

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6931

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

COUNCIL SPONSOR: BINDER/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. DAVIS

SECONDED BY: MR. CANULETTE

ON THE 7 DAY OF APRIL , 2022

AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF 8TH AVENUE, LOCATED WEST OF BRAVO STREET, EAST OF ECHO STREET BETWEEN SQUARE 78 AND SQUARE 85 IN THE ALEXIUSVILLE SUBDIVISION (AS DELINEATED ON MAP #171B), SOUTH OF THE CITY OF COVINGTON, LOUISIANA, WARD 3, DISTRICT 5. (REV22-03-003)

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 8th Avenue, located west of Bravo Street, east of Echo Street between Square 78 and Square 85 in the Alexiusville Subdivision (as delineated on Map #171B), south of the City of Covington, Louisiana, Ward 3, District 5; 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 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

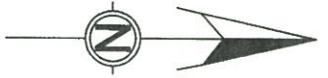
Published Introduction: MARCH 30, 2022

Published Adoption: \_\_\_\_\_, 2022

Delivered to Parish President: \_\_\_\_\_, 2022 at \_\_\_\_\_

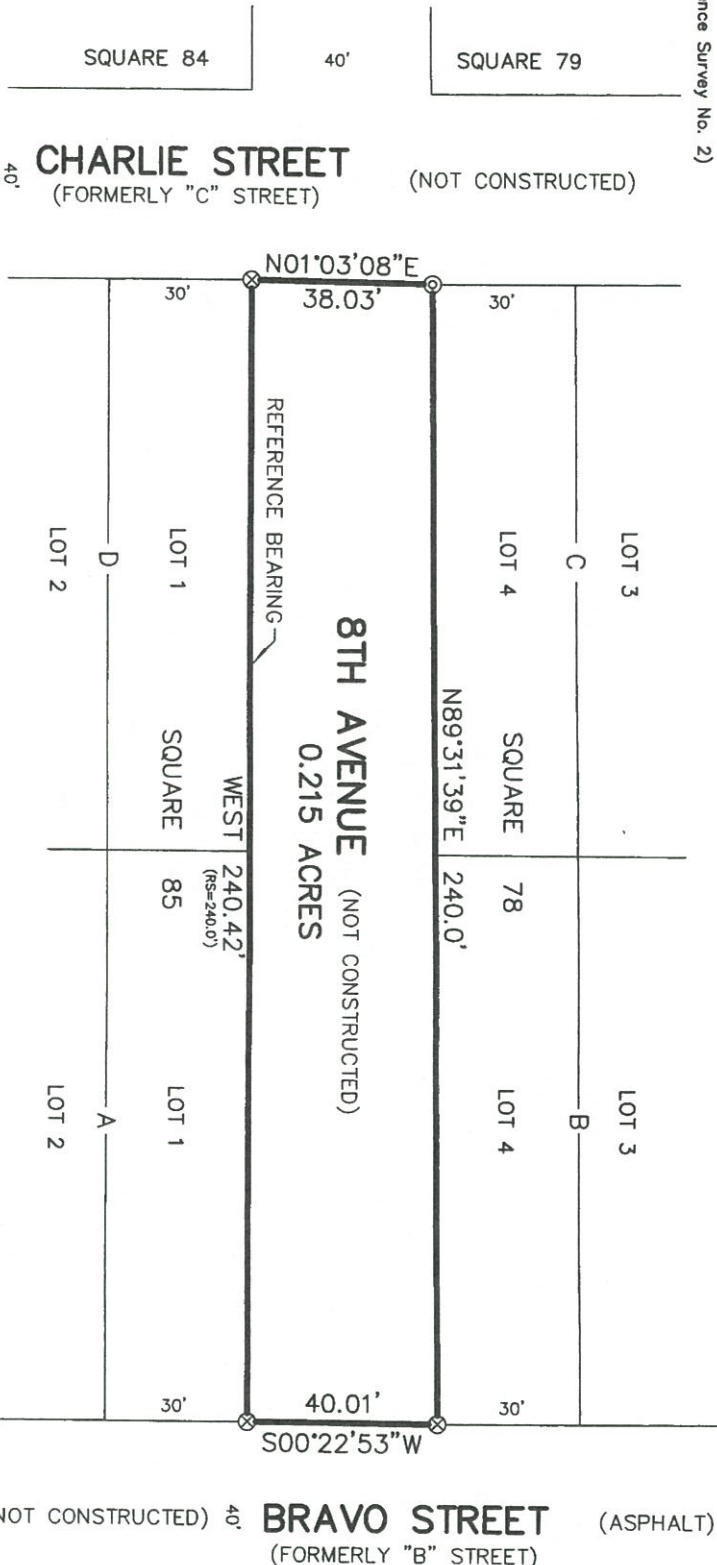
Returned to Council Clerk: \_\_\_\_\_, 2022 at \_\_\_\_\_

