



**Lake Charles Harbor and Terminal District
Board of Commissioners**

Resolution 2014-056

A RESOLUTION making certain findings and providing certain assurances with respect to the acquisition of property needed for the development, construction, operation, and maintenance by Sasol Chemicals (USA), LLC of a new chemicals facility and/or a new gas-to-liquids facility and related appurtenances thereto.

WHEREAS, the Lake Charles Harbor and Terminal District (the "District") is a political subdivision of the State of Louisiana (the "State") established pursuant to Part II of Chapter I of Title 34 of the Louisiana Revised Statutes of 1950, as amended (the "District Act"); and

WHEREAS, Sasol Chemicals (USA), LLC ("Sasol"), intends to make a \$16-\$21 billion capital investment for the development, construction, operation and maintenance of a new chemicals facility and/or a new gas-to-liquids facility ("Sasol Megaproject") on property situated in the Town of Westlake, Calcasieu Parish, Louisiana, as depicted on the plot plan included within the SASOL Overview Presentation included within the submission for approval relating to this issue ("Plant Site Property"); and

WHEREAS, the construction and continued operation of the Sasol Megaproject will promote economic development in the area and thereby the State through the creation of more than 5,000 construction jobs, 1,200 permanent full-time employment positions and 20,000 indirect jobs which, in turn, will increase Louisiana Gross State Product by \$4.2 billion per annum and US Gross Domestic Product by \$12.9 billion per annum (all such numbers being understood as being approximations that have been estimated by NERA Economic Consulting); and

WHEREAS, the District, approximately three (3) years ago, was instrumental in obtaining, for the benefit of SASOL, a six hundred (600) acre parcel located within the

Plant Site Property and within the territorial limits of the District near the Town of Westlake which enabled Sasol to choose the Southwest Louisiana area for the Sasol Megaproject over another competing location in Canada; and

WHEREAS, the development and construction of the Sasol Megaproject requires heavy equipment and large modules that will be pre-assembled off-site and delivered by vessels berthed at a dock close in proximity to the Plant Site Property which will then be transported overland to the Plant Site Property;

WHEREAS, the District has leased approximately Fifty-Seven (57) acres of District-owned property situated on the Calcasieu River to Sasol and Sasol intends to make a multi-million dollar capital investment for the development, improvement, operation and maintenance of a new heavy lift dock and staging area for the importation of the heavy equipment and modular units needed for the Sasol Megaproject, all of which will be transferred to the District upon expiration of the lease ("Dock Facility", as depicted on the plat included within the SASOL Overview Presentation attached to the submission for approval relating to this issue); and

WHEREAS, the heavy equipment and module units to be transported from the Dock Facility to the Plant Site Property will require a designated heavy haul route, as depicted on the plat included within the SASOL Overview Presentation attached to the submission for approval relating to this issue ("Heavy Haul Route"); and

WHEREAS, due to the nature and size of the heavy equipment and module transports, the existing roadways along the Heavy Haul Route must be strengthened and widened and certain, drainage areas, utilities, and signage must be relocated; and

WHEREAS, Sasol has purchased the majority of the parcels within the Plant Site Property and Heavy Haul Route which are needed for the Sasol Megaproject; and

WHEREAS, Sasol has also attempted to purchase the remaining parcels needed for the Sasol Project from private landowners, to no avail ("Needed Property", as identified in the SASOL Overview Presentation and described within Exhibit "A" attached hereto); and

WHEREAS, the Needed Property is located within the Plant Site Property and Heavy Haul Route; and

WHEREAS, pursuant to Article VI, Section 21, of the Constitution of the State of 1974 and Part XII of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, as amended (together with the District Act, the "Act"), and other constitutional and statutory authority, the District, in order to encourage the location of or addition to industrial enterprises or to promote industrial development which would have an economic impact within the territorial limits of the District and thereby the State, is authorized by law to acquire, through purchase, donation, exchange, or expropriation, lease, construct, or improve industrial plant sites and necessary property or appurtenance therefore, such as the Needed Property, and to sell, lease, sublease, or otherwise dispose of, by suitable and appropriate contract, such sites, buildings and/or facilities, and appurtenances thereto, all or severally; and

