



St. Bernard Parish Council

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



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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 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: 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 17th day of November, 2020.

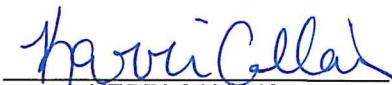


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ROXANNE ADAMS
CLERK OF COUNCIL


KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President

11/19/2020 4:00pm
Date and Time

Received by

Margen Kelley

Approved



Vetoed


Guy McInnis

Parish President

Returned to Clerk of the Council

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

Received by

Tonya Latony

