

September 8, 2014

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 September 8, 2014 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
VERONICA ALLISON, 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 Lucky Young, Armed Forces Committee, followed by the reciting of the Pledge of Allegiance led by Mrs. Allison.

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 Mrs. Allison 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. Bergeron that item #18 be added:

18. Resolution amending Resolution No. 2420 M-C Series, which recognized designated festivals and events held by the City of Sulphur.

Mayor Duncan stated that this item was being added to the agenda due to the agenda already being published. With no comment from the public, a vote was called with the following results:

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

And the above item was added to the agenda on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

Motion was then made by Mr. Favre seconded by Mr. Bergeron that item #17 be removed from the agenda. Motion carried.

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

Motion carried.

The first item on the agenda is a presentation by Armed Forces Committee. The Armed Forces Committee presented Ready Decks with a certificate and thanked them for their support in the community.

The next item on the agenda is a presentation to Volunteer of the Month of September. Mayor Duncan stated that Janice Little could not attend the meeting so he'll present the certificate at a later date.

The next item on the agenda is Kent Savoie, candidate for Judge, Court of Appeal, 3rd Circuit, 2nd District, to address Council. Mr. Savoie addressed the Council and stated that he is a candidate in the November, 2014 election and asked for everyone's support.

The next item on the agenda is Oliver "Jackson" Schrumpf, candidate for 14th Judicial District Judge, to address Council. Mr. Schrumpf addressed the Council and asked for everyone's support in the November, 2014 election.

The next item on the agenda is Haley Campbell to address Council. Haley Campbell was introduced at the student representative for a committee at the Louisiana Board of Elementary and Secondary Education (BESE) meeting on April 15. Haley will serve on the Academic Goals and Instructional Improvement Committee for 2014-2015. She is currently a junior at Sulphur

High School. She is involved in the Sulphur High Key Club, Student Council, and the City of Sulphur Mayor's Youth Council.

The next item on the agenda is a public hearing on ordinance granting a variance to Scott Taylor and Calvin Broussard for Lots 16, 21, 29 and 37 of Forest Park Garden Homes Phase II, to allow for homes on these four lots to be 5 foot from west property line when Garden Home on east side of property line is built with -0- lot line. Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE NO. 1243, M-C SERIES

ORDINANCE GRANTING A VARIANCE TO SCOTT TAYLOR AND CALVIN BROUSSARD FOR LOTS 16, 21, 29 AND 37 OF FOREST PARK GARDEN HOMES PHASE II, TO ALLOW FOR HOMES ON THESE FOUR LOTS TO BE 5 FEET FROM WEST PROPERTY LINE WHEN GARDEN HOME ON EAST SIDE OF PROPERTY LINE IS BUILT WITH -0- LOT LINE.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by Scott Taylor and Calvin Broussard, Sulphur, Louisiana 70663, to-wit:

LOTS 16, 21, 29 AND 37 OF FOREST PARK
GARDEN HOMES PHASE II

WHEREAS, improvements on the property will include Lots 16, 21, 29 and 37 of Forest Park Garden Homes Phase II to allow for homes on these four lots to be 5 feet from west property line when Garden Home on east side of property line is built with -0- lot line.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Code of Ordinances of the City of Sulphur is hereby amended to grant a variance to Scott Taylor and Calvin Broussard, for the following described property to-wit:

LOTS 16, 21, 29 AND 37 OF FOREST PARK
GARDEN HOMES PHASE II

This variance is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said variance 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.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this variance, 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.

That the owner of this variance 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 variance.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone to Care Help of Sulphur, Inc., 200 North Huntington Street, from Mixed Residential to Commercial to allow for 2 modular buildings for housing of homeless women. Motion was made by Mrs. Ellender seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE NO. 1244, M-C SERIES

ORDINANCE GRANTING A REZONE TO CARE/HELP OF SULPHUR, INC.,
200 NORTH HUNTINGTON STREET, FROM MIXED RESIDENTIAL TO
COMMERCIAL TO ALLOW FOR TWO MODULAR BUILDINGS TO BE USED
TO SHELTER HOMELESS WOMEN.

