

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7563

ORDINANCE COUNCIL SERIES NO.: 24-\_\_\_\_\_

COUNCIL SPONSOR: TANNER/COOPER

PROVIDED BY: PLANNING & DEVELOPMENT

INTRODUCED BY: MR. IMPASTATO

SECONDED BY: MS. O'BRIEN

ON THE 2<sup>ND</sup> DAY OF MAY, 2024

ORDINANCE TO REVOKE AN UNOPENED PORTION OF 6<sup>TH</sup> AVENUE, 7<sup>TH</sup> AVENUE, 8<sup>TH</sup> AVENUE, AND 7<sup>TH</sup> STREET, LOCATED EAST OF 6<sup>TH</sup> STREET, SOUTH OF HWY 435 IN THE PAILET FIRST SUBDIVISION (AS DELINEATED ON MAP #169B). (WARD 10, DISTRICT 6) (REV24-03-001)

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 an unopened portion of 6th Avenue, 7th Avenue, 8th Avenue, and 7th Street, located east of 6th Street, south of Hwy 435 in the Paillet First Subdivision (as delineated on Map #169B), Ward 10, District 6; and

WHEREAS, the Department of Public Works, and Department of Planning & 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 properties through the Parish's administrative resubdivision 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 6<sup>TH</sup> DAY OF JUNE, 2024 AND BECOMES ORDINANCE COUNCIL SERIES NO.: 24-  
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\_\_\_\_\_  
AUTHUR LAUGHLIN, COUNCIL CHAIR

ATTEST:

\_\_\_\_\_  
KATRINA L. BUCKLEY, COUNCIL CLERK

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MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: APRIL 24, 2024

Published Adoption: \_\_\_\_\_, 2024

Delivered to Parish President: \_\_\_\_\_, 2024 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2024 at \_\_\_\_\_