



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpgr.net

#17

Kerri Callais
*Councilmember
at Large*

Richard "Richie" Lewis
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
District A*

Nathan Gorbaty
*Councilmember
District B*

Howard Luna
*Councilmember
District C*

Wanda Alcon
*Councilmember
District D*

**Manuel "Monty"
Montelongo III**
*Councilmember
District E*

Roxanne Adams
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, NOVEMBER 6, 2018 AT SEVEN O'CLOCK P.M.

On motion of Mr. Montelongo, seconded by Mr. Lewis, it was moved to adopt the following ordinance:

ORDINANCE SBPC #2110-11-18

Summary No. 3647

Introduced by: Councilmember Callais on 10/16/18
Public Hearing held on 11/6/18

AN ORDINANCE TO AMEND ORDINANCE SBPC #2000-09-17, AN ORDINANCE TO REVOKE THE STREET DEDICATION OF THE PORTION OF BARBARA DRIVE BOUNDED BY SYLVIA BOULEVARD AND THE EASTERLY BOUNDARY OF SUBDIVISION DEPICTED ON THE ATTACHED SURVEY: EXHIBIT "A".

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, The St. Bernard Parish Council revoked the street dedication of the portion of Barbara Drive bounded by Sylvia Boulevard and the Easterly Boundary of Subdivision, and the ordinance revoking the dedication contained a survey that did not depict the complete effect of the revocation;

WHEREAS, an additional survey must be attached to the revocation to accurately reflect the effect of the revocation and to insure that the real estate and title records included in the public record are clear and accurate.

WHEREAS, The Parish Council hereby amends Ordinance #2000-09-17 as follows:

WHEREAS, The St. Bernard Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to revoke the street dedication of the portion of Barbara Drive bounded by Sylvia Boulevard and the Easterly Boundary of Subdivision, which is depicted on the attached surveys by Richmond W. Krebs, Sr., PLS: Exhibit "A" and Exhibit "B".

WHEREAS, the portion of Barbara Drive bounded by Sylvia Boulevard and the Easterly Boundary of Subdivision, which is depicted on the attached surveys: Exhibit "A" and Exhibit "B" are no longer needed for a public purpose.

SECTION 1. The St. Bernard Parish Council hereby revokes the street dedication of the portion of Barbara Drive bounded by Sylvia Boulevard and the Easterly Boundary of Subdivision, which is depicted on the attached Exhibit "A" and



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Extract #17 continued
November 6, 2018

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the attached Exhibit "B" surveys by Richmond W. Krebs, Sr. PLS, dated June 1, 2017 and August 31, 2017, respectively. This revocation shall not allow the present or any future property owner to eliminate, obstruct or modify the existing drainage ditch adjacent to Barbara Drive.

SECTION 2. This revocation shall NOT revoke any servitude, right of way, easement, or any utility servitude in the revocation. St. Bernard Parish explicitly retains all servitudes and easements on the property and any and all rights of access that is provided in law to maintain these servitudes. Further, the parish retains all utility servitudes and any right of access and repair that accompanies these rights in the general law. The parish retains all servitudes and easements both shown on the attached Exhibit "A" survey and those servitudes and easements documented in the public record or currently used by the parish or any utility company. This ordinance shall not be interpreted to limit the rights of the parish in access or maintenance of any servitude or easement presently on the property.

SECTION 3 Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 4. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of November, 2018.



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Clerk of Council

Jennifer L. Imbraguglio

JENNIFER L. IMBRAGUGLIO
DEPUTY CLERK OF COUNCIL

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President

11/9/18 2:15 pm

Date and Time

Received by

Magen Campu

Approved ✓

Vetoed _____

Parish President

M. McInnis

Guy McInnis

Returned to Clerk of the Council

11/9/18 4:00pm

Date and Time

Received by

Elizabeth Melave

EASTERLY BOUNDARY OF SUBDIVISION

GENERAL NOTES

THE SERVITUITS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REFERENCE ON THEM TO ALL APPLICABLE SERVITUITS AS REFLECTED OR SHOWN HEREIN. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY. THIS SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE, AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO THE LEGAL TITLE, AND WAS MADE SOLELY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED. SOME ITEMS MAY NOT BE TO SCALE FOR CLARITY. DIMENSIONS ON SURVEY PLSWV ONLY ON THE SCALE. FENCES ARE SHOWN FOR GENERAL INFORMATION PURPOSES ONLY AND DO NOT REFLECT EXACT LOCATION OR CONDITION.

ELEVATION NOTES

THIS IS CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER FLOOD ZONE MAP #1880 DATED 5/1/05
INSURANCE RATE MAP #1880 DATED 5/1/05
COMPARISON PANEL # 2E5200 Elevation 2.5' BASE FLOOD ELEVATION 2.5'

REFERENCE NOTES

ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1
REFERENCE PLAN #1: A PLAN OF SURVEY BY ESTOPNIAL SURVEYING
DATED OCTOBER 1, 2002

THIS IS TO CERTIFY THAT THE PROPERTY BOUNDARY SURVEY RECORDED
HEREIN WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION
AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE FOR
PROFESSIONAL LAND SURVEYORS AS STIPULATED IN LOUISIANA
ADMINISTRATIVE CODE TITLE: 46:LXI, CHAPTER 29 FOR A CLASS
"C" (SUBURBAN) SURVEY
MADE AT THE REQUEST OF WAYNE J. LININFZ SR AND ARIETTE C. LININFZ

A red circular state seal of Louisiana is positioned at the top left. It features a central five-pointed star with a crest above it, surrounded by the words "THE GREAT SEAL OF THE STATE OF LOUISIANA" and a decorative border. Below the seal is a large, blue, handwritten signature that appears to read "John M. Johnson". At the bottom right, the word "BY" is printed in a small, black, sans-serif font.

DATE: AUGUST 31, 2017	DRAWN BY: NDK
SCALE: 1" = 40'	CHECKED BY:
JOB #: 171791	
RESUBDIVISION OF LOT 37 AND A PART OF BARBARA DRIVE RIGHT OF WAY INTO LOT 37-A SYLVIA PARK	
PHASE 2	
ST. BERNARD PARISH, LA	
R.W. KREBS	
<small>PROFESSIONAL LAND SURVEYING, LLC RICHMOND W. KREBS, SR., PLS</small>	

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E-MAIL: richmond@rwkrebs.com
WEB: www.rwkrebs.com

BA YOU ROAD (SIDE)

