

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4656

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PLANNING

INTRODUCED BY: BURKHALTER

SECONDED BY: ARTIGUE

ON THE 6 DAY OF OCTOBER, 2011

ORDINANCE TO REVOKE PORTIONS OF A STREET AND
6TH AVENUE RIGHT-OF-WAYS, LOCATED IN ALEXIUSVILLE
SUBDIVISION. (WARD 3, DISTRICT 1)

WHEREAS, the petitioner, who owns property abutting the aforementioned Parish street right-of-ways, has petitioned the St. Tammany Parish Council to revoke/alienate a portion of the dedication, specifically a portion of A Street and 6th Avenue, located in Alexiusville 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 portions of said street right-of-ways are 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 portions of the street right-of-ways 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: Grant AT&T a five (5') servitude within the 6th Avenue revoked right-of-way, if applicable.

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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 3 DAY OF NOVEMBER, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

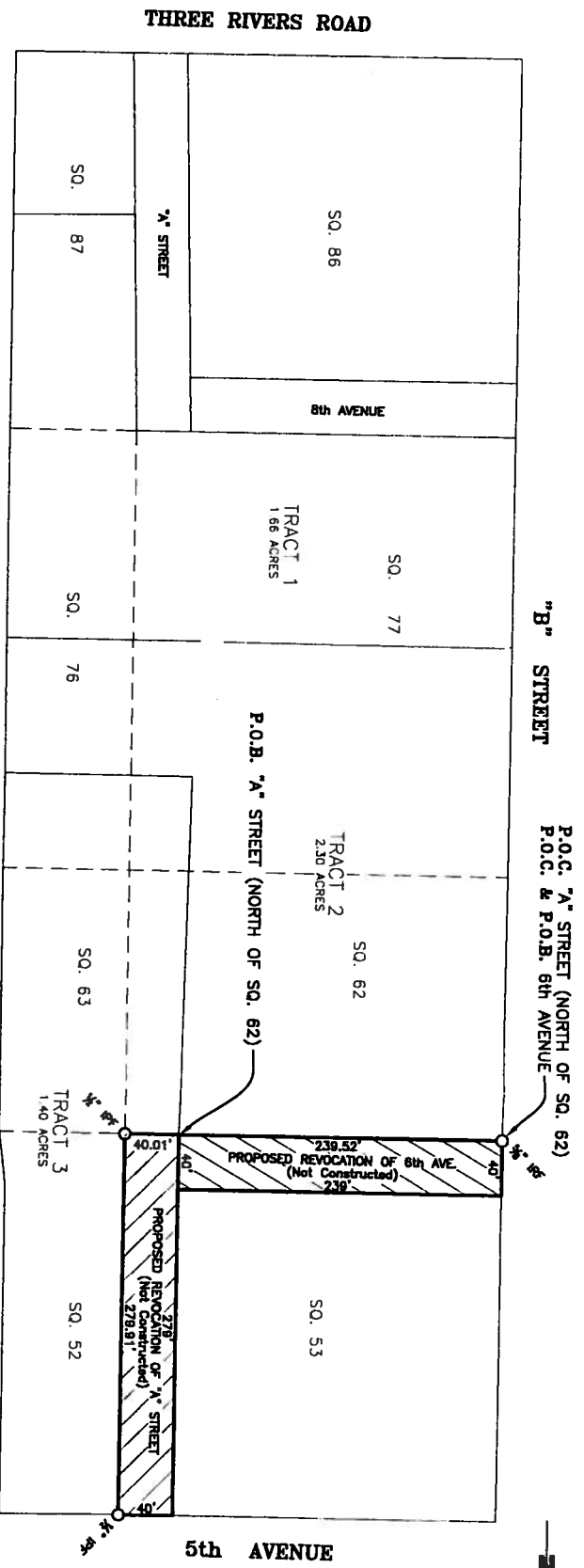
KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: SEPTEMBER 29, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____



