

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5653

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: DEAN/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. CANULETTE

ON THE 4 DAY OF AUGUST , 2016

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY TO ACCEPT THE DEDICATION OF MARLIN DRIVE, BLUEGILL DRIVE, MORAY DRIVE, HERRING DRIVE AND CHINOOK DRIVE AND THE ASSOCIATED ROADSIDE DRAINAGE INFRASTRUCTURE, WHICH ARE SITUATED WITHIN RIGOLETS ESTATES SUBDIVISION, PHASE 1 (WARD 8, DISTRICT 13).

WHEREAS, at the present time, Marlin Drive, Bluegill Drive, Moray Drive, Herring Drive and Chinook Drive and the associated roadside drainage infrastructure are vested in Rigolets Estates Owners Association, Inc. (the "Association") and are for the private use of the residents/lot owners of Rigolets Estates Subdivision. The homeowners and the Association now desire that Marlin Drive, Bluegill Drive, Moray Drive, Herring Drive and Chinook Drive and the associated roadside drainage infrastructure be made public and be maintained by the Parish. Accordingly, the homeowners and the Association desire that the final plat be corrected and/or amended to reflect that Marlin Drive, Bluegill Drive, Moray Drive, Herring Drive and Chinook Drive and the associated roadside drainage infrastructure are public. The Association is governed by its Board of Directors, and the Board of Directors have met and approved the transfer of the ownership of Marlin Drive, Bluegill Drive, Moray Drive, Herring Drive and Chinook Drive and the associated roadside drainage infrastructure to the Parish of St. Tammany; and

WHEREAS, the matter is to be reviewed by the St. Tammany Parish Planning Commission and an act of correction of the final plat of Rigolets Estates Subdivision is to be executed by a licensed surveyor, wherein it will be noted that Marlin Drive, Bluegill Drive, Moray Drive, Herring Drive and Chinook Drive and the associated roadside drainage infrastructure are now public.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Office of the Parish President is authorized to execute, on behalf of St. Tammany Parish, any and all documents necessary to accept a dedication and donation of Marlin Drive, Bluegill Drive, Moray Drive, Herring Drive and Chinook Drive and the associated roadside drainage infrastructure which are situated within Rigolets Estates Subdivision, all as more particularly depicted in the Map File #E1331, filed August 16, 1985.

BE IT FURTHER ORDAINED: that prior to executing the aforesaid dedication and donation, Parish's Department of Engineering shall verify that the entrance gates to the subdivision have been removed and that the aforementioned streets and associated drainage infrastructure have been constructed to Parish standards.

BE IT FURTHER ORDAINED: that the Parish is not responsible to maintain the outfall drainage, waterways and/or signage in the subdivision, which shall continue to be the responsibility of the Association, with said maintenance including grass cutting and/or landscaping around the outfall drainage, waterways and/or signage.

BE IT FURTHER ORDAINED: that the Association shall indemnify and hold the Parish harmless from any claims and actions for property damages arising out of or associated with the Association's maintenance of the outfall drainage, waterways and/or signage, and the Association shall maintain a policy of liability insurance with such policy naming St. Tammany Parish as additional insured for all personal injury claims and actions.

BE IT FURTHER ORDAINED: that upon execution of the aforesaid dedication and transfer, Marlin Drive, Bluegill Drive, Moray Drive, Herring Drive and Chinook Drive and the associated roadside drainage infrastructure situated in Rigolets Estates Subdivision shall be included in the St. Tammany Parish maintenance system.

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 1 DAY OF SEPTEMBER , 2016 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTY DEAN, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JULY 28 , 2016

Published Adoption: _____ , 2016

Delivered to Parish President: _____ , 2016 at _____

Returned to Council Clerk: _____ , 2016 at _____

Ordinance Administrative Comment

ORDINANCE AUTHORIZING THE PARISH OF ST. TAMMANY TO ACCEPT THE DEDICATION OF MARLIN DRIVE, BLUEGILL DRIVE, MORAY DRIVE, HERRING DRIVE AND CHINOOK DRIVE AND THE ASSOCIATED ROADSIDE DRAINAGE INFRASTRUCTURE, WHICH ARE SITUATED WITHIN RIGOLETS ESTATES SUBDIVISION, PHASE 1 (WARD 8, DISTRICT 13).

Rigolets Estates Owners Association, Inc. seeks to convert its private streets and associated roadside drainage infrastructure to public use for incorporation into Parish's maintenance system. The subdivision's waterways, drainage outfalls and signage shall remain private and will remain the maintenance obligation of the Association.