

**THE FOLLOWING RESOLUTION WAS INTRODUCED BY CITY COUNCIL MEMBER \_\_\_\_\_; AND SECONDED FOR INTRODUCTION BY COUNCIL MEMBER \_\_\_\_\_**

**ORDINANCE NO. 23-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO EFFECT THE ANNEXATION OF A PORTION OF GROUND SITUATED ON THE SOUTH HALF OF SQUARE 76 IN SECTION 42 INTO THE CORPORATE LIMITS OF THE CITY OF MANDEVILLE DESIGNATING AND ASSIGNING THE PROPERTY FOR PURPOSES OF ZONING AS B-2, HIGHWAY BUSINESS DISTRICT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the Planning Commission has received a petition by Alain Poux seeking the annexation of a Parcel of Ground being more fully described as a parcel containing 17,973 square feet as surveyed by Kelly J McHugh & Assoc., Inc. dated June 8, 1999 into the corporate limits of the City of Mandeville attached as Exhibit A; and

**WHEREAS**, the said petition is made and signed by the owners of the said property and there are no registered voters currently residing on the said property; and

**WHEREAS**, the property is contiguous to the present boundaries of the City of Mandeville; and

**WHEREAS**, the proposed annexation will serve the best interests of the City of Mandeville and of its citizens by providing enhanced development of a commercial area of the City, promoting additional tax revenues for the City and employment opportunity for area citizens; and

**WHEREAS**, the City of Mandeville desires to include in its corporate limits all properties along major corridors and gateways which, because of their visibility, define the character of Mandeville to both residents and visitors alike; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mandeville that the municipal limits of the City of Mandeville be and they are hereby enlarged to include the below described immovable property which is hereby annexed into the City of Mandeville:

**ALL THAT CERTAIN PIECE OR PORTION OF GROUND**, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances, and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, better described as follows, to-wit:

Being the South Half of Lot Number 76, of Forest Park Estates, St. Tammany Parish,

Louisiana. Said lot fronts 100 feet in width on Elmwood Place, by a depth of 180 feet between equal and parallel lines. All in accordance with plat on file in the St. Tammany Parish Clerk of Court's Office as Map File Number 144-A, signed April 9, 1959, and August 2, 1960. Further in accordance with a survey by Albert A. Lovell & Associates, Surveyor dated September 12, 1978, Job No. 81083. Further in accordance with a survey by John E. Bonneau & Associates, Inc., dated June 21, 1996, Survey No. 96691, a copy of which is attached to that certain act before W. William Mysing, Notary Public, dated July 31, 1996, and registered in the records of the Parish of St. Tammany as Conveyance Instrument No. 1009612, except that the said survey shows that the South Half of lot Number 76 of Forest Park Estates fronts 99.92 feet in width on Elmwood Place, by a depth of 179.80 feet (actual), 180 feet (plat), on the side line dividing the said parcel from the North Half of Lot 76, and 179.46 (actual), 180 (plat), on the opposite side line, and 99.15 feet in the rear.

In accordance with a survey by Kelly J. McHugh & Associates, Inc., dated June 8, 1999, a copy of which is attached hereto, the said South Half of Lot Number 76 of Forest Pakr Estates fronts 100 feet ion width on Elmwood Place, same width in the rear, by a depth of 179.80 feet (actual), 180 feet (title), on the side line dividing the said parcel from the North Half of Lot 76, and 179.73 (actual), 180 feet (title), on the opposite side line.

Being the same property acquired by Christine Babylon Derbes, wife of/and David S. Derbes, Sr. from Dorothy Manasco Elliott, wife of/and Gordon E. Elliot, by act before W. William Mysing, Notary Public, dated July 31, 1996, and registered in the records of the Parish of St. Tammany as Conveyance Instrument No. 1009612

**BE IT FURTHER ORDAINED**, that upon annexation into the municipal limits of the City of Mandeville the above described property be designated for purposes of zoning as a B-2, Highway Business District, as defined and regulated by the provisions of The Comprehensive Land Use Regulations Ordinance of the City of Mandeville, and that the Official Zoning Map of the City of Mandeville be amended to reflect this annexation and zoning.

