

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4601

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PLANNING

INTRODUCED BY: STEFANCIK

SECONDED BY: ARTIGUE

ON THE 7 DAY OF JULY, 2011

ORDINANCE TO REVOKE A PORTION OF IBERVILLE STREET
RIGHT-OF-WAY, LOCATED IN CHINCHUBA SUBDIVISION.
(WARD 4, DISTRICT 10)

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 Marigold Drive, located in Chinchuba Subdivision; and

WHEREAS, the Departments of Public Works, Engineering, and Planning 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 petitioner, or any other adjacent property owner who wishes to participate, shall enter into a private cash sale with the Parish to conclude the revocation/alienation process as set forth in P.J. Ord. No. 93-1700, and in accordance with the provisions of L.R.S. 48:720 and 48:725.

SECTION II: 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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.

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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 4 DAY OF AUGUST, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: JUNE 30, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____

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

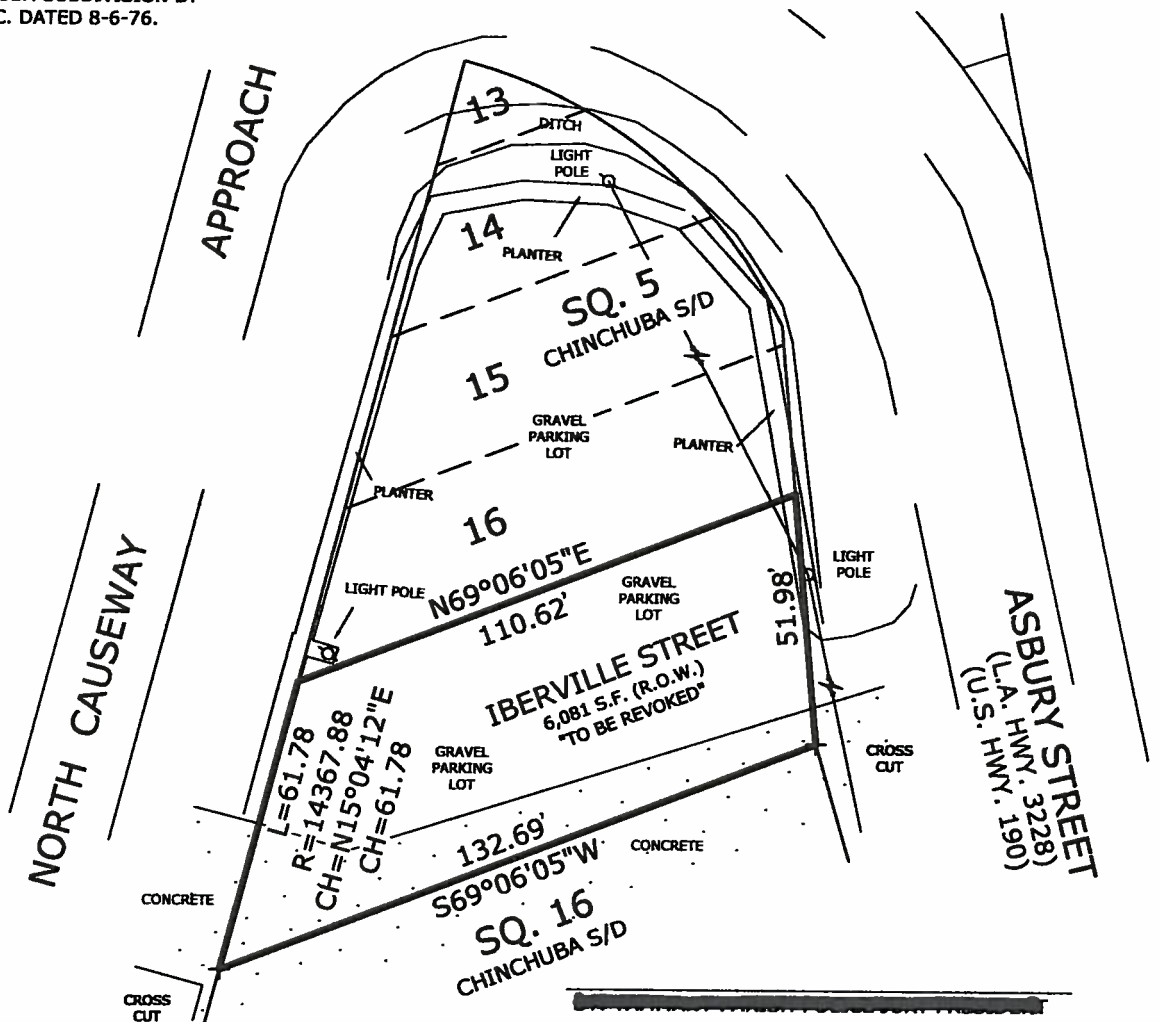
THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED ME AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH

