

ORDINANCE NO. JO-043-2023

A JOINT ORDINANCE OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AUTHORIZING THE NON-WARRANTY DONATION OF THOSE PROPERTIES LOCATED AT 904 EAST VERMILION STREET AND 908 EAST VERMILION STREET TO FOCUS CLUBHOUSE, INC., A QUALIFIED NON-PROFIT, PURSUANT TO LA. R.S. 47:2205

BE IT ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

WHEREAS, the Lafayette City-Parish Council adopted Ordinance No. O-246-2015, and subsequent amendments, establishing a process by which adjudicated properties may be sold, donated, or otherwise disposed of; and

WHEREAS, the Lafayette City-Parish Council adopted Ordinance No. O-155-2002, authorizing a Local Services Agreement among all entities having the authority to assess and collect property taxes in parts or all of the Parish of Lafayette, which Local Services Agreement assigns to Lafayette City-Parish Consolidated Government authority to oversee the sale, donation, or disposition otherwise of adjudicated properties; and

WHEREAS, the following political subdivisions with interests in adjudicated properties in parts or all of the Parish of Lafayette having agreed to the aforementioned Local Services Agreement: the City of Lafayette, the Parish of Lafayette, the Lafayette Parish Law Enforcement District, the Sheriff of Lafayette Parish, the Lafayette Parish School Board, the Lafayette Parish Library Board, the Lafayette Centre Development District, the Lafayette Economic Development Authority, the Bayou Vermilion District, the Lafayette Parish Tax Assessment District, the Lafayette Airport Commission, and the Teche-Vermilion Fresh Water District; and

WHEREAS, pursuant to La. R.S. 47:2201 *et seq.*, LSA-Const. Art. VII, Sec. 14, and the aforementioned Local Services Agreement among all political subdivisions levying *ad valorem* taxes on immovables within the Parish of Lafayette, Lafayette City-Parish Consolidated Government may by ordinance effect the Non-Warranty Donation of any identified adjudicated property to the extent allowed by, and for the purposes allowed by, the Louisiana Constitution; and

WHEREAS, the below-named Applicant for donation of the below-described properties having submitted necessary verifying information for compliance with Louisiana statutes and the Lafayette City-Parish Consolidated Government Code of Ordinances.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

SECTION 1: All of the aforescribed “Whereas” clauses are adopted as part of this ordinance.

SECTION 2: The Lafayette City Council and the Lafayette Parish Council in due, regular and legal sessions convened do hereby declare their intention to donate the below-described properties (the "Properties") to the below-named Applicant:

Applicant: Focus Clubhouse, Inc.

LOT ONE (1)

Assessment Numbers: 6049713

Physical Addresses: 904 East Vermilion Street, Lafayette, Louisiana, 70501

Legal Description:

"Those certain lots or portions of lots or parcels of ground, together with all buildings and improvements situated thereon and hereunto appertaining, situated in the DOUCET-TRAHAN EXTENSION to the City of Lafayette, Louisiana, being the north-westerly five(5) feet of LOT 3 and all of LOT 2, DOUCET-TRAHAN EXTENSION, and said property being contiguous has such dimensions and boundaries as is more fully shown by reference to a Plat of Survey thereof by Michael J. Breaux, Reg. Land Surveyor, dated April 29, 1985, which plat is made a part hereof by reference.

Being the same property acquired by vendors herein by Act NO. 88-024518, dated August 12, 1988 and recorded August 16, 1988 in the Lafayette Parish Clerk of Court's Office."

LOT TWO (2)

Assessment Numbers: 6055143

Physical Addresses: 908 East Vermilion Street, Lafayette, Louisiana, 70501

Legal Description:

"The eastern forty-five feet of lot three of block "A" of the Trahan & Doucet Addition to the City of Lafayette, Louisiana, together with all improvements thereon, said parcel having a front of forty-five feet on East Vermilion Street, by a depth on the east side of one hundred twenty-five and 4/10 feet and on the west side of one hundred and 9/10 feet and a back or south line measuring fifty-two and 4/10 feet; and being bounded north by East Vermilion Street, south by Southern Pacific Railway Company, east by lot four, block "A", said addition, and west by remaining five feet of lot three of said addition. Being the same property acquired by vendor herein from the Lafayette Building Association by act. No. 1888709 of the records of the office of the Clerk of Court of the Parrish of Lafayette, Louisiana."

