

# State of Louisiana

## Parish of Grant In the Name and By the Authority of The Police Jury of Grant Parish

Motion by Mr. Mark Ball, seconded by Mr. Arnold Murrell and carried to adopt the Resolution:

### RESOLUTION 2-2022

WHEREAS, The Grant Parish Police Jury agrees to accept ownership of whatever rights the State of Louisiana, through the Department of Transportation and Development (“DOTD” or “Department”), may own, with the exception of any and all mineral rights, in and to the following described property and agrees to accept all future rights, obligations and liabilities, including, but not limited to, all future operation, maintenance, and repairs associated therewith, for its operation and maintenance as a parish road, subject to the conditions stated herein below:

The portion of state route LA 502 from its western junction with state route US 165 proceeding east approximately 0.54 miles to its junction with the local road known as Selma Loop, inclusive of all rights and responsibilities of DOTD in connection with the Union Pacific railroad crossing located approximately 100 feet west of the local road known as Selma Loop and identified as DOT # 441339J.

The Grant Parish Police Jury agrees to accept ownership of whatever rights the Department may own in and to the aforesaid described property at the proper time and under the conditions specified herein below:

CONDITION I: Provide repairs to include mill, patch, overlay with hot mix asphaltic concrete, and striping the resurfaced pavement for the portion of state route LA 502 to be transferred to Grant Parish.

CONDITION II: DOTD shall provide Road Transfer credit in the form of funds in the amount of TWO HUNDRED THIRTY-FOUR THOUSAND FIVE HUNDRED THIRTY-FOUR AND 00/100 DOLLARS (\$234,534) to Grant Parish for the portion of state route LA 502, that is not part of the federal system, to be transferred to Grant Parish. These funds may only be expended on activities allowed under R.S. 48:753.

- (a) The amount of Road Transfer credit to be provided under this condition is calculated pursuant to a present worth 40-year maintenance valuation whereby DOTD determines the cost of maintaining the road in the state highway system for 40 years from the present date.

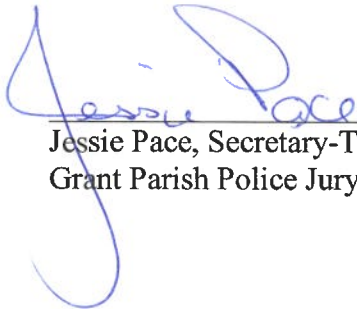
BE IT RESOLVED, That the Grant Parish Police Jury shall accept ownership of whatever rights the Department may own in and to the aforesaid described property as a binding agreement between the Department and the Grant Parish Police Jury, provided the Department shall comply with the relevant condition(s) stated herein.

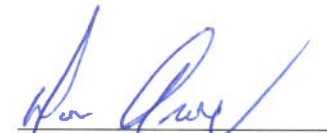
BE IT FURTHER RESOLVED, That the Grant Parish Police Jury authorizes the presiding President of the Grant Parish Police Jury to execute an Intergovernmental Cooperative Endeavor Agreement between the Department and the Grant Parish Police Jury, and any amendments or necessary modifications thereto, memorializing the agreement between the parties relative to the above-stated property transfers.

BE IT FURTHER RESOLVED, That the Grant Parish Police Jury authorizes the presiding President of the Grant Parish Police Jury to execute any and all documents necessary to effect the transfer of the aforesaid described property at the proper time.

BE IT FURTHER RESOLVED, That the Grant Parish Police Jury hereby represents that it has received approval from a majority of the state legislative delegation from Grant Parish of the actions contemplated herein.

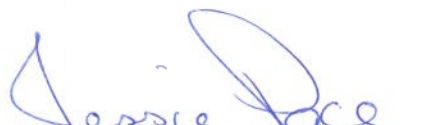
On motion by Mr. Mark Ball and seconded by Mr. Arnold Murrell, the above and foregoing resolution was declared duly adopted on this, the 13<sup>TH</sup> day of January, 2022.

  
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Jessie Pace, Secretary-Treasurer  
Grant Parish Police Jury

  
\_\_\_\_\_  
Don Arnold, President  
Grant Parish Police Jury

CERTIFICATE

I, Jessie Pace, hereby certify that the above and aforementioned resolution was adopted by the Grant Parish Police Jury in regular session convened on January 13th, 2022 at which a quorum was present, given under my signature and seal of office this 13<sup>th</sup> day of January, 2022.

  
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Jessie Pace, Secretary-Treasurer  
Grant Parish Police Jury

## RS 48:753

### §753. Use of the fund

A. The monies in the Parish Transportation Fund shall be used:

(1) To regulate the proportion and direction and the making and repairing of the roads, bridges, causeways, dykes, dams, levees, and highways when, in the opinion of the parish governing authority, such work will further the best interest of the parish and the parish road system.

(2) To maintain private driveways in connection with a general road improvement program within the right of way of a public road or highway owned by the parish when such maintenance serves a public purpose.

(3) To purchase equipment for road work at the discretion of the parish governing authority.

(4) To assist in the cost of providing public transit.

(5) In addition, a parish governing authority, upon request of the governing authority of any incorporated municipality within the parish, may perform all or any part of the repair, maintenance, and care of roads, streets, alleys, bridges, and culverts and other drainage facilities, situated within and under the jurisdiction of such incorporated municipality.

(6) In addition, provided that the project cost does not exceed the contract limit as defined by R.S. 38:2212, and provided that the parish governing authority indemnifies the state for any loss or injury arising therefrom, a parish governing authority may perform maintenance work on state highway rights of way as follows:

(a) Install culverts in drainage ditches after acquisition of and in compliance with any permit as required by the department.

(b) Clean out ditches and work on shoulders of state highways. The local governing authority shall notify the Department of Transportation and Development not less than five days prior to the commencement of such work.

(c) Patch potholes on aprons connecting parish and state highways. The local governing authority shall notify the Department of Transportation and Development not less than five days prior to the commencement of such work.

B. Of the funds herein provided which are used for road and bridge purposes, eighty percent shall be used for maintenance, construction contracts, or maintenance or construction materials.

C. Of the funds herein provided which are used for transit purposes, such funds may be used for transit operating expenses as defined in R.S. 48:756(C), or for the acquisition of rolling stock.

D. The amount distributed to a parish under this Part shall not be decreased when that parish moves to a classification composed of a higher population. In such case the total amount distributed for that parish shall continue at the same level as distributed to the parish for the last fiscal year in the preceding classification. This level of funding shall continue until the population reaches the necessary level to compensate the parish at the same or greater level attained from the rate in the preceding classification.

E. The construction, maintenance, and operation of the parish roads and of all appurtenances thereof shall be under the administration of each parish governing authority.

F. For purposes of this Part, "public road" means any road, or portion thereof, dedicated as a public road and/or accepted for maintenance by a parish or municipal governing authority, or constructed or maintained for an uninterrupted period of three years, by a parish or municipal governing authority, provided such road, or portion thereof, serves a public purpose that is in the best interest of the parish or municipality and their respective road systems. The provisions of this Subsection shall not negate the right of any public utility which, as of July 1, 1993, occupies such road right of way with its facilities to continue to occupy such road right of way, nor shall such

provisions prevent said public utilities from adding to, deleting from, or maintaining or repairing its facilities on such road right of way. Subject to the provisions of Article VII, Section 14 of the Constitution of Louisiana, each parish and municipal governing authority shall make the determination of whether a road, or portion thereof, within their respective road systems, meets the definition of a public road for the purpose of the parish transportation system. The provisions of this Subsection shall not invalidate any public road which has been constructed by or maintained by a parish or municipal governing authority prior to August 15, 1993.

