

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6882

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. TOLEDANO

SECONDED BY: MR. DEAN

ON THE 3 DAY OF FEBRUARY , 2022

AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF DUPRE STREET, LOCATED ON THE SOUTH SIDE OF DUPARD STREET NORTH OF MCNAMARA STREET BETWEEN SQUARE 209 AND SQUARE 210 IN THE TOWN OF MANDEVILLE SUBDIVISION, NORTH OF THE CITY OF MANDEVILLE, LOUISIANA, WARD 4, DISTRICT 7 (REV 22-01-001)

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 Dupre Street, located on the north side of McNamara Street, south of Dupard Street between Square 209 and Square 210 in the Town of Mandeville Subdivision, (as delineated on Map #208A), north of the City of Mandeville, 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 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 MARCH, 2022; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: JANUARY 26, 2022

Published Adoption: _____, 2022

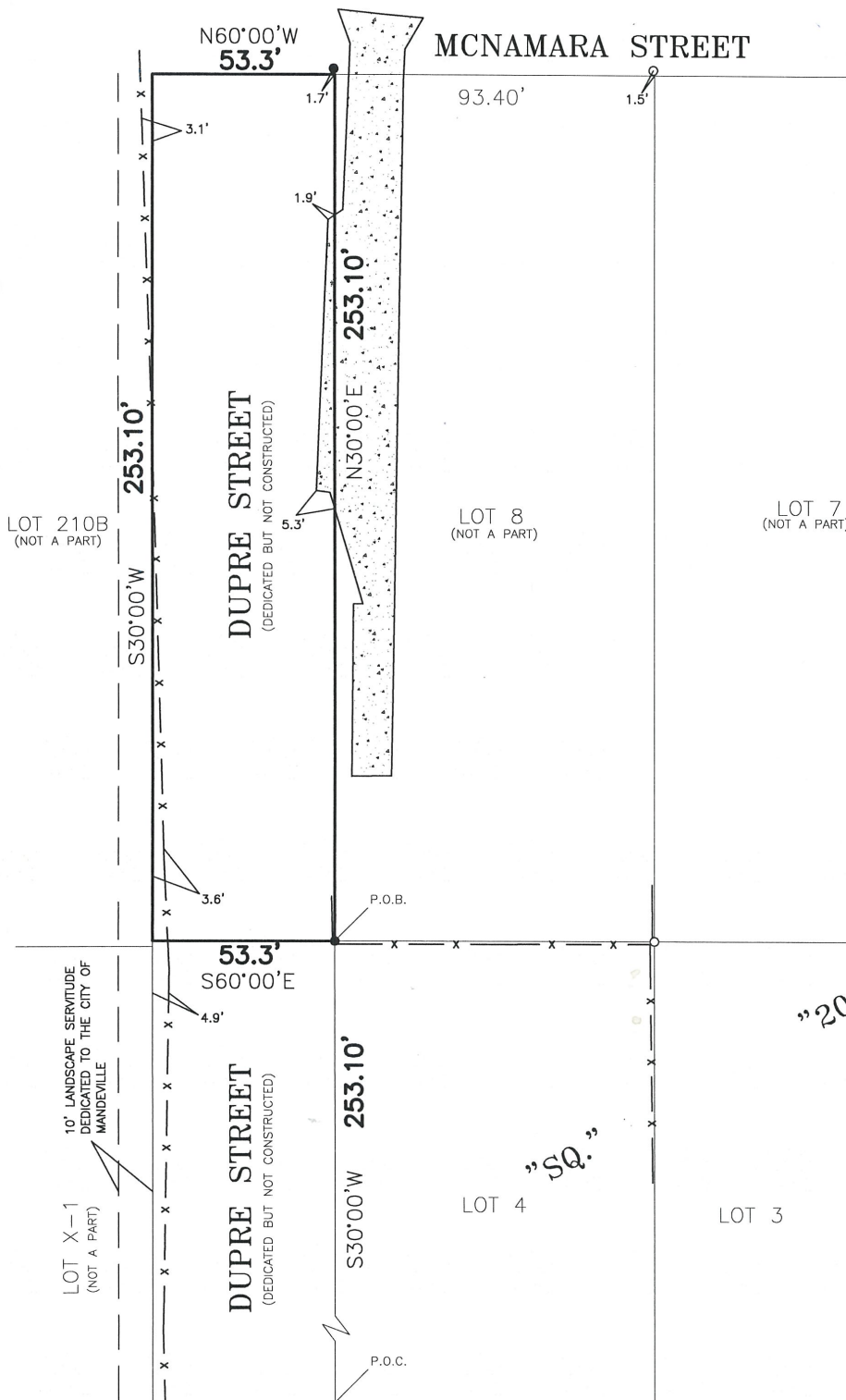
Delivered to Parish President: _____, 2022 at _____

