

The following ordinance was introduced by Mr. Lindel Toups in regular session convened on February 25, 2014.

PROPOSED ORDINANCE

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

ORDINANCE NO. 5431

ORDINANCE APPROVING THE ATTACHED SERVITUDE AGREEMENT BETWEEN RACELAND RAW SUGAR, L.L.C., REPRESENTED BY DANIELS W. DUPLANTIS, SR., AND THE LAFOURCHE PARISH COUNCIL; AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE, AND ADMINISTER SAID AGREEMENT.

BE IT ORDAINED, by the Lafourche Parish Council, which convened in Regular Session on March 11, 2014, that:

SECTION 1.

WHEREAS, access to private properties is necessary for the construction, widening and maintenance of the Mill Road, 4th Street, 5th Street and Gheens Short Cut Road and its appurtenances; and

WHEREAS, the Department of Public Works is requesting Right of way Agreement over and across the described property on the Servitude Agreement attached; and

WHEREAS, the Administration requests authority to sign these agreements in support of daily operations with private landowners; and

WHEREAS, this Ordinance was sponsored for Administration by Mr. Lindel Toups, Councilman, District 6; and

THEREFORE, BE IT ORDAINED, that the Lafourche Parish Council convened in Regular Session on March 11, 2014, and does hereby approve the attached Servitude Agreement with Raceland Raw Sugar, LLC, represented by Daniels W. Duplantis, Sr.; and authorizes the Parish President to sign, execute, and administer any and all documents; and

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance shall be forwarded to Daniels W. Duplantis, Sr. (P.O. Box 159, Raceland, Louisiana 70394); and the Lafourche Parish Government: Department of Public Works, and the Office of the Parish Administrator.

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 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by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.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:	Mr. Jerry Jones	Mr. Joseph "Joe" Fertitta	Mr. Phillip Gouaux
	Mr. Michael Delatte	Mr. John Arnold	Mr. Jerry LaFont
	Mr. Aaron Caillouet	Mr. Lindel Toups	Mr. Daniel Lorraine

NAYS: None

ABSENT: None

SECTION 6. This Ordinance shall become effective *immediately*.

/s/ Daniel Lorraine
**DANIEL LORRAINE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

/s/ Carleen B. Babin
**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

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Delivered to the Parish President on

March 13, 2014, at 8:15 a.m.

APPROVED: X

UNAPPROVED:

VETOED:

/s/ Charlotte A. Randolph
Lafourche Parish President

Returned to the Council Clerk on

March 13, 2014, at 10:15 a.m.

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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 Ordinance No. 5431, enacted by the Assembled Council in Regular Session on March 11, 2014, at which meeting a quorum was present, and was finally adopted on March 13, 2014.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE ON THIS 26TH DAY OF MARCH, 2014.

/s/ Carleen B. Babin
**CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED: April 1, 2014

DATE EFFECTIVE: immediately (March 11, 2014)