WHEREAS, the Board of Commissioners of the District (the "Board") has examined plats and aerial photo maps of the Needed Property and have diligently inquired into whether the Needed Property within the Plant Site Property and Heavy Haul Route are necessary for the Sasol Megaproject and whether alternative routes exist for the Heavy Haul Route with comparable road accessibility from the Dock Facility to the Plant Site Property, and, upon completing this inquiry, the Board specifically finds that the Needed Property within the Plant Site Property is necessary for the Sasol Megaproject, that no such routes similar to the Heavy Haul Route exist which can adequately or reasonably accommodate the needs for the development and construction of the Sasol Megaproject; and

WHEREAS, the District has also considered Sasol's internal findings and reasons as to the necessity of the Needed Property for the Sasol Megaproject which further supports the District's findings that the Needed Property is necessary for development of the Sasol Megaproject; and

WHEREAS, the Board specifically finds that the acquisition and use of the Needed Property serves a legitimate public purpose in that the Needed Property within the Plant Site Property are necessary and essential appurtenances to the Sasol Megaproject's operations and that the Needed Property within the Heavy Haul Route is an absolute necessity for the construction and development of the Sasol Megaproject and further finds

that acquisition of the Needed Property will induce and promote industrial development within the territorial limits of the District thereby having an economic impact; and

WHEREAS, the Board further finds that the foregoing sufficiently establishes that the District is authorized by Louisiana law, specifically Article VI, Part 1, Section 21 of the Louisiana Constitution of 1974; La. R. S. 34: 206; La. R. S. 34: 215; La. R. S. 19:141, *et seq.* and La. R. S. 19:1 *et seq.* to acquire ownership of the Needed Property through expropriation and is further authorized by law to do so on what is commonly referred to as a "Quick Take" basis.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE LAKE CHARLES HARBOR AND TERMINAL DISTRICT IN SPECIAL SESSION CONVENED THAT:

SECTION 1. All of the above and foregoing introductory provisions are hereby made a part of this resolution

SECTION 2. The acquisition of the Needed Property, whether by purchase or expropriation, serves a necessary and useful purpose for which the District was created.

SECTION 3. The Executive Director and General Counsel are each hereby authorized and directed to take all steps deemed necessary and appropriate, in their respective discretion, to voluntarily acquire ownership of the Needed Property on behalf of the District from the respective owners thereof.

SECTION 4. Each of the Executive Director, General Counsel, Director of Engineering and Maintenance, and any other Director of the District is hereby authorized and directed, for and on behalf of the District, to accept, receive, execute, seal, attest and deliver all such documents, certificates, and other instruments as are required in connection with this Resolution and to take such further action as may be required or as may be deemed appropriate to voluntarily acquire the Needed Property.

SECTION 5. If ownership of the Needed Property, or any portion thereof, is not voluntarily acquired by the District, as contemplated above, the Board hereby authorizes the District to undertake all required and appropriate steps to expropriate the Needed Property pursuant to the "Quick Take" process referenced above.

SECTION 6. The President, Vice President, Secretary-Treasurer, Assistant Secretary-Treasurer, and Executive Director and any other Commissioner of the District

are hereby authorized and directed to do all things necessary, on the advice of General Counsel to the District, to effectuate and implement this Resolution.

SECTION 7. This resolution shall become effective immediately.

This resolution having been submitted to a vote, the vote thereon was as follows:

<u>Member</u>	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstaining</u>
Elcie J. Guillory	X			
Barbara M. McManus	X			
Walter M. Sanchez	X			
Dudley R. Dixon	X			
Michael G. Eason	X			
Daryl V. Burckel	X			
John L. LeBlanc			X	

THUS PASSED AND ADOPTED at Lake Charles, Louisiana, on this 17th day of November, 2014.