**BE IT FURTHER ORDAINED**, that this property will be located in Council District two (2); and

**BE IT FURTHER ORDAINED**, that following the annexation of the above-described immovable property into the corporate limits of the City of Mandeville that the boundaries of the City of Mandeville shall thereafter be as set forth and described on the process verbal attached hereto and made a part hereof

**BE IT FURTHER ORDAINED**, that this site is located in the Priority One Area, "Infill" for annexation and that all generated Sales Tax Revenues shall be 100% to the City of Mandeville in accordance with Ordinance No. 90-10 and that certain Sales Tax Enhancement Plan entered into by and between the City of Mandeville and the Parish of St. Tammany on September 20, 1990, or as modified by written agreement between the Parish of St. Tammany and the City of Mandeville by subsequent Annexation Growth Plan(s); and

**BE IT FURTHER ORDAINED**, that all sections and provisions of this ordinance be

deemed separate and severable, and that in the event that any one or more of the provisions of this ordinance be deemed unenforceable or unconstitutional by any final judgment, order, or decree of any court of competent jurisdiction, that such finding shall have no effect on the remaining sections and provisions of this ordinance.

**BE IT FURTHER ORDAINED** that the Clerk of this Council be and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

and the ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_ 2023

\_\_\_\_\_  
Kristine Scherer  
Clerk of Council

\_\_\_\_\_  
Rick Danielson  
Council Chairman

### SUBMITTAL TO MAYOR

The foregoing Ordinance was **SUBMITTED** by me to the Mayor of the City of Mandeville this \_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_ o'clock \_\_m.

\_\_\_\_\_  
**CLERK OF COUNCIL**

### APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby **APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2023 at \_\_\_\_ o'clock \_\_m.

\_\_\_\_\_  
**CLAY MADDEN, MAYOR**

**VETO OF ORDINANCE**

The foregoing Ordinance is by me hereby **VETOED**, this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
**CLAY MADDEN, MAYOR**

**RECEIPT FROM MAYOR**

The foregoing Ordinance was **RECEIVED** by me from the Mayor of the City of Mandeville this \_\_\_ of \_\_\_\_\_, 2023 at \_\_\_ o'clock \_\_ m.

