

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6322

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 6 DAY OF FEBRUARY , 2020

AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF PINE AVENUE, LOCATED SOUTH OF MAGNOLIA AVENUE AND NORTH OF US HIGHWAY 190 EAST, BETWEEN SQUARE 12 & SQUARE 13, IN THE BEVERLY HILLS SUBDIVISION, SLIDELL, LOUISIANA, WARD 8, DISTRICT 13. (REV 19-12-004)

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 Pine Avenue, located south of Magnolia Avenue and north of US Highway 190 East, between Square 12 & Square 13, in the Beverly Hills Subdivision, Slidell, Louisiana; and

WHEREAS, the Department of Public Works, and Department of 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 revocation of the subject property will be conditioned upon a satisfactory drainage re-route plan being submitted by the petitioner’s Engineering and approved by the Department of Public Works.

SECTION II: 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 III: 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 IV: 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 MARCH, 2020; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

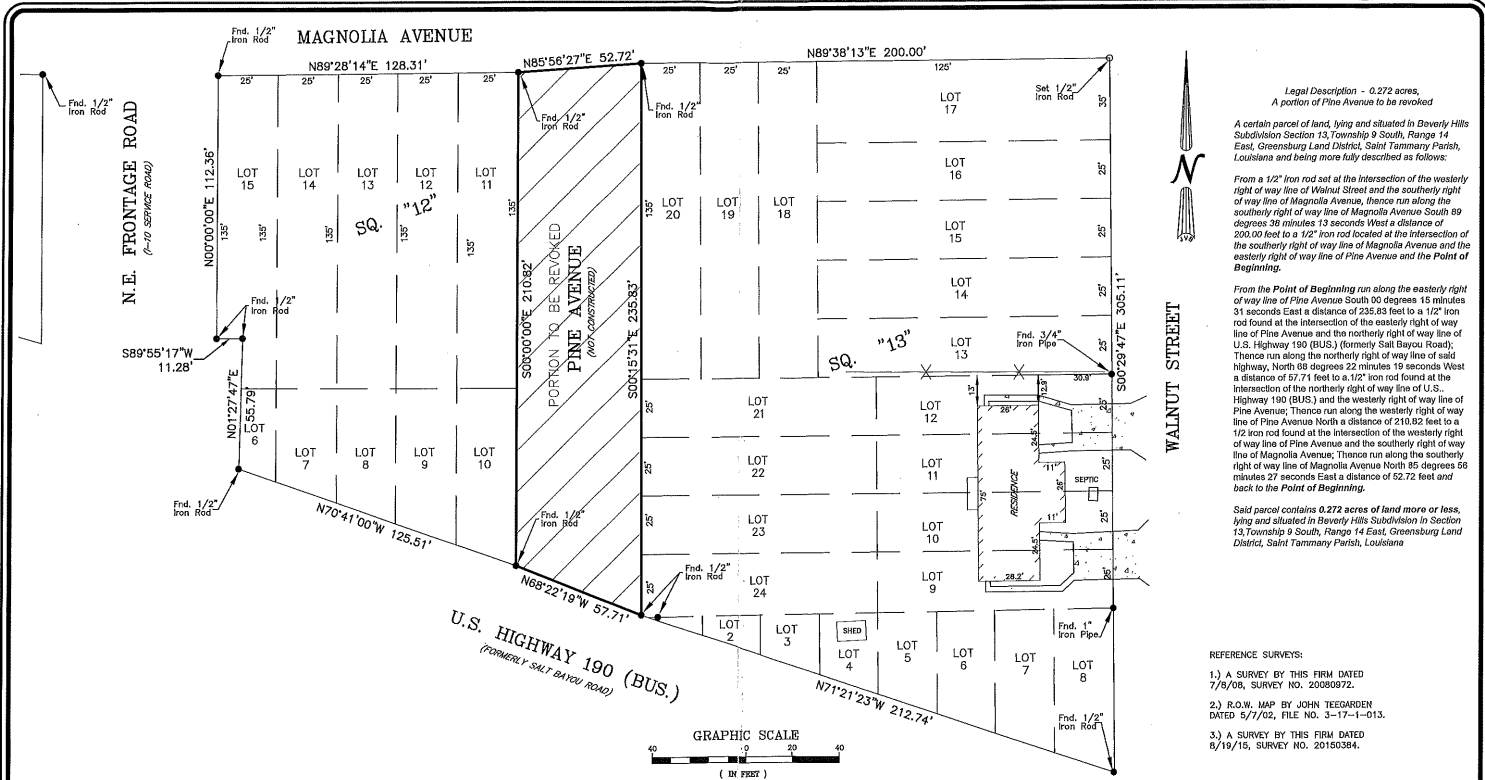
MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: JANUARY 29, 2020

Published Adoption: _____, 2020

Delivered to Parish President: _____, 2020 at _____

Returned to Council Clerk: _____, 2020 at _____



Legal Description - 0.272 acres,
A portion of Pine Avenue to be revoked

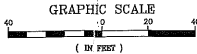
A certain parcel of land, lying and situated in Beverly Hills Subdivision Section 13, Township 9 South, Range 14 East, Greensburg Land District, Saint Tammany Parish, Louisiana and being more fully described as follows:

From a 1/2" iron rod set at the intersection of the westerly right of way line of Walnut Street and the southerly right of way line of Magnolia Avenue, thence run along the southerly right of way line of Magnolia Avenue South 89 degrees 38 minutes 13 seconds West a distance of 200.00 feet to a 1/2" iron rod located at the intersection of the southerly right of way line of Magnolia Avenue and the easterly right of way line of Pine Avenue and the Point of Beginning.

