

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6226

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

AN ORDINANCE TO REVOKE PORTION OF EDNA STREET AND N 7TH STREET, LOCATED SOUTH OF SUNSHINE AVENUE AND EAST OF ZULA STREET IN THE TOWN OF MAILLEVILLE SUBDIVISION, SOUTH OF COVINGTON, LOUISIANA, WARD 3, DISTRICT 2. (REV 19-05-001)

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 Albert Street, Nelson Street, Armand Street, located in the Town of Mailleville 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: All references to Seventh Street on survey be changed to reflect N. 7th Street.

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 re-subdivision 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 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 _____

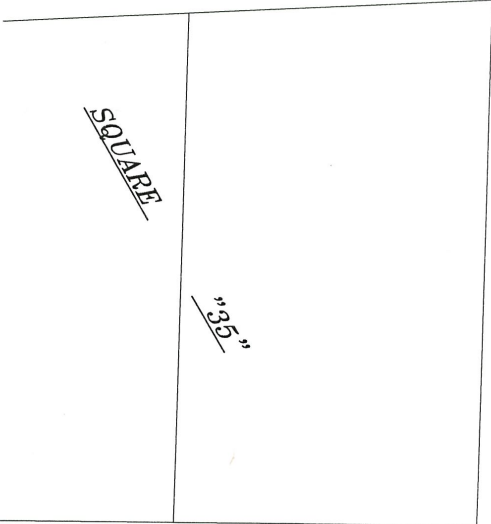
Returned to Council Clerk: _____ , 2019 at _____

SUNSHINE AVENUE

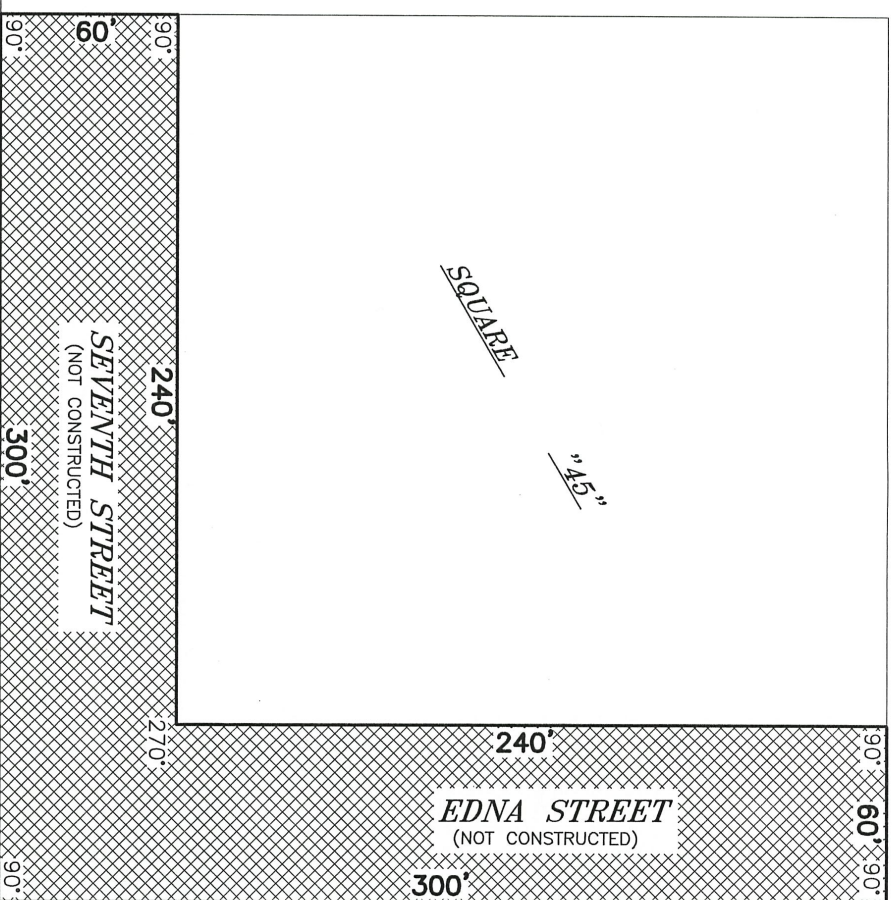
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U.S. HWY. NO. 190



