

PARISH OF ASCENSION
OFFICE OF PLANNING AND DEVELOPMENT
PLANNING DEPARTMENT



SERVITUDE REVOCATION PACKET - APPLICATION PROCESS

If a property owner desires that an existing utility, drainage or all-purpose servitude be relocated, reduced in size or eliminated completely, an application shall be submitted to the Planning Commission for review and recommendation to the Parish Council.

1. At the time of filing the application with the Planning Commission, the applicant shall submit to the office of Planning and Development a plat showing the existing utility or drainage servitude and the proposed relocation or re-shaping, if necessary, together with a written request giving the reasons supporting such revocation, re-shaping or relocation.
2. The applicant shall pay to the Office of Planning and Development a fee to cover the cost of processing the application, together with all legal instruments, ordinances, etc., necessary to complete the revocation, re-shaping or relocation. All of the legal instruments, ordinances, etc., must be approved by the Parish Attorney, and the applicant shall supply such other information as may be deemed necessary by the Parish Attorney or the Office of Planning and Development.
3. The applicant shall include with the application to the office of Planning and Development, copies of the letter(s) of no objection to be included with the request to the Planning Commission and Parish Council. No application shall be accepted without completed application, fees, all letters of no objection, and map indicating servitude location and purpose.

The Office of Planning and Development shall review the application and the letter(s) of no objection and determine to which of the following categories the servitude revocation, re-shaping or relocation applies:

1. Unused Servitude

If the Planning and Development Department determines that the servitude has not been used or abandoned for a period of time equal to or greater than 15 years, then the request is automatically approved by the Planning Commission and shall be sent to the Parish Council for an introduction of an ordinance to revoke or relocate the servitude.

2. Unneeded Servitude

If the Planning and Development Department determines that the servitude is not needed, by receipt of letters of no objection from all of the interested parties, then the request is automatically approved by the Planning Commission, and shall be sent to the Parish Council for an introduction of an ordinance to revoke or relocate the servitude.

SERVITUDE REVOCATION PACKET-APPLICATION PROCESS (CONTINUED)

3. Reduction in size or revision to applicant request.

If the Planning and Development Department determines that the servitude is still needed, may be reduced in size or otherwise different than what the applicant requested, by receipt of letters of no objection or letters of objection, then the request shall be submitted to the Planning Commission for review and recommendation to the Parish Council. ***However, if the Director of the Drainage Department issues a letter of objection to the revocation, stating in the letter that a hold harmless agreement could be signed by the property owner, thereby allowing an existing encroachment to remain until any drainage improvements need to be made, then that agreement needs to be presented to the relevant Drainage Board for their approval. No further public hearings before the Planning Commission or Parish Council are necessary.***

In cases where the application falls into category 3 above, the Planning Commission shall review the application, the letters of objection and/or no objection and hold a public hearing. The Planning Commission shall make a recommendation to the Parish Council on the application.

SERVITUDE REVOCATION PACKET – UTILITY COMPANY ADDRESSES

Ron Savoy, Director, **Department of Public Works and East Ascension Consolidated Gravity Drainage District**, 42077 Churchpoint Road, Gonzales, LA 70737

East Ascension

Gaynel Maggio, ROW Agent, **Entergy**, 5755 Choctaw Dr., (Mail Unit: L-CHOC-W2), Baton Rouge, LA 70805

West Ascension

Brad Hahn, ROW Agent, **Entergy**, 3734 Tulane Ave., (Mail Unit: L-TUL-113), New Orleans, LA 70119

East Ascension Telephone Co., Attn: Stephen Moreau, 913 S. Burnside Ave., Gonzales, LA 70737-4258

Bruce Miller, **Cox Communications**, 7401 Florida Boulevard, Baton Rouge, LA 70806

Sam Rosso, **DEMCO**, P. O. Box 15659, Baton Rouge, LA 70895 – email samr@demco.org

Diversion Water Company, P.O. Box 569, Prairieville, LA 70769-0569

ATMOS Energy, 40492 Abby James Rd., Prairieville, LA 70769

City of Donaldsonville Gas Dept., 609 Railroad Ave., Donaldsonville, LA 70346

People's Water Service, 38 Veteran's Blvd., Donaldsonville, LA 70346

Ascension Water Company, Engineering Department, P. O. Box 96003, Baton Rouge, LA 70896-6003

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SERVITUDE REVOCATION APPLICATION

1. NAME OF APPLICANT: _____ DAYTIME PHONE: _____

BUSINESS NAME (IF APPLICABLE): _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

EMAIL ADDRESS: _____

2. NAME OF PROPERTY OWNER: _____ DAYTIME PHONE: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

3. LEGAL DESCRIPTION OF PROPERTY (SUBDIVISION OR TRACT NAME):

LOT: _____ BLOCK/SQUARE: _____

SUBDIVISION: _____

LOCATION: _____

(IF PROPERTY IS NOT SUBDIVIDED, ATTACH A COMPLETE LEGAL DESCRIPTION. ADDITIONALLY, ATTACH A SURVEY MAP OF THE PROPERTY TO THIS APPLICATION IDENTIFYING THE SUBJECT PROPERTY INCLUDING BEARINGS AND DIMENSIONS ALONG WITH IDENTIFYING THE SERVITUDE.)

