

JR-007-2024

323 Portlock Street – Sale to Adjoining Property Owner

Assessment No. 6012949

Charles and Tonya Shinn – Applicant

Adjudicated since City, 2013 - \$1,869.18

Parish, 2013 – \$7,258.72

Property value – \$28,440.00

Council City Council District 1 – Pat Lewis

Parish Council District 5 – A.B. Rubin

RESOLUTION NO. JR-007-2024

A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AMENDING JOINT RESOLUTION JR-029-2023 AUTHORIZING A NON-WARRANTY CASH SALE OF THE PROPERTY AT 323 PORTLOCK STREET (ASSESSMENT NUMBER 6012949) TO AN ADJOINING LANDOWNER PURSUANT TO LA R.S. 47:2202(B) FOR THE PRICE OF THE SALE'S ANTICIPATED COSTS

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

WHEREAS, the Lafayette City Council and the Lafayette Parish Council each adopted Resolution No. JR-029-2023 on June 6, 2023 which incorrectly noted an incorrect property address in the "Legal Description" provision of JR-029-2023; and

WHEREAS, the Lafayette City Council and the Lafayette Parish Council now wish to amend Resolution No. JR-014-2023 to correct the applicant; and

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 Lafayette Parish, 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 Lafayette Parish 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.*, La. Const. Art. VII, Sec. 14, and the aforementioned Local Services Agreement among all political subdivisions levying *ad valorem* taxes on immovables within Lafayette Parish, Lafayette City-Parish Consolidated Government may elect at a public meeting of the Lafayette City Council and the Lafayette Parish Council to allow an adjoining landowner, who is determined to have maintained an adjudicated property for at least one (1) year, to purchase such adjudicated property for any price set by the Lafayette City Council and the Lafayette Parish Council; and

WHEREAS, the Lafayette City-Parish Consolidated Government Code of Ordinances in Ch. 72-30(e) permits that sale of adjudicated property to an adjoining landowner be submitted to the Joint Council for approval of a resolution authorizing its sale and adopting as its sale price the sale's anticipated costs; and

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

WHEREAS, the Lafayette City-Parish Consolidated Government has determined conformance by the below-named Applicant with La. R.S. 47:2202(B) and with Lafayette City-Parish Consolidated Government Code of Ordinances Ch. 72-30(e).

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

SECTION 1: All of the foregoing "Whereas" clauses are adopted as part of this resolution.

SECTION 2: JR-029-2023 is amended to correctly reflect the correct address in the "Legal Description".

SECTION 3: The Lafayette City Council and the Lafayette Parish Council in due, regular and legal session convened, adopt pursuant to La. R.S. 47:2202(B), and Lafayette City-Parish Consolidated Government Code of Ordinances Ch. 72-30(e), Lafayette City-Parish Consolidated Government's anticipated costs in the amount of zero (\$0) dollars as the price for Non-Warranty Cash Sale of the below-described property (the "Property") to the below-named Applicant:

Applicant: Charles Edward Shinn, Jr. and Tonya Walker Shinn

Assessment Number: 6012949

Property Address: 323 Portlock Street, Lafayette, Louisiana 70501

Legal Description:

323 Portlock Street, Lafayette, Louisiana 70501

"That certain parcel of ground, together with all improvements thereon, situated in the City of Lafayette, and Parish of Lafayette, Louisiana, measuring thirty-seven and one-half (37½) feet front on a twenty (20') foot road, known as Portlock Street, by a depth between parallel lines of 113.5 feet more or less and being the Eastern half of the property acquired by Isaac Roy from Galbert Broussard by Act. No. 217146 as corrected by Acts Nos. 218193 and 218405, all of the records of Lafayette Parish, La.; said parcel of ground being bounded Northerly by Portlock Street, Southerly by property of Dearie Landoz, or assigns, Easterly by property of Joseph Azar, or assigns, and Westerly by the Western half of the property acquired by Isaac Roy, aforesaid sold this day to Bellezaire Johnson."

SECTION 4: 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 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(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 Cash Sale to Applicant in that form attached hereto as Exhibit A. The Administrator, however, shall decline to cause to be authenticated the Non-Warranty Cash Sale should those circumstances described by Lafayette City-Parish Consolidated Government Code of Ordinances Ch. 72-18(c) arise prior to such authentication.

SECTION 5: Following authentication of the Non-Warranty Cash Sale, the Administrator shall cause Applicant to file the Non-Warranty Cash Sale in the Lafayette Parish Clerk of Court's conveyance records, along with this resolution, which shall be annexed to and incorporated by reference into the Non-Warranty Cash Sale; and to comply with the filing requirements set forth in Ch. 72-16(b) and Ch. 72-16(e) of the Lafayette City-Parish Consolidated Government Code of Ordinances.

SECTION 6: After compliance with the filing requirements set forth in Ch. 72-16(b) and Ch. 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 7: Sale of the Property to Applicant is conditioned upon compliance with the dictates of this resolution, including the following:

1) Applicant is not a tax debtor or owner of the Property, nor acting for, directly or indirectly, any tax debtor or owner of the Property;

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, nor acting for, directly or indirectly, any of the aforementioned, 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 the Property, 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 sale;

4) Applicant's compliance with the notice and filing requirements imposed by this resolution, the Louisiana Revised Statutes or by the Lafayette City-Parish Consolidated Government Code of Ordinances;

5) Applicant's maintenance of the Property in a clean and sanitary condition; and

6) Applicant's adherence to that property renovation plan attached hereto as Exhibit B.

SECTION 8: Should any suspensive condition prohibited by this resolution come to pass, or any resolatory condition required by this resolution cease, the Administrator upon learning of such circumstance shall cause to be revoked the Non-Warranty Cash Sale to Applicant.

SECTION 9: All resolutions, or parts thereof, in conflict herewith are hereby repealed.

This resolution having been submitted to a vote, the vote on behalf of the Lafayette City Council thereon was as follows:

YEAS: Broussard, Naquin, Hebert, Hooks, Boudreaux

NAYS: None

ABSENT: None

ABSTAIN: None

This resolution having been submitted to a vote, the vote on behalf of the Lafayette Parish Council thereon was as follows:

YEAS: Tabor, Richard, Stansbury, Guilbeau, Rubin

NAYS: None

ABSENT: None

ABSTAIN: None

AND the resolution was declared adopted on this, the 9th day of January, 2024.

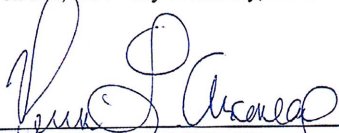

VERONICA L. ARCENEAUX
LAFAYETTE CLERK OF THE COUNCIL

Exhibit 1

Legal Description

Assessment Number: 6012949

Property Address: 323 Portlock Street, Lafayette, LA 70501

“That certain parcel of ground, together with all improvements thereon, situated in the City of Lafayette, and Parish of Lafayette, Louisiana, measuring thirty-seven and one-half (37½’) feet front on a twenty (20’) foot road, known as Portlock Street, by a depth between parallel lines of 113.5 feet more or less and being the Eastern half of the property acquired by Isaac Roy from Galbert Broussard by Act. No. 217146 as corrected by Acts Nos. 218193 and 218405, all of the records of Lafayette Parish, La.; said parcel of ground being bounded Northerly by Portlock Street, Southerly by property of Dearie Landoz, or assigns, Easterly by property of Joseph Azar, or assigns, and Westerly by the Western half of the property acquired by Isaac Roy, aforesaid sold this day to Bellezaire Johnson.”

Exhibit B
Renovation Plan

Applicant's plan to remove fallen tree and demolish existing house and use the lot for yard and green space.