ZULA STREET



LEGAL DESCRIPTION
A CERTAIN PIECE OR PORTION OF GROUND SITUATED IN SECTION 42, T-7-S, R-11-E, ST. TAMMANY PARISH, LOUISIANA AND IS MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF SUNSHINE AVENUE AND THE EASTERLY RIGHT-OF-WAY OF EDNA STREET, LEAVE SAID SOUTHERLY RIGHT-OF-WAY AND RUN ALONG SAID EASTERLY RIGHT-OF-WAY IN A SOUTHERLY DIRECTION FOR A DISTANCE OF 300 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 7TH STREET; THENCE LEAVE SAID EASTERLY RIGHT-OF-WAY, TURN AN INTERIOR ANGLE TO THE LEFT OF 90 DEGREES AND RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY IN A WESTERLY DIRECTION FOR A DISTANCE OF 300 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ZULA STREET; THENCE LEAVE SAID SOUTHERLY RIGHT-OF-WAY, TURN AN INTERIOR ANGLE TO THE LEFT OF 90 DEGREES AND RUN NORTHERLY FOR A DISTANCE OF 60 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF 7TH STREET; THENCE LEAVE SAID EASTERLY RIGHT-OF-WAY, TURN AN INTERIOR ANGLE TO THE LEFT OF 90 DEGREES AND RUN ALONG SAID NORTHERLY RIGHT-OF-WAY IN A WESTERLY DIRECTION FOR A DISTANCE OF 240 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SUNSHINE AVENUE; THENCE LEAVE SAID WESTERLY RIGHT-OF-WAY, TURN AN INTERIOR ANGLE TO THE LEFT OF 90 DEGREES AND RUN IN AN EASTERLY DIRECTION FOR A DISTANCE OF 60 FEET BACK TO THE POINT OF BEGINNING.
SAID PIECE OF PROPERTY CONTAINS 0.74 ACRES MORE OR LESS.

ST. TAMMANY PARISH COUNCIL CHAIRMAN

CHAIRMAN, ST. TAMMANY PARISH PLANNING COMMISSION

SECRETARY, ST. TAMMANY PARISH PLANNING COMMISSION

ST. TAMMANY PARISH DEPARTMENT OF ENGINEERING

DATE FILED MAP FILE No.

ST. TAMMANY PARISH CLERK OF COURT

(OWNER)

A REVOCATION PLAT OF A PORTION OF EDNA STREET FROM THE SOUTHERLY RIGHT-OF-WAY OF SUNSHINE AVENUE TO THE SOUTHERLY RIGHT-OF-WAY OF SEVENTH STREET AND A PORTION OF SEVENTH STREET FROM THE EASTERLY RIGHT-OF-WAY OF EDNA STREET TO THE WESTERLY RIGHT-OF-WAY OF ZULA STREET, TOWN OF MALLEVILLE

situated in SECTION 42, T-7-S, R-11-E
St. Tammany Parish, Louisiana
for
JONES FUSSELL, L.L.P.

NOTE: This is to certify that I have **REFERENCE SURVEY:** A survey done on actual ground survey and found that no encroachments exist either way across any property lines except as shown. **INC. dated 12-30-14 BASIS OF ANGLES:** The Reference Survey.

Survey No. 2019 163 Date: APRIL 22, 2019 Drawn by: SPH Revised: Scale: 1" = 50'

JOHN E. BONNEAU & ASSOCIATES, INC.
Professional Land Surveyors • Planners and Consultants
1011 NORTH CAUSEWAY BLVD., SUITE 34 • MANDEVILLE, LA. 70471
(985)845-1012 • (985)845-1013 • (985)845-1351 • FAX NO. (985)845-1778
www.JEBCOLandSurveying.com • e-mail: info@jebcosurvey.com

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 necessarily exclusive. Servitudes 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.

STATE OF LOUISIANA
This Survey is Certified True and Correct By
JOHN E. BONNEAU
LICENSE NO. 4423
PROFESSIONAL
Professional Land Surveyor
Registration No. 4423

Administrative Comments

CASE NO.: REV19-05-001

NAME OF STREET OR ROAD: Unopened portion of Edna Street and N 7th Street,
Mandeville

NAME OF SUBDIVISION: Town of Mailleville

WARD: 3 PARISH COUNCIL DISTRICT: 2

PROPERTY LOCATION: The property is located south of Sunshine Avenue
and east of Zula Street in the Town of Mailleville
Subdivision, south of Covington

SURROUNDING ZONING: HC-2 Highway Commercial

PETITIONER/REPRESENTATIVE: Zula Street Properties, LLC

STAFF COMMENTARY:

Department of Planning & Development Comments:

The applicant is proposing to revoke a portion of N 7th Street and Edna Street in order to assimilate the property into the adjacent property in the near future.

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 survey being amended to reflect the following:

- Change all references to Seventh Street to reflect N. 7th Street.