

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6214

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. THOMPSON

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. BELLISARIO

SECONDED BY: MR. TOLEDANO

ON THE 8 DAY OF AUGUST , 2019

ORDINANCE TO AUTHORIZE ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO ACCEPT THE DEDICATION AND DONATION OF WELLS ROAD FOR THE USE AS A PUBLIC STREET AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (WARD 1, DISTRICT 3)

WHEREAS, Wells Road is a presently existing private gravel road, approximately sixty (60') feet in width, located in Section 34, Township 6 South, Range 10 East, St. Tammany Parish, Louisiana (the "Property"); and

WHEREAS, the Property is more fully depicted on that certain plat of H. C. Sanders, dated on or around September 14 , 1983, a copy of which is attached hereto as Exhibit "A" filed with Instrument #453904 and further referenced in Instrument #1506516 of the St. Tammany Parish Clerk's Office ; and

WHEREAS, the owners of the property continuous with and including the Property have initiated an application requesting that St. Tammany Parish Government (the "Parish") accept the dedication and donation of the Property in its existing gravel state, in consideration of the use of the Property as a public road; and

WHEREAS, Wells Road is constructed of gravel in lieu of hard surface requirements set by applicable Parish roadway standards of St. Tammany Parish Government; and

WHEREAS, there is a need and public purpose for the acquisition of the Property for further enhancement of Parish roadways and infrastructure; and

WHEREAS, Parish hereby desires to acquire the Property by Act(s) of Dedication and Donation for the use of the Property as a public road; and

WHEREAS, upon the acquisition of the Property by Act(s) of Dedication and Donation, Parish desires to accept and incorporate Wells Road in its existing gravel state into the St. Tammany Parish Selective Road and Drainage Maintenance System Inventory, which acceptance is subject to owners' compliance with any and all requirements set by Parish in the Act(s) of Dedication and Donation for the transfer of the Property; and

WHEREAS, upon incorporation of Wells Road into the St. Tammany Parish Selective Road and Drainage Maintenance System Inventory, Parish shall improve and maintain the Property in accordance with all applicable Parish standards.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS:: to authorize St. Tammany Parish Government, through the Office of the Parish President, to acquire by Act(s) of Dedication and Donation all that certain Property depicted and described in Exhibit "A" attached hereto.

BE IT FURTHER ORDAINED that the Office of the Parish President is hereby authorized to exercise its discretion in acquiring the Property, and/or all related rights-of-way, infrastructure and/or servitudes, together with signing all documents, agreements and transactions necessary to carry out the intent of this Ordinance.

BE IT FURTHER ORDAINED the St. Tammany Parish Council grants a waiver to allow Wells Road, a gravel roadway, into the Parish Selective Road Maintenance System Inventory in lieu of a hard surface road and/or other applicable Parish roadway standards.

BE IT FURTHER ORDAINED to authorize St. Tammany Parish Government to accept and incorporate the right-of-way encompassing Wells Road, in its existing gravel state, into the St. Tammany Parish Selective Road and Drainage Maintenance System Inventory, which acceptance is subject to owners' compliance with any and all requirements set by Parish in the Act(s) of Dedication and Donation for the transfer of the Property.

BE IT FURTHER ORDAINED, upon incorporation of Wells Road into the St. Tammany Parish Selective Road and Drainage Maintenance System Inventory, Parish is authorized to improve and maintain Wells Road in accordance with all applicable Parish standards.

BE IT FURTHER ORDAINED that the Department of Public Works is directed to obtain, place and/or remove the appropriate street signs, as necessary.

BE IT FURTHER ORDAINED that any and all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated herein are ratified and accepted accordingly

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 5 DAY OF SEPTEMBER , 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: JULY 31 , 2019

Published Adoption: _____, 2019

Delivered to Parish President: _____, 2019 at _____

Returned to Council Clerk: _____, 2019 at _____

