

April 14, 2009

A Meeting of the Board of Commissioners of Cypress Black Bayou Recreation and Water Conservation District, Bossier Parish, Louisiana was held in the Nature Center building, located in the Cypress Black Bayou Recreation Area, Benton, Louisiana on the above date with the following being present:

Present: Ernest Covington, Wes Burdine, Jerry Juneau, Ralph Whitley, Sonny Head

Absent: None

Also Present: Dickie Walden, Sandra Baldwin, James Southerland, Mary Smith, Bruce Easterly
Mike Strayhan, Larry Wiley, Catherine Long, Mark Morgan, George Dennis

President Covington called the meeting to order at 4:00 p.m..

Motion to approve the Agenda was made by Mr. Whitley, seconded by Mr. Juneau. The motion was unanimously approved.

Motion to approve the Minutes of meeting March 10, 2009 was made by Mr. Juneau, seconded by Mr. Whitley. The motion was unanimously approved.

Motion to approve the revenue and expenditures and bills for payment was made by Mr. Burdine, seconded by Mr. Juneau. The motion was unanimously approved.

In Melissa Whittington's absence, the Board reviewed her Nature Center Report as follows: Total number of guests to the Nature Center for the month of March was 1,774. On March 6 the Regional Science Fair Judge chose one student to receive the Environmental Award from the Nature Center. March 8 Boy Scout Troop #176 planted 15 Cypress trees around the nature center arboretum area. March 27 the 4-H Shooting Sports Banquet was held at the Central Assembly Meeting hall to raise monies for this program.

Mr. Walden reported that the Zoo Advisory Committee met today and requested permission to clear two acres behind the zoo and administrative office for a pasture for new animals. Since several trees will have to be cut down it was suggested that the District contact a forester to get an estimate on the timber and advertising for bids.

At this time the board discussed the following Flowage Easement Contour Line Agreement :

FLOWAGE EASEMENT

STATE OF LOUISIANA

CONTOUR LINE AGREEMENT

BETWEEN: LAMBERT GREEN LONG, ET UX

AND: CYPRESS BLACK BAYOU RECREATION

AND WATER CONSERVATION DISTRICT PARISH OF BOSSIER

BE IT KNOWN that on the day, month and year as hereinafter set forth,

BEFORE THEIR RESPECTIVE NOTARY PUBLIC, duly commissioned and qualified and in the presence of the undersigned competent witnesses

PERSONALLY CAME AND APPEARED:

LAMBERT GREEN LONG and CATHERINE LEWIS LONG, husband and wife, residents of 4801 Woodberry Lane, Benton, Louisiana 71006, hereinafter referred to as "Longs" and

CYPRESS BLACK BAYOU RECREATION AND WATER CONSERVATION DISTRICT, a political subdivision of the State of Louisiana, domiciled in Bossier Parish, Louisiana, herein represented by its President, duly authorized to act and hereinafter referred to as "District",

who declared that they enter into the following agreement, to-wit:

RECITALS

WHEREAS, the Longs are the owners of Lot 1, Woodlake South, Unit #4, consisting of Lot 19 Woodlake South Subdivision as per Replat thereof in conveyance Volume 808, Pages 296-302 and a 2.56 acre tract in Section 9, Township 19 North, Range 13 West, a subdivision of Bossier Parish, Louisiana as per plat in Conveyance Volume 808, Page 442 of Conveyance Records of Bossier Parish, Louisiana, said Longs having purchased same on the 31st day of March 2008 by deed recorded in Conveyance Volume 1435, Page 122, under Registry #924560 of the Conveyance Records of bossier Parish, Louisiana;

WHEREAS, said Lot 1, Woodlake South, Unit #4 is encumbered by a flowage easement up to 190.3 feet above sea level (flowage Easement) which dissects the Lot, all as will more particularly appear from the attached plat. The blue line on the attached plat shows the original location of the easement line as it existed at date of subdivision as per plat recorded under Registry #537175 and as originally shown on plat of Cypress-Black Bayou site #2, recorded under Registry #221989 in Conveyance volume 450, Page 37, which easement was acquired from the Estate of A.M. Levy by Judgment recorded in Conveyance volume 490, Page 742, under Registry #247536.

WHEREAS the 190.3 line as originally established has been changed over the years and its present location is represented in green on the attached plat.

WHEREAS, the Longs have retained Coyle Engineering Co., Inc., a licensed Louisiana civil engineering firm, to draft the attached plat to show additional area they would like to fill in so that they can do additional work on said Lot, which area is shown in brown on the attached plat.

WHEREAS, it is necessary to confect an agreement establishing the relocation of the Flowage Easement with the approval of the District and the Longs;

AGREEMENT

NOW THEREFORE, the parties do hereby agree as follows, to-wit;

