

ORDINANCE NO. 72

**ORDINANCE AUTHORIZING INTERGOVERNMENTAL AGREEMENT
BETWEEN THE VILLAGE OF CHOUDRANT AND
SQUIRE CREEK COMMUNITY DEVELOPMENT DISTRICT**

An ordinance authorizing an intergovernmental agreement by and between the Village of Choudrant and Squire Creek Community Development District regarding construction, acquisition, ownership, operation, maintenance and expansion of the water system and the sewer system that have been developed to serve the needs of the residents of the District; and to provide for other related matters.

WHEREAS, Squire Creek Community Development District, Village of Choudrant, State of Louisiana (the "District"), is a public corporation and community development district organized and existing under the provisions of Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, specifically La. R.S. 33:9039.27, inclusive (the "Act"), and pursuant to Ordinance No. 70 duly adopted by the Board of Alderman of the Village of Choudrant, State of Louisiana (the "Village"), effective on April 1, 2002 (the "Ordinance"), which District is comprised of and includes all of the immovable property situated and described as more fully set forth in the Ordinance and the exhibit attached thereto; and

WHEREAS, the District was created and established for the purpose, among other things, of acquiring, constructing, operating, maintaining, managing and financing basic community services for the residents of the District, including capital infrastructure improvements such as roadway systems, sewer systems, water management and control facilities and water systems for source, treatment/purification and distribution;

WHEREAS, the District has determined that it is necessary and appropriate to undertake, in one or more stages, among other things, the acquisition of (i) a water system, including water system distribution components, waterlines, water mains, booster pumps, valves, fire hydrants, water wells, an elevated storage tank, and other related buildings, equipment, components and property (collectively, the "Water System"), and (ii) a sewer system for wastewater collection, pumping and treatment, including sewer lines, pumps, valves and other related buildings, equipment components and property (collectively, the "Sewer System"); and

WHEREAS, the District is in the process of completing the acquisition and financing of the Water System and Sewer System, and providing for the operation and maintenance of such systems; and

WHEREAS, the Village and the District have developed a plan whereby the Water System and Sewer System of the District will be transferred to the Village and owned, operated and maintained by the Village for the mutual benefit of the Village and the District, all as more fully set forth in an Intergovernmental Agreement to be entered into by the Village and the District.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Village of Choudrant, State of Louisiana, acting as the governing authority of the Village, as follows:

SECTION 1. This Board of Alderman does hereby find and determine that it is beneficial and desirable that, upon the acquisition by the District of the Water System and the Sewer System, such systems will be transferred to the Village and the Village will thereupon assume ownership and responsibility for the operation, maintenance and expansion of such systems all for the consideration and benefits provided in an Intergovernmental Agreement by and between the Village and the District, which shall be substantially in the form attached hereto as Exhibit "A".

SECTION 2. This Board of Alderman does hereby approve the execution and delivery of an Intergovernmental Agreement (the "Agreement") by and between the Village and the District, which shall be in substantially the form attached hereto as Exhibit "A".

SECTION 3. The Mayor of the Village is hereby authorized and empowered to execute and deliver the Agreement, and to execute any and all documents and take such further actions as

may be incidental or necessary to further effectuate or accomplish the intent and purpose of this Ordinance and the attached Agreement.

SECTION 4. A copy of this Ordinance shall be published in the *Ruston Daily Leader*, the official journal of the Village of Choudrant, State of Louisiana, as provided for by law.

This Ordinance No. 72 , having been submitted to a vote of the Board of Aldermen of the Village of Choudrant, State of Louisiana, the vote thereon was as follows:

YEAS: 3

NAYS: 0

ABSENT: 0

WHEREUPON, this Ordinance No. 72 was declared to be adopted by the Board of Aldermen of the Village of Choudrant, State of Louisiana, on this 16th day of December, 2002 and which Ordinance will be effective immediately.

-S-

William L. Sanderson, Jr., Mayor

Attest:

-S-

Ann Ambrose Clerk/Secretary