Returned to Council Clerk: _____, 2022 at _____

A CERTAIN PIECE OR PORTION OF LAND SITUATED IN TOWN OF MANDEVILLE, LOUISIANA AND IS MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 4, SQUARE 209, TOWN OF MANDEVILLE, WITH SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF DUPARD STREET AND THE WESTERLY RIGHT-OF-WAY OF DUPRE STREET, LEAVE SAID SOUTHERLY RIGHT-OF-WAY AND RUN ALONG SAID WESTERLY RIGHT-OF-WAY OF DUPRE STREET SOUTH 30 DEGREES 00 MINUTES WEST FOR A DISTANCE OF 253.10 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, RUN SOUTH 60 DEGREES 00 MINUTES EAST FOR A DISTANCE OF 53.3 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF DUPRE STREET; THENCE RUN ALONG SAID EASTERLY RIGHT-OF-WAY SOUTH 30 DEGREES 00 MINUTES WEST FOR A DISTANCE OF 253.10 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF MCNAMARA STREET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY TO RUN NORTH 60 DEGREES 00 MINUTES WEST FOR A DISTANCE OF 53.3 FEET, THENCE RUN ALONG WESTERLY RIGHT-OF-WAY OF DUPRE STREET, NORTH 30 DEGREES 00 MINUTES EAST FOR A DISTANCE OF 253.10 FEET, BACK TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 0.31 ACRES MORE OR LESS.



ST. TAMMANY PARISH COUNCIL CHAIRMAN

CHAIRMAN, ST. TAMMANY PARISH PLANNING COMMISSION

SECRETARY, ST. TAMMANY PARISH PLANNING COMMISSION

ST. TAMMANY PARISH DEPARTMENT OF ENGINEERING

DATE FILED MAP FILE No.

ST. TAMMANY PARISH CLERK OF COURT

(OWNER)

LEGEND

- = 1/2" IRON ROD FOUND
- = 1/2" IRON PIPE FOUND

DUPARD STREET

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LOWE ENGINEERS, LLC

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND CONTROL; AND THAT THE SURVEY WAS DONE ON THE GROUND AND IS IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" AS ADOPTED BY THE STATE OF LOUISIANA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASS "C" SURVEY.

BUILDING SETBACKS:	REFERENCE SURVEY:
FRONT: N/A	A Resub. Map by Randall W. Brown & Assoc. Inc., filed with the St. Tammany Parish Clerk of Court as Map File No. 2179D.
SIDE: N/A	BASIS FOR BEARINGS:
SIDE STREET: N/A	The Reference Survey.
REAR: N/A	

FLOODZONE NOTE: This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Zone(s) "C" with a Base Flood Elevation of N/A in accordance with Community Panel No. 225205 0360 C; Revised: APRIL 2, 1991

Survey No. 21-140688 Drawn by: MAB Scale: 1" = 40'

Date: NOVEMBER 17, 2021 Revised:

A REVOCATION PLAT OF
A PORTION OF DUPRE STREET,
TOWN OF MANDEVILLE
(UNINCORPORATED)
in
Section 45, Township-8-South, Range-12-East
in
St. Tammany Parish, Louisiana
for
JEFFREY E. ELLIOTT, JR.



Professional Land Surveyors
Planners and Consultants
1011 NORTH CAUSEWAY BLVD., SUITE 34
MANDEVILLE, LA 70471
OFFICE NO. (985)845-1012
FAX NO. (985)845-1778
www.loweengineers.com
e-mail: MandevilleTeam@loweengineers.com

NOTE: This is to certify that I have done an actual ground survey and found that no encroachments exist either way across any property lines except as shown.

NOTE: Setback lines shall be verified by owner and/or contractor prior to any construction, as an abstract has not been performed by the undersigned.

Servitudes shown hereon are not necessarily exclusive. Servitudes 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.

This Survey is Certified
John E. Bonneau
By
LICENSE No. 4423
PROFESSIONAL
John E. Bonneau
John E. Bonneau
Professional Land Surveyor
Registration No. 4423

Administrative Comments

CASE NO.: REV22-01-001

NAME OF STREET OR ROAD: Unopened portion of Dupre Street

NAME OF SUBDIVISION: Town of Mandeville Subdivision

WARD: 4 PARISH COUNCIL DISTRICT: 7

PROPERTY LOCATION: The property is located on the north side of McNamara Street, south of Dupard Street between Square 209 and Square 210 in the Town of Mandeville Subdivision (as delineated on Map #208A), Ward 4, District 7.

SURROUNDING ZONING: A-4 Single Family Residential District

PETITIONER/REPRESENTATIVE: Yaritza Garcia

STAFF COMMENTARY:

Department of Planning & Development Comments:

The applicant is requesting to revoke an unopened portion of Dupre Street, to assimilate this property, along with the previous revoked property (REV20-04-001) that the owner acquired into the residential property, upon which she resides.

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. Therefore, staff has no objections to the requested revocation request subject to the applicant assimilating the portion of the right-of-way into their adjacent properties through the parish's resubdivision process.