

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6298 ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: LORINO/BRISTER PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

ON THE 5 DAY OF DECEMBER , 2019

ORDINANCE REVOKING THE DEDICATION OF AN UNOPENED DRAINAGE SERVITUDE ON A PARCEL OF GROUND IDENTIFIED AS LOTS 5-A-1, 6-A, 48-A-1 AND 48-B, WALDHEIM ESTATES (WARD 10, DISTRICT 6)

WHEREAS, the developer for Waldheim Estates dedicated a twenty (20') foot servitude of drainage across the rear of Lots 5 and 6 as shown on the Waldheim Estates subdivision Final Plan recorded as Map File No. 749A with the Clerk of Court for St. Tammany Parish; and

WHEREAS, said Lots 5 and 6 have since been re-subdivided into Lots 5-A-1, 6-A, 48-A-1, and 48-B; and

WHEREAS, except for the westernmost ten (10') feet in lot 48-A-1, the drainage has never been opened; and

WHEREAS, the existing drainage is sufficient to meet the current and future needs of the public without opening the drainage; and

WHEREAS, Parish has never used the unopened drainage servitude, Parish does not intend to open, improve or utilize the drainage servitude, and, therefore, Parish has determined that it is no longer needed for public use.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the dedicated but unopened drainage servitude is not needed for public purposes, and, therefore, St. Tammany Parish hereby revokes the dedication of a twenty (20') foot servitude of drainage across the rear of Lots 5 and 6 as shown on the Waldheim Estates subdivision Final Plan recorded as Map File No. 749A, now known as and/or including Lots 5-A-1, 6-A, 48-A-1 and 48-B, less and except the westernmost ten (10') feet in Lot 48-A-1 from its boundary line with Lot 4.

BE IT FURTHER ORDAINED, that the dedication of the unopened drainage servitude having been revoked, St. Tammany Parish declares in accordance with the aforesaid authority, that it has no right, title and/or interest in and to said drainage servitude, the ownership of which shall revert to the present owner or owners of the land previously burdened by said drainage servitude.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 16 DAY OF JANUARY , 2020 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_.

\_\_\_\_\_  
MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: NOVEMBER 28 , 2019

Published Adoption: \_\_\_\_\_, 2019

Delivered to Parish President: \_\_\_\_\_, 2019 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2019 at \_\_\_\_\_

### **Ordinance Administrative Comment**

ORDINANCE REVOKING THE DEDICATION OF AN UNOPENED DRAINAGE SERVITUDE ON A PARCEL OF GROUND IDENTIFIED AS LOTS 5-A-1, 6-A, 48-A-1 AND 48-B, WALDHEIM ESTATES (WARD 10, DISTRICT 6)

Parish seeks to revoke a 20' drainage servitude that was dedicated via a 1982 subdivision plat but never opened or utilized for drainage.







