

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6227

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/BRISTER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MR. STEFANCIK

ON THE 5 DAY OF SEPTEMBER , 2019

(REV 19-07-002) AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF H STREET AS DELINEATED ON THE TOWN OF ALEXIUSVILLE SUBDIVISION PLAT (MAP #171B) LOCATED SOUTH OF 13TH STREET AND NORTH OF 14TH STREET BETWEEN SQUARE 135 AND SQUARE 134 OF THE TOWN OF ALEXIUSVILLE SUBDIVISION, SOUTH OF COVINGTON, LOUISIANA, WARD 3, DISTRICT 2. (REV 19-07-002)

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 Albert Street, Nelson Street, Armand Street, located in the Town of Alexiusville Subdivision (unincorporated), North of Mandeville, 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 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 re-subdivision 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 3 DAY OF OCTOBER , 2019 ; 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: AUGUST 28 , 2019

Published Adoption: _____ , 2019

Delivered to Parish President: _____ , 2019 at _____

Returned to Council Clerk: _____ , 2019 at _____

13th. STREET

(UN-OPENED)

(REF. BRG.) N 89°56' 42" E

40.00'

(UN-OPENED)

SQ. 135

SQ. 134

(UN-OPENED)

N 00°02' 36" W 240.00'

S 00°02' 36" E 240.00'

PORTION OF "H" STREET
TO BE REVOKED
(0.220 ACRES)

P.O.B.

14th. STREET

S 89°56' 42" W 40.00'

(UN-OPENED)

U.S HWY. 190

"G" STREET

SQ. 152

SQ. 153

"I" STREET

CRESTWOOD BOULEVARD

APPROVALS:

LEGAL DESCRIPTION OF:
A PORTION OF "H" STREET
TO BE REVOKED

Commence at the Southeastern Corner of Square 135 and the POINT OF BEGINNING and measure Northerly along Western Right of Way of "H" Street (un-opened) North 00°02' 36" West a distance of 240.00 feet to the Northeastern Corner of Square 135 on the Southern Right of Way of 13th Street (un-opened) Thence crossing the Right of Way of "H" Street North 89°56' 42" East a distance of 40.00 feet to the Northwestern Corner of Square 134 on the Eastern Right of Way of "H" Street (un-opened); Thence Southerly along the Eastern Right of Way of "H" Street South 00°02' 36" East a distance of 240.00 feet to the Southwestern Corner of Square 134 on the Northern Right of Way of 14th Street, Thence crossing the Right of Way of "H" Street South 89°56' 42" West a distance of 40.00 feet to the Southeastern Corner of Square 135 and the POINT OF BEGINNING, and containing 0.220 acre(s) of land, more or less.

PARISH COUNCIL PRESIDENT

CHAIRMAN OR SECRETARY PLANNING COMMISSION

CHAIRMAN OF PUBLIC WORKS COMMITTEE

DIRECTOR OF THE DEPARTMENT
OF ENGINEERING

CLERK OF COURT

DATE FILED

FILE NO.

REFERENCE:
A RESUBDIVISION PLAT OF SQUARES 150 & 151
ALEXIUSVILLE, BY JOHN G. DUNLOP
FILED FOR RECORD 1-22-2001, MAP NO. 1891,
FROM WHICH BASIS OF BEARINGS WERE TAKEN.

NOTE:
NO ATTEMPT HAS BEEN MADE BY KELLY McHUGH & ASSOC., INC. TO
VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVITUDES, EASEMENTS,
RIGHTS OF WAY, DEED RESTRICTIONS, WETLANDS OR ENVIRONMENTAL
ISSUES OR OTHER ENCUMBRANCES ON THIS PROPERTY OTHER THAN
THOSE FURNISHED BY THE CLIENT.



Kelly J. McHugh
Kelly J. McHugh, REG. NO. 4443 03-14-19

CERTIFIED TO BE IN ACCORDANCE WITH A PHYSICAL
SURVEY MADE ON THE GROUND AND COMPLYING WITH THE
CURRENT APPLICABLE STANDARDS OF PRACTICE FOR A CLASS
"C" SURVEY. RED STAMP SIGNIFIES CERTIFIED PLAT.

PREPARED FOR: DMM CONSTRUCTION, LLC

A REVOCATION OF A PORTION OF "H" STREET
TOWN OF ALEXIUSVILLE,
IN SECTION 10, T-7-S, R-11-E,
G.L.D., ST. TAMMANY PARISH, LA.

SCALE: 1" = 100' DATE: 03-14-19
DRAWN: MDM JOB NO.: 17-454
REVISED:

KELLY J. McHUGH & ASSOC., INC.
CIVIL ENGINEERS & LAND SURVEYORS
845 GALVEZ ST., MANDEVILLE, LA. 626-5611

Administrative Comments

CASE NO.: REV19-07-002

NAME OF STREET: Unopened portion of "H" Street as delineated on the the Town of Alexiusville Subdivision Plat (Map #171B)

NAME OF SUBDIVISION: Town of Alexiusville

WARD: 3 PARISH COUNCIL DISTRICT: 2

PROPERTY LOCATION: The property is located south of 13th Street and north of 14th Street between Square 135 and Square 134 of the Town of Alexiusville Subdivision, south of Covington, Louisiana, Ward 3, District 2.

SURROUNDING ZONING: HC-1 Highway Commercial

PETITIONER/REPRESENTATIVE: Martin Development, LLC

STAFF COMMENTARY:

Department of Planning & Development Comments:

The applicant is proposing to revoke the portion property between Square 135 and Square 134 in order to assimilate the property into the two (2) adjacent properties that they own.

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.