

January 9, 2017

The City Council of the City of Sulphur, Louisiana, met in regular session at its regular meeting place in the Council Chambers, Sulphur, Louisiana, on January 9, 2017 at 5:30 p.m., after full compliance with the convening of said meeting with the following members present:

DRU ELLENDER, Council Representative of District 1
DENNIS BERGERON, Council Representative of District 2
MELINDA HARDY, Interim Council Representative of District 3
RANDY FAVRE, Council Representative of District 4
STUART MOSS, Council Representative of District 5

After the meeting was called to order and the roll called with the above result, prayer was led by Ed Holmes, followed by the reciting of the Pledge of Allegiance led by Mrs. Ellender.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mr. Favre seconded by Mr. Moss that the minutes stand as written. Motion carried.

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Favre seconded by Mr. Moss that item #13A be added to the agenda:

13A. Executive Session to discuss Resolution No. 2798 M-C Series, adopted January 12, 2015, which appointed Jennifer Page as City Attorney.

Motion carried unanimously.

Motion was then made by Mr. Favre seconded by Mr. Moss item items 13A and 13 be moved to the last two items on the agenda.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mr. Favre that item #16 be removed from the agenda.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mrs. Ellender that item #17 be removed from the agenda.

Motion carried unanimously.

Motion was then made by Mr. Favre seconded by Mr. Moss that the agenda stand as changed.

Motion carried unanimously.

The first item on the agenda is a presentation by Armed Forces Committee. The Committee presented a certificate to Greg Morrison and thanked him for his years of service to our country.

The next item on the agenda is a presentation of audit for fiscal year ending June 30, 2016.

Steve Derouen, CPA, addressed the Council and gave a brief summary:

FINANCIAL HIGHLIGHTS

- The implementation of GASB Statement No. 68 resulted in the recognition of \$22.9 million in net pension liabilities, \$6.2 million in deferred outflows, and \$1.1 million in deferred inflows.
- The assets and deferred outflows of resources of the City exceeded its liabilities by \$75,214,652 (net position) for the fiscal year reported.
- Total revenues of \$34,423,214 were more than total expenses of \$30,138,401, resulting in a current year increase in net position of \$4,284,813.
- Total sales taxes revenues for the current fiscal year were \$17,944,451, an increase of \$1,858,076 (11.6 percent) over the prior fiscal year.
- The City's governmental funds reported total ending fund balance of \$16,748,173 this year of which \$68,275 is non-spendable. \$415,197 is restricted for debt service and law enforcement, \$6,263,534 is assigned for capital projects and \$10,001,167 is unassigned. This compares to the prior year fund balance of \$15,133,101 reflecting an increase of \$1,615,072 during the current fiscal year.

- At the end of the current fiscal year, unassigned fund balance for the General Fund was \$10,001,167 or 51% of total General Fund expenditures and 44.5% of total General Fund revenues.

The next item on the agenda is a public hearing on ordinance de-annexing certain property owned by Sealy-Ratcliff Swisco Road, LLC, located between I-10 and Swisco Road and contracting the boundaries of the City of Sulphur. Motion was made by Mr. Moss seconded by Mr. Favre that the geographic boundaries submitted by David Morrison Surveying be inserted into the ordinance. Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mr. Favre that the following amendment be made:

ADD WORDS UNDERLINED

BE IT FURTHEREST ORDAINED by the City Council of the City of Sulphur, that they do hereby de-annex that certain described property owned by Sealy-Ratcliff Swisco Road, LLC, described on Exhibit A attached hereto and depicted on the plat prepared by Monceaux Buller and Associates dated October 5, 2016 attached hereto as Exhibit B subject to letter agreement and/or representations dated January 6, 2017 and attached hereto as Exhibit C.

Motion carried unanimously.

Motion was then made by Mr. Moss seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1439, M-C SERIES AS AMENDED

ORDINANCE DE-ANNEXING CERTAIN PROPERTY OWNED BY SEALY-RATCLIFF SWISCO ROAD, LLC, LOCATED BETWEEN I-10 AND SWISCO ROAD AND CONTRACTING THE BOUNDARIES OF THE CITY OF SULPHUR.

WHEREAS, the City Council of the City of Sulphur, Louisiana, has received from Sealy-Ratcliff Swisco Road, LLC, a petition for the de-annexation of property described as all that area depicted on the attached plat lying west of a line parallel to and 38 feet east of Calcasieu Industrial Drive as depicted on the plat prepared by Monceaux Buller and Associates dated July 14, 2016, a portion of which Calcasieu Industrial Drive currently exists and the remainder of which is proposed; and

WHEREAS, a petition for annexation filed by Sealy-Ratcliff Swisco Road, LLC was accepted by the Land Use Commission of the City of Sulphur, Louisiana on Monday, October, 20, 2014 and introduced on Monday, November 17, 2014; and

WHEREAS, the petition for annexation was then accepted by the Sulphur City Council on Monday, November 10, 2014 by Resolution No. 2785, M-C Series with a public hearing on ordinance being held on Monday, December 8, 2014 by Ordinance No. 1271, M-C Series and the effective date of the said ordinance was 30 days after the minutes of the Monday, December 8, 2014 Sulphur City Council hearing were published in the Official Journal (i.e. January, 2015); and

WHEREAS, on Monday, October 17, 2016 the Land Use Commission accepted the petition from Sealy-Ratcliff Swisco Road, LLC and introduced said ordinance for the de-annexation of property on Monday, October 17, 2016.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that the boundaries of the City of Sulphur be and the same are hereby contracted so as to exclude the following described property:

A certain tract of land located in the NW ¼ , NE ¼ Section 12, & SE ¼ Section 1 Township 10 South, Range 10 West, Calcasieu Parish, Louisiana, and containing 53.2 acres more or less, and being more particularly described on Exhibit A attached hereto and depicted on the plat prepared by Monceaux Buller and Associates dated October 5, 2016 attached hereto as Exhibit B.

BE IT FURTHER ORDAINED that the boundaries of the City of Sulphur, Louisiana, be and the same are hereby defined as follows, to-wit:

DESCRIPTION OF GEOGRAPHIC BOUNDARIES:

REVISED DECEMBER 15, 2016 TO DE-ANNEX A PORTION OF SEALY – RATCLIFF TRACT (PAGE 4)

COMMENCING AT THE NORTHEAST (NE) CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST, SAID POINT BEING ON THE PRESENT CITY LIMITS LINE OF THE CITY OF SULPHUR, LOUISIANA; THENCE NORTH TO THE NORTHEAST (NE) CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 OF NE/4) OF SAID SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 OF NE/4) TO THE NORTHWEST (NW) CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 OF NE/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE SOUTH ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 OF NE/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST, TO THE NORTHEAST