From the Point of Beginning run along the easterly right of way line of Pine Avenue South 00 degrees 15 minutes 31 seconds East a distance of 235.83 feet to a 1/2" iron rod found at the intersection of the easterly right of way line of Pine Avenue and the northerly right of way line of U.S. Highway 190 (BUS.) (formerly Salt Bayou Road); Thence run along the northerly right of way line of said highway, North 69 degrees 22 minutes 19 seconds West a distance of 57.71 feet to a 1/2" iron rod found at the intersection of the northerly right of way line of U.S. Highway 190 (BUS.) and the westerly right of way line of Pine Avenue; Thence run along the westerly right of way line of Pine Avenue North a distance of 210.82 feet to a 1/2" iron rod found at the intersection of the westerly right of way line of Pine Avenue and the southerly right of way line of Magnolia Avenue; Thence run along the southerly right of way line of Magnolia Avenue North 85 degrees 58 minutes 27 seconds East a distance of 52.72 feet and back to the Point of Beginning.

Said parcel contains 0.272 acres of land more or less, lying and situated in Beverly Hills Subdivision in Section 13, Township 9 South, Range 14 East, Greensburg Land District, Saint Tammany Parish, Louisiana

- REFERENCE SURVEYS:
- 1.) A SURVEY BY THIS FIRM DATED 7/8/08, SURVEY NO. 20080972.
 - 2.) R.O.W. MAP BY JOHN TEEGARDEN DATED 5/7/02, FILE NO. 3-17-1-013.
 - 3.) A SURVEY BY THIS FIRM DATED 8/19/15, SURVEY NO. 20150384.



SCALE: 1" = 40'

DATE: 10/16/19

DRAWN BY: JDL
CHECKED BY: SMB

DWG. NO: 20190617

SHEET 1 OF 1

I certify that this plot does represent an actual ground survey and that to the best of my knowledge no encroachments exist either way across any of the property lines, except as shown. Encroachments shown hereon are not necessarily exclusive. Encroachments 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 not in a Special Flood Hazard Area.

F.I.R.M.: 225205 0420 E
DATE: 4/21/59
ZONE: C
B.F.E. = N/A

* Verify prior to construction with local governing body

A REVOCATION MAP OF A PORTION OF PINE AVENUE, BEVERLY HILLS SUBDIVISION SITUATED IN SECTION 13, T-9-S, R-14-E, GLD, ST. TAMMANY PARISH, LOUISIANA

Declaration is made to original purchaser of the survey, it is not transferable to additional institutions or subsequent owners. Survey is valid only if print has original seal of surveyor. Property is surveyed in accordance with the Louisiana "Standards of Practice for Property Boundary Surveys" for a Class "E" survey. Bearings are based on record bearings unless noted otherwise.

DL INVESTMENTS, LLC

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

1805 Shortest Highway
Slidell, Louisiana 70458
E-mail: jvbassoc@jvburkes.com

Phone: 985-649-0075 Fax: 985-649-0154

SEAN M. BURKES
LA REG. NO. 4785

DATE PLOTTED: 10/16/19 10:51:00 AM BY: JVB/SMB

Administrative Comments

CASE NO.: REV19-12-004

NAME OF STREET OR ROAD: Unopened portion of Pine Avenue

NAME OF SUBDIVISION: Beverly Hills Subdivision

WARD: 8 PARISH COUNCIL DISTRICT: 13

PROPERTY LOCATION: The property is located south of Magnolia Avenue and north of US Highway 190 East, between Square 12 & Square 13, in the Beverly Hills Subdivision, Slidell, Louisiana, Ward 8, District 13

SURROUNDING ZONING: HC-2 Highway Commercial

PETITIONER/REPRESENTATIVE: DL Investments, LLC

STAFF COMMENTARY:

Department of Planning & Development Comments:

The applicant is proposing to revoke an unopened portion of Pine Avenue. DL Investments, LLC desires to assimilate this property into the adjacent properties. However, the Department of Public Works has confirmed that the Parish maintains a drainage ditch within the street right-of-way that the applicant proposes to revoke.

The petitioner's Engineer has been in contact with our Department of Public Works and is in the process of working out a plan to reroute the existing drainage on the site.

Recommendation:

The revocation of the subject property should be conditioned upon a satisfactory drainage re-route plan being submitted by the petitioner's Engineering and approved by the Department of Public Works.