4. PROPERTY STREET ADDRESS: _____

5. SPECIFIC PROPOSED USE: _____

6. ACTION REQUESTED (WITH ATTACHED MAP INDICATING THE PROPOSED REVOCATION): _____

7. JUSTIFICATION FOR ACTION REQUESTED: _____

8. DATE SERVITUDE WAS ESTABLISHED: _____

9. LETTERS OF NO OBJECTION FROM SERVICED PROVIDERS (AS APPLICABLE):

- DEPARTMENT OF PUBLIC WORKS
- EAST ASCENSION CONSOLIDATED DRAINAGE
- ENTERGY
- EAST ASCENSION TELEPHONE CO.
- COX COMMUNICATIONS
- DIXIE ELECTRIC MEMBERSHIP CORPORATION

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9. LETTERS OF NO OBJECTION FROM SERVICED PROVIDERS, CONTINUED (AS APPLICABLE):

- DIVERSION WATER CO.
- ATMOS ENERGY
- CITY OF DONALDSONVILLE GAS DEPT.
- PEOPLE'S WATER SERVICE
- ASCENSION WATER COMPANY

10. ACKNOWLEDGEMENT:

In filing this application, I understand that it becomes a part of the public record of the Parish of Ascension, Louisiana and hereby certify that all information contained herein is accurate to the best of my knowledge. Also, I understand that the application fee is nonrefundable.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Signature Of Applicant Type Or Print Name Of Applicant Date

Signature Of Property Owner Type Or Print Name Of Property Owner Date

STAFF USE BELOW

FILE NUMBER: _____ MEETING DATE: _____

RECEIPT NUMBER: _____ FEES PAID: _____

APPROVAL CATEGORY: _____

APPROVAL DECISION: _____

APPROVAL DATE: _____

SERVITUDE REVOCATION PACKET - APPLICATION INSTRUCTIONS

1. NAME OF APPLICANT
Your name, a person's name, the name of the person who will sign as applicant in item 10 (i.e. John Doe, Mary Jones...)

DAYTIME PHONE
Telephone number where you may be reached Monday through Friday between 7:30 a.m. and 5:00 p.m.

BUSINESS NAME *(IF APPLICABLE)*
If you are submitting this application as a representative of a business, put the name of the business here. If you are not submitting this application as a representative of a business, leave blank.

ADDRESS/CITY/ZIP
Your current mailing address.

EMAIL ADDRESS
Your email address you regularly check.
2. NAME OF PROPERTY OWNER
The name of the person who currently owns the property described in item number 3. If the property is owned in the name of a business, the name of the person employed by the business authorized to act as property owner. The name of the person who will sign as property owner in item number 10. (i.e. John Doe, Mary Jones...)

DAYTIME PHONE
Telephone number where you may be reached Monday through Friday between 7:30 a.m. and 5:00 p.m.

ADDRESS/CITY/ZIP
Property owner's current mailing address.
3. LEGAL DESCRIPTION OF PROPERTY
Lot, block, square, subdivision tract name and/or tax parcel number as listed in the current tax roll of the property. Location must be shown on a survey map attached to the application.
4. PROPERTY STREET ADDRESS
Indicate the municipal address of the property if applicable (i.e. municipal number and street name).
5. SPECIFIC PROPOSED USE
Indicate the specific land use proposed for this property, if any.
6. ACTION REQUESTED
Indicate whether the action requested by the Planning Commission will be for a revocation, relocation, or re-sizing of identified servitude.
7. JUSTIFICATION FOR ACTION
State the reason for requesting the revocation.
8. DATE SERVITUDE WAS ESTABLISHED
Indicate the date the servitude was created (i.e. the date the survey with the servitude was recorded with the Parish Clerk of Court).
9. LETTERS OF NO OBJECTION
Indicate by checking the appropriate box which letters of no objection are attached to this application, as applicable. Items are required to be attached.
10. ACKNOWLEDGEMENT
The applicant shall sign and date the application. The owner shall sign and date the application if different from the applicant.

SAMPLE LETTER TEXT

[Applicant Name]
[Applicant Mailing Address]
[Applicant City, State Zip]
[Applicant Phone Number]

[Date of Letter]

[Name of Utility/Entity]
[Address of Utility/Entity]
[Utility City, State Zip]

RE: Revocation of [Servitude Type] – [Address/Legal Description of Property]

To whom it may concern:

I intend to apply with the Ascension Parish Office of Planning and Development to [revoke/resize/modify] the existing [servitude type and width] from my property that was established [add date servitude was established] due to [state reason for action]. Per instruction of the Parish, I am required to obtain a letter of no objection from your [company/department]. Please find attached to this letter the following:

1. A copy of the application for the servitude modification to the Parish.
2. A survey map of my property clearly defining the location of the servitude within my property.

Should you have any questions or need any additional information, please give me a call.
Thank you for your attention to this matter,

[Applicant Name and Signature Above]