WHEREAS, in accordance with Article IV, Part 3 of the Land Use Ordinance of the City of Sulphur, the following described property located in the City of Sulphur, State of Louisiana, being rezoned from Mixed Residential to Commercial is owned by Care/Help of Sulphur, Inc., 200 North Huntington Street., to-wit:

ONE CERTAIN PARCEL OF GROUND BEGINNING 40 FEET NORTH OF THE NORTHWEST CORNER OF BLOCK A, OLD TOWN OF SULPHUR, THENCE RUNNING NORTH ON THE EAST SIDE OF HUNTINGTON STREET APPROXIMATELY 277 FEET, THENCE RUNNING EAST APPROXIMATELY 208.7 FEET, THENCE RUNNING NORTH APPROXIMATELY 100 FEET THENCE RUNNING EAST APPROXIMATELY 100 FEET, THENCE RUNNING SOUTH APPROXIMATELY 377 FEET, THENCE RUNNING WEST APPROXIMATELY 308.7 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT SUCH PARCEL OF GROUND AND IMPROVEMENTS THEREON CONVEYED BY SELLERS TO LAKE AREA DOLLAR PARTNERS, L.L.C. BY INSTRUMENT FILED ON MAY 28, 2002 UNDER ENTRY NO. 2585746, IN THE CONVEYANCE RECORDS OF CALCASIEU PARISH, LOUISIANA.

WHEREAS, improvements on the property will include two modular buildings to be used to shelter homeless women with the following stipulations:

1. An 8 foot privacy fence along east property lines.
2. Facade should be comparable to aesthetics in that area.
3. Modular home shall have skirting in place within 3 months after approval of rezone.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a re-zone from Mixed Residential to Commercial to Rickey Rourk Enterprise Inc., for the following described property to wit:

ONE CERTAIN PARCEL OF GROUND BEGINNING 40 FEET NORTH OF THE NORTHWEST CORNER OF BLOCK A, OLD TOWN OF SULPHUR, THENCE RUNNING NORTH ON THE EAST SIDE OF HUNTINGTON STREET APPROXIMATELY 277 FEET, THENCE RUNNING EAST APPROXIMATELY 208.7 FEET, THENCE RUNNING NORTH APPROXIMATELY 100 FEET THENCE RUNNING EAST APPROXIMATELY 100 FEET, THENCE RUNNING SOUTH APPROXIMATELY 377 FEET, THENCE RUNNING WEST APPROXIMATELY 308.7 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT SUCH PARCEL OF GROUND AND IMPROVEMENTS THEREON CONVEYED BY SELLERS TO LAKE AREA DOLLAR PARTNERS, L.L.C. BY INSTRUMENT FILED ON MAY 28, 2002 UNDER ENTRY NO. 2585746, IN THE CONVEYANCE RECORDS OF CALCASIEU PARISH, LOUISIANA.

This re-zone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said re-zone 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.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this re-zone, 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.

That the owner of this re-zone 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.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this re-zone shall be withdrawn and considered null and void.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a resolution awarding low bid received for Swisco Road Area Sanitary Sewer System Project. Mr. Bergeron stated that he would abstain from voting. Motion was then made by Mr. Favre seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2772, M-C SERIES

Resolution awarding low bid received for Swisco Road Area Sanitary Sewer System.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Swisco Road Area Sanitary Sewer System were opened and read aloud in an open and public bid session on Monday, September 8, 2014 at 10:00 a.m. and bids were as follows:

<u>Contractor</u>	<u>Base Bid Amount</u>	<u>Deduct Alt. No. 1</u>
MPB Construction, LLC	\$540,707.00	-\$28,941.00
Blake D. Hines, Inc.	\$667,211.00	-\$40,860.00
Don M. Barron Contractor, Inc.	\$704,120.00	-\$39,400.00

BE IT FUTHER RESOLVED that since the base bid amount is within the project budget, it is not necessary to consider utilization of Deduct Alternate No. 1.

BE IT ALSO FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for Swisco Road Area Sanitary Sewer System as follows:

<u>Contractor</u>	<u>Base Bid Amount</u>
MPB Construction, LLC	\$540,707.00

BE IT ALSO FURTHER RESOLVED that bid be awarded contingent upon Calcasieu Parish Police Jury reviewing bid and making recommendation and City of Sulphur acquiring right-of-ways.