REFERENCE MATERIAL:

SHEETS 11 & 12 OF STATE PROJECT 13-11-10 DATED 1971 & 1972 (PARTIAL SHEETS). INSTRUMENT # 849586 OF THE ST. TAMMANY PARISH CLERK OF COURT. SURVEY OF LOTS 1 - 6 AND LOTS 35 - 40, SQUARE 16, CHINCHUBA SUBDIVISION NO DATE, NO SURVEYOR, (PARTIAL SHEET). SURVEY OF PART OF SQUARE 16, CHINCHUBA SUBDIVISION BY WALKER & AVERY INC. DATED 8-6-76.

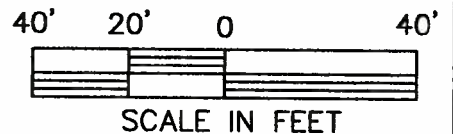
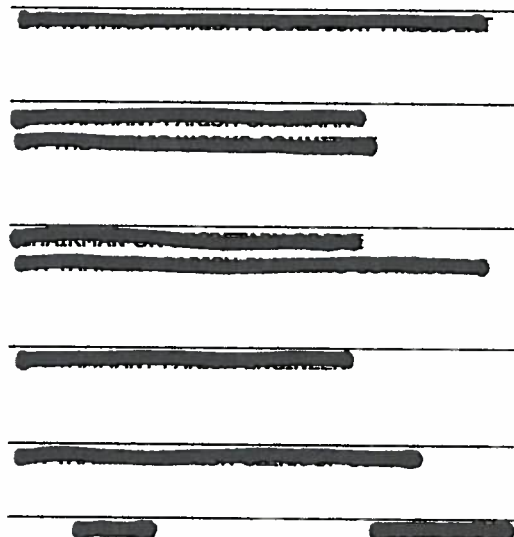
REFERENCE BEARING SUBDIVISION RECORD BEARINGS.



DESCRIPTION OF IBERVILLE STREET TO BE REVOKED

PART OF A CERTAIN RIGHT OF WAY KNOWN AS IBERVILLE STREET LOCATED IN CHINCHUBA SUBDIVISION, ST. TAMMANY PARISH, LA AND IS DESCRIBED AS FOLLOWS:

BEGIN AT A CROSS CUT WHERE THE SOUTHERLY RIGHT OF WAY LINE OF IBERVILLE STREET INTERSECTS THE WESTERLY RIGHT OF WAY LINE OF ASBURY STREET, AKA LA HWY 3228; THENCE S69°06'05\"/>



SURVEYOR'S CERTIFICATE
STATE OF LOUISIANA
PARISH OF ST. TAMMANY



SURVEY OF PART OF IBERVILLE STREET RIGHT OF WAY TO BE REVOKED ST. TAMMANY PARISH, LA

I, Lester H. Martin Jr. Professional Surveyor do hereby certify that I have surveyed, computed and plotted the property shown hereon located in St. Tammany Parish, LA. Surveyed at the request of Kentak Chieh.

Witness my signature on this, the 13th day of March, 2011.

Lester H. Martin Jr.
LESTER H. MARTIN, JR.
REG. No. 4758
REGISTERED PROFESSIONAL LAND SURVEYOR

Lester H. Martin Jr.
License #4758

DATE: 3-13-2011 SCALE: 1"=40' JOB #: 11L-0021 DWG. BY: LMJ

LESTER H. MARTIN JR.
Land Surveyor
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E-mail: lmsurveyor@aol.com