QUARTER SE/4 OF SW/4) OF NE/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST FOLLOWING THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (S/2 OF SW/4 OF NE/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST, TO THE NORTHEAST (NE) CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW/4 OF SW/4 OF NE/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE SOUTH ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW/4 OF SW/4 OF NE/4) TO A POINT 100 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER (NE/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST 100 FEET; THENCE SOUTH 100 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER (NE/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST TO THE SOUTHEAST (SE) CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE NORTH TO THE NORTHEAST (NE) CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST, THENCE WEST TO THE NORTHWEST (NW) CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE SOUTH ALONG WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST, TO A POINT 65 FEET NORTH OF THE SOUTHWEST (SW) CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST 168 FEET ALONG A LINE WHICH IS 65 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER (NW/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE SOUTH 65 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER (NW/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST TO A POINT 664 FEET EAST OF THE SOUTHWEST (SW) CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW/4 OF NW/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE NORTH 475 FEET; THENCE WEST 639 FEET, MORE OR LESS, TO THE EAST LINE OF NORTH CLAIBORNE STREET; THENCE SOUTH 475 FEET ALONG THE EAST LINE OF NORTH CLAIBORNE STREET TO THE SOUTH LINE OF THE NORTHWEST QUARTER (NW/4) OF SECTION 27, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST TO THE NORTHWEST (NW) CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 28, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE SOUTH ALONG THE WESTERN CITY LIMITS LINE TO ITS POINT OF INTERSECTION WITH THE NORTH LINE OF U.S. HIGHWAY #90; THENCE WESTERLY ALONG THE NORTH LINE OF U.S. HIGHWAY #90 TO ITS POINT OF INTERSECTION WITH THE CENTERLINE OF KIM STREET EXTENDED; THENCE SOUTH ALONG THE CENTERLINE OF KIM STREET TO THE SOUTHWEST (SW) CORNER OF THE EAST HALF OF THE WEST HALF (E/2 OF W/2) OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE EAST ALONG THE CENTERLINE OF SARA STREET TO THE CORNER COMMON TO SECTIONS 3 AND 4,

TOWNSHIP 10 SOUTH, RANGE 10 WEST, AND SECTIONS 33 AND 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE SOUTH ALONG THE SECTION LINE TO A POINT WHICH IS 150 FEET SOUTH OF THE CENTERLINE OF U.S. INTERSTATE HIGHWAY #10, THENCE WESTERLY ALONG THE LINE WHICH IS 150 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE OF U.S. INTERSTATE HIGHWAY #10, FOR A DISTANCE OF 1247.42 FEET, MORE OR LESS TO THE EAST RIGHT OF WAY LINE OF THE SABINE RIVER DIVERSION CANAL, THENCE SOUTH, MEANDERING ALONG THE EAST RIGHT OF WAY LINE OF THE SABINE RIVER DIVERSION CANAL, FOR A DISTANCE OF 930.2 FEET TO THE SOUTHWEST CORNER OF TRACT 2 OF THE SULPHUR GROUP LLC ANNEXATION, THENCE SOUTH 02° 38' 57" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE OF THE SABINE RIVER DIVERSION CANAL, FOR A DISTANCE OF 91.94 FEET; THENCE SOUTH 00° 34' 27" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE OF THE SABINE RIVER DIVERSION CANAL, FOR A DISTANCE OF 949.18 FEET; THENCE SOUTH 04° 27' 54" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE OF THE SABINE RIVER DIVERSION CANAL, FOR A DISTANCE OF 184.29 FEET; THENCE SOUTH 06° 54' 10" EAST, ALONG THE SAID EAST RIGHT-OF-WAY LINE OF THE SABINE RIVER DIVERSION CANAL, TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 9, FOR A DISTANCE OF 111.95 FEET; THENCE SOUTH 89° 04' 08" EAST, ALONG THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 9, FOR A DISTANCE OF 1245.80 FEET; THENCE EAST ALONG THE SOUTH OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 10, FOR A DISTANCE OF 201.3 FEET MORE OR LESS TO THE SOUTHEAST (SE) CORNER OF THE WEST ONE-THIRD OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (W/3 OF W/2 OF NW/4 OF NW/4) OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST; THENCE EAST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER (N/2-NW/4) OF SECTION 10, FOR A DISTANCE OF 1,401.91 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF A TRACT OF LAND CURRENTLY OR FORMERLY OWNED BY STINE INVESTORS CORPORATION; THENCE SOUTH, ALONG THE WEST LINE OF SAID STINE INVESTORS TRACT, FOR A DISTANCE OF 220.50 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID STINE INVESTORS TRACT; THENCE EAST, ALONG SAID SOUTH LINE OF STINE INVESTORS TRACT, FOR A DISTANCE OF 981.50 FEET, MORE OR LESS, TO THE WEST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY #27; THENCE NORTH, ALONG SAID WEST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY #27, FOR A DISTANCE OF 220.5 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER (N/2-NW/4) OF SECTION 10; THENCE EAST, ALONG SAID SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER (N/2-NW/4) OF SECTION 10, FOR A DISTANCE OF 106.33 FEET, MORE OR LESS TO THE EAST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY #27; THENCE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY #27, FOR A DISTANCE OF 103.16 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF CHENAULT STREET; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF CHENAULT STREET, FOR A DISTANCE OF 308.70 FEET; THENCE NORTH FOR A

DISTANCE OF 80.80 FEET; THENCE WEST, FOR A DISTANCE OF 308.70 FEET, TO THE EAST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY #27; THENCE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY #27 TO THE NORTH RIGHT-OF-WAY LINE OF PATCH STREET; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF PATCH STREET TO THE WEST RIGHT-OF-WAY LINE OF ALLEN STREET, THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF ALLEN STREET TO THE NORTH RIGHT-OF-WAY OF PATTON STREET; THENCE CONTINUING NORTH TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. INTERSTATE HIGHWAY #10 (WHICH POINT IS 150 FEET SOUTH OF THE CENTERLINE OF SAID INTERSTATE HIGHWAY #10); THENCE EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE WHICH IS 150 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE OF U.S. INTERSTATE HIGHWAY #10 TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAMP D OF STATE PROJECT NO. 450-91-36 AT HIGHWAY STATION 146+90.19; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAMP D ALONG THE ARC OF A CURVE HAVING A RADIUS OF 1095.92 FEET, (THE CHORD OF WHICH BEARS SOUTH 76°00'32" EAST, A DISTANCE OF 285.86 FEET) FOR A DISTANCE OF 286.68; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAMP D ALONG THE ARC OF A CURVE HAVING A RADIUS OF 308.10 FEET (THE CHORD OF WHICH BEARS SOUTH 35°47'20" EAST, A DISTANCE OF 333.12 FEET) FOR A DISTANCE OF 351.95 FEET; THENCE SOUTH 03°03'51" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAMP D FOR A DISTANCE OF 244.70 FEET; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAMP D ALONG THE ARC OF A CURVE HAVING A RADIUS OF 284.00 FEET (THE CHORD OF WHICH BEARS SOUTH 25°21'45" EAST, A DISTANCE OF 69.71 FEET) FOR A DISTANCE OF 69.88 FEET; THENCE SOUTH 00°36'54" WEST FOR A DISTANCE OF 0.13 FEET; THENCE SOUTH 89°40'08" EAST FOR A DISTANCE OF 0.08 FEET; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAMP D ALONG THE ARC OF A CURVE HAVING A RADIUS OF 284.00 FEET (THE CHORD OF WHICH BEARS SOUTH 50°53'18" EAST, A DISTANCE OF 179.72 FEET) FOR A DISTANCE OF 182.86 FEET; THENCE SOUTH 69°20'01" EAST FOR A DISTANCE OF 109.75 FEET; THENCE SOUTH 00°39'59" WEST FOR A DISTANCE OF 103.20 FEET; THENCE SOUTH 44°07'19" WEST FOR A DISTANCE OF 18.36 FEET TO THE NORTH RIGHT-OF-WAY LINE OF PATTON STREET; THENCE SOUTH 00°40'33" WEST FOR A DISTANCE OF 60.00 FEET TO THE FORMER SOUTH RIGHT-OF-WAY LINE OF PATTON STREET; THENCE NORTH 89°02'44" WEST, ALONG SAID FORMER SOUTH RIGHT-OF-WAY LINE OF PATTON STREET, FOR A DISTANCE OF 91.28 FEET, SAID POINT BEING SOUTH 01°04'29" WEST OF THE NORTHEAST CORNER (NE) OF THE NORTHWEST QUARTER (NW/4) OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 10 WEST, A DISTANCE OF 30.00 FEET; THENCE NORTH 88°52'23" WEST, ALONG SAID FORMER SOUTH RIGHT-OF-WAY LINE OF PATTON STREET, FOR A DISTANCE OF 156.86; THENCE SOUTH 65°05'32" EAST FOR A DISTANCE OF 318.89 FEET; THENCE NORTH 89°47'51" EAST FOR A DISTANCE OF 220.00 FEET, MORE OR LESS, TO THE EXISTING EAST RIGHT-OF-WAY LINE OF BEGLIS