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, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

ABSTAIN: Mr. Bergeron

And the said resolution was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1223, M-C Series which amended Chapter 4, Section 7 of the Code of Ordinances of the City of Sulphur – Cleanliness of Premises. Motion was made by Mr. Bergeron seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1245, M-C SERIES

AN ORDINANCE AMENDING CHAPTER 4, SECTION 7 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – CLEANLINESS OF PREMISES.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that the following section be amended to read as follows:

Sec. 4-7. Cleanliness of premises.

- (a) Premises where animals, poultry, fowl, rabbits or swine are kept and maintained within the city shall be maintained in a sanitary condition and shall be kept clean and in good repair at all times. Floors, yards, or lots where animals, poultry, fowl, rabbits or swine are kept shall be graded and drained. The accumulation on the premises of such materials on which flies may breed or rats may feed is prohibited; further, the premises shall be maintained so as to prevent offensive odors, offensive odors from the premises being hereby prohibited.
- (b) If dog(s) is to be kept in a confined pen or kennel area the pen or kennel shall not be closer than ten (10) feet from property line.
- (c) The animal owner or person having control or custody of animal shall be responsible for picking up their animals' droppings from public places such as, but not limited to sidewalks and/or parks.
- (d) The penalty for violation of this ordinance shall be as outlined in chapter 1, Section 1-11 unless otherwise provided.
- (e) After the second violation and/or conviction of subsection (a) of this section it will be necessary to construct and place said pen or kennel on a concrete slab with a sewer-connected drain to be tied into the city sewer. A concrete riser must be molded around the edge of the slab to prevent flushed water from spilling over the sides. The slab shall not be closer than ten (10) feet from property line.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

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

And the said ordinance was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 11, Section 10 (b) of the Code of Ordinances of the City of Sulphur – Placement of Garbage and Trash Containers. Mr. Bergeron asked if Ordinance Enforcement could wait at least 2 days after the trash passes before they tag cans not being brought back to the home. Mayor Duncan stated that he was only doing what the Council asked him to do. Mr. Bergeron stated that if they are going to tag a can they need to look in trash can to see if it was emptied first. Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE NO. 1246, M-C SERIES

AN ORDINANCE AMENDING CHAPTER 11, SECTION 10 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – Placement of Garbage and Trash Containers.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that the following section be amended to read as follows:

Sec. 11-10. Placement of garbage and trash containers.

- (a) Garbage and trash containers shall be placed for collection of the garbage and trash on or near the curb line in front of the residences, or on or near the designated collection area on the day designated by the proper authority of the city for the collection of garbage and trash, and in an appropriate place by a business establishment.
- (b) Containers shall be placed for the removal of their contents before the hour of 6:00 a.m. on the days on which regular collection will be made, and the containers may be placed out during the night preceding the day

fixed for collection. Empty containers shall be removed the same day of garbage and trash pickup.

- (c) Heavy items of trash and large quantities of trash shall not be placed for collection near the street before arrangements have been made with the city or any private collector for collection thereof.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance enlarging and extending the boundaries of the City of Sulphur for KLEAT, LLC, for property located on the northwest corner of Kim Street and Highway 90. Mr. Bergeron stated that City sewer will not be available at this location. Brian Manuel, owner of property, stated that he was aware of this. Motion was then made by Mr. Bergeron seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1247, M-C SERIES

ORDINANCE ENLARGING AND EXTENDING THE BOUNDARIES OF THE CITY OF SULPHUR FOR THE ANNEXATION OF KLEAT, LLC, FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF KIM STREET AND HIGHWAY 90 WEST.

WHEREAS, the City of Sulphur has received a petition from Kleat, LLC, for the annexation of certain property which is adjacent to and contiguous to the existing corporate limits of the City of Sulphur, which said property is generally described as lying on the northwest corner of Kim Street and Highway 90 West; and

WHEREAS, public notice has been duly given in accordance with law, of the introduction of an ordinance proposing to enlarge and extend the boundaries of the City of Sulphur, Louisiana, to include the said property; and

WHEREAS, after a Public Hearing this date in accordance with the said Public Notice which was duly advertised, it has been deemed desirable that the boundaries of the City of Sulphur, Louisiana, be enlarged and extended to include the said property, no one having appeared to protest said annexation, the said petition for annexation having been signed by the sole property owner's in the area for which annexation is sought; and

