

ORDINANCE NO. JO-060-2020

**A JOINT ORDINANCE OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AUTHORIZING THE NON-WARRANTY DONATION OF VARIOUS ADJUDICATED PROPERTIES TO HABITAT FOR HUMANITY 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 and 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 session jointly convened do hereby declare their intention to donate the below-described properties (the "Properties") to the below-named Applicant:

**Applicant:** Habitat for Humanity

**Property #1**

**Assessment Numbers:** 6016079

**Physical Addresses:** 900 Block of Hopkins Street, Lafayette, Louisiana, 70501

**Legal Description:**

"That certain lot of ground together with all buildings and improvements thereon, situated in the Boudreaux Extension to the City of Lafayette, Louisiana, and being a portion of Lot Twenty-One (21) thereof. Said parcel of ground measures Thirty-Five Feet (35') front on General Lee Street (Now Hopkins) by a depth between parallel lines of Seventy-Two Feet (72'); and is bounded North by General Lee Street (Now Hopkins), South be property of vendor, East by property this day sold to Howard Sinegal Et. Al., and West by property of vendor. Being a portion of the same property acquired by Act. No. 144236 of the Clerk of Court's Office for the Parish of Lafayette, Louisiana."

**Property #2**

**Assessment Number:** 6010385

**Physical Address:** 200 I-B Street, Lafayette, Louisiana, 70501

**Legal Description:**

"That certain lot of ground with all buildings and improvements thereon, situated in the Second Home Addition, to the City of Lafayette, Louisiana, and according to a map of said Addition on file in the office of the Recorder of Lafayette Parish, Louisiana, it is known and designated as Lot 15 of Block 1 of said Addition, said lot having a frontage on I. B. Street of Fifty Feet (50) by a depth between parallel lines of 125 Feet, being bounded Northerly by the right of Way of the Louisiana Western Rail road Company, Southerly by I. B. Street, Easterly by Lot 14 of said subdivision and Westerly by Lot 16 of said subdivision Same property acquired by Act 446820, records of Lafayette Parish, La."

**Property #3**

**Assessment Number:** 6010391

**Physical Address:** 200 Block of Ike B Street, Lafayette, Louisiana, 70501

**Legal Description:**

"That certain lot of ground, together with all improvements thereon, situated and lying in the Second Home Addition to the City of Lafayette, Louisiana, being designated as Lot No. One (1) of Block No. One (1) as per plat of said addition on file in the Clerk's Office of the Parish of Lafayette, Louisiana, having a front of Fifty and 4/10 (50.4) feet on Ike B. Street by a depth of One Hundred thirty-eight and 9/10ths (138.9') feet on its southern line, and bounded as follows: North by Lot Two (2), said addition, South by Home Addition, East by Mrs. Guidry, or assigns, and West by Ike B. Street."

**Property #4**

**Assessment Numbers:** 6040859

**Physical Addresses:** 208 Ike B Street, Lafayette, Louisiana, 70501

**Legal Description:**  
"Lot 3 Blk 3 Second Home Add."

**Property #5**

**Assessment Number: 6014301**

**Physical Address:** 108 LaSalle Street, Lafayette, Louisiana, 70501

**Legal Description:**

"That certain lot of ground with all improvements thereon and thereunto belonging, situated in the Vardenbauman Addition to the City of Lafayette, La., known and designated as lot # 10 of block # 12 of said addition. Bounded North by lot # 3; South by West Fifth Avenue; East by Lot # 11; and West by Lot # 9. All of block # 12. Being the same property acquired by the Association at Sheriff's Sale from Lucien Cormier, March 16<sup>th</sup>. 1935."

**Property #6**

**Assessment Number: 6034535**

**Physical Address:** 116 LaSalle Street, Lafayette, Louisiana, 70501

**Legal Description:**

"That certain lot of ground, together with all improvements, situated in the VORDENBAUMEN ADDITION to the city of Lafayette, Louisiana, as per plat filed in the Recorder's Office of this Parish; said lot is known and designated as LOT EIGHT (8) of BLOCK TWELVE (12) of said addition, having a fifty (50) foot front on West Fifth Avenue by a depth within parallel lines of one hundred twenty (120) feet; bounded North by Lot Five (5), South by West Fifth Avenue, East by Lot Nine (9), and West by Lot Seven (7) all of Block Twelve (12) of said addition. Being the same property acquired by vendor herein by act No. \_\_\_\_\_ of the Lafayette Parish Conveyance records dated December 10, 1948."

**Property #7**

**Assessment Number: 6022097**

**Physical Address:** 227 South Pierce Street, Lafayette, Louisiana, 70501

**Legal Description:**

"That certain parcel of ground, together with all improvements thereon, and according to a plat of survey on file in the Clerk's Office, Parish of Lafayette, Louisiana, is known and designated as LOT SIXTEEN (16), BLOCK C, HOPKINS ADDITION to the City of Lafayette, Louisiana, having a frontage of 50 feet on Pierce Street by a depth of approximately 126 feet on Cameron Street, being bounded on the North by Lot 13, Southerly by Cameron Street, on the West by Pierce Street and on the East by Lot 15; being the same property acquired by Stephen Breaux by Act No. 189567 of the records of the Clerk of Court's Office for the Parish of Lafayette, Louisiana."

**Property #8**

**Assessment Number: 6065640**

**Physical Address:** 113 Royal Street, Lafayette, Louisiana, 70501

"A certain lot of ground with all improvements thereon and thereunto belonging, situated in the Vordenbaumen Addition to the City of Lafayette, Louisiana, Lafayette Parish, Louisiana, and designated as lot 4 of Block 12, measuring Fifty (50') feet in wide on Royal Street (West 4<sup>th</sup> Avenue) by One Hundred-Twenty (120') feet in depth between

parallel lines. Said lot is more specifically described on a Plat of Survey of said Addition on file in the Clerk of Court's Office in and for the Parish of Lafayette, Louisiana.

No. P-9-177-102088 in the public records of the Lafayette Parish Courthouse."

**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 Ch. 72-15(c) of the Lafayette City-Parish Consolidated Government Code of Ordinances; and

c) the filing requirement imposed by Ch. 72-16(b) 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 or more 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 Ch. 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 Ch. 72-16(d) of the Lafayette City-Parish Consolidated Government Code of Ordinances.

**SECTION 5:** After compliance with the filing requirements set forth at Ch. 72-16(d) 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(d) 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.

**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 those 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:** This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

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