

BY COUNCILMAN MESSINA (Case No. RV-1-16)

CITY OF CENTRAL
ORDINANCE NO. 2016-35

GRANTING THE RECOVATION OF A FIVE FOOT UTILITY SERVITUDE
ACROSS PRIVATE PROPERTY
(9550 HOOPER ROAD)

WHEREAS, an application was filed to vacate a five (5') foot utility servitude on private property located at 9550 Hooper Road; and

WHEREAS, a public hearing on the application was held on July 28, 2016 before the City of Central Zoning Commission; and

WHEREAS, letters of non-opposition to the vacation were received from all utilities servicing the City except BellSouth; and

WHEREAS, a field investigation revealed that no utilities have been placed in the servitude; and

WHEREAS, the Zoning Commission recommended approval of the vacation.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

Section 1: That the property that is the subject of this Ordinance ("Subject Property") is legally described in Exhibit A attached hereto and made a part hereof.

Section 2: That the five (5') foot utility servitude located along the south property line of the subject property is hereby vacated. If utility lines have been located in the now former servitude, the property owner shall either permit said lines to remain or shall pay the costs of moving said lines.

Section 3: The specific terms and conditions of this Ordinance shall prevail against other ordinances of the City to the extent that there may be any conflict. Except for the foregoing, the development of the subject property is subject to the terms of all applicable ordinances and regulations of the City of Central, including any amendment thereto.

Section 4: Severability. If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the

part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 5. Effective Date. This Ordinance shall be effective upon publication.

Introduced before the Council on August 9, 2016.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

For: Ellis, Evans, Fralick, Messina, Vance
Against: None
Absent: None

Adopted the 13th day of September, 2016.

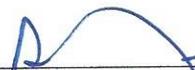
Signed the 15th day of September, 2016.

Delivered to the Mayor on the 15th day of September, 2016.



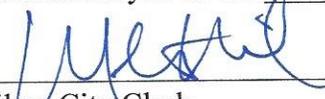
Mark Miley, City Clerk

Approved:



I.M. Shelton, Jr. Mayor

Received from Mayor on the 15th day of September, 2016:



Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 22nd day of September, 2016

EXHIBIT A

This property is located at 9550 Hooper Road which is located at the southeast corner of the Hooper Road and Shady Bluff Drive intersection between Lots 1 and 2 of the Winchester Subdivision in Section 11, 14 and 80, T6S, R1E, GLD, EBR, LA

4849-2136-6069, v. 1