ELCIE J. GUILLORY, President

CERTIFICATE OF SECRETARY-TREASURER

I do hereby certify that I am the duly authorized Secretary-Treasurer of the Board of Commissioners of the Lake Charles Harbor and Terminal District, a political subdivision of the State of Louisiana, and as such Secretary-Treasurer, I have access to all records of the District.

I do hereby further certify that a special meeting of the Board of Commissioners of the District was duly called, held and convened, according to law, on the 17th day of November, 2014, at which a quorum was present and voting thereon, the above and foregoing Resolution was unanimously adopted and that said Resolution is a full true and correct copy of said Resolution as it appears on the records of the District and that the same has not been revoked or amended and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and attached the seal of the District this 17th day of November, 2014.



DARYL V. BURCKEL, Secretary-Treasurer

(SEAL)

Exhibit "A"

List of Needed Property

<u>Location</u>	<u>Property Description of Each Needed Property</u>
Sulphur Ave	Beginning at the Northeast corner of Lot 7 of Block 33, original plat Town of Westlake, as recorded in Conveyance Book "W", Page 129, records of Calcasieu Parish, Louisiana; thence North 89 degrees 6 minutes 6 seconds West along the South right-of-way line of Sulphur Avenue (State Route La. 379) a distance of 67.0 feet to a point on the East right-of-way line of Sampson Street (State Route La. 378); thence South 14 degrees 34 minutes 13 seconds West, a distance of 89.36 feet; thence South 13 degrees 32 minutes 22 seconds East, a distance of 103.12 feet to a point on the South line of Lot 9; thence North 89 degrees 8 minutes 19 seconds East, a distance of 63.01 feet to the Southeast corner of Lot 9; thence North 0 degrees 42 minutes 48 seconds East, a distance of 186.66 feet along the East line of Lots 7, 8 and 9, to point of beginning. Containing 14,454.99 square feet or .33 acres.
Sulphur Ave	Lots One (1), Seven (7), Block Twenty-Seven (27), Town of Westlake Louisiana, as per plat recorded at Conveyance Book "W", Page 129 of the official records of Calcasieu Parish, Louisiana.
Sulphur Ave	The West 100 feet of Lot Seven (7) of Block Thirty-One (31) of the Town of Westlake, Louisiana, as per plat recorded at Plat Book "W", Page 129 of the official records of Calcasieu Parish, Louisiana.

Sulphur Ave	Lot Two (2) of L.E. SONIER SUBDIVISION of the one-acre tract in FELIX PERKINS SUBDIVISION, located in the SE/4 of SW/4, Section 26, Township 9 South, Range 9 West, which lot fronts 52 feet on Old Brick Highway and has a depth of 208.7 feet between equal and parallel lines, all as shown on plat of survey made by F. Shutts' Sons, dated April 30, 1947, a copy of which is attached to an act of cash sale dated September 25, 1947 and filed as Instrument No. 376539 and recorded October 1, 1947 in Conveyance Book 424, Page 555 of the official records of Calcasieu Parish, Louisiana.
North Evergreen Road Community	Lot Twenty-Six (26) of Evergreen Acres Subdivision, a subdivision located in the Northeast Quarter of the Northeast Quarter (NE/4 of NE/4) of Section 20, T9S, R9W, Calcasieu Parish, Louisiana, as per plat recorded in Plat Book 28, Page 53 of the official records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 10 and Lot 11, Block 15 of Bel Air Subdivision, a subdivision as per plat recorded in Plat Book 6, Page 169 of the official records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot Twenty-Eight (28) of Block One (1) of Lincoln Heights, a subdivision of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE/4 of SW/4 of NW/4), the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW/4 of SE/4 of NW/4), and the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE/4 of SE/4 of NW/4) of Section 28, Township 9 South, Range 9 west, as per plat recorded in Plat Book 8, at page 95, in the records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 4, Block 7 of Bel-Air Subdivision, a subdivision of the North Half of the Northwest Quarter of the Southeast Quarter (N½ of NW ¼ of SE¼) and the Southwest Quarter of the Northeast Quarter (SW¼ of NE¼), less and except a 3 acre tract in a square in the Northwest Quarter thereof, all in Section 28, Township 9 South, Range 9 West, Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 8 of Block 2 of Lincoln Heights Subdivision No. 1, a subdivision as per plat recorded in Plat Book 8, page 95, records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 8, Block 6 of Bel Air Subdivision, a subdivision as per plat recorded in Plat Book 6, Page 169 of the official records of Calcasieu Parish, Louisiana.