WHEREAS, said property, currently zoned as Agricultural 1 type land use district by the Parish; and

WHEREAS, said property will be zoned Commercial by Exception to allow for Recreational Facilities by the City of Sulphur with the following stipulation:

1. Fencing plan shall be approved by the Inspection Department.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that the boundaries of the City of Sulphur, Louisiana, be and the same are hereby enlarged and extended to include the following described property situated in the Parish of Calcasieu, State of Louisiana, to-wit:

COMMENCING AT A POINT WHERE THE WEST LINE OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST, INTERSECTS THE NORTH RIGHT OF WAY LINE OF HIGHWAY 90; THENCE NORTH 00 DEGREES 28 MINUTES 24 SECONDS WEST 1,421.81 FEET TO THE SOUTHERN RIGHT OF WAY OF SOUTHERN PACIFIC RAILROAD; THENCE NORTH 89 DEGREES 31 MINUTES 03 SECONDS EAST 793.62 FEET TO THE WESTERLY RIGHT OF WAY OF A PARISH ROAD; THENCE SOUTH 25 DEGREES 54 MINUTES 51 SECONDS EAST 1,205.27 FEET TO THE NORTHERN RIGHT OF WAY OF HIGHWAY 90; THENCE SOUTH 75 DEGREES 15 MINUTES 24 SECONDS WEST 1,353.13 FEET TO THE POINT OF COMMENCEMENT.

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:

SULPHUR CITY LIMITS DESCRIPTION:

REVISED SEPTEMBER 4, 2014 TO INCLUDE KLEAT, LLC TRACT ON CORNER OF KIM STREET & U.S. HIGHWAY 90

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°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 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 POINT OF INTERSECTION OF SAID LINE WITH THE NORTH-SOUTH CENTERLINE OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 9 WEST; 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 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.

BE IT FURTHER ORDAINED that this Ordinance shall become effective thirty (30) days after it has been published once in the official journal in accordance with R.S. 33:173.

BE IT FURTHER ORDAINED that any and all Ordinances or parts thereof in conflict herewith be and the same are hereby repealed.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is an introduction of ordinance declaring certain surplus movable property (piping and miscellaneous items). Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be introduced:

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY (PIPING AND MISCELLANEOUS ITEMS) OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF.

Motion was then made by Mr. Favre seconded by Mrs. Allison 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 DECLARING CERTAIN SURPLUS MOVABLE PROPERTY (PIPING AND MISCELLANEOUS ITEMS) OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of October, 2014, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

STUART MOSS, Chairman

Motion carried.

The next item on the agenda is a resolution accepting substantial completion on the 2014 Concrete Street Rehabilitation Project. Motion was made by Mr. Bergeron seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2773, M-C SERIES

Resolution accepting Substantial Completion Report on the 2014 Concrete Street Rehabilitation Project.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion Report on the 2014 Concrete Street Rehabilitation Project.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, 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 District Attorney's Office (donation of SpeedCom Value-Pro Model 2013 for use with the LACE program and other traffic safety programs). Motion was made by Mr. Favre seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2774, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with Calcasieu Parish District Attorney's Office for the donation of SpeedCom Value-Pro Model 2013 for use with the LACE program and other traffic safety programs.

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 Calcasieu Parish District Attorney's Office for the donation of SpeedCom Value-Pro Model 2013 for use with the LACE program and other traffic safety programs.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a resolution by the City of Sulphur, Louisiana expressing the support of Constitutional Amendment 3 (Act 871 of the 2014 Regular Session of the Louisiana Legislature) and Constitutional Amendment 10 (Act 436 of the Regular Session of the Louisiana Legislature), Constitutional Amendments to assist municipalities in the fight against blighted property. Motion was made by Mr. Bergeron seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2775, M-C SERIES

A RESOLUTION BY THE CITY OF SULPHUR, LOUISIANA EXPRESSING THE SUPPORT OF **CONSTITUTIONAL AMENDMENT 3** (ACT 871 OF THE 2014 REGULAR SESSION OF THE LOUISIANA LEGISLATURE) AND **CONSTITUTIONAL AMENDMENT 10** (ACT 436 OF THE REGULAR SESSION OF THE LOUISIANA LEGISLATURE), CONSTITUTIONAL

AMENDMENTS TO ASSIST MUNICIPALITIES IN THE FIGHT AGAINST
BLIGHTED PROPERTY.

