

JR-011-2021

406 Huval Street – Sale to Adjoining Property Owner

Emilie Duhon – Applicant

**Adjudicated since City, 2013 - \$15,070.23
 Parish, 2013 – \$1,120.72**

Property value – \$2,000.00

**Council City Council District 5 – Glenn Lazard
 Parish Council District 5 – AB Rubin**

RESOLUTION NO. JR-011-2021

A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AUTHORIZING A NON-WARRANTY CASH SALE OF 406 HUVAL STREET 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-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.*, La. 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 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, jointly, to the Lafayette City Council and the Lafayette Parish 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: 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: *Eraelle Duhon*

Assessment Number: 6054679

Property Address: 406 Huval Street, Lafayette, Louisiana 70501

Legal Description:

406 Huval Street, Lafayette, Louisiana 70501

"That certain lot of ground situated in the Northwest Corporate limits of the City of Lafayette and having 50 feet front on a road by 90 feet deep between parallel lines and is bounded North by vendor, South by Road, East by Arthur Clay et al and West by Hernandez Boutte and being a part of the same property acquired by vendor from Hernandez Boutte by Act 166213, Book B-15 p. 587 of the Conveyance Records of said Parish."

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 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 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 4: 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(d) of the Lafayette City-Parish Consolidated Government Code of Ordinances.

SECTION 5: After compliance with the filing requirements set forth in 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: 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 7: Should any suspensive condition prohibited by this resolution come to pass, or any resolutory 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 8: 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:

NAYS:

ABSENT:

ABSTAIN:

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

YEAS:

NAYS:

ABSENT:

ABSTAIN:

AND the resolution was declared adopted on this, the 20th day of April, 2021.

VERONICA L. WILLIAMS
LAFAYETTE CLERK OF THE COUNCIL

Exhibit B
Renovation Plan

Applicant's plan is for the construction of a single-family unit and shall be as follows:

1. Any new construction may be subject to review and approval by the Development and Planning Department for neighborhood compatibility. New structures will be reviewed for neighborhood compatibility in terms of building character, setbacks and massing.
2. All construction shall be consistent with applicable zoning and building codes as required by Lafayette Consolidated Government.
3. After acquisition of the property, LCG will inspect any new rental construction every three (3) years to ensure code compliance.

CASE NO. APD 2021-009

APPLICANT INFORMATION			
Applicant Name	Emelle Duhon	Phone	(337) 781-5176
		Email	duhonemilie@gmail.com
Applicant Address	410 Huval Street	Applicant Municipality	Lafayette
Applicant Lives in Neighborhood		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Applicant Services Neighborhood		<input type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
If yes, in what capacity?	N/A		

ADJUDICATED PROPERTY INFORMATION			
Property Address	406 Huval Drive	Assessment No.	6054679
Neighborhood	Mills Addition	Subdivision	Portlock/Monroe
City District	1 Pat Lewis	Parish District	5 Abraham Rubin
Adjudication Status		City	Parish
Date Adjudicated		2013	2013
Amount of Taxes Owed	\$15,070.23		\$1,120.72
Disposition Process	Sale - Adjoining	Legislative Process	Sale/ALT to Adjoining Property Owner
<small>*If sale is to adjoining property owner, affidavit confirming one (1) year maintenance con</small>			
Minimum Bid	Value \$2,000	1st Public Sale	N/A
		2nd Public Sale	N/A
<small>*Minimum bid used in public sale process as per 72.90 (f) and 72.31©</small>			
Property Condition		Calls for Service	0
Vacant	Vacant	Law Enforcement	0
Maintained		Environmental	0
Improved	Improved	Housing	0

RENOVATION PLAN <small>*See Attached</small>			
Zoning Designation	"RS-1" Residential Single-Family		
Meets Zoning Standard for District		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
Assessor's Description	Res NonSubd Lot		
Is Consistent with Area Land Use		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
Flood Zone	X		
Will Require Mitigation		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Intended Use	Extend Property		
Description of Intended Use	<p>Applicant will construct rental housing consistent with neighborhood stock and applicable LCG zoning/building codes. Any construction will be subject to periodic inspections by LCG to maintain code compliance. As this lot is zoned RS-1, has inadequate square footage for this zone, and is not platted therefore not grandfathered. It will be necessary for the applicant to apply for a rezoning to RS-2 to allow the construction of a single family home.</p>		

Administrator Notes			
1. Applicant satisfies conditions as established in LCG O-166-2015.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
2. Applicant is approved for this disposition proceeding.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
3. Applicant will be considered for future disposition proceedings.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
4. Applicant does not satisfy conditions established in LCG O-166-2015.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
5. Confirmed property is adjudicated.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
6. Affidavit(s) have/has been provided.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Conditions not satisfied			
1			
2			
3			