

JR-012-2023

107 Patton Street – Sale to Adjoining Property Owner

Assessment No. 6031441

Mary Boast– Applicant

**Adjudicated since City, 2003 - \$23,054.81
 Parish, 1992 – \$10,646.69**

Property value – \$2,100.00

**Council City Council District 1 – Pat Lewis
 Parish Council District 5 – A.B. Rubin**

RESOLUTION NO. JR-012-2023

A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AUTHORIZING A NON-WARRANTY CASH SALE OF THE PROPERTY AT 107 PATTON STREET (ASSESSMENT NUMBER 6031441) 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, 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 Chapter 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 Chapter 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 Chapter 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: Mary Boast

Assessment Number: 6031441

Property Address: 107 Patton Street, Lafayette, Louisiana 70501

Legal Description:

107 Patton Street, Lafayette, Louisiana 70501

"That certain parcel of ground known and designated as Lot 4, Cloverhill Addition to the City and Parish of Lafayette, Louisiana together with all improvements situated thereon, said lot having such metes and bounds as are shown on plat of survey of said subdivision on file in the records of the Lafayette Parish Clerk of Courts, which property was acquired by the vender by Acts Nos. 620646, 620645, 620644, 620647, and 620700.

That certain parcel of ground, without improvements, located in the Cloverhill Addition to the City of Lafayette, Louisiana and in accordance with a plat of said addition on file in the Clerk's Office for the Parish of Lafayette, Louisiana, is known and designated as Lot No. 5 of said Addition; the said lot having the dimension as shown on said plat is bounded north by Patton Street, south by property of Texas and New Orleans Railroad Company, east by Lot six, said Addition, and west by Lot 4 of said addition.

Being the same property acquired by vendor on December 20, 1950, from Stella Bonhomme, by Act of Sale recorded under Act No. 256948, of the Clerk's Office of Lafayette Parish Louisiana.

Said property bears a municipal address of 107 Patton Street, Lafