

The following ordinance was introduced by Mr. Lindel Toups in regular session convened on August 12, 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. 5522

AN ORDINANCE APPROVING A SERVITUDE AGREEMENT BETWEEN LAFOURCHE PARISH GOVERNMENT AND KENNETH GABRIEL AS FURTHER IDENTIFIED HEREIN FOR THE ACQUISITION OF A SERVITUDE FOR A WATER DISTRIBUTION LINE AND FIRE HYDRANTS ON PROPERTY OWNED IN THE ALIDORE NEIGHBORHOOD AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER SAID AGREEMENT 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 agreement for acquisition of a servitude shall be with the property owner Kenneth Gabriel; and

WHEREAS, Lafourche Parish Government shall acquire said servitude for the amount at which each is valued as identified in the individual servitude agreement in accordance with the procedures described in the LCDBG grant for a total of \$622.20; 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 the servitude agreement between Lafourche Parish Government and Kenneth Gabriel further described herein for the acquisition of servitude for a water distribution line and fire hydrants on Property identified as follows:

Tax Assessment No. 0072702530 – a 6.1290 acres tract in Section 121 T15S R18E bounded on the south by Kenneth Gabriel on the west by Triple Oaks Subdivision, on the east by Lewistown Subdivision. Said tract of land depicted by letters A, B, C, and D on a plat showing a 6.1290 acre tract of land carved out of the estate of Samuel Robichaux;

and to authorize the Parish President to sign, execute and administer said agreement and any and all relevant documents as required of the LCDBG program.

THEREFORE BE IT ORDAINED, that the Lafourche Parish Council convened in Regular Session on August 26, 2014, and hereby approves the servitude agreement between Lafourche Parish Government and Kenneth Gabriel as further identified herein for the acquisition of servitude for a water distribution line and fire hydrants on property owned in the Alidore neighborhood and authorizes the Parish President to sign, execute and administer said agreement 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 Cazaubon, P.O. Box 1870, Gray, Louisiana 70359; Duplantis Design Group, PC, Attn: Kainen Leblanc, 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. Lindel Toups
	Mr. Michael Delatte	Mr. Phillip Gouaux
	Mr. Aaron Caillouet	Mr. Jerry LaFont
	Mr. Joseph "Joe" Fertitta	Mr. Daniel Lorraine
	Mr. John Arnold	

NAYS: None

ABSENT: None

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

Delivered to the Parish President on

August 28, 2014, at 2:30 p.m.

APPROVED: X

UNAPPROVED:

VETOED:

/s/ Charlotte A. Randolph
Lafourche Parish President

Returned to the Council Clerk on

August 28, 2014, at 4:00 p.m.

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. 5522, enacted by the Assembled Council in Regular Session on August 26, 2014, at which meeting a quorum was present, and was finally adopted on August 28, 2014.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE ON THIS 10TH DAY OF SEPTEMBER, 2014.

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

DATE PUBLISHED: SEPTEMBER 16, 2014

DATE EFFECTIVE: SEPTEMBER 26, 2014