SECTION 3: Following the Applicant's compliance with:

a) the notice and publication requirements of, and lapse of the time periods described in, La. R.S. 47:2206(A) and (B), respectively, without the occurrence either of full redemption of the appropriate property or the filing of any action to annul as permitted by La. R.S. 47:2286 *et seq.*; and

b) the notice requirement imposed by Chapter 72-15(c) of the Lafayette City-Parish Consolidated Government Code of Ordinances; and

c) the filing requirement imposed by Chapter 72-16(c) of the Lafayette City-Parish Consolidated Government Code of Ordinances; the Administrator (as defined in Chapter 72-12) shall upon request of the Applicant cause to be authenticated by the Lafayette Mayor-President

that Non-Warranty Donation to Applicant in that form attached hereto as Exhibit A, as such may be amended to account for the occurrence of any of those circumstances causing one of the Properties to be stricken from Exhibit A. The Administrator, however, shall decline to cause to be authenticated the Non-Warranty Donation should those circumstances described by the Lafayette City-Parish Consolidated Government Code of Ordinances Chapter 72-18(c) arise prior to such authentication.

SECTION 4: Following authentication of the Non-Warranty Donation, the Administrator shall cause Applicant to file the Non-Warranty Donation in the Lafayette Parish Clerk of Court's conveyance records, along with this ordinance, which shall be annexed to and incorporated by reference into the Non-Warranty Donation; and to comply with the filing requirements set forth at Chapter 72-16(b) and Chapter 72-16(e) of the Lafayette City-Parish Consolidated Government Code of Ordinances.

SECTION 5: After compliance with the filing requirements set forth at Chapter 72-16(b) and Chapter 72-16(e) of the Lafayette City-Parish Consolidated Government Code of Ordinances, the acquiring person(s) shall submit copies of the affidavit required by that subsection 72-16(e) to a) the Lafayette Utilities System Customer Services/Tax Collection Division and b) the Lafayette Parish Sheriff's Office Tax Collection Division.

SECTION 6: Donation of the Properties to Applicant is conditioned upon compliance with the dictates of this ordinance, including the following:

- 1) Applicant is not a tax debtor or owner of the Properties, nor acting for, directly or indirectly, any tax debtor or owner of any of the Properties;
- 2) Applicant is not an employee, contractor, officer, director, elected or appointed official of Lafayette City-Parish Consolidated Government, nor any member of the immediate family of any of the above, nor any entity in which any of them has a substantial economic interest, will become, directly or indirectly, an acquiring person, without the affirmative consent by resolution of the Lafayette City Council and the Lafayette Parish Council;
- 3) Applicant shall permit re-entry and inspection of each of the Properties, at reasonable times and upon reasonable notice, by the Administrator or other agents of the Government, in order to verify compliance with any conditions imposed on the donation;
- 4) Applicant's compliance with the notice and filing requirements imposed by this ordinance, the Louisiana Revised Statutes or by the Lafayette City-Parish Consolidated Government Code of Ordinances;
- 5) Applicant's maintenance of the Properties in a clean and sanitary condition;

6) Applicant's use of the Properties for purposes consistent with Art. VII, Sec. 14(B) of the Louisiana Constitution; and

7) Applicant's adherence to those property renovation plans attached hereto as Exhibit B, respectively.

SECTION 7: Should any suspensive condition prohibited by this ordinance come to pass, or any resolutive condition required by this ordinance cease, the Administrator upon learning of such circumstance shall cause to be revoked the Non-Warranty Donation to Applicant with respect to the one or more of the Properties as to which such condition occurred or ceased, as applicable.

SECTION 8: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 9: After first having been adopted by a majority of the authorized membership of both the Lafayette Parish Council and the Lafayette City Council, this joint ordinance shall become effective upon signature of this joint ordinance by the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon override of a veto, whichever occurs first.