PARKWAY (FORMERLY ARIZONA STREET),; THENCE NORTH $67^{\circ}15'12''$ EAST FOR A DISTANCE OF 312.86 FEET TO THE EXISTING SOUTH RIGHT-OF-WAY LINE OF PATTON STREET; THENCE NORTH, FOR A DISTANCE OF 30.0 FEET MORE OR LESS TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SAID POINT BEING IN THE CENTER OF PATTON STREET; THENCE EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, FOR A DISTANCE OF 692.87 FEET, MORE OF LESS TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2 FOR A DISTANCE OF 943.35 FEET, MORE OR LESS TO ITS INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF U.S. INTERSTATE HIGHWAY #10, SAID POINT BEING 150 FEET SOUTH OF THE CENTERLINE OF U.S. INTERSTATE HIGHWAY #10, STATE PROJECT NO. 450-91-36; THENCE SOUTH $89^{\circ}31'03''$ EAST ALONG THE SOUTH RIGHT-OF-WAY LINE WHICH IS 150 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE OF U.S. INTERSTATE HIGHWAY #10, FOR A DISTANCE OF 4955.18 FEET; THENCE SOUTH $60^{\circ}10'52''$ WEST, PARALLEL TO AND 38.0 FEET EAST OF CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 1042.31 TO A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 545.00 FEET; THENCE THROUGH SAID CURVE TO THE RIGHT PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE FOR AN ARC LENGTH DISTANCE OF 288.23 FEET, HAVING A CHORD BEARING OF SOUTH $75^{\circ}19'55''$ WEST AND CHORD DISTANCE OF 284.88 FEET; THENCE NORTH $89^{\circ}31'03''$ WEST, PARALLEL TO AND 38.0 FEET SOUTH OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 632.84 FEET; THENCE SOUTH $45^{\circ}28'57''$ WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 88.71 FEET; THENCE SOUTH $00^{\circ}28'57''$ WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 330.80 FEET; THENCE SOUTH $00^{\circ}28'24''$ WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 6.16 FEET; THENCE $10^{\circ}50'45''$ EAST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 50.99 FEET; THENCE SOUTH $00^{\circ}27'51''$ WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 48.04 FEET TO A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1055.00 FEET; THENCE THROUGH SAID CURVE TO THE RIGHT PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR AN ARC LENGTH DISTANCE OF 258.99 FEET, HAVING A CHORD BEARING OF SOUTH $07^{\circ}29'49''$ WEST AND CHORD DISTANCE OF 258.34 FEET; THENCE SOUTH $14^{\circ}31'46''$ WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 44.74 FEET; THENCE SOUTH $25^{\circ}28'11''$ WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 52.69 FEET; THENCE SOUTH $14^{\circ}31'46''$ WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 281.55 FEET TO A TANGENT CURVE TO THE

LEFT HAVING A RADIUS OF 955.00 FEET; THENCE THROUGH SAID CURVE TO THE LEFT PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR AN ARC LENGTH DISTANCE OF 227.96 FEET, HAVING A CHORD BEARING OF SOUTH 07°41'28" WEST AND CHORD DISTANCE OF 227.42 FEET; THENCE SOUTH 00°51'10" WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 18.50 FEET; THENCE SOUTH 00°51'10" WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 61.25 FEET; THENCE SOUTH 04°51'29" EAST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 100.50 FEET; THENCE SOUTH 00°51'10" WEST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 101.67 FEET; THENCE SOUTH 44°08'50" EAST, PARALLEL TO AND 38.0 FEET EAST OF SAID CALCASIEU INDUSTRIAL DRIVE, FOR A DISTANCE OF 96.37 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SWISCO ROAD; THENCE EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SWISCO ROAD, FOR A DISTANCE OF 451.16 FEET, MORE OR LESS, TO THE WEST LINE OF A 2.44 ACRE PROPERTY CURRENTLY OR FORMALLY OWNED BY CANAL BARGE COMPANY; THENCE SOUTH, FOR A DISTANCE OF 30.00 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4-NE/4) OF SECTION 12, TOWNSHIP 10 SOUTH, RANGE 10 WEST; THENCE EAST, ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4-NE/4) OF SECTION 12, TOWNSHIP 10 SOUTH, RANGE 10 WEST, FOR A DISTANCE OF 240.00 FEET TO THE SOUTH EAST CORNER OF THE SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4-NE/4) OF SECTION 12, TOWNSHIP 10 SOUTH, RANGE 10 WEST; THENCE NORTH, ALONG THE EAST LINE OF THE NORTHWEST OF THE NORTHEAST QUARTER (NW/4-NE/4) OF SECTION 12, TOWNSHIP 10 SOUTH, RANGE 10 WEST, FOR A DISTANCE OF 1327.86 FEET, MORE OR LESS; THENCE EAST, ALONG THE SOUTH LINE OF SAID SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, FOR A DISTANCE OF 1336.11 FEET, MORE OR LESS, TO THE EAST LINE OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST; THENCE NORTH, ALONG SAID EAST LINE OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, FOR A DISTANCE OF 1010.44, MORE OR LESS, TO THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY #10; THENCE EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY #10, FOR A DISTANCE OF 1324.20 FEET, MORE OR LESS; THENCE CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF U.S. INTERSTATE HIGHWAY #10, SOUTH 1°12' WEST FOR A DISTANCE OF 50 FEET; THENCE CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF U.S. INTERSTATE HIGHWAY #10, SOUTH 89°31'03" EAST FOR A DISTANCE OF 79.59 FEET; THENCE SOUTH 01°05'25" WEST FOR A DISTANCE OF 300.00 FEET; THENCE SOUTH 89°31'03" EAST FOR A DISTANCE OF 200.00 FEET; THENCE SOUTH 01°05'25" WEST FOR A DISTANCE OF 1961.68 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SWISCO ROAD; THENCE SOUTH 89°30'00" EAST, ALONG SAID NORTH LINE, FOR A DISTANCE OF 948.43 FEET TO THE WEST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY NUMBER 108;

