

WRITTEN CONSENT OF SOLE MEMBER AND SOLE MANAGER
OF
RES BARATARIA, LLC

The undersigned, constituting the sole member and sole manager of RES Barataria, LLC, a Louisiana limited liability company (the “Company”), hereby adopts the resolutions set forth herein by written consent without the necessity of a meeting.

RECITALS

WHEREAS, the Company is the owner of certain immovable property as described on Exhibit A attached hereto (the “Property”);

WHEREAS, the Company desires to sell and convey the portion of the Property described and/or depicted on Exhibit B attached hereto (“Lot 1”);

WHEREAS, the Company desires to grant a drainage servitude over the portion of the Property described and/or depicted on Exhibit C attached hereto (the “Required Drainage Servitude”);

WHEREAS, the Company desires to grant an all-purpose servitude over the portion of the Property described and/or depicted on Exhibit D attached hereto (the “20’ All Purpose Servitude”);

WHEREAS, the undersigned desires that Frank Cuccio, in his capacity as general manager of Resource Environmental Solutions, LLC, as the sole member and sole manager of the Company (“RES”), execute any and all deeds, acts of sale, servitudes or other documents contemplated herein, and take all other action necessary to consummate the transactions contemplated herein.

NOW THEREFORE, the undersigned hereby adopts the following resolutions and the above recitals, which are hereby made an integral part of this Written Consent:

RESOLUTIONS

RESOLVED, that Frank Cuccio, as general manager of RES, in its capacity as manager of the Company, is hereby authorized to execute any and all documents he deems necessary and proper, in his sole and uncontrolled discretion, to carry out the transactions set forth in the recitals above, including the sale of Lot 1 and the grants of the Required Drainage Servitude and 20’ All Purpose Servitude for such price and on such other terms and conditions as determined by the above named representative in his sole and uncontrolled discretion, each such transaction being hereby authorized;

RESOLVED FURTHER, and without limiting the foregoing authority, Frank Cuccio, as general manager of RES, is authorized to execute all documents on behalf of the Company in connection with the aforesaid transactions, including but not limited to, any and all deeds, acts of sale, servitudes and such other documents deemed necessary by

him to accomplish the transactions contemplated herein, in his sole and uncontrolled discretion;

RESOLVED FURTHER, that any and all prior actions of RES and/or Frank Cuccio taken in connection with the authority granted above is hereby ratified and affirmed.

Signatures on the Following Page

Executed by the sole member and sole manager of RES Barataria, LLC on the date set forth below.

Resource Environmental Solutions, LLC,
a Louisiana limited liability company, its Manager

By: 

Name: Sam Burley

Title: General Counsel, Vice President and Secretary

ATTEST:



Name: Stephen Colomb

Date Executed: October 31, 2024

Exhibit "A"

Property Description

PROPERTY NO. 1:

Tract I:

A certain tract of land measuring eight (8) acres and twenty-four (24) toises front on the Mississippi River by a depth of forty (40) to forty-two (42) acres, all more or less, the upper four acres and twenty-four toises thereof losing two degrees in the rear and the lower four acres in the front running back between parallel lines; excepting and reserving from the said tract of land the tract of two hundred (200) feet front on the Public Road by sixty (60) feet in depth allotted to Ulysse J. Keller.

LESS AND EXCEPT the following six portions of property described under I, II, III, IV, V and VI:

I. That portion of the above described property known as "KELLER ACRES SUBDIVISION" at Hahnville, St. Charles Parish, Louisiana, as per revised plan of Subdivision by E.M. Collier, Surveyor, dated September, 1952, copy of which is filed in the office of the Clerk of Court and Recorder of this Parish for reference.

II. That portion of the above described property known as the Village of Hahnville as per plan by O. McLeran, C.E., copy of which is filed in the office of the Clerk of Court and Recorded of this Parish for reference.

III. That portion of the above described property sold to American Marine Corporation by act before Charles M. Steen, Notary, dated November 4, 1968, recorded in COB 83, folio 72.

IV. That portion of the above described property sold to Achille J. Melancon, Jr. by act before James P. Vial, Notary, dated September 27, 1962, recorded in COB 35, folio 236.