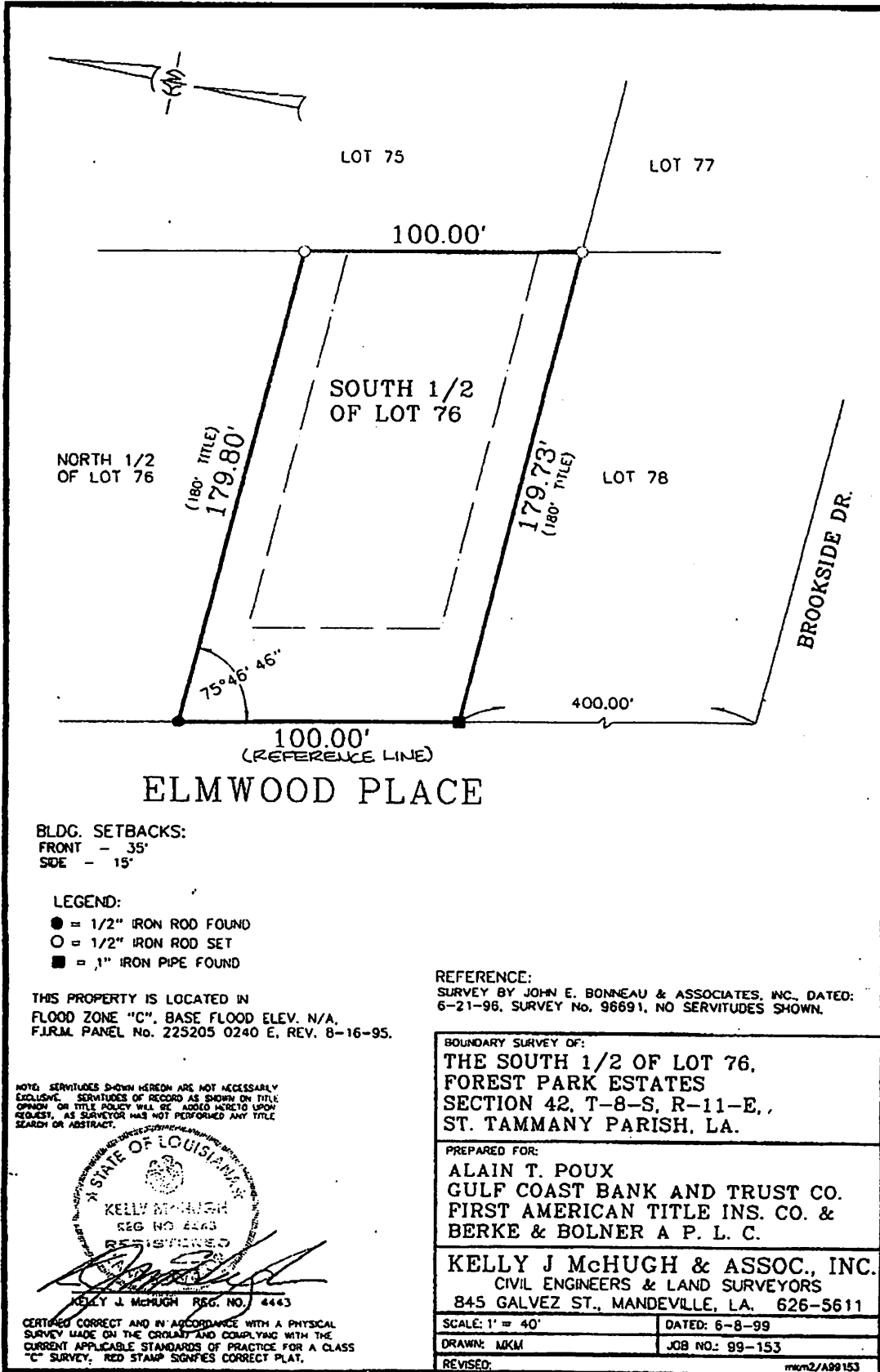
\_\_\_\_\_  
**CLERK OF COUNCIL**

**CERTIFICATE**

**I, THE UNDERSIGNED** Clerk of the City Council of the City of Mandeville do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

WITNESS MY HAND and the seal of the City of Mandeville this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
**CLERK OF COUNCIL**



**BLDG. SETBACKS:**  
 FRONT - 35'  
 SIDE - 15'

**LEGEND:**  
 ● = 1/2" IRON ROD FOUND  
 ○ = 1/2" IRON ROD SET  
 ■ = 1" IRON PIPE FOUND

THIS PROPERTY IS LOCATED IN  
 FLOOD ZONE "C". BASE FLOOD ELEV. N/A.  
 F.I.R.M. PANEL No. 225205 0240 E, REV. 8-16-95.

**REFERENCE:**  
 SURVEY BY JOHN E. BONNEAU & ASSOCIATES, INC. DATED:  
 6-21-96. SURVEY No. 96691, NO SERVITUDES SHOWN.

NOTE: SERVITUDES SHOWN HEREON ARE NOT NECESSARILY  
 EXCLUSIVE. SERVITUDES OF RECORD AS SHOWN ON TITLE  
 OPIONS, OR TITLE POLICY WILL BE ADDED HERETO UPON  
 REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE  
 SEARCH OR ABSTRACT.



*Kelly J. McHugh*  
 KELLY J. McHUGH REG. NO. 4443

CERTIFIED CORRECT AND IN ACCORDANCE WITH A PHYSICAL  
 SURVEY MADE ON THE GROUND AND COMPLYING WITH THE  
 CURRENT APPLICABLE STANDARDS OF PRACTICE FOR A CLASS  
 "C" SURVEY. RED STAMP SIGNIFES CORRECT PLAT.

BOUNDARY SURVEY OF: <b>THE SOUTH 1/2 OF LOT 76,        FOREST PARK ESTATES        SECTION 42, T-8-S, R-11-E,        ST. TAMMANY PARISH, LA.</b>	
PREPARED FOR: <b>ALAIN T. POUX        GULF COAST BANK AND TRUST CO.        FIRST AMERICAN TITLE INS. CO. &amp;        BERKE &amp; BOLNER A P. L. C.</b>	
<b>KELLY J McHUGH &amp; ASSOC., INC.</b> CIVIL ENGINEERS & LAND SURVEYORS 845 GALVEZ ST., MANDEVILLE, LA. 626-5611	
SCALE: 1" = 40'	DATED: 6-8-99
DRAWN: MKM	JOB NO.: 99-153
REVISED:	mcm2/A99153