Eastern Mossville	Lot 11 of Block 2 of Lincoln Heights No. 1, a subdivision as per plat recorded in Plat Book 8, page 95, records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 32 of Block 4 of Lincoln Heights Subdivision No. 1, a subdivision as per plat recorded in Plat Book 8, page 95, records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 10 of Block 4 of Bel Air Subdivision, a subdivision as per plat recorded in Plat Book 6, Page 169 of the official records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 24 of Block 4 of Bel Air Subdivision, a subdivision as per Plat Book 6, Page 169 of the official records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 12 Block 6 of Bel Air Subdivision, a subdivision recorded as per Plat Book 6 page 169, records of Calcasieu Parish.
Eastern Mossville	Lot 23 and Lot 24 of Block 8 of Bel Air Subdivision, a subdivision as per Plat Book 6 page 169, records of Calcasieu Parish.
Eastern Mossville	Lot 25 and Lot 26 Block 9 of Bel Air Subdivision, a subdivision recorded as per Plat Book 6 page 169, records of Calcasieu Parish.
Eastern Mossville	Lot Nine (9), Block Ten (10) of BEL AIR SUBDIVISION, a subdivision in Section 28, Township 9 South, Range 9 West, as per plat recorded in Plat Book 6, Page 169 of the official records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 13 and Lot 14 Block 10 of Bel Air Subdivision, a subdivision as per Plat Book 6 page 169, records of Calcasieu Parish.
Eastern Mossville	Lot 12 of Block 13 of Bel Air Subdivision, a subdivision as per Plat Book 6 page 169, records of Calcasieu Parish, Louisiana.
Eastern Mossville	Lot 6 Block 15 of Bel Air Subdivision, a subdivision as per plat recorded in Plat Book 6, page 169, records of Calcasieu Parish, Louisiana.
LCCP	Beginning at the Southwest corner of the Southwest Quarter of the Southeast Quarter (SW/4 of SE/4) of Section 21, Township 9 South, Range 9 West; thence go North 0°52'47" East, a distance of 1098.5 feet, along the East right of way line of a 100 foot Gulf States Utilities Company Inc., servitude; thence go South 89°14'5" East, a distance of 201.5 feet; thence go South 0°56'38" West, a distance of 1098.5 feet, along the West line of MG Industries Property; thence go North 89°14'3" West, a distance of 200.2 feet to the point of beginning, containing 5.06 acres, more or less.
LCCP	The property underlying the former Independence Road, beginning at a point 626.1 feet Southeasterly along the South Right of Way line of the Houston River Road, from the intersection of the South Right of

Way line of the Houston River Road and the West line of the Northwest quarter of the Southeast quarter of Section 17, Township 9 South, Range 9 West, Louisiana Meridian, thence Southeasterly along Houston River Road 60 feet, thence due South between parallel lines being 60 feet apart, through the Northwest quarter of the Southeast quarter, through the Southwest quarter of the Southeast quarter of Section 17, Township 9 South, Range 9 West, to a point of commencement at the North line of the Northwest quarter of the Northeast quarter of Section 20, Township 9 South, Range 9 West, and continuing due south to the existing road, known as Evergreen Road, running East and West along the South line of the Northwest quarter of the Northeast quarter of Section 20, Township 9 South, Range 9 West, Louisiana Meridian, Calcasieu Parish, Louisiana.

LCCP

The south 30 feet of the Northwest Quarter of the Northeast Quarter of Section 20, Township 9 South, Range 9 West, Calcasieu Parish, Louisiana.