U.S. HIGHWAY 190

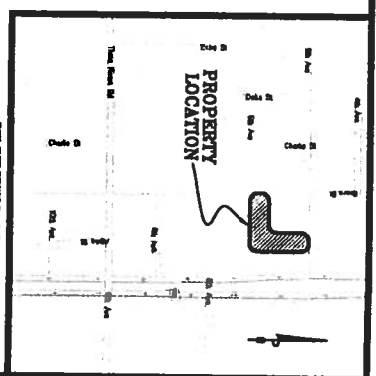
LEGAL DESCRIPTION FOR "A" STREET REVOCATION (PORTION OF SQ. 62)
 COMMENCING FROM A 1/2" IRON ROD AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF "B" STREET AND THE SOUTHERLY RIGHT-OF-WAY OF 8TH AVENUE (NOT CONSTRUCTED), THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY, RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 239.52 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF "A" STREET (NOT CONSTRUCTED) AND THE POINT OF BEGINNING.
 FROM THE POINT OF BEGINNING, LEAVING SAID SOUTHERLY RIGHT-OF-WAY, RUN ALONG SAID WESTERLY RIGHT-OF-WAY, IN A NORTHERLY DIRECTION, A DISTANCE OF APPROXIMATELY 279 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 8TH AVENUE; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY, IN AN EASTERLY DIRECTION, A DISTANCE OF 40 FEET TO A 1/2" IRON PIPE ON THE EASTERLY RIGHT-OF-WAY OF "A" STREET (NOT CONSTRUCTED); THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY, RUN ALONG SAID EASTERLY RIGHT-OF-WAY, IN A SOUTHERLY DIRECTION, A DISTANCE OF 279.81 FEET TO A 1/2" IRON PIPE ON THE SOUTHERLY RIGHT-OF-WAY OF 8TH AVENUE (NOT CONSTRUCTED); THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY, IN A WESTERLY DIRECTION, A DISTANCE OF 40.01 FEET BACK TO THE POINT OF BEGINNING.
 SAID PORTION OF GROUND CONTAINS 0.26 ACRES (111.95 SQ. FT.) MORE OR LESS.

LEGAL DESCRIPTION FOR 6TH AVENUE REVOCATION (BETWEEN SQ. 53 & SQ. 62)
 COMMENCING FROM A 1/2" IRON ROD AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF "B" STREET AND THE SOUTHERLY RIGHT-OF-WAY OF 8TH AVENUE (NOT CONSTRUCTED), SAID POINT ALSO BEING THE POINT OF BEGINNING.
 FROM THE POINT OF BEGINNING, LEAVING SAID SOUTHERLY RIGHT-OF-WAY, RUN ALONG SAID EASTERLY RIGHT-OF-WAY, IN A NORTHERLY DIRECTION, A DISTANCE OF 40 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF 8TH AVENUE (NOT CONSTRUCTED); THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY, RUN ALONG SAID NORTHERLY RIGHT-OF-WAY, IN AN EASTERLY DIRECTION, A DISTANCE OF APPROXIMATELY 239 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF "A" STREET (NOT CONSTRUCTED); THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, RUN ALONG SAID WESTERLY RIGHT-OF-WAY, IN A SOUTHERLY DIRECTION, A DISTANCE OF APPROXIMATELY 40 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 8TH AVENUE (NOT CONSTRUCTED); THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY, IN A WESTERLY DIRECTION, A DISTANCE OF 239.52 FEET BACK TO THE POINT OF BEGINNING.
 SAID PORTION OF GROUND CONTAINS 0.222 ACRES (9.380 SQ. FT.) MORE OR LESS.

STREET REVOCATION MAP OF
 8TH AVENUE BETWEEN SQ. 53 & 62 FROM "A" STREET TO "B" STREET AND "A" STREET BETWEEN SQ. 52 & 53 FROM 5TH AVENUE TO SQ. 62

in Alexiustville Subdivision in
 Section 48, T7S-R11E,
 St. Tammany Parish, Louisiana
 for

Rainbow Covington Properties, LLC.



APPROVAL:

ST. TAMMANY PARISH COUNCIL CHAIRMAN

CHIEF, ST. TAMMANY PARISH PLANNING COMMISSION

SECRETARY, ST. TAMMANY PARISH PLANNING COMMISSION

DIRECTOR OF THE DEPARTMENT OF ENGINEERING

DATE FILED MAP FILE NO.

ST. TAMMANY PARISH CLERK OF COURT

OWNER

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND CONTROL; AND THAT THE SURVEY WAS DONE ON THE GROUND AND IS IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ADOPTED BY THE STATE OF LOUISIANA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASS "C" SURVEY.

NOTE: Setback lines shall be verified by owner and/or contractor prior to any construction, as an abstract has not been performed by the undersigned.

NOTE: Servitudes shown hereon are not recorded and their existence, their nature and extent, and their location, as shown hereon, is based on the surveyor's best knowledge and belief. The surveyor has not performed any title search of abstract.

This Survey is Certified True and Correct By

 John E. Bonneau
 Professional Land Surveyor
 Registration No. 4423

Note: This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Zone(s) "B" & "C" with a Base Flood Elevation of N/A in accordance with Community Panel No. 225205 0250 C
 Revised: OCTOBER 17, 1989

Survey No. 2006 1297F Drawn by: JBM/LFR Scale: 1" = 100'
 Date: OCTOBER 07, 2008 Revised:

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