* * * * *

Exhibit 1
Legal Description

LOT ONE (1)

Assessment Numbers: 6049713

Physical Addresses: 904 East Vermilion Street, Lafayette, Louisiana, 70501

Legal Description:

“Those certain lots or portions of lots or parcels of ground, together with all buildings and improvements situated thereon and hereunto appertaining, situated in the DOUCET-TRAHAN EXTENSION to the City of Lafayette, Louisiana, being the north-westerly five(5) feet of LOT 3 and all of LOT 2, DOUCET-TRAHAN EXTENSION, and said property being contiguous has such dimensions and boundaries as is more fully shown by reference to a Plat of Survey thereof by Michael J. Breaux, Reg. Land Surveyor, dated April 29, 1985, which plat is made a part hereof by reference.

Being the same property acquired by vendors herein by Act NO. 88-024518, dated August 12, 1988 and recorded August 16, 1988 in the Lafayette Parish Clerk of Court's Office.”

RENOVATION PLAN

Applicant's plan is to utilize the property for transitional housing for at-risk populations.

LOT TWO (2)**Assessment Numbers:** 6055143**Physical Addresses:** 908 East Vermilion Street, Lafayette, Louisiana, 70501**Legal Description:**

"The eastern forty-five feet of lot three of block "A" of the Trahan & Doucet Addition to the City of Lafayette, Louisiana, together with all improvements thereon, said parcel having a front of forty-five feet on East Vermilion Street, by a depth on the east side of one hundred twenty-five and 4/10 feet and on the west side of one hundred and 9/10 feet and a back or south line measuring fifty-two and 4/10 feet; and being bounded north by East Vermilion Street, south by Southern Pacific Railway Company, east by lot four, block "A", said addition, and west by remaining five feet of lot three of said addition. Being the same property acquired by vendor herein from the Lafayette Building Association by act. No. 1888709 of the records of the office of the Clerk of Court of the Parrish of Lafayette, Louisiana."

RENOVATION PLAN

Applicant's plan is to utilize the property for transitional housing for at-risk populations.

JR-043-2022

904 East Vermilion Street – Donation to a Qualified Non-Profit

Assessment No. 6049713

Focus Clubhouse -- Applicant

**Adjudicated since City, 2017 - \$2,732.81
 Parish, N/A – \$342.86**

Property value – \$5,700.00

**Council City Council District 1 – Glenn Lazard
 Parish Council District 5 – A.B. Rubin**

DISPOSITION OF ORDINANCE NO. JO-043-2023

1. This ordinance was introduced: July 11, 2023
YEAS: Tabor, K. Naquin,
Carlson, Guilbeau, Rubin
NAYS: None
ABSENT: None
ABSTAIN: None

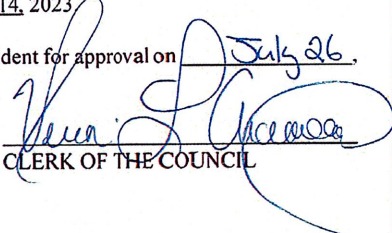
Final disposition by **Parish Council**:
July 25, 2023
YEAS: Tabor, K. Naquin,
Carlson, Guilbeau, Rubin
NAYS: None
ABSENT: None
ABSTAIN: None

This ordinance was introduced:
YEAS: Lewis, A. Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None

Final disposition by **City Council**:
YEAS: Lewis, A. Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None

2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on July 14, 2023


3. This ordinance was presented to the Mayor-President for approval on July 26, 2023, at 10:30 o'clock a.m.


CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

- A. Approve this ordinance, the 31st day of JULY, 2023, at 9:30 o'clock a.m.
- B. Veto this ordinance, the _____ day of _____, 2023, at _____ o'clock _____m., veto message is attached.
- C. Line item veto certain items this _____ day of _____, 2023, at _____ o'clock _____m., veto message is attached.


MAYOR-PRESIDENT


5. Returned to Council Office ~~with~~ without veto message on July 31, 2023, at 10:34 o'clock a.m.

6. Reconsideration by Council (if vetoed):

On _____, 2023, the Councils did/refused to adopt this ordinance after the Mayor-President's veto.

7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2023, at _____ o'clock _____m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.

A S S T. 
CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on July 28, 2023.