**REFERENCE BEARING:**  
From Iron Pipe  $\otimes$   
to Iron Pipe  $\odot$   
WEST  
(per Reference Survey No. 2)



# AVENUE REVOCATION

**NOTE:**  
This property is located in Flood Zone C,  
per F.E.M.A. Map No. 225205 0230 C,  
dated October 17, 1989.



APPROVAL:

PARISH COUNCIL PRESIDENT \_\_\_\_\_

CHAIRMAN/SECRETARY OF THE PARISH PLANNING COMMISSION \_\_\_\_\_

CHAIRMAN OF THE PUBLIC WORKS COMMITTEE \_\_\_\_\_

PARISH ENGINEER \_\_\_\_\_

CLERK OF COURT \_\_\_\_\_

DATE FILED \_\_\_\_\_

FILE NO. \_\_\_\_\_

**LEGEND**

- $\otimes$  = 1" IRON PIPE FOUND
- $\odot$  = 1/2" IRON ROD FOUND



**REFERENCE SURVEYS:**

1. Map of Alexandria filed in the St. Tammany Clerk of Court's Map File No. 1771B.
2. Survey of Square 85, Alexandria for Fix Right, LLC., Resource Bank, Writers Title Agency, Inc. & First American Title Insurance Company by Rondell W. Brown, Surveyor, dated November 7, 2000.
3. Survey for Don-Son Construction Company, LLC, by John G. Cummings, Surveyor, dated 08/17/2021.

609 N. JEFFERSON AVE  
COVINGTON, LA 70433  
**John G. Cummings & Associates**  
PROFESSIONAL LAND SURVEYORS IN LOUISIANA & MISSISSIPPI  
Phone (504) 892-1648  
Fax (504) 892-8880

PLAT PREPARED FOR: **DON-SON CONSTRUCTION COMPANY, LLC.**

SHOWING A SURVEY OF: REVOCATION OF A PORTION OF 8TH AVENUE SOUTH OF SQUARE 78, AND NORTH OF SQUARE 85, ALEXIUSVILLE, LOCATED IN SECTION 48, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA.

THIS PLAT REPRESENTS A PHYSICAL SURVEY MADE ON THE GROUND BY ME, OR THOSE UNDER MY DIRECTION, AND IS IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF PRACTICE AND BEARS A CLASS C SURVEY.

*John G. Cummings*  
PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 30'      DATE: 01/25/2022      JOB NO. 21160-8TH

HERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND/OR RESTRICTIONS HAVE BEEN SHOWN HEREON. ANY SERVITUDES AND/OR RESTRICTIONS SHOWN ON THIS PLAT ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION AND/OR INFORMATION FURNISHED TO THE UNDERSIGNED. A TITLE OR PUBLIC RECORDS SEARCH FOR SUCH INFORMATION WAS NOT MADE BY THE UNDERSIGNED IN COMPILING DATA FOR THIS SURVEY.

**Administrative Comments**

CASE NO.: REV22-03-003

NAME OF STREET OR ROAD: Unopened portion of 8<sup>th</sup> Avenue

NAME OF SUBDIVISION: Alexiusville Subdivision

WARD: 3 PARISH COUNCIL DISTRICT: 5

PROPERTY LOCATION: The property is located west of Bravo Street, east of Echo Street between Square 78 and Square 85 in the Alexiusville Subdivision (as delineated on Map #171B), south of the City of Covington, Louisiana, Ward 3, District 5.

SURROUNDING ZONING: A-6 Multiple Family Residential, A-3 Suburban & HC-3 Highway Commercial

PETITIONER/REPRESENTATIVE: Bevolo Gas & Electric Lights, LLC

**STAFF COMMENTARY:**

**Department of Planning & Development Comments:**

The applicant is requesting to revoke an unopened portion of 8<sup>th</sup> Avenue, in order to assimilate the property into the adjacent property.

**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.