

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7185

ORDINANCE COUNCIL SERIES NO. 22-_____

COUNCIL SPONSOR: BINDER/COOPER

PROVIDED BY: PLANNING & DEVELOPMENT

INTRODUCED BY _____

SECONDED BY: _____

ON THE 5TH DAY OF JANUARY, 2023

AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF ELBERTA STREET, LOCATED SOUTH OF LEMOS STREET, NORTH OF RIO STREET, BETWEEN SQUARE 14 AND SQUARE 24 IN THE SPANISH TRAIL HIGHLANDS SUBDIVISION (AS DELINEATED ON MAP #106B), WARD 9, COUNCIL DISTRICT 12. (REV 22-12-009)

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 Elberta Street, located south of Lemos Street, north of Rio Street, between Square 14 and Square 24 in the Spanish Trail Highlands Subdivision (as delineated on Map #106B), Ward 9, Council District 12; 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: The petitioners providing a finalized survey to the Department of Planning & Development.

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 resubdivision 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.

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 2ND DAY OF FEBRUARY, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23-_____.

JACOB "JAKE" A. AIREY, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: DECEMBER 28, 2022

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____