

On motion by Daniel Lorraine, seconded by Rodney Doucet, the following resolution was introduced and adopted;

RESOLUTION NO. 09-430

RESOLUTION APPROVING THE STATE MINERAL BOARD TO HANDLE THE LEASING OF SAID PROPERTY AS STIPULATED HEREIN FOR AN OIL, GAS AND MINERAL LEASE FOR LAND LOCATED IN T16S-R-18E; AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE, AND ADMINISTER ANY AND ALL RELEVANT DOCUMENTS AND AMENDMENTS.

WHEREAS, The Lafourche Parish Council (**Parish**) has received a request from Apache Corporation to advertise for bids for an Oil, Gas and Mineral Lease on the following described tract of land currently not under mineral lease:

SECTION 26, TOWNSHIP 19 SOUTH, RANGE 21 EAST

That certain tract or parcel of land containing 3.97 acres, more or less, situated in Irregular Section 26, Township 19 South, Range 21 East, Lafourche Parish, Louisiana. Being further described as those dedicated streets, namely, Duet Street, First Street, Second Street, Third Street, Fourth Street, Fifth Street, Sixth Street and Seventh Street as contained in that certain Act of Partition dated November 27, 1969, recorded in COB 419, Page 365, under Entry #316366 of the records of the Lafourche Parish Clerk of Court.

WHEREAS, Apache Corporation shall submit to the State Mineral Board the required nomination/advertising fees and/or any fees due for the above described property; and

WHEREAS, it is the desire of the **Parish** to authorize and direct the Louisiana State Mineral Board to handle the leasing of the above tract of land (3.97 acres) on its behalf; and

WHEREAS, the Lafourche Parish Government did consider this matter at its meeting of December 8, 2009 council meeting and has voted in favor of same with the following stipulations: **1) That no surface activity be conducted on property belonging to LPC without prior written consent and 2) That the lease be awarded with a favored nations provision as follows:**

Favored Nations. If, at any time within one (1) year from the effective date hereof, Lessee, or any subsidiary, affiliate, or joint venturer with, Lessee, should acquire an oil and gas lease covering not less than ten (10) acres located within the TEX W RA SUA; Edison Pitre, et al #1-D Well and the BIG HUM RA SUA;LL&E #236 Well, and any consideration paid therefore, whether it is bonus, rental or royalty, exceed the consideration paid for this Agreement, the terms hereof shall ipso facto be amended, retroactive to the effective date hereof, to reflect the higher consideration and Lessee shall pay Lessor within thirty (30) days thereof, any and all additional amounts due to Lessor as a result of the retroactive amendment to this Agreement.

WHEREAS, Apache is willing to pay Lafourche Parish Government \$300.00 per acre and 25% royalty for a three year primary term oil and gas lease as stated in the October 29, 2009 correspondence attached.

WHEREAS, this resolution was sponsored for Administration by Mr. Daniel Lorraine, Councilman, District 9; and

THEREFORE, BE IT RESOLVED, that the Lafourche Parish Council convened in regular session on December 8, 2009, and does hereby authorize and request the Louisiana State Mineral Board to advertise for bids, open said bids, award a lease, and to remit any lease bonus resulting there-from on the above described tract of land to the **Parish**, Post Office Box 5548, Thibodaux, Louisiana 70302; and

BE IT FURTHER RESOLVED, that the President of the **Parish of Lafourche** is empowered and authorized to execute any and all documents necessary to accomplish the provisions of this Resolution.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Louisiana State Mineral Board; Gerard F. Thomas III, Certified Professional Landman, P.O. Box 52005, Lafayette, LA 70505; Office of Mineral Resources, P.O. Box 2827, Baton Rouge, LA 70821 Attn: Rick Heck; the Lafourche Parish Government Department of Finance, Department of Public Works (Steve Folsé), Department of Risk Management, 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. Lindel Toups
	Mr. Michael Delatte	Mr. Phillip Gouaux
	Mr. Louis Richard	Mr. Rodney Doucet
	Mr. Joseph "Joe" Fertitta	Mr. Daniel Lorraine
	Mr. Matt Matherne	

NAYS: None

ABSENT: None

And the resolution was declared adopted this 8th day of December, 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. 09-430, adopted by the Assembled Council in Regular Session on December 8, 2009, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 17TH DAY OF DECEMBER, 2009.

CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL