



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**#11**

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 17, 2020 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #2279-11-20**

### **Summary No. 3851**

Introduced by: Councilmember Everhardt on 10/20/20

Public Hearing held on 11/4/20

Tabled on 11/4/20 until 11/17/20

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2233-03-20**, AN ORDINANCE TO REVOKE THE STREET DEDICATION OF THE PORTION OF TANYA 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 Tanya 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; and,

**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; and,

**WHEREAS**, The St. Bernard Parish Council hereby amend Ordinance SBPC #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 Tanya Drive bounded by Sylvia Boulevard and the Easterly Boundary of Subdivision, which is depicted on the attached survey by Richard T. Dading, P.L.S., McKay & Associates, L.L.C. "Exhibit A"; and,

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



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

Page -2-  
Extract #11, continued  
November 17, 2020

**SECTION 1.** The St. Bernard Parish Council hereby revokes the street dedication of the portion of Tanya Drive bounded by Sylvia Boulevard and the Easterly Boundary of Subdivision, which is depicted on the attached "Exhibit A" survey by Richard T. Dading, P.L.S., McKay & Associates, L.L.C. dated March 19, 2020. This revocation shall not allow the present or any future property owner to eliminate, obstruct or modify the existing drainage ditch adjacent to Tanya 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 this Ordinance with the invalid portions omitted.

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

**YEAS:**            Moran, Alcon, Everhardt

**NAYS:**            Luna, Lewis

**ABSENT:**        McCloskey

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


And the motion was declared **adopted** on the 17<sup>th</sup> day of November, 2020.



# St. Bernard Parish Council

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

Page -3-  
Extract #11, continued  
November 17, 2020

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President 11/19/2020 4:00pm  
Date and Time

Received by Margen Kelley

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
Guy McInnis

Returned to Clerk of the Council

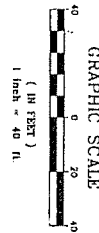
11/20/2020 11:40 AM  
Date and Time

Received by

Tanya Salony



LOT 25  
(NOT A PART)



RESUBDIVISION OF  
LOTS 21, 23 AND A PORTION OF  
TANYA DRIVE RIGHT OF WAY  
INTO LOTS 21A AND 23A  
SYLVIA PARK SUBDIVISION  
ST. BERNARD PARISH, LA  
SCALE: 1" = 40'

ACRES TABLE		
	50. FT.	ACRES
ORIGINAL LOT 21	37,656.42	0.664
SOUTH 1/2 TAYNA DRIVE	7,171.92	0.172
ORIGINAL LOT 23	39,201.48	0.697
NORTH 1/2 TAYNA DRIVE	7,508.14	0.172
TOTAL AREA	90,879.96	2.095
NEW LOT 71A	45,170.34	1.035
NEW LOT 72A	45,009.62	1.049
TOTAL AREA	90,879.96	2.095

OWNERS: LOT 21 - JAMES C. MELERNE, JR. AND KAREN MELERNE  
LOT 23 - ANTHONY J. PIENET, SR. AND SHILLY PIENET

BAYOU TERRE BOUEFS (SIDE)  
ST. BERNARD HWY. (SIDE)

DATE APPROVED:

**SECRETARY, ST. BERNARD PARISH PLANNING COMMISSION**

SURVEY MADE AT THE REQUEST OF ANTHONY J. PHEET, SR.  
AND JAMES C. MELEPHINE, SR.

3/19/2020

THE PROPERTY BOUNDARY SURVEY RECORDED HEREON 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 49:44, CHAPTER 29 FOR A CLASS "C" SURVEY.

BY *Richard J. Dunning*  
RICHARD J. DUNNING, P.L.S.  
LA REGISTRATION NO. 4389

**(M)** **McKay & Associates, L.L.C.**  
ENGINEERING - LAND SURVEYING  
4208 W. Juergs Ferry Dr., Ste. 2, Channahon 13691 509-7607

20-101, 102, EMP

## EXHIBIT

A