WHEREAS, the City of Sulphur relies on various sources of revenue to fund services to its citizens, including an annual property tax millage assessed to owners of real property located within the municipal limits and;

WHEREAS, the sale of adjudicated property and other aspects of a tax sale is a very complicated process in which many municipalities do not have the staff nor the necessary resources to ensure the compliance with the requirements to ensure the constitutional protections of the property owners and the public entity and;

WHEREAS, currently over 40 public bodies have opted to use cooperative endeavor agreements with private third parties to assist in the tax sale process and;

WHEREAS, on January 28, 2014, Louisiana State Supreme Court in the matter of *Jackson et al v. City of New Orleans 2012-CA-2742, 2012-CA-2743, January 28, 2014* which in summary, stated the City of New Orleans ordinance authorizing a cooperative endeavor agreement with a third party was unconstitutional based on the provisions of Article 7 Section 25 of the Louisiana Constitution to provide that only the tax collector or their employees may perform the functions of a tax sale and;

WHEREAS, the decision in *Jackson et al v. City of New Orleans* could jeopardize existing cooperative endeavor agreements and in response to the decision, the Louisiana Municipal Association supported HB 488 by Representative Johnny Berthelot which seeks to clarify that public bodies have the authority under the Louisiana State Constitution should the body opt to enter into such a contract and;

WHEREAS, the ability to enter into a cooperative endeavor agreement with a third party for the purposes of assisting municipalities with the tax sale process has many positive aspects including the ability to protect the constitutional rights of property owners, create a more efficient and less costly process for local governments, and also to ensure that property owners fulfill their obligations as taxpayers; and;

WHEREAS, on June 23, 2014, HB 488 became Act 871 and will be placed on the November 4, 2014 election ballot as **Constitutional Amendment 3** for the voters of the State of Louisiana to consider whether an authorized agent of a tax collector can assist in the sales tax process and any fees charged may be included in the cost; and

WHEREAS, on June 26, 2013, HB 256 became Act 436 of the 2013 Regular Session of the Louisiana Legislature, a measure in which the Louisiana Municipal Association gave its full support and will appear on the November 4, 2014 election ballot as **Constitutional Amendment 10** and;

WHEREAS, Act 436 seeks to provide for an 18-month redemption period in any parish other than Orleans, for vacant property sold at a tax sale which is considered blighted or abandoned and;

LET IT HEREBY BE RESOLVED that the City of Sulphur supports the passage of both **Constitutional Amendment 3** and **Constitutional Amendment 10** on November 4, 2014 as both constitutional amendments will provide valuable tools for municipalities and parishes to address the blighted property issues throughout the state in order to protect the health, safety and welfare of their citizens.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a Joint Services Agreement with Calcasieu Parish Police Jury for GIS mapping. Mayor Duncan stated that this agreement will be for \$30,000 per year. Motion was made by Mr. Favre seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2776, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with Calcasieu Parish Police Jury for GIS mapping.

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 Calcasieu Parish Police Jury for GIS mapping.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a resolution amending Resolution 2420, M-C Series which recognized designated festivals/events held by the City. Mayor Duncan stated that this needed to be amended to add Smokin' on the Grove BBQ Cook-off. Motion was made by Mr.

Favre seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2777, M-C SERIES

Resolution amending Resolution No. 2420, M-C Series, adopted August 8, 2011, which recognized designated festivals and events sponsored by the City of Sulphur.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby recognize the following designated festivals and events sponsored by the City of Sulphur:

Sulphur Mines Festival
Farmer's Market
National Night Out
Stars and Stripes
Veteran's Day Celebration
Christmas Under the Oaks of Sulphur
Smokin' on the Grove BBQ Cookoff.

And any other festivals or events proposed for any particular fiscal year.

A vote was then called with the results as follows:

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

And the said resolution was declared duly adopted on this 8th day of September, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is Public to Address Council. Jack Havens, 308 Invader, stated that he's addressed the Council before and he's tired of the sewer back-up in his home. This past week he had approximately 6" of raw sewer in the bathtub. He and his wife are tired of mopping and disinfecting.

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

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

9/8/14
6:10 P.M.