THENCE NORTH 00°51'02" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY NUMBER 108, FOR A DISTANCE OF 1200.41 FEET; THENCE NORTH 89°49'32" EAST FOR A DISTANCE OF 198.77 FEET, TO A POINT 100 FEET SOUTH OF THE NORTH LINE OF SECTION 7, TOWNSHIP 10 SOUTH, RANGE 9 WEST, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY 108; THENCE SOUTH 00°51'02" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE OF LOUISIANA HIGHWAY 108, FOR A DISTANCE OF 200 FEET; THENCE NORTH 89°49'32" EAST, PARALLEL WITH THE NORTH LINE OF SAID SECTION 7, TOWNSHIP 10 SOUTH, RANGE 9 WEST, FOR A DISTANCE OF 450.00 FEET; THENCE NORTH 00°51'02" EAST, FOR A DISTANCE OF 200.00 FEET; THENCE NORTH 89°49'32" EAST FOR A DISTANCE OF 751.92 FEET TO THE EXISTING CONOCO INC. RIGHT-OF-WAY LINE, THENCE NORTH 26°25'04" EAST FOR A DISTANCE OF 111.79 FEET ALONG THE EXISTING CONOCO INC. RIGHT-OF-WAY LINE TO THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE SOUTH LINE OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST; THENCE EAST ALONG THE SOUTH LINE OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST, TO THE SOUTHEAST (SE) CORNER OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST; THENCE NORTH ALONG THE EAST LINE OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST, TO THE NORTHEAST (NE) CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST; THENCE WEST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST TO THE SOUTH RIGHT OF WAY LINE OF U.S. INTERSTATE HIGHWAY #10; THENCE NORTHEASTERLY AND EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF U.S. INTERSTATE HIGHWAY #10 TO THE POINT OF INTERSECTION OF SAID LINE WITH A LINE WHICH IS AN EXTENSION SOUTH OF THE WEST RIGHT-OF-WAY LINE OF BAYOU D'INDE ROAD (SOMETIMES KNOWN AS PRATER ROAD); THENCE NORTH ALONG SAID EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF BAYOU D'INDE (PRATER) ROAD TO A POINT 30 FEET NORTH OF THE SOUTH LINE OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST, THENCE EAST PARALLEL TO THE SOUTH LINE OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST, TO A POINT 94.74 FEET EAST OF THE WEST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST, THE EXISTING EAST RIGHT-OF-WAY LINE OF STATE ROUTE LA 1134 (BAYOU D'INDE OR PRATER ROAD) WITH THE EXISTING NORTH RIGHT-OF-WAY LINE OF A LOCAL OR PARISH ROAD, THENCE NORTH 89°41'29" EAST, ALONG THE NORTH RIGHT-OF WAY LINE OF SAID LOCAL OR PARISH ROAD FOR A DISTANCE OF 1231.32 FEET TO THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST, THENCE NORTH 0°45'57" EAST FOR A DISTANCE OF 2290.66 FEET ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST; THENCE NORTH 89°06'04" WEST, A DISTANCE OF 1285.97 FEET TO THE EAST RIGHT-OF-WAY LINE OF LA 1134 (BAYOU D'INDE OR PRATER ROAD); THENCE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF BAYOU

D'INDE (PRATER) ROAD, FOR A DISTANCE OF 301.57 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE SOUTH LINE OF LOT 6 OF BLOCK A OF THE HEIRS OF SOL RYAN SUBDIVISION; THENCE EAST, FOR A DISTANCE OF 204.57 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 6 OF BLOCK A OF THE HEIRS OF SOL RYAN SUBDIVISION; THENCE NORTH , ALONG THE EAST LINE OF SAID LOT 6 OF BLOCK A OF THE HEIRS OF SOL RYAN SUBDIVISION, FOR A DISTANCE OF 716.53 FEET, MORE OR LESS, TO THE CENTERLINE OF U.S. HIGHWAY 90; THENCE EAST, ALONG THE CENTERLINE OF U.S. HIGHWAY 90, FOR A DISTANCE OF 215.70 FEET, MORE OR LESS; THENCE NORTH, ALONG THE EAST LINE OF LOT 5 OF BLOCK B OF SOL RYAN SUBDIVISION, FOR A DISTANCE OF 214.50 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID LOT 5 OF BLOCK B OF SOL RYAN SUBDIVISION, THIS POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF THE T & NO RAILROAD (SOUTHERN PACIFIC LINES); THENCE WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THE T & NO RAILROAD (SOUTHERN PACIFIC LINES), FOR A DISTANCE OF 490.61 FEET, MORE OR LESS, TO THE WEST RIGHT-OF-WAY LINE OF BAYOU D'INDE (PRATER) ROAD, THENCE NORTH, ALONG SAID WEST RIGHT-OF-WAY LINE OF BAYOU D'INDE (PRATER) ROAD, FOR A DISTANCE OF 200.0 FEET TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SAID T & NO RAILROAD (SOUTHERN PACIFIC LINES); THENCE WESTERLY ALONG THE NORTH LINE OF SAID T& NO RAILROAD (SOUTHERN PACIFIC LINES) RIGHT-OF-WAY, FOR A DISTANCE OF 1302.82 FEET MORE OR LESS, TO THE INTERSECTION WITH THE EAST LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER (NW/2-NW/4) OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST; THENCE NORTH, ALONG THE EAST LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 32, FOR A DISTANCE OF 1502.60 MORE OR LESS, TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 9 WEST; THENCE EAST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4-SW/4) OF SAID SECTION 29, FOR A DISTANCE OF 910.11 FEET; THENCE NORTH, FOR A DISTANCE OF 208.00 FEET; THENCE EAST, FOR A DISTANCE OF 417.40; THENCE NORTH, FOR A DISTANCE OF 68.50 FEET; THENCE WEST, FOR A DISTANCE OF 208.70 FEET; THENCE NORTH, FOR A DISTANCE OF 208.70 FEET; THENCE EAST, FOR A DISTANCE OF 208.70 FEET; THENCE NORTH, FOR A DISTANCE OF 104.35 FEET; THENCE WEST, 417.40 FEET; THENCE NORTH, FOR A DISTANCE OF 104.35 FEET; THENCE EAST, FOR A DISTANCE OF 208.70 FEET; THENCE NORTH, FOR A DISTANCE OF 271.00 FEET; THENCE WEST, FOR A DISTANCE OF 361.50 FEET; THENCE NORTH, FOR A DISTANCE OF 325.23 FEET; THENCE WEST, FOR A DISTANCE OF 761.19 FEET; THENCE NORTH, FOR A DISTANCE OF 49.10 FEET MORE OR LESS, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4-SW/4) OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 9 WEST, THENCE WEST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4-SW/4) OF SAID SECTION 29, FOR A DISTANCE OF 1332.32 MORE OR LESS, TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4-SW/4) OF SAID

SECTION 29; THENCE SOUTH, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4-SW/4) OF SAID SECTION 29, FOR A DISTANCE OF 1334.89 MORE OR LESS, TO THE NORTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER (NW/4-NE/4) OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST; THENCE SOUTH ALONG THE WEST LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER (NW/4-NW/4) OF SAID SECTION 32, FOR A DISTANCE OF 1492.45 MORE OR LESS, TO THE NORTH OF THE T & NO RAILROAD (SOUTHERN PACIFIC LINES) RIGHT-OF-WAY LINE; THENCE WESTERLY ALONG THE NORTH LINE OF SAID T & NO RAILROAD (SOUTHERN PACIFIC LINES) RIGHT-OF-WAY TO A POINT 80 FEET EAST OF THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE OF T & NO RAILROAD (SOUTHERN PACIFIC LINES) WITH THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 31, TOWNSHIP 9 SOUTH RANGE 9 WEST; THENCE SOUTHERLY ALONG A LINE 80 FEET EAST OF AND PARALLEL WITH THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, TO A POINT WHICH IS 80 FEET EAST OF THE NORTHEAST (NE) CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST; THENCE WEST 80 FEET TO THE SAID NORTHEAST (NE) CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST; THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, TO A POINT 560 FEET EAST OF THE NORTHWEST (NW) CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 OF SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 OF SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, A DISTANCE OF 170 FEET; THENCE WEST, PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 OF SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, A DISTANCE OF 260 FEET; THENCE NORTH, PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 OF SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, A DISTANCE OF 170 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 OF SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST; THENCE CONTINUING WEST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 9 WEST, AND CONTINUING WEST ALONG THE EAST-WEST CENTER SECTION LINE OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, TO A POINT 669.38 FEET EAST OF THE SOUTHEAST (SE) CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE NORTH ALONG A LINE PARALLEL TO AND 669.38 FEET EAST OF THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 90; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE EAST LINE OF THE SOUTHEAST QUARTER

OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE NORTH, ALONG SAID EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, FOR A DISTANCE OF 270.0 TO THE SOUTH LINE OF THE T & NO RAILROADS (SOUTHERN PACIFIC LINES) RIGHT-OF-WAY; THENCE WEST ALONG SAID SOUTH LINE OF THE T & NO RAILROADS (SOUTHERN PACIFIC LINES) RIGHT-OF-WAY FOR A DISTANCE OF 150.0 FEET; THENCE SOUTH, ALONG A LINE PARALLEL TO AND 150.0 FEET WEST OF SAID EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, FOR A DISTANCE OF 270.0 TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 90; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT 345.00 WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE NORTH, PARALLEL WITH SAID EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, FOR A DISTANCE OF 474.88 FEET TO THE NORTH LINE OF THE T & NO RAILROADS (SOUTHERN PACIFIC LINES) RIGHT-OF-WAY; THENCE EAST ALONG THE NORTH LINE OF SAID T & NO RAILROADS (SOUTHERN PACIFIC LINES) RIGHT-OF-WAY FOR A DISTANCE OF 345.00 FEET TO A POINT SOUTH OF THE SOUTHEAST (SE) CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4-NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE NORTH TO THE SOUTHEAST (SE) CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4 OF NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST TO THE SOUTHEAST (SE) CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4 OF NW/4) OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE NORTH TO THE NORTHEAST (NE) CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 OF SW/4) OF SECTION 25, TOWNSHIP 9 SOUTH, RANGE 10 WEST; THENCE WEST TO THE POINT OF COMMENCEMENT.

AND ALSO

THE OLIVET BAPTIST CHURCH PROPERTY BEING:

LOTS 1, 2, 3, 4, AND 5 OF BLOCK 8 J.A.BEL, ET AL SUBURBAN ACRES NO. 1; AND ALSO COMMENCING AT THE NORTHEAST CORNER OF SUBURBAN ACRES NO. 1, THENCE EAST 200 FEET, THENCE SOUTH 521.8 FEET, THENCE WEST 200 FEET, THENCE NORTH 521.8 FEET

AND ALSO

THE BEL COMMERCIAL LLC PROPERTY BEING:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA, CONTAINING 247.470 ACRES AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF ROADWAY CENTERLINES FOR MCNAIR ROAD AND RUTH STREET SAID POINT BEING THE POINT OF COMMENCEMENT (P.O.C.); THENCE PROCEED SOUTH 00°53'58" WEST A DISTANCE OF 23.85 FEET; THENCE SOUTH 89°06'02" EAST A DISTANCE OF 49.81 FEET TO THE POINT OF BEGINNING (P.O.B.).

THENCE PROCEED SOUTH 89°33'21" EAST A DISTANCE OF 1287.60 FEET; THENCE NORTH 00°50'01" EAST A DISTANCE OF 1439.40 FEET; THENCE SOUTH 89°36'34" EAST A DISTANCE OF 400.00 FEET; THENCE NORTH 00°50'01" EAST A DISTANCE OF 521.80 FEET; THENCE SOUTH 89°36'34" EAST A DISTANCE OF 935.00 FEET; THENCE SOUTH 01°00'52" WEST A DISTANCE OF 1962.50 FEET; THENCE SOUTH 00°46'17" WEST A DISTANCE OF 2304.25 FEET; THENCE SOUTH 00°59'12" WEST A DISTANCE OF 1404.85 FEET; THENCE SOUTH 89°50'57" WEST A DISTANCE OF 1335.11 FEET; THENCE NORTH 00°59'27" EAST A DISTANCE OF 1064.36 FEET; THENCE NORTH 89°36'04" WEST A DISTANCE OF 1286.19 FEET; THENCE NORTH 00°53'58" EAST A DISTANCE OF 2659.65 FEET TO THE POINT OF BEGINNING (P.O.B.)

AND ALSO

THE KEITH AND JANE LYONS AND LYONS & CO., LLC PROPERTY BEING:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA,

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 10 WEST; THENCE SOUTH 660.00 FEET; THENCE EAST 659.75 FEET; THENCE NORTH 378.5 FEET; THENCE WEST 175.00 FEET; THENCE NORTH 99.6 FEET; THENCE EAST 175.00; THENCE NORTH 151.50 FEET; THENCE WEST 660.00 FEET TO THE POINT OF COMMENCEMENT.

THE HENRY CHARLES AND LUCILLE ANN MISSE PROPERTY BEING:

THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LA. MERIDIAN, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 353.50 FEET OF LOT SIXTY-TWO (62) OF SECOND SUBDIVISION SULPHUR FARMS, LESS AND EXCEPT PARCEL NO. 44 SOLD TO THE STATE OF LOUISIANA DEPARTMENT OF HIGHWAYS PER CONVEYANCE BOOK 654, PAGE 496, A SUBDIVISION LOCATED IN SECTIONS 2, 3 AND 11, TOWNSHIP 10 SOUTH, RANGE 10

WEST, AS PER PLAT RECORDED IN PLAT BOOK 3 AT PAGE 146, RECORDS OF CALCASIEU PARISH, LOUISIANA.

HEREIN DESCRIBED TRACT CONTAINING 2.41 ACRES, MORE OR LESS, AND SUBJECT TO ANY RIGHT OF WAYS, SERVITUDES AND/OR EASEMENTS OF RECORD OR BY USE.

AND ALSO

THE HENRY CHARLES AND LUCILLE ANN MISSE PROPERTY BEING:

LOTS 4, 5, 6 AND THE SOUTH 19.00 FEET OF LOT 3 OF BLOCK 1 AND THE NORTH 49.00 FEET OF THE EAST 63.70 FEET OF LOT 3 OF BLOCK 1 AND THE EAST 63.70 FEET OF LOT 2 OF BLOCK 1 THAT LIES SOUTH OF A DRAINAGE CANAL ALL IN THE J.A. BEL ETAL SUBURBAN ACRES NO. 1, A SUBDIVISION IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, LA. MERIDIAN AS PER PLAT RECORDED IN PLAT BOOK 5, PAGE 94 RECORDS OF CALCASIEU PARISH, LOUISIANA.

HEREIN DESCRIBED TRACT CONTAINING 1.07 ACRES, MORE OR LESS.

AND ALSO

THE KLEAT, LLC PROPERTY BEING:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST AND THE NORTH RIGHT-OF-WAY LINE OF HIGHWAY 90;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 33, FOR A DISTANCE OF 1,421.81 FEET, MORE OR LESS, TO THE SOUTH RIGHT-OF-WAY LINE OF SOUTHERN PACIFIC RAILROAD;

THENCE EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SOUTHERN PACIFIC RAILROAD, FOR A DISTANCE OF 739.62 FEET, MORE OR LESS, TO THE WEST RIGHT-OF-WAY LINE OF KIM STREET;

THENCE SOUTHEASTERLY, ALONG SAID WEST RIGHT-OF-WAY OF KIM STREET, FOR A DISTANCE OF 1,205.27 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 90;

THENCE SOUTHWESTERLY, ALONG SAID NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 90, FOR A DISTANCE OF 1,353.13 FEET, MORE OR LESS, TO THE POINT OF COMMENCEMENT;

HEREIN DESCRIBED TRACT CONTAINING 31.32 ACRES, MORE OR LESS

AND ALSO

THE CURTIS & EMMA VINCENT AND CARL H. VINCENT TRACTS BEING:

THAT CERTAIN TRACT OF LAND SITUATED IN SECTIONS 32 & 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 10 WEST, WITH THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 90;

THENCE NORTHEASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 90, FOR A DISTANCE OF 790.12 FEET;

THENCE SOUTH, FOR A DISTANCE OF 309.40 FEET;

THENCE EAST, FOR A DISTANCE OF 150.00 FEET;

THENCE SOUTH, FOR A DISTANCE OF 625.36 FEET;

THENCE WEST, FOR A DISTANCE OF 916.16 FEET, TO SAID EAST LINE OF SECTION 32;

THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 32, FOR A DISTANCE OF 1323.47 FEET, TO THE SOUTH LINE OF SAID SECTION 32;

THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 32, FOR A DISTANCE OF 1162.92 FEET;

THENCE NORTH, A DISTANCE OF 1719.53 FEET, TO THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 90;

THENCE NORTHEASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 90, FOR A DISTANCE OF 1200.00 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT.