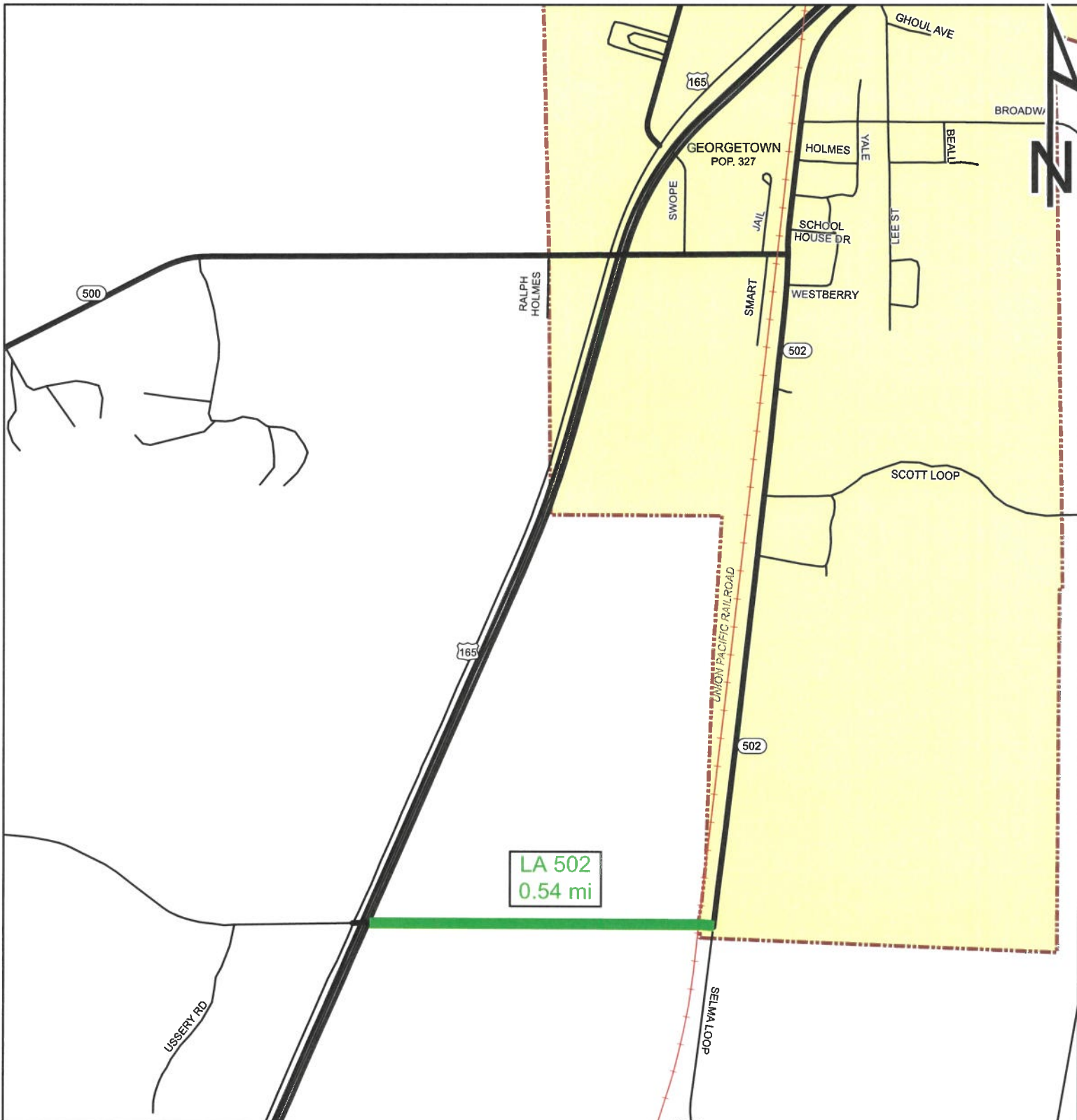
G.(1) Notwithstanding any provision of law to the contrary, and particularly any contrary provision of this Section, the governing authority of Calcasieu Parish may use a portion of the monies it has been allocated from the Parish Transportation Fund to perform additional work as follows:

(a) To fund or perform landscaping and maintenance improvements along interstate highway rights-of-way within Calcasieu Parish.

(b) To fund or construct capacity improvements to state highways within Calcasieu Parish in accordance with Louisiana Department of Transportation and Development standards.

(2) The additional work shall be performed, provided that the project cost does not exceed the contract limit as defined by R.S. 38:2212, and provided that the Calcasieu Parish governing authority indemnifies the state for any loss or injury arising therefrom.

Acts 1990, No. 221, §1; Acts 1991, No. 841, §1; Acts 1992, No. 204, §1; Acts 1993, No. 870, §1; Acts 2015, No. 160, §1.



**LOCATION MAP  
GRANT PARISH**

**LA 502  
(CS 076-04)**

