to return the funds being held in the registry of the court to St. Tammany Parish, and that the Clerk is further authorized to first deduct any costs accrued by the Parish from the funds prior to their return to the Parish, *plus interest.*

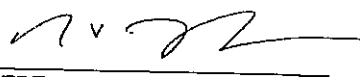
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that each party shall assume their own attorney fees and court costs incurred in this matter and discharge the other from any claim for reimbursement for these fees and costs.


THUS DONE AND SIGNED THIS 9th DAY OF SEPTEMBER, 2010, at COVINGTON, LOUISIANA.


JUDGE

APPROVED AS TO CONTENT AND FORM


KELLY M. RABALAIS BAR# 26705
RONALD S. HAGAN, BAR# 18244
21489 Koop Drive, Suite H
Mandeville, LA 70471
985-898-3427 (phone)
985-867-5124 (fax)
Attorneys for St. Tammany Parish


ROBERT M. BLACK, BAR # 3095
302 Louisiana Avenue
Bogalusa, LA 70427
985-735-6800 (phone)
985-735-8978 (fax)
Attorney for Bron Fane Alford

STATE OF LOUISIANA PARISH OF ST. TAMMANY
MALISE PRIVE CLERK OF COURT
I certify that this instrument was filed and recorded
September 15, 2010 at 12:10 PM
INST# 1784301 of the official records
MOB COE X MISC

DEPUTY CLERK

Administrative Comments

An Ordinance to officially name the 60 foot road identified on the attached survey Bayou Vincent Pond Rd (Ward 9, District 14).