V. That portion of the above described property located in Pecan Bayou Subdivision as shown on a plan of survey by E.M. Collier, Surveyor, dated November 23, 1962, and revised February 13, 1963, and all streets on said plan dedicated to St. Charles Parish Police Jury by act of dedication before Leon C. Vial, III, Notary, recorded in COB 39, folio 347.

VI. A certain piece or portion of ground situated in the State of Louisiana, Parish of St. Charles, Section 68, T13S, R20E, designated as 153,283.77 square foot portion of Durant Property and more fully described as follows: Commencing at the intersection of the centerline of Texas & Pacific Railroad right of way line and the line common to Section 10 and Section 68, T13S, R20E, measure thence N17° 46' 00" E a distance of 422.13 feet to a point, the point of beginning. Measure thence N 17° 45' 00" E a distance of 589.94 feet to a point, thence N 64° 45' 00" E a distance of 147.42 feet to a point; thence S 21° 15' 00" E a distance of 468.75 feet to a point; thence S 68° 45' 00" W a distance of 518.32 feet to a point, the point of beginning. Said portion of ground contains 153,283.77 square feet, 3.519 acres, all as more fully shown on plan of survey by BFM Corporation dated June 18, 2000 and revised June 19, 2000.

AND

Those certain tracts of land situated in the Parish of St. Charles, State of Louisiana, in Section 26, T13S, R20E, in the Town of Hahnville, comprising the entire PECAN BAYOU SUBDIVISION, and as more fully described in the plat of survey of Pecan Bayou Subdivision by E.M. Collier, Surveyor, dated November 23, 1962, revised February 13, 1963, a copy of which is on file in the office of the Clerk of Court and Ex-officio Recorder of Conveyances for the Parish of St. Charles, LESS AND EXCEPT the following ten lots, comprising ten of the lots in the Pecan Bayou Subdivision and described as follows: Block 1, Lot 3; Block 2, Lots 2, 3 and 4; Block 3, Lots 3 and 5; Block 4, Lots 2, 5 and 7; Block 9, comprised of one lot.

Acquired from American Marine Corporation by act recorded in COB 498, folio 794, St. Charles Parish, Louisiana;

Tract II:

A certain piece or portion of ground situated in the State of Louisiana, Parish of St. Charles, Section 24, T13S, R20E, designated as 70,334.60 square feet, portion of St. Charles Parish Property and more fully described as follows: Commencing at the intersection of the centerline of Texas & Pacific Railroad right of way line and the line common to Section 10 and Section 68, T13S, R20E, measure thence N 17° 45' 00" E a distance of 422.13 feet to a point; thence N 68° 45' 00" E a distance of 1,597.50 to a point, the point of beginning. Thence N 24° 11' 57" W a distance of 50.07 feet to a point, thence N 68° 45' 00" E a distance of 1,407.98 feet to a point; thence S 21° 15' 00" E a distance of 50.00 feet to a point, thence S 68° 45' 00" W a distance of 1,405.50 feet to a point, the point of beginning, containing 70,334.60 square feet as shown on survey by BFM Corporation dated June 18, 2000, revised June 19, 2000. Acquired in act of exchange with St. Charles Parish dated 6/29/00.

PROPERTY NO. 2:

That portion of ground situated in the Parish of St. Charles, State of Louisiana, on the right descending bank of the Mississippi River, and which said portion of ground comprises all of that part of a certain tract of land, measuring 8 acres and 24 toises front on the Mississippi River by a depth of 40 to 42 acres, all or more less, bounded, now or formerly, above by property of Ulysses J. Keller and below by property of L.M. Granier and L.B. Labadot, lying between the river side of the levee and the mean low water line of the Mississippi River, containing 35 acres, more or less.