HEREIN DESCRIBED TRACT CONTAINING 66 ACRES MORE OF LESS

BE IT FURTHEREST ORDAINED-by the City Council of the City of Sulphur, that they do hereby de-annex that certain described property owned by Sealy-Ratcliff Swisco Road, LLC, described on Exhibit A attached hereto and depicted on the plat prepared by Monceaux Buller and Associates dated October 5, 2016 attached hereto as Exhibit B subject to letter agreement and/or representations dated January 6, 2017 and attached hereto as Exhibit C.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is a public hearing on ordinance granting the subdividing of lots to Jiten Zaveri for property located on the south side of Arena Road. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1440, M-C SERIES

**ORDINANCE GRANTING THE SUBDIVIDING OF LOTS TO JITEN ZAVERI
FOR PROPERTY LOCATED ON THE SOUTH SIDE OF ARENA ROAD.**

WHEREAS, in accordance with Chapter 18 of the Code of Ordinances of the City of Sulphur, application has been received from Jiten Zaveri, to subdivide property for the property described as follows:

LOT 1

ALL OF THAT 1.51 ACRE TRACT OR PARCEL OF LAND SITUATED IN SECTION 3 AND SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND ½" IRON ROD BEING SHOWN AS THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA ON THAT SKETCH BY ACCULINE SURVEYING, THENCE RUN N 00°14'58" E ALONG AND WITH THE EAST LINE OF THE CALCASIEU PARISH COMMUNITY CENTER TRACT FOR A DISTANCE OF 129.77' TO A SET ½" IRON ROD ON THE SOUTH RIGHT OF WAY OF ARENA ROAD (PUBLIC); THENCE S 89°32'56" E ALONG AND WITH THE SOUTH RIGHT OF WAY OF ARENA ROAD FOR A DISTANCE OF

320.19' TO A SET 1/2" IRON ROD; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE OF ARENA ROAD, S 00°35'27" W FOR A DISTANCE OF 205.67' TO A SET 1/2" IRON ROD; THENCE N 89°32'56" W FOR A DISTANCE OF 319.76' TO A SET 1/2" IRON ROD ON THE EAST LINE OF WEST CALCASIEU COMMUNITY CENTER PROPERTY AS DEPICTED ON ACCULINE SURVEYING SKETCH; THENCE ALONG AND WITH SAID EAST LINE OF WEST CALCASIEU COMMUNITY CENTER PROPERTY AS DEPICTED ON ACCULINE SURVEYING SKETCH, N 00°50'49" E FOR A DISTANCE OF 75.90' TO THE POINT OF BEGINNING. TOGETHER WITH ANY AND ALL IMPROVEMENTS SITUATED THEREON AND BEING SUBJECT TO ANY AND ALL RIGHTS OF WAYS, EASEMENTS AND SERVITUDES WHICH MAY AFFECT THE PROPERTY.

LOT 2

ALL OF THAT 1.90 ACRE TRACT OR PARCEL OF LAND SITUATED IN SECTION 3 AND SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 1/2" IRON ROD BEING SHOWN AS THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA ON THAT SKETCH BY ACCULINE SURVEYING, THENCE RUN S 00°50'49" W ALONG AND WITH THE EAST LINE OF THE CALCASIEU PARISH COMMUNITY CENTER TRACT FOR A DISTANCE OF 75.90' TO A SET 1/2" IRON ROD, BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE LEAVING SAID EAST LINE OF THE WEST CALCASIEU PARISH COMMUNITY CENTER TRACT S 89°32'56" E FOR A DISTANCE OF 319.76' TO A SET 1/2" IRON ROD; THENCE N 00°35'27" E FOR A DISTANCE OF 205.67' TO A SET 1/2" IRON ROD ON THE SOUTH RIGHT OF WAY LINE OF ARENA ROAD (NOW OR FORMERLY); THENCE ALONG AND WITH SAID SOUTH RIGHT OF WAY LINE OF ARENA ROAD, S 89°32'56" E FOR A DISTANCE OF 51.17' TO A SET 1/2" IRON ROD ON OR IN A PROJECTION THEREOF OF THE WEST LINE OF THE TRACT OF LAND OWNED BY SHRADDHA, LLC (CONVEYANCE BOOK 3455, PAGE 746); THENCE S 00°35'27" W ALONG AND WITH SAID WEST LINE AND A PROJECTION THEREOF FOR A DISTANCE OF 400.00 TO A SET 1/2" IRON ROD; THENCE N 89°32'56" W FOR A DISTANCE OF 371.80' MORE OR LESS TO THE EAST LINE OF THE WEST CALCASIEU PARISH, COMMUNITY CENTER TRACT AND A SET 1/2" IRON ROD; THENCE N 00°50'49" E ALONG AND WITH SAID EAST LINE FOR A DISTANCE OF 194.34' TO THE POINT OF BEGINNING. TOGETHER WITH ANY AND ALL IMPROVEMENTS SITUATED THEREON AND BEING SUBJECT TO ANY

AND ALL RIGHTS OF WAYS, EASEMENTS AND SERVITUDES WHICH MAY AFFECT THE PROPERTY.

WHEREAS, this subdivision is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said subdivision interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof; and

Whereas, Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this subdivision, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto; and

WHEREAS, if City Council does hereby approve this subdivision the owner of this subdivision shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this subdivision; and

WHEREAS, no work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this subdivision shall be withdrawn and considered null and void.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby grant the subdividing of lots to Jiten Zaveri for property located on the south side of Arena Road.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is a public hearing on ordinance granting an Exception to Jiten Zaveri for property located on the south side of Arena Road to allow for hotel heights to be 58 feet

instead of the required 50 feet. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1441, M-C SERIES

ORDINANCE GRANTING AN EXCEPTION TO JITEN ZAVERI FOR PROPERTY LOCATED ON THE SOUTH SIDE OF ARENA ROAD TO ALLOW FOR HOTEL HEIGHTS TO BE 58 FEET INSTEAD OF THE REQUIRED 50 FEET.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Jiten Zaveri for property located on the south side of Arena Road to allow for hotel heights to be 58 feet instead of the required 50 feet in accordance with Article IV, Part III, Section 5 (3) (b) of the Land Use Ordinance of the City of Sulphur, Louisiana for the following described property:

