

The following ordinance was introduced by Mr. Lindel Toups in regular session convened on July 8, 2014.

### **PROPOSED ORDINANCE**

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

### **ORDINANCE NO. 5488**

#### **AN ORDINANCE APPROVING INDIVIDUAL SERVITUDE AGREEMENTS BETWEEN LAFOURCHE PARISH GOVERNMENT AND PROPERTY OWNERS AS FURTHER IDENTIFIED HEREIN FOR THE ACQUISITION OF SERVITUDES FOR A WATER DISTRIBUTION LINE AND FIRE HYDRANTS AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER SAID AGREEMENTS AND ANY AND ALL RELEVANT DOCUMENTS.**

**WHEREAS**, the Lafourche Parish Government received a Fiscal Year 2011 Louisiana Community Development Block Grant (LCDBG) to construct new water lines in the community of Alidore in order to provide increased water distribution capacity; and

**WHEREAS**, the Parish has entered into an Intergovernmental Cooperative Agreement with the Lafourche Parish Water District No. 1 for the perpetual maintenance of said water line improvements upon completion; and

**WHEREAS**, the requirements of the LCDBG grant regarding acquisition of servitudes involve compliance with the procedures of the Uniform Relocation and Real Property Acquisition Act; and

**WHEREAS**, certain property owners identified herein have agreed to sell a 5 foot servitude to the parish for said water lines; and

**WHEREAS**, the agreements for acquisition of servitudes shall be with the following property owners: Stephen Loeb, a managing member of the Heirs of S. Abraham Kahn, LLC; and

**WHEREAS**, Lafourche Parish Government shall acquire said servitudes for the amount at which each is valued as identified in the individual servitude agreements in accordance with the procedures described in the LCDBG grant for a total of \$2,035.80; and

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

**WHEREAS**, it is recommended by the Administration of the Lafourche Parish Government that the Council approve this Ordinance approving the individual servitude agreements between Lafourche Parish Government and the property owners further described herein for the acquisition of servitudes for a water distribution line and fire hydrants and authorizes the Parish President to sign, execute and administer said agreements and any and all relevant documents.

**THEREFORE BE IT ORDAINED**, that the Lafourche Parish Council convened in Regular Session on July 22, 2014, and hereby approves an ordinance approving the individual servitude agreements between Lafourche Parish Government and the property owners as further described herein for the acquisition of servitudes for a water distribution line and fire hydrants and authorizes the Parish President to sign, execute and administer said agreements and any and all relevant documents.

**BE IT FURTHER ORDAINED**, that a certified copy of this Ordinance shall be forwarded to South Central Planning & Development Commission, Attn: Martha Cazabon, P.O. Box 1870, Gray, Louisiana 70359; Lafourche Parish Government Department of Public Works, Department of Finance, and the Office of the Parish Administrator; and

**BE IT FURTHER ORDAINED**, that;

**SECTION 1.** 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 2.** All Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

**SECTION 3.** This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

**SECTION 4.** 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. Michael Delatte  
Mr. Aaron Caillouet  
Mr. Joseph "Joe" Fertitta  
Mr. Lindel Toups  
Mr. Phillip Gouaux  
Mr. Jerry LaFont  
Mr. Daniel Lorraine

**NAYS:** None

**ABSENT:** Mr. John Arnold

**SECTION 5.** This Ordinance shall become effective on the tenth day after final publication.

/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**

**July 24, 2014, at 11:15 a.m.**

**APPROVED:          X**

**UNAPPROVED:**

**VETOED:**

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

**Returned to the Council Clerk on**

**July 24, 2014, at 3:15 p.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. 5488, enacted by the Assembled Council in Regular Session on July 22, 2014, at which meeting a quorum was present, and was finally adopted on July 24, 2014.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE ON THIS 6TH DAY OF AUGUST, 2014.

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

DATE PUBLISHED: AUGUST 8, 2014

DATE EFFECTIVE: AUGUST 18, 2014