

RESOLUTION

Removing Property from the Biloxi Wildlife Management Area

**Adopted by the
Louisiana Wildlife and Fisheries Commission
January 4, 2024**

- WHEREAS, the Louisiana Wildlife and Fisheries Commission authorized its Director to execute a Lease Agreement for Biloxi Marsh Game Management Area on April 23, 1957; and,
- WHEREAS, the Louisiana Wildlife and Fisheries Commission established the Biloxi Marsh Game Management Area via a Lease Agreement with Biloxi Marsh Lands Corporation on May 28, 1957, for a certain tract of land comprised of 39,728 acres, more or less, situated in St. Bernard Parish; and,
- WHEREAS, pursuant to R.S. 56:109(A) and R.S. 56:781, et seq., on October 7, 2003, the Wildlife and Fisheries Commission adopted a Resolution which re-established the boundaries and confirmed the selection and designation of all leased and state-owned lands previously established as the Biloxi Wildlife Management Area, comprising approximately 39,583 acres; and,
- WHEREAS, on August 8, 2008, Governor Bobby Jindal executed Proclamation No. 45 BJ 2008 recognizing Biloxi Wildlife Management Area recognizing the same; and,
- WHEREAS, the Lease Agreement has been renewed and amended several times since the original was executed, including most recently on February 1, 2012, whereby the acreage subject to lease was calculated at 35,644 acres, more or less; and,
- WHEREAS, the Lessor, Biloxi Marsh Lands Corporation, seeks to amend the current Lease Agreement to establish Bayou LaLoutre as the southern boundary of the Biloxi Marsh Wildlife Management Area in Section 14 of Township 14 South, Range 16 East, thereby reducing the leased acreage by 254 acres, more or less; and,
- WHEREAS, in order for the State to continue to provide for public and recreational use opportunities on Biloxi Wildlife Management Area, it is the recommendation of the Secretary of the Louisiana Department of Wildlife and Fisheries that that the Lease Agreement be amended and the boundary of the Wildlife Management Area be adjusted to reflect the revised leased acreage; and,
- THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission, hereby adjusts the boundary of Biloxi Wildlife Management Area to subtract and exclude all lands, including state water bottoms, located within Section 14 of

Township 14 South, Range 16 East, south of Bayou LaLoutre, and reduces the total acreage of Biloxi Wildlife Management Area by approximately 254 acres, as more particularly described in the Amendment to Biloxi Wildlife Management Area Lease attached hereto as "Exhibit A".

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission, in accordance with the laws of the State of Louisiana, particularly Title 56, Section 109 and Section 781, *et seq.*, of the Revised Statutes of 1954, hereby confirm and reaffirm that all remaining leased lands, and state-owned lands, including water bottoms, as described in the attached "Exhibit A", comprising 35,390 acres, more or less, remain included in the Biloxi Wildlife Management Area.

BE IT FURTHER RESOLVED, that the Biloxi Wildlife Management Area shall be used exclusively for wildlife management purposes and, as such, is perpetually dedicated to the protection, conservation, and management of fish and wildlife and their habitat, and such public recreation, including, but not limited to, hunting, fishing, and trapping, which is consistent with these purposes.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission authorizes the Secretary of the Louisiana Department of Wildlife and Fisheries, on behalf of the Commission, to take all actions necessary in furtherance of this resolution.

Andrew J. Blanchard, Chairman
Louisiana Wildlife and Fisheries Commission

Robert E. Shadoin, Secretary
Louisiana Department of Wildlife and Fisheries

EXHIBIT "A"

**AMENDMENT
TO
BILOXI WILDLIFE MANAGEMENT AREA LEASE**

STATE OF LOUISIANA

PARISHES OF EAST BATON ROUGE AND JEFFERSON

BE IT KNOWN that on the following days and dates, in the following named places, before the undersigned Notaries Public, and in the presence of the undersigned competent witnesses, personally came and appeared:

BILOXI MARSH LANDS CORPORATION, a Delaware corporation authorized to and is transacting business in Louisiana and herein represented by William B. Rudolf, its President and CEO and duly authorized agent; and whose address and place of business is One Galleria Blvd., Suite #902, Metairie, LA 70001, (hereinafter referred to as "**LESSOR**");

-AND-

THE LOUISIANA DEPARTMENT OF WILDLIFE & FISHERIES, constitutionally established agency of the State of Louisiana, herein acting through and represented by its Secretary, Robert E. Shadoin, whose mailing address is P.O. Box 98000, Baton Rouge, LA 70898-9000, and

THE LOUISIANA WILDLIFE and FISHERIES COMMISSION, a constitutionally established agency of the State of Louisiana, herein acting through and represented by its Chairman, Andrew Blanchard, duly authorized by resolution

adopted at a regular meeting of the Commission, whose mailing address is 2000
Quail Dr., Baton Rouge, LA 70808

(herein collectively referred to as “LESSEE”)

do, by these presents, hereby agree as follows:

I.

In an Act of Lease executed February 1, 2012 and recorded on February 23, 2012 in the records of the Clerk of Court, St. Bernard Parish, Louisiana at Conveyance Book 1039, at Page 662, Original File No. 560324, LESSEE leased from the LESSOR certain property situated in the Parish of St. Bernard, State of Louisiana which property is more fully set out and described in the above-referenced lease.

II.

Regarding the above property, LESSOR and LESSEE do hereby desire to amend the above-referenced lease in the following particulars; all other provisions of the original lease and any amendments thereto to remain as written, *to wit*:

A. Paragraph 16 of said lease is hereby amended by substitution to read as follows:

16.

LESSEE shall defend, indemnify LESSOR and hold LESSOR harmless from and against all claims and judgments for damage to property and persons, including the death of persons and including claims for compensation and for death benefits arising out of LESSEE'S operations under the terms of this lease. At all times during the existence of this lease, LESSEE shall maintain, comprehensive general liability insurance and Excess Insurance against claims for personal injury, death or property damage with coverage limits not less than five million (\$5,000,000.00) in aggregate. This insurance coverage may be issued by the Louisiana Self-

Insurance Fund. LESSEE shall furnish to LESSOR appropriate and valid Certificates of Insurance to LESSOR which certify that said insurance is in effect. LESSOR shall be named as an additional insured on all policies under this agreement. Additionally, all insurance coverages required under this agreement to be provided by LESSEE shall be primary and non-contributory to all other insurance coverages owed LESSOR.

B. Section 14 of Township 14 South, Range 16 East (Line 77) of Exhibit A of said lease is hereby amended as follows to establish the southern boundary of the property in Section 14 as Bayou LaLoutre:

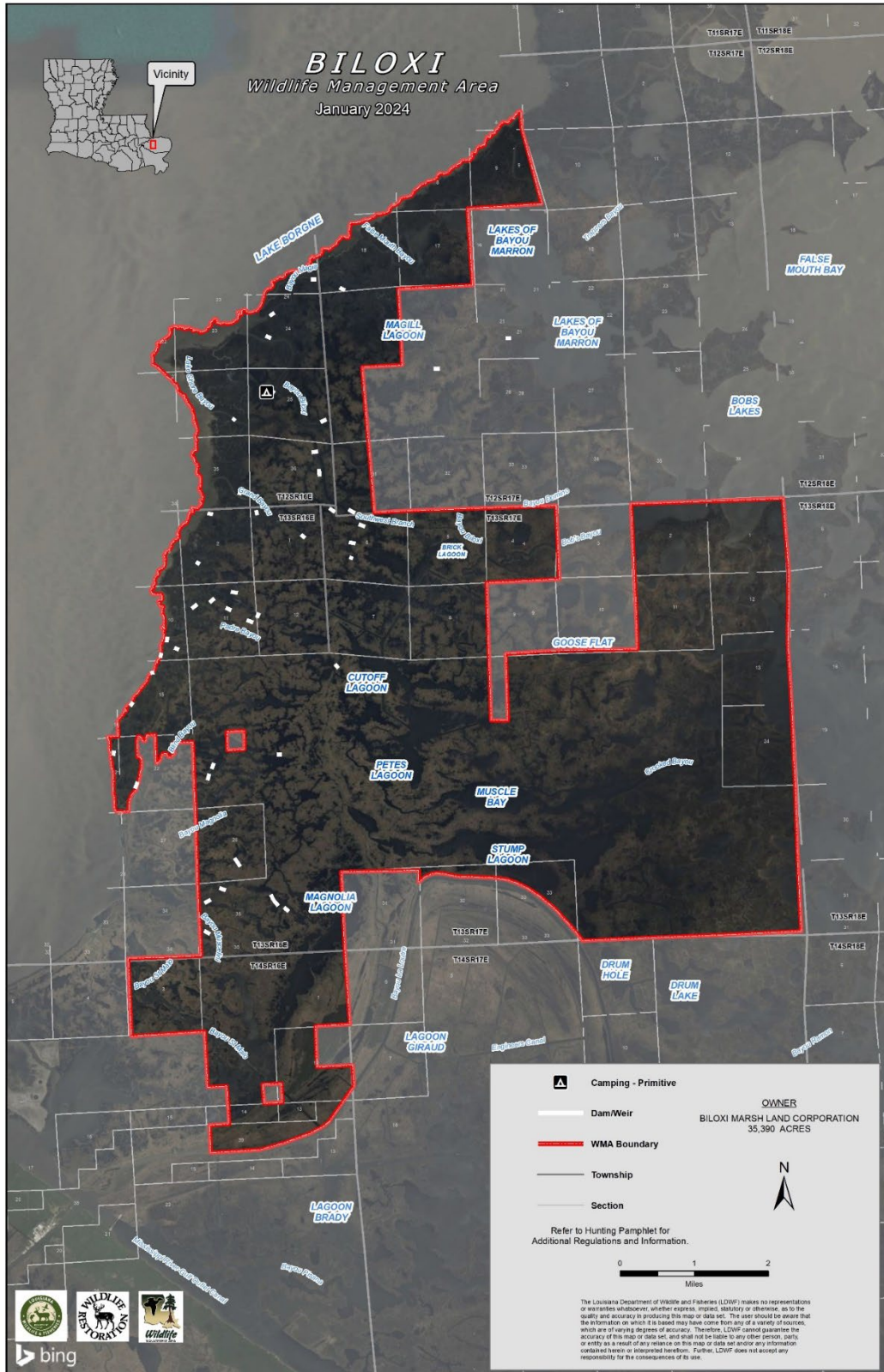
Section 14 North of Bayou LaLoutre, less and except NW/4 of NW/4 +/- 346 acres

C. Township Total for Township 14 South, Range 16 East and Total Acreage in Exhibit A are respectively reduced by +/- 254 acres and amended as follows such that acreage south of Bayou LaLoutre is subtracted from Section 14 and acreage calculations are adjusted to reflect accurate totals:

<i>Township Total:</i>	<i>3,607.67</i>
<i>TOTAL ACREAGE:</i>	<i>35,389.95</i>

D. Exhibit "B" is hereby amended as follows:

EXHIBIT B



IN TESTIMONY WHEREOF, this instrument has been executed in original counterparts on the dates set forth below by and through its duly authorized agent, at _____, Jefferson Parish, Louisiana in the presence of me, Notary, and the undersigned competent witnesses, on this ____ day of _____, 2023.

WITNESSES:

BILOXI MARSH LANDS CORPORATION

Print Name: _____

LESSOR:

BY: _____

Print Name: _____

William B. Rudolf
President and CEO

NOTARY PUBLIC

Print Name: _____

Notary No.: _____

My Commission Expires: _____

THUS DONE AND PASSED on this ____ day of _____, 2024 at Baton Rouge, East Baton Rouge Parish, Louisiana in the presence of the undersigned witnesses, and me, Notary, after reading of the whole.

WITNESSES:

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

Printed Name: _____

LESSEE:

By: _____

Robert E. Shadoin
Secretary

Printed Name: _____

WITNESSES:

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Printed Name: _____

LESSEE:

By: _____

Andrew Blanchard
Chairman

Printed Name: _____

NOTARY PUBLIC

Print Name: _____

Notary No.: _____

My Commission Expires: _____