ORDINANCE # 2016-20
INTRODUCED BY Smith
DATE INTRODUCED 6/7/16
ITEM NUMBER 2016-06-02
PUBLIC HEARING 7/19/16
ADOPTED/TABLED 7/19/16
EFFECTIVE
BOOK # 3 PAGE #
RECORDATION #
AMENDED BY ORDINANCE #
DATE AMENDED

ADOPTION **INTRODUCTION**

CITY OF COVINGTON
STATE OF LOUISIANA

ORDINANCE NUMBER 2016-20

AN ORDINANCE OF THE CITY OF COVINGTON DECLARING A PORTION OF THE UNCONSTRUCTED EAST 8TH AVENUE, SITUATED NEAR SOUTH LOUISIANA STREET, LOCATED IN WAYSIDE ADDITION TO THE CITY OF COVINGTON, ST. TAMMANY PARISH, LOUISIANA, ABANDONED, VACATED, CLOSED AND NOT NEEDED FOR PUBLIC PURPOSES (PLANNING CASE NO. 16-05-01STREET/ALLEY REVOCATION)

WHEREAS, the Planning Commission of the City of Covington, after having held its public hearing in accordance with law, has recommended to the City Council of the City of Covington, Louisiana, that a portion of the unconstructed East 8th Avenue, situated near South Louisiana Street, located in Wayside Addition to the City of Covington, St. Tammany Parish, Louisiana, be revoked. The property is more fully described as:

Commencing from the intersection of the easterly right of way line of South Louisiana Street and the southerly right of way line of East 8th Avenue, go South 59 degrees 59 minutes 28 seconds East a distance of 120.00 feet to the point of beginning.

From the point of beginning go: South 59 degrees 59 minutes 28 seconds East a distance of 120.00 feet; thence go South 30 degrees 00 minutes 32 seconds West, a distance of 50.00 feet; thence go North 59 degrees 59 minutes 28 seconds West, a distance of 120.00 feet; thence go North 30 degrees 00 minutes 32 seconds East, a distance of 50.00 feet back to the point of beginning.

Said parcel contains 6,000 square feet of land more or less.

WHEREAS, the City Council has held its public hearing in accordance with law; and

WHEREAS, the City Council has found that a portion of East 8th Avenue, situated near South Louisiana Street, located in Wayside Addition to the City of Covington, St. Tammany Parish, Louisiana, **shall not be retained for public purposes, with the following exception**: The City of Covington shall retain a thirty (30) foot drainage easement/servitude along the southerly thirty (30) feet of the revoked street right of way for the purpose of containing, accessing and maintaining the City ditch.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Covington, at its regular session convened that:

The following described property being a portion of East 8th Avenue situated near South Louisiana Street, located in Wayside Addition to the City of Covington, St. Tammany Parish, Louisiana, **formally be declared, abandoned or closed and is not needed for public purposes, subject to the thirty (30) foot drainage easement/servitude along the southerly thirty (30) feet of the revoked street right of way for the purpose of containing, accessing and maintaining the City ditch:**

Commencing from the intersection of the easterly right of way line of South Louisiana Street and the southerly right of way line of East 8th Avenue, go South 59 degrees 59 minutes 28 seconds East a distance of 120.00 feet to the point of beginning.

From the point of beginning go: South 59 degrees 59 minutes 28 seconds East a distance of 120.00 feet; thence go South 30 degrees 00 minutes 32 seconds West, a distance of 50.00 feet; thence go North 59 degrees 59 minutes 28 seconds West, a distance of 120.00 feet; thence go North 30 degrees 00 minutes 32 seconds East, a distance of 50.00 feet back to the point of beginning.

Said parcel contains 6,000 square feet of land more or less.

SECTION 1: The disposition of the portion of East 8th Avenue revoked herein shall be by private sale in accordance with Covington Code of Ordinances, Section 86-101. The Mayor is hereby authorized to execute an act of cash sale conveying the referenced property to the petitioner for the fair market value as

determined by the appointed appraiser. The act of sale shall reserve all mineral rights in favor of the City of Covington and shall contain a provision for the easement/servitude as set forth above.

This ordinance shall become effective upon the recordation of the sale and ordinance adopted by the City Council.

BE IT FURTHER ORDAINED that 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.

This ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the City Council of the City of Covington, State of Louisiana, was then submitted to an official vote as a whole, the vote thereon being as follows:

MOVED FOR ADOPTION by Smith, seconded by Rolling.

YEAS: 6 **ABSENT:** 1 (Coner)

NAYS: 0 **ABSTAIN:** 0

PASSED AND ADOPTED this 19th day of July, 2016.

Lee S. Alexius
LEE S. ALEXIUS
COUNCIL PRESIDENT

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK

Presented to the Mayor this 20th day of July, 2016, at 4:20 o'clock P.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK

Approved ✓ or Vetoed ___ by the Mayor on this 20th day of July, 2016.

MICHAEL B. COOPER
MAYOR

Received from the Mayor on the 20th day of July, 2016, at 4:30 o'clock P.M.

BONNIE D. CHAMPAGNE
COUNCIL CLERK