ORDINANCE # 2012-10
INTRODUCED BY Alexius
DATE INTRODUCED 3/6/12
ITEM NUMBER 2012-03-03
PUBLIC HEARING 4/17/12
ADOPTED/TABLED 4/17/12
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BOOK # PAGE #
RECORDATION #
AMENDED BY ORDINANCE #
DATE AMENDED

ADOPTION INTRODUCTION

CITY OF COVINGTON

ORDINANCE NUMBER 2012-10

AN ORDINANCE OF THE CITY OF COVINGTON DECLARING PORTIONS OF THE ALLEY AND OX LOT IN SQUARE 9, DIVISION OF ST. JOHN, CITY OF COVINGTON, ST. TAMMANY PARISH, LOUISIANA, ABANDONED, VACATED, CLOSED AND NOT NEEDED FOR PUBLIC PURPOSES, PLANNING CASE 12-01-01 STREET/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 those certain parcels of ground situated in Square 9, Division of St. John, City of Covington, Section 41, Township 6 South - Range 11 East, St. Tammany Parish, Louisiana, designated as Parcels 1 and 2, be revoked. The property is more fully described as:

PARCEL 1 – 6,000 SQ. FT.

A PORTION OF OX LOT, SQUARE 9, DIVISION OF ST. JOHN, CITY OF COVINGTON, SECTION 41, TOWNSHIP 6 SOUTH – RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA

All that certain parcel of ground situated in Section 41, Township 6 South – Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

Commence from the intersection of the Northerly right of way line of Boston Street and the Westerly right of way line of New Hampshire Street, go along said right of way line of New Hampshire Street North 11 degrees 00 minutes 00 seconds West, a distance of 170.00 feet; thence leave said right of way and go South 79 degrees 07 minutes 42 seconds West, a distance of 120.00 feet to the **Point of Beginning**.

From the **Point of Beginning** go South 11 degrees 00 minutes 00 seconds East, a distance of 50.00 feet; thence go South 79 degrees 07 minutes 42 seconds West, a distance of 22.42 feet; thence go South 79 degrees 13 minutes 00 seconds West, a distance of 38.33 feet; thence go South 79 degrees 04 minutes 16 seconds West, a distance of 59.25 feet; thence go North 11 degrees 00 minutes 00 seconds West, a distance of 50.00 feet; thence go North 79 degrees 07 minutes 42 seconds East, a distance of 120.00 feet back to the **Point of Beginning.**

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

PARCEL 2 – 144 SQ. FT.

A PORTION OF 20' ALLEY, SQUARE 9, DIVISION OF ST. JOHN, CITY OF COVINGTON, SECTION 41, TOWNSHIP 6 SOUTH – RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA

All that certain parcel of ground situated in Section 41, Township 6 South – Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

Commence from the intersection of the Northerly right of way line of Boston Street and the Westerly right of way line of New Hampshire Street go along said right of way line of New Hampshire Street North 11 degrees 00 minutes 00 seconds West, a distance of 170.00 feet to the **Point of Beginning.**

From the **Point of Beginning** leave said right of way and go South 79 degrees 07 minutes 42 seconds West, a distance of 240.00 feet; thence go North 11 degrees 00 minutes 00 seconds West, a distance of 0.60 feet; thence go North 79 degrees 07 minutes 42 seconds East, a distance of 240.00 feet to a point on the Westerly right of way line of New Hampshire Street; thence go along said right of way South 11 degrees 00 minutes 00 seconds East, a distance of 0.60 feet back to the **Point of Beginning.**

Said parcel contains 144 square feet of ground more or less.

WHEREAS, the City Council has held its Public Hearing in accordance with law; and

WHEREAS, the City Council has found that certain parcels of ground situated in Square 9, Division of St. John, City of Covington, St. Tammany Parish, Louisiana, **shall not be retained for public purposes.**

NOW, THEREFORE, be it ordained by the City Council of the City of Covington, at its regular session convened that:

The following described property as those certain parcels of ground situated in Square 9, Division of St. John, City of Covington, St. Tammany Parish, Louisiana, **formally be declared, abandoned or closed and is not needed for public purposes.**

PARCEL 1 – 6,000 SQ. FT.

A PORTION OF OX LOT, SQUARE 9, DIVISION OF ST. JOHN, CITY OF COVINGTON, SECTION 41, TOWNSHIP 6 SOUTH – RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA

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Said parcel contains 144 square feet of ground more or less.

SECTION 1: The disposition of the portions of the alley and ox lot 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 an approved servitude or easement for existing or future utilities and/or drainage.

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 Coner, seconded by O'Keefe.

YEAS: 6 **NAYS:** 0

ABSTAIN: 0 **ABSENT:** 1 (Wright)

PASSED AND ADOPTED this 17TH day of April, 2012.

Lee S. Alexius
LEE S. ALEXIUS
COUNCIL PRESIDENT

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
CLERK TO THE COUNCIL

Presented to the Mayor this 19TH day of April, 2012, at 10:10 o'clock A.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
CLERK TO THE COUNCIL

Approved √ or Vetoed ___ by the Mayor on this 19th day of April, 2012.

MICHAEL B. COOPER
MAYOR

Received from the Mayor on the 19th day of April, 2012, at 3:00 o'clock P.M.

BONNIE D. CHAMPAGNE
CLERK TO THE COUNCIL