LOT 1

ALL OF THAT 1.51 ACRE TRACT OR PARCEL OF LAND SITUATED IN SECTION 3 AND SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND ½" IRON ROD BEING SHOWN AS THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA ON THAT SKETCH BY ACCULINE SURVEYING, THENCE RUN N 00°14'58" E ALONG AND WITH THE EAST LINE OF THE CALCASIEU PARISH COMMUNITY CENTER TRACT FOR A DISTANCE OF 129.77' TO A SET ½" IRON ROD ON THE SOUTH RIGHT OF WAY OF ARENA ROAD (PUBLIC); THENCE S 89°32'56" E ALONG AND WITH THE SOUTH RIGHT OF WAY OF ARENA ROAD FOR A DISTANCE OF 320.19' TO A SET 1/2" IRON ROD; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE OF ARENA ROAD, S 00°35'27" W FOR A DISTANCE OF 205.67' TO A SET ½" IRON ROD; THENCE N 89°32'56" W FOR A DISTANCE OF 319.76' TO A SET 1/2" IRON ROD ON THE EAST LINE OF WEST CALCASIEU COMMUNITY CENTER PROPERTY AS DEPICTED ON ACCULINE SURVEYING SKETCH; THENCE ALONG AND WITH SAID EAST LINE OF WEST CALCASIEU COMMUNITY CENTER PROPERTY AS DEPICTED ON ACCULINE SURVEYING SKETCH, N 00°50'49" E FOR A DISTANCE OF 75.90' TO THE POINT OF BEGINNING. TOGETHER WITH ANY AND ALL IMPROVEMENTS SITUATED THEREON AND BEING

SUBJECT TO ANY AND ALL RIGHTS OF WAYS, EASEMENTS AND SERVITUDES WHICH MAY AFFECT THE PROPERTY.

LOT 2

ALL OF THAT 1.90 ACRE TRACT OR PARCEL OF LAND SITUATED IN SECTION 3 AND SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 1/2" IRON ROD BEING SHOWN AS THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 10 WEST, SOUTHWESTERN LAND DISTRICT, LOUISIANA MERIDIAN, CALCASIEU PARISH, LOUISIANA ON THAT SKETCH BY ACCULINE SURVEYING, THENCE RUN S 00°50'49" W ALONG AND WITH THE EAST LINE OF THE CALCASIEU PARISH COMMUNITY CENTER TRACT FOR A DISTANCE OF 75.90' TO A SET 1/2" IRON ROD, BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE LEAVING SAID EAST LINE OF THE WEST CALCASIEU PARISH COMMUNITY CENTER TRACT S 89°32'56" E FOR A DISTANCE OF 319.76' TO A SET 1/2" IRON ROD; THENCE N 00°35'27" E FOR A DISTANCE OF 205.67' TO A SET 1/2" IRON ROD ON THE SOUTH RIGHT OF WAY LINE OF ARENA ROAD (NOW OR FORMERLY); THENCE ALONG AND WITH SAID SOUTH RIGHT OF WAY LINE OF ARENA ROAD, S 89°32'56" E FOR A DISTANCE OF 51.17' TO A SET 1/2" IRON ROD ON OR IN A PROJECTION THEREOF OF THE WEST LINE OF THE TRACT OF LAND OWNED BY SHRADDHA, LLC (CONVEYANCE BOOK 3455, PAGE 746); THENCE S 00°35'27" W ALONG AND WITH SAID WEST LINE AND A PROJECTION THEREOF FOR A DISTANCE OF 400.00 TO A SET 1/2" IRON ROD; THENCE N 89°32'56" W FOR A DISTANCE OF 371.80' MORE OR LESS TO THE EAST LINE OF THE WEST CALCASIEU PARISH, COMMUNITY CENTER TRACT AND A SET 1/2" IRON ROD; THENCE N 00°50'49" E ALONG AND WITH SAID EAST LINE FOR A DISTANCE OF 194.34' TO THE POINT OF BEGINNING. TOGETHER WITH ANY AND ALL IMPROVEMENTS SITUATED THEREON AND BEING SUBJECT TO ANY AND ALL RIGHTS OF WAYS, EASEMENTS AND SERVITUDES WHICH MAY AFFECT THE PROPERTY.

WHEREAS, this Exception is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Exception interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof; and

Whereas, Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this Exception, including, but not limited to, litigation

defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto; and

WHEREAS, if City Council does hereby approve this Exception the owner of this Exception shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this Exception; and

WHEREAS, no work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this Exception shall be withdrawn and considered null and void.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby grant an Exception to Jiten Zaveri for property located on the south side of Arena Road to allow for hotel heights to be 58 feet instead of the required 50 feet.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone to Christopher Lee Duncan and Angela Katherine Duncan from Residential to Business with an Exception to allow for residential living for property located at 213 and 213 ½ Oak Street. Mr. Favre asked if this was grandfathered in. Mayor Duncan stated that at this time it is but in the future it may not be, depending on future ordinances adopted. Mr. Bergeron stated that if it gets rezoned to Business then a business could be located there. Mr. Favre stated that this is a spot zone. Mr. Daigle, Land Use Administrator, stated that there's a business next door that's pre-existing. Mrs. Ellender stated that it needs to be multi-family. Mayor Duncan stated that his original application said Mixed

Residential and Land Use amended it to Business with an Exception. Mrs. Ellender stated that this neighborhood is mostly residential and this lot could be sold as a business lot. Mr. Favre asked if this was a spot zone. Mr. Daigle stated that there's a business next door to this lot. Mayor Duncan stated that there was a beauty shop in this neighborhood that's been there for years. After discussion, motion was made by Mrs. Hardy seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE GRANTING A REZONE TO CHRISTOPHER LEE DUNCAN AND ANGELA KATHERINE DUNCAN FROM RESIDENTIAL TO BUSINESS WITH AN EXCEPTION TO ALLOW FOR RESIDENTIAL LIVING FOR PROPERTY LOCATED AT 213 AND 213 ½ OAK STREET.

WHEREAS, Christopher Lee Duncan and Angela Katherine Duncan, has submitted application to rezone from Residential to Business with an Exception to allow for living for property located at 213 and 213 ½ Oak Street for the following described property:

LOT THIRTY-NINE (39) OF F.G. LOCK SUBDIVISION, A SUBDIVISION AS PER PLAT RECORDED IN CONVEYANCE BOOK 73, PAGE 415, RECORDS OF CALCASIEU PARISH, LOUISIANA, TOGETHER WITH ALL IMPROVEMENTS AND COMPONENT PARTS PERTAINING THERETO PLUS N 8 FT OF 10 FT ABND ALLEY ON S/S.

WHEREAS, this Rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Rezone interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof; and

WHEREAS, Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this Rezone, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto; and

WHEREAS, if City Council does hereby approve this rezone the owner of this rezone shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this re-zone; and

WHEREAS, no work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this Rezone shall be withdrawn and considered null and void.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby grant a rezone to Christopher Lee Duncan and Angela Katherine Duncan from Residential to Business with an Exception to allow for living for property located at 213 and 213 ½ Oak Street.

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

ABSENT: None

And the said ordinance failed on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone to Phat Tang/Roy Washington (Cypress Property Rentals), from Residential to Mixed Residential for property located east of 224 Self Street to allow for duplexes. With there being no motion and second, the below ordinance failed:

ORDINANCE GRANTING A REZONE TO PHAT TANG/ROY WASHINGTON (CYPRESS PROPERTY RENTALS), FROM RESIDENTIAL TO MIXED RESIDENTIAL FOR PROPERTY LOCATED EAST OF 224 SELF STREET TO ALLOW FOR DUPLEXES.

WHEREAS, Phat Tang/Roy Washington (Cypress Property Rentals), has submitted application to rezone from Residential to Mixed Residential to allow for duplexes for property located east of 224 Selt Street for the following described property:

BEING LOT 9 OF KENTWOOD SUBDIVISION, A SUBDIVISION OF A PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST, CALCASIEU PARISH, LOUISIANA.