1. It is specifically agreed and understood by the District and the Longs that this agreement shall have no force and effect and the 190.3 MSL Line and the District's Flowage Easement shall remain as originally established until the Longs, at their costs, have the appropriate work performed to fill in said area shown in brown on the attached map prepared by Coyle Engineering Co., Inc. dated March 8, 2009, a copy of which is attached hereto ("Coyle Plat"), said completed work must be certified to by Coyle Engineering and approved by the District's Engineer as set forth herein below. That until such work is done, certification provided and approval given, there will be no building or use of said area of any kind.
2. Upon the completion of the work proposed by the Longs, as set forth in the prior paragraph, the district and the Longs hereby agree that the flowage Easement line as set forth in the original plat of the Lot 1 of Woodlake South Subdivision, Unit 4 will be relocated to all that part lying above the fee line and below the 190.3 MSL shown in green and brown on the attached plat. Said Flowage Easement line as relocated will be subject to the same provisions, regulations and conditions as set forth in the original documents granting the perpetual servitude (Flowage Easement) over said property acquired from the A.M. Levy estates as set forth above.
3. The longs will have Coyle Engineering provide a map with a certificate signed by the Longs and Coyle Engineering that reflects the relocated Flowage Line. The District, when its District Engineer approves the work and work certificate as submitted by Coyle Engineering, will co-sign the plat. The plat with certificate thereon will be recorded in the Conveyance Records to establish the relocation of said Flowage Easement lines on said Lot. Until this is accomplished, the original flowage Easement lines will remain unchanged.
4. The Longs do hereby agree to indemnify and hold harmless the District from any flooding that may occur to the said Lot that is due to the relocation of the Flowage Easement as set forth in the attached Coyle Plat.

THUS DONE AND PASSED before me, Notary, and the undersigned competent witnesses on the 14th day of April, 2009.

ATTEST

Lambert Green Long

Catherine Lewis Long

NOTARY PUBLIC

STATE OF LOUISIANA

PARISH OF BOSSIER

THUS DONE AND PASSED before me, Notary, and the undersigned competent witnesses on this the 14th day of April, 2009.

ATTEST

CYPRESS BLACK BAYOU RECREATION AND
WATER CONSERVATION DISTRICT

By: _____

NOTARY PUBLIC

As soon as the agreement is signed and notarized the Longs may proceed with the work.

Lake draw down: After much discussion on motion by Mr. Juneau, seconded by Mr. Burdine to draw down both Cypress Lake and Black Bayou Lake the votes were as follows: Yeas: Wes Burdine, Jerry Juneau, Ralph Whitley; Nays: Ernest Covington, Sonny Head the following resolution was adopted:

RESOLUTION #2 OF 2009

WHEREAS, it is necessary that work be done by the Commission on its public beach, on its dam, and on its piers on Cypress Lake and Black Bayou Lake.

WHEREAS, in order to do the necessary maintenance and repair work it will be necessary to draw Cypress Lake and Black Bayou Lake down;

WHEREAS, the Commission has consulted with the appropriate officials, who have no objection to the draw down;

THEREFORE BE IT RESOLVED by the Board of Commissioners in due session convened, that beginning after Labor Day in September 2009, Cypress Lake and Black Bayou Lake be drawn down in appropriate stages, as needed, to a level not lower than six to eight feet below pool stage. That it be maintained at that level until January 2010 at which time the lakes will be allowed to fill up to their normal pool stages of 179.6 MSL on Cypress Lake and 185.0 MSL on Black Bayou Lake.

Further discussion was held concerning notification of the draw down to all landowners by letter and also advertising in the Bossier Press Tribune and television.

At this time on motion by Mr. Head, seconded by Mr. Whitley and unanimously carried the following Procedure For Changing Flowage Easement Contour Line was adopted:

PROCEDURE FOR CHANGING
FLOWAGE EASEMENT CONTOUR LINE

Over the years people who own land abutting the reservoirs of Cypress Black Bayou Recreation and Water Conservation District have sought to change the flowage Easement Contour Lines in order to have more use out of their properties. In order to establish a proper procedure whereby this may be considered, the following steps are suggested, to-wit:

- STEP 1. Preliminary meeting of owner's engineer with engineer for Cypress Black Bayou Recreation and Water Conservation District outlining to him what changes the owner desires and why the owners need to relocate the flowage easement line.
- STEP 2. If the engineer for Cypress Black Bayou Recreation and Water Conservation District agrees that it is possible to make the changes, the engineer for the owner of the property will draft a plat showing the present location of the easement line as originally established; the proposed changes to be made; and the proposed location of the new Flowage Contour Easement line.
- STEP 3. The plat will be presented at a regular meeting of the Board of Commissioners and if they agree that a change can be made, then a written agreement stating what property is to be effected; that the work must be done by the owner and approved by the engineer for Cypress Black Bayou Recreation and Water Conservation District. That no change will occur until the work has been done to the satisfaction of the Commission. Upon completion of the work that re-contours the line on the owners property, the District, the owner and the owner's engineer will sign a new plat showing the relocation of the line as per the agreement verifying that the new line is now the established Flowage Easement Contour Line and land within that line is subject to all rights as originally granted to Cypress Black Bayou Recreation and Water Conservation District on the original grant of the servitude. After all signature are affixed, the map will be recorded in the Conveyance Records of Bossier Parish, Louisiana.
- STEP. 4 If there is a mortgage on the property, the owner shall get an Act of Subordination of the mortgage to the new contour line agreement.

Bruce Easterly's Report: General park issues were discussed. Mr. Easterly asked if the District plans any projects for 2010 let him know as soon as possible.

Executive Director's Report:

Campground sewers-We currently have a company checking the sewer lines and clearing them when possible.

The marina has been leased for the season.

Our flea market set for May 2, 2009 is going well. We have 15 vendors registered.

There being no further business, the meeting was adjourned.

Ernest Covington, President

Jerry Juneau, Secretary