

The following ordinance was introduced by Lindel Toups in regular session convened on May 10, 2005.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by Phillip Gouaux, seconded by Mark Atzenhoffer.

**ORDINANCE NO. 3613**

**AN ORDINANCE APPROVING A RIGHT OF WAY AGREEMENT BETWEEN LAFOURCHE PARISH GOVERNMENT AND THE ALLAN LAND COMPANY FOR FLOWAGE EASEMENT IN THE FANTASTIC ACRES PUMP STATION OUTFALL AREA WEST OF MATHEWS.**

**BE IT ORDAINED**, by the Lafourche Parish Council, convened in Regular Session on May 24, 2005, that:

**SECTION 1.**

**WHEREAS**, proper drainage is a fundamental necessity in ensuring the Health Safety and Welfare of the people of Lafourche; and

**WHEREAS**, access to private properties is often necessary in the maintenance of drainage channels and outfall area; and

**WHEREAS**, the Department of Public Works is requesting an right of way agreement in the Fantastic Acres area of Mathews provide for the pumping; and

**WHEREAS**, the Allan Land Company, represented by Morna Elizabeth Jahncke, Jean Culver Dragon, and John Allan Culer, wishes to have its own attorney create a right of way agreement with the parish to provide for the protection of their property and wants the parish to pay for the services of their attorney; and

**WHEREAS**, the Administration requests authority to sign these agreements in support of the approved project to add pump capacity to the Fantastic Acres area;

**THEREFORE BE IT ORDAINED**, that the Lafourche Parish Council does approve a servitude amendment with Jacques Culver and the Allan Land Company and authorizes the Parish President to sign, execute and administer said agreement.

**BE IT FURTHER ORDAINED**, that the Lafourche Parish Council does approve the payment of attorney's fees in association with the creation of this servitude.

**SECTION 2.** If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

**SECTION 3.** All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

**SECTION 4.** This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

**SECTION 5.** This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

**YEAS:** Tyrone Williams  
Michael Delatte  
Michael Matherne  
Tommy Lasseigne  
Mark Atzenhoffer

Phillip Gouaux  
Brent Callais  
Daniel Lorraine

**NAYS:** None

**ABSENT:** Lindel Toups

**NOT VOTING:** None

**SECTION 6.** This Ordinance shall become effective on the tenth day after final publication.

/s/ Michael Matherne  
**MICHAEL MATHERNE, CHAIRMAN**  
**LAFOURCHE PARISH COUNCIL**

/s/ Sheila B. Boudreaux  
**SHEILA B. BOUDREAUX, COUNCIL CLERK**  
**LAFOURCHE PARISH COUNCIL**

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**Delivered to the Parish President on**

May 26, 2005, at 3:30, p. m.

**APPROVED:**     X    

**VETOED:**           

/s/ Charlotte A. Randolph  
**Lafourche Parish President**

**Returned to the Council Clerk on**

May 26, 2005, at 2:00, p.m.

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I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance enacted by the Assembled Council in Regular Session on May 24, 2005, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 1<sup>ST</sup>, DAY OF JUNE, 2005.

/s/ Sheila B. Boudreaux  
**SHEILA B. BOUDREAUX, COUNCIL CLERK**  
**LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED: June 10, 2005

DATE EFFECTIVE: June 20, 2005