WHEREAS, this Rezone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said Rezone interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof; and

WHEREAS, Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this Rezone, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto; and

WHEREAS, if City Council does hereby approve this rezone the owner of this rezone shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this re-zone; and

WHEREAS, no work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this Rezone shall be withdrawn and considered null and void.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby grant a rezone to Phat Tang/Roy Washington (Cypress Property Rentals), from Residential to Mixed Residential for property located east of 224 Self Street to allow for duplexes.

And the said ordinance failed on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is an introduction of ordinance amending budget for fiscal year ending June 30, 2017. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be introduced:

AN ORDINANCE AMENDING BUDGET FOR FISCAL YEAR ENDING
JUNE 30, 2017.

Motion was then made by Mr. Favre seconded by Mr. Moss that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the

City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

AN ORDINANCE AMENDING BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2017.

A public hearing on said ordinance will be held at 5:30 p.m. on the 13th day of February, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DENNIS BERGERON, Chairman

Motion carried unanimously.

The next item on the agenda is an introduction of ordinance setting forth a 7.343% merit performance increase for the present City Council Clerk. Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be introduced:

ORDINANCE SETTING FORTH A MERIT PERFORMANCE INCREASE FOR THE PRESENT CITY COUNCIL CLERK FOR THE CITY OF SULPHUR.

Motion was then made by Mr. Moss seconded by Mr. Favre that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in "The Southwest Daily News", the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE SETTING FORTH A MERIT PERFORMANCE INCREASE FOR THE PRESENT CITY COUNCIL CLERK FOR THE CITY OF SULPHUR.

A public hearing on said ordinance will be held at 5:30 p.m. on the 13th day of February, 2017, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DENNIS BERGERON, Chairman

Motion carried unanimously.

The next item on the agenda is a Rule to Show Cause for the condition of the following addresses:

To condemn building or structure located at 1010 Edith Street, Lot 2, in accordance with Article IX, Section 5-286 through 5-296.

Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the above address be condemned. Motion carried unanimously.

To condemn building or structure located at 300 West Lincoln Street, in accordance with Article IX, Section 5-286 through 5-296.

Frank Brown, owner, addressed the Council and stated that an Inspector is going soon to do a structural inspection. He'd like to keep it as is and use as some sort of indoor type garden. The Inspector said he thinks it can be salvaged. Mrs. Ellender stated that she doesn't think it's safe. Mr. Brown stated that it's zoned Commercial. Mrs. Blanchard, Council Clerk, stated that it's zoned Mixed Residential and she thinks that in the zoning ordinance it addresses forestry, botanical gardens, etc. After discussion, motion was made by Mrs. Ellender seconded by Mr. Moss that this Rule to Show Cause be tabled until the February 13, 2017 City Council meeting and he's to bring the Engineer's report.

Motion carried unanimously.

To condemn building or structure located at 1816 East Burton Street, in accordance with Article IX, Section 5-286 through 5-296.

Motion was made by Mrs. Hardy seconded by Mr. Moss that the above address be condemned.

Motion carried unanimously.

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into an agreement with Belle Savanne Owners Association Inc. for the maintenance and beautification of certain areas in Belle Savanne Phase 1A, Carlyss Place Phase I and Mimosa Park Phase I. Mayor Duncan stated that this is similar to the Sylvan Oaks maintenance agreement. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 3026, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into an agreement with Belle Savanne Owners Association Inc. for the maintenance and beautification of certain areas in Belle Savanne Phase 1A, Carlyss Place Phase I and Mimosa Park Phase I.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan to enter into an agreement with Belle Savanne Owners Association Inc. for the maintenance and beautification of certain areas in Belle Savanne Phase 1A, Carlyss Place Phase I and Mimosa Park Phase I.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury for Parish Gaming funds (\$2500.00) for costs related to the Christmas Under the Oaks Festival. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 3027, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury for Parish Gaming funds (\$2500.00) for costs related to the Christmas Under the Oaks Festival.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury for Parish Gaming funds (\$2500.00) for costs related to the Christmas Under the Oaks Festival.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is a resolution awarding low bid received for (1) One-Ton Truck for Public Works. Motion was made by Mr. Moss seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3028, M-C SERIES

Resolution awarding low bid received for a One-Ton Truck for Public Works.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for a One-Ton Truck for Public Works were opened and read aloud in an open and public bid session on Wednesday, January 4, 2017, at 10:00 a.m. and bids were as follows:

<u>Company</u>	<u>Bid Amount</u>	<u>Alternate Bid (Diesel)</u>
Tarver Ford	\$29,300.00	\$36,865.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for a One-Ton Truck for Public Works as follows:

<u>Company</u>	<u>Alternate Bid (Diesel)</u>
Tarver Ford	\$36,865.00

BE IT ALSO FURTHER RESOLVED that Mayor Christopher L. Duncan is authorized to sign all paperwork in connection therewith.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss
 NAYS: None
 ABSENT: None

And the said resolution was declared duly adopted on this 9th day of January, 2017.

ATTEST:

 ARLENE BLANCHARD, Clerk

 DENNIS BERGERON, Chairman

The next item on the agenda is a resolution authorizing Jennifer Thorn, Director of Finance, to sign on behalf of the City of Sulphur to reject Uninsured/Underinsured Motorist Bodily Injury Coverage. Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3029, M-C SERIES

Resolution authorizing Jennifer Thorn, Director of Finance, to sign on behalf of the City of Sulphur to reject Uninsured/Underinsured Motorist Bodily Injury Coverage.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby reject Uninsured/Underinsured Motorist Bodily Injury Coverage from the Automobile policy and authorize Jennifer Thorn to sign on behalf of the City of

Sulphur to reject Uninsured/Underinsured Motorist Bodily Injury Coverage from the Automobile policy.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is a resolution authorizing Administration to utilize up to \$75,000 for the remodeling/reconstruction at City Hall. Mrs. Thorn, Director of Finance, stated that this money will be out of the bond proceeds. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 3030, M-C SERIES

Resolution authorizing Administration to utilize up to \$75,000 for the remodeling/reconstruction at City Hall.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Administration to utilize up to \$75,000 for the remodeling/reconstruction of City Hall.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is Executive Session to discuss Resolution No. 2798 M-C Series, adopted January 12, 2015, which appointed Jennifer Page as City Attorney. Motion was made by Mr. Favre seconded by Mr. Moss to enter into Executive Session (6:35 p.m.)

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the Council entered into Executive Session on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

Upon returning (7:10 p.m.), motion was made by Mr. Favre seconded by Mr. Moss that the meeting reconvene.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the Council reconvened on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is a resolution repealing Resolution No. 2798, M-C Series, adopted January 12, 2015, which appointed Jennifer Page as City Attorney. Motion was made by

Mr. Moss seconded by Mr. Favre that the below resolution be deferred until the April 10, 2017 City Council meeting:

Resolution repealing Resolution No. 2798, M-C Series, adopted January 12, 2015, which appointed Jennifer Page as City Attorney.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby repeal Resolution No. 2798, M-C Series, adopted January 12, 2015, which appointed Jennifer Page as City Attorney.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Bergeron, Mrs. Hardy, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the resolution was deferred until the April 10, 2017 City Council meeting on this 9th day of January, 2017.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

The next item on the agenda is Public to Address Council. David, resident of Breaux Lane asked if the City found out anything regarding the most recent flooding on Breaux Lane. It's getting worse every year. Council told him that someone would address him after the meeting.

With there being no other business to come before the Council, the Chairman declared the meeting adjourned.

ATTEST:

ARLENE BLANCHARD, Clerk

DENNIS BERGERON, Chairman

1/9/17
7:15 P.M.