CITY OF COVINGTON
STATE OF LOUISIANA

ORDINANCE NUMBER 2022-20

AN ORDINANCE OF THE CITY OF COVINGTON AUTHORIZING THE MAYOR TO ENTER A DRAINAGE AND UTILITY SERVITUDE AGREEMENT

WHEREAS, N. Joiner Street (formerly D Street) was revoked in Ordinance No. 84-54, dated September 4, 1984, and recorded as Instrument No. 1136152 with the Clerk of Court for the Parish of St. Tammany, State of Louisiana; and

WHEREAS, N. Joiner Street was 50 feet in width and the City of Covington reserved a servitude for future utility needs over the entirety of the former N. Joiner Street right of way; and

WHEREAS, the owner of the property on each side of the former N. Joiner Street and the revoked N. Joiner Street right of way, intends to construct upon its property a gas station and convenience store and to otherwise utilize the property in accordance with its zoning under the ordinances of the City of Covington; and

WHEREAS, the Ordinance provides no definition or detail regarding the reserved servitude, nor a clear explanation of the rights and obligations of the Parties; and

WHEREAS, the City only requires a 25 foot servitude for its purposes.

Whereas, the Covington City Council desires to formally define the location of the servitude and declare and establish the rights and obligations of the owner of the property and the City**,**

NOW, THEREFORE, **BE IT ORDAINED** by the City Council of the City of Covington, at its regular session convened, that the Mayor of the City of Covington be and is hereby authorized to enter into the Drainage and Utility Servitude agreement attached hereto as Exhibit A.

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.

WHEREUPON, 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 Botsford, seconded by Roberts.

YEAS: 6 **ABSENT: 1**

NAYS: 0 **ABSTAIN: 0**

PASSED AND ADOPTED this 6th day of December, 2022.

/s/_____
LARRY ROLLING
COUNCIL PRESIDENT

/s/_____
JOANN RUCKER
COUNCIL CLERK

Presented to the Mayor on this 7th day of December, 2022, at 8:55 o'clock A.M.

/s/_____
JOANN RUCKER
COUNCIL CLERK

Approved _X__ or Vetoed ___ by the Mayor on this 7th day of December, 2022.

/s/_____
MARK R. JOHNSON
MAYOR

Received from the Mayor on this 7th day of December, 2022, at 11:15 o'clock A.M.

/s/_____
JOANN RUCKER
COUNCIL CLERK