And according to a survey by R.P. Fontcuberta, Jr., Registered Land Surveyor, dated July 1, 1981, the property is described as follows:

From Monument L.M.S. 370, set at U.S. Army Corps of Engineers Sta. No. 2716+86.53, go North 17° 47' 30" West a distance of 126.63 feet to a 1/2 inch iron rod set at Sta. No. 2715+59.41, the POINT OF BEGINNING. From the Point of Beginning go North 68° 20' 19" East a distance of 1584.80 feet to a 1/2 inch iron rod; thence North 68° 20' 19" East to the ordinary low water mark of the Mississippi River, being the southeast corner of the parcel herein described; then return to the Point of Beginning and run North 17° 47' 30" West a distance of 487.13 feet to Monument L.M.S. 369, Sta. No. 2710+72.28; thence North 05° 11' 26" West a distance of 1305.66 feet to Monument L.M.S. 368, Sta. No.

2697+67.07; thence North 10° 37' 50" West a distance of 91.49 feet to Monument L.M.S. 367, Sta. No. 2696+75.61; thence North 24° 22' 54" West a distance of 286.95 feet to a 1/2 inch iron rod at Sta. No. 2693+88.66; thence North 62° 03' 00" East a distance of 737.49 feet to a 1/2 inch iron rod; thence North 62° 03' 00" East to the ordinary low water mark of the Mississippi River; thence along the ordinary low water line of the Mississippi River in a downstream direction to the southeast corner of the parcel hereinabove described.

PROPERTY NO. 3:

Those certain tracts situated in the Parish of St. Charles, State of Louisiana, in Section 26, Township 13 South, Range 20 East, in the Town of Hahnville, located in what is known as the PECAN BAYOU SUBDIVISION, and as more fully described in the plat of survey of Pecan Bayou Subdivision by E.M. Collier, Surveyor, dated November 23, 1962, revised February 13, 1963, copy of which is on file in the office of the Clerk of Court and Ex-officio Recorder of Conveyances for the Parish of St. Charles for reference; and according to said survey, the lots conveyed herein are designated as:

LOTS 4, 5 and 6, Block 5

LOTS 5, 6 and 7, Block 6

LOTS 1, 2, 3, 4, 5 and 6, Block 7

LOTS 1, 2, 3, 4, 5 and 6, Block 8

PROPERTY NO. 4:

That certain piece or portion of ground situated in the Parish of St. Charles, State of Louisiana, in Section 26, Township 13 South, Range 20 East, Southeast District of Louisiana, in the Town of Hahnville, West of the Mississippi River, in Pecan Bayou Subdivision, in accordance with the subdivision plan of E.M. Collier, Surveyor, dated November 23, 1962, revised February 13, 1963, a copy of which is on record in the office of the Clerk of Court and Ex-officio Recorder of Conveyances for the Parish of St. Charles, said piece or portion of ground is designated as follows:

LOT 3, BLOCK 8, measuring 85.09 feet front on Walnut Street, 72.16 feet in the rear, by a depth of 112.48 feet right side and 111.74 feet left side; all as shown on E.M. Collier, Surveyor, subdivision plans dated November 23, 1962, and February 13, 1963.

LESS & EXCEPT THE FOLLOWING:

Those certain parcels of situated in the Parish of St. Charles, State of Louisiana, Town of Hahnville, located in what is known as PECAN BAYOU SUBDIVISION and designated as PARCEL A and PARCEL B, which parcels were approved by the St. Charles Parish Council under Ordinance Nos. 19-1-5 and 19-1-6, respectively. Parcel A is more particularly shown and described on the map by Jeff Ruello, PLS, dated 9/22/18 and revised 12/4/18, dated 6/24/04 recorded in the official records of said parish and state at COB 872, folio 708. Parcel B is more particularly shown and described on the map by Jeff Ruello, PLS, dated 9/22/18, revised 12/4/18, recorded in the official records of said parish and state as COB 872, folio 701. Said parcels of land have the same measurements and dimensions as shown on said maps.

Exhibit “B”

Lot 1 Description

General Description:

The property is a 1.06 acre tract of land together with all the improvements situated thereon, and all rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, located in in St. Charles Parish, Louisiana in Section 03, Township 13 South, Range 20 East, Southeastern West of the Mississippi Land District. The property is the site of the proposed subdivided property, identified as LOT 1 as shown on sheet 1 of the subdivision map for Parish Project No. P220202. The maps were prepared by Crescent Engineering and Mapping, LLC, and Matthew Ledet, P.L.S. dated October 31, 2023, said map being attached hereto and made a part hereof, which property is more particularly described as follows:

Particular Description:

From a control point called CP1 on the plat, which is the point of commencement, proceed S58°00'01"W a distance of 266.41 feet to a point, said point being the point of beginning; thence continue S21°40'23"E a distance of 100.16 feet to a point; thence proceed S68°15'33"W a distance of 461.44 feet to a point; thence proceed N21°59'15"W a distance of 100.00 feet to a point; thence proceed N68°14'19"E a distance of 461.99 feet to the point of beginning.

All of which comprises LOT 1 as shown on sheet 1 of the subdivision map for Parish Project No. P220202 and contains an area of 46209.40 square feet or 1.06 acres.

Exhibit "C"

Required Drainage Servitude Description

General Description:

The property is a 3.17 acre tract of land together with all the improvements situated thereon, and all rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, located in St. Charles Parish, Louisiana in Section 03, 24, & 26, Township 13 South, Range 20 East, Southeastern West of the Mississippi Land District. The property is the site of the proposed drainage servitude, identified as REQUIRED DRAINAGE SERVITUDE as shown on sheet 1 of the Servitude map for Parish Project No. P220202. The maps were prepared by Crescent Engineering and Mapping, LLC, and Matthew Ledet, P.L.S. dated October 31, 2023, said map being attached hereto and made a part hereof, which property is more particularly described as follows:

Particular Description:

From a control point called CP3 on the plat, which is the point of commencement, proceed N05°32'53"E a distance of 24.11 feet to a point, said point being the point of beginning; thence continue S68°00'45"W a distance of 20.03 feet to a point; thence proceed N68°00'45"E a distance of 4171.39 feet to a point; thence continue S68°14'19"W a distance of 364.40 feet to a point, said point being the point of beginning; thence proceed N22°15'42"W a distance of 1416.61 feet to a point; thence proceed N68°29'22"E a distance of 86.80 feet to a point; thence proceed S21°35'57"E a distance of 253.68 feet to a point; thence proceed N68°28'12"E a distance of 16.14 feet to a point; thence proceed S22°15'42"E a distance of 1143.91 feet to a point; thence proceed S19°16'22"E a distance of 20.02 feet to a point; thence proceed S68°14'19"W a distance of 98.96 feet to the point of beginning.

All of which comprises REQUIRED DRAINAGE SERVITUDE as shown on sheet 1 of the Servitude map for Parish Project No. P220202 and contains an area of 138050.44 square feet or 3.17 acres.

Exhibit "D"

20' All Purpose Servitude

General Description:

The property is a 2.13 acre tract of land together with all the improvements situated thereon, and all rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, located in St. Charles Parish, Louisiana in Section 03, 24, & 26, Township 13 South, Range 20 East, Southeastern West of the Mississippi Land District. The property is the site of the proposed drainage servitude, identified as 20' ALL PURPOSE SERVITUDE as shown on sheet 1 of the Servitude map for Parish Project No. P220202. The maps were prepared by Crescent Engineering and Mapping, LLC, and Matthew Ledet, P.L.S. dated October 31, 2023, said map being attached hereto and made a part hereof, which property is more particularly described as follows:

Particular Description:

From a control point called CP3 on the plat, which is the point of commencement, proceed N05°32'53"E a distance of 24.11 feet to a point, said point being the point of beginning; thence continue S68°00'45"W a distance of 20.03 feet to a point; thence proceed N68°00'45"E a distance of 4171.39 feet to a point; thence proceed N68°14'19"E a distance of 364.40 feet to a point; thence proceed N68°14'19"E a distance of 98.96 feet to a point; thence proceed S19°16'22"E a distance of 20.02 feet to a point; thence proceed S68°14'19"W a distance of 462.01 feet to a point; thence proceed S68°00'45"W a distance of 4170.32 feet to the point of beginning.

All of which comprises 20' ALL PURPOSE SERVITUDE as shown on sheet 1 of the servitude map for Parish Project No. P220202 and contains an area of 92675.17 square feet or 2.13 acres.