

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6366

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

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. AIREY

SECONDED BY: MR. FITZGERALD

ON THE 7 DAY OF MAY , 2020

ORDINANCE TO REVOKE AN UNOPENED PORTION OF ADAMS BLVD. & DEXTER DR. AS DELINEATED ON THE BERRYVILLE FARM LOTS SUBDIVISION PLAT (MAP #3C), LOCATED ON THE NORTH SIDE OF HWY 36, EAST OF HWY 434 IN THE BERRYVILLE FARM LOTS SUBDIVISION, LACOMBE, LOUISIANA, WARD 6, DISTRICT 6. (REV 20-02-001)

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 Adams Blvd. & Dexter Dr. as delineated on the Berryville Farm Lots Subdivision Plat (Map #3C), located on the north side of Hwy 36, east of Hwy 434 in the Berryville Farm Lots Subdivision, Lacombe, 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 7 DAY OF MAY, 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: APRIL 29, 2020

Published Adoption: \_\_\_\_\_, 2020

Delivered to Parish President: \_\_\_\_\_, 2020 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2020 at \_\_\_\_\_

Administrative Comments

CASE NO.: REV20-02-001

NAME OF STREET OR ROAD: Unopened portion of Adams Blvd. & Dexter Dr. as delineated on the Berryville Farm Lots Subdivision Plat (Map #3C)

NAME OF SUBDIVISION: Berryville Farm Lots Subdivision

WARD: 6 PARISH COUNCIL DISTRICT: 6

PROPERTY LOCATION: The property is located on the north side of Hwy 36, east of Hwy 434 in the Berryville Farm Lots Subdivision, Lacombe, Louisiana, Ward 6, District 6

SURROUNDING ZONING: HC-4 Highway Commercial & A-2 Suburban

PETITIONER/REPRESENTATIVE: C & W Brigade, LLC

**STAFF COMMENTARY:**

**Department of Planning & Development Comments:**

The applicant is proposing to revoke an unopened portion of Adams Blvd. & Dexter Dr. C & W Brigade, LLC desires to assimilate this property into the adjacent properties. It should be noted that C & W Brigade, LLC owns all property that abuts the rights-of-way proposed for revocation.

**Recommendation:**

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

**GENERAL NOTES**

THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON EXISTING RECORDS AND FIELD SURVEY. THE EXACT LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON IS NOT GUARANTEED. THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON IS NOT GUARANTEED. THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON IS NOT GUARANTEED. THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON IS NOT GUARANTEED.

**APPROVED:**

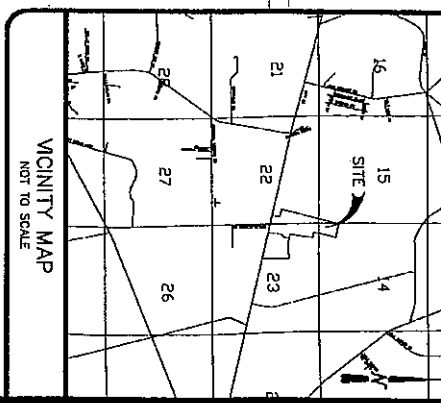
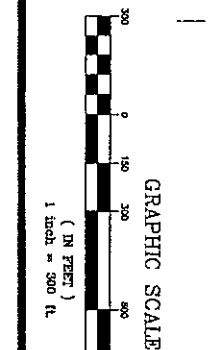
|   |          |
|---|----------|
| PROJECT ENGINEER                          | DATE     |
| CHIEF OF ENGINEERING                      | DATE     |
| CHIEF OF PUBLIC WORKS                     | DATE     |
| PLANNING ENGINEER                         | DATE     |
| CLERK OF COURT                            | DATE     |
| DATE FILED                                | FILE NO. |
| TOTAL AREA: 87,381 SQ. FT. OR 2,008 ACRES |          |

- REFERENCE SURVEYS:**
1. A SURVEY BY JOHN H. BARNES DATED 10/21/78.
  2. A SURVEY BY JOHN H. BARNES DATED 10/21/78.
  3. A SURVEY BY C.E. SCHULTZ & JOSEPH PUGH DATED 10/21/78.
  4. A SURVEY BY JOHN H. BARNES DATED 10/21/78.

**Land Description:** 104.66 acres being Lots 1-4 & Lot 7, BERRYVILLE FARM, Section 23, Township 7 South, Range 13 East, Greenburg Land District, St. Tammany Parish, Louisiana. The land is bounded on the north by Sunshine Blvd., on the east by 10th Avenue, on the south by 11th Avenue, and on the west by 12th Avenue. The land is divided into 10 lots, each of which is described in detail in the accompanying table.



REVISION: 1/2/19 REVOCATION OF DEEDS & ADAMS ONLY



DATE: 1/18/16  
 DRAWN BY: JDL  
 CHECKED BY: RMK  
 DWG. NO.: 20150684  
 SHEET: 1 OF 1

**A REVOCATION MAP OF A PORTION OF DEXTER DRIVE, AND A PORTION OF ADAMS BOULEVARD IN BERRYVILLE FARM LOTS, THE TOWN OF ST. TAMMANY EAST ADDITION IN SECTIONS 14, 15, 22 & 23, T-7-S, R-13-E, GREENSBURG LAND DISTRICT, ST. TAMMANY PARISH, LOUISIANA**

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTRUCTIONS OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL OF SURVEYOR.

**C & W BRIGADE**

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

1805 Shortcut Highway  
 Slidell, Louisiana 70458  
 E-mail: jvbassoc@burkes.com

Phone: 985-649-0075 Fax: 985-649-0154  
 Mississippi Phone: 228-435-5800

SEAN M. BURKES  
 REG. NO. 4785  
 NO SURVEYOR

SEAN M. BURKES  
 LA REG. NO. 4785