

On motion by Phillip Gouaux, seconded by Rodney Doucet, the following resolution was introduced and adopted:

RESOLUTION NO. 09-338

RESOLUTION REQUESTING THE LAFOURCHE PARISH DISTRICT ATTORNEY TO RESEARCH THE RESPONSIBILITY OF A DEVELOPER CONCERNING ROADS THROUGH HIS/HER DEVELOPMENT AND CAN THE RESIDENTS OF A DEVELOPMENT HOLD THE DEVELOPER RESPONSIBLE FOR MAINTAINING THE ROAD IF THE DEVELOPER OWNS THE ROAD AND THE RESIDENTS ONLY HAVE A SERVITUDE OF PASSAGE.

WHEREAS, it is the duty upon oath that the Governing Authority and State Officials address concerns dealing with the general health, safety and welfare of the citizens and said resolution satisfies this criteria; and

WHEREAS, how can a land owner improve a servitude of passage if they don't own this piece of property that they are required to pass on to access their property; therefore,

BE IT RESOLVED, by the Lafourche Parish Council convened in regular session on September 22, 2009, that it does hereby request the Lafourche Parish District Attorney to research the responsibility of a developer concerning roads through his/her development. Inasmuch can the residents of a development hold the developer responsible for maintaining the road if the developer owns the road and the residents only have a servitude of passage.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Lafourche Parish District Attorney's Office and the Office of the Parish Administrator.

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

YEAS: Mr. Jerry Jones
Mr. Michael Delatte
Mr. Louis Richard
Mr. Joseph "Joe" Fertitta
Mr. Matt Matherne
Mr. Lindel Toups
Mr. Phillip Gouaux
Mr. Rodney Doucet
Mr. Daniel Lorraine

NAYS: None

ABSENT: None

And the resolution was declared adopted this 22nd day of September, 2009.

**JERRY JONES, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

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I, CARLEEN B. BABIN, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. 09-338, adopted by the Assembled Council in Regular Session on September 22, 2009, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 30TH DAY OF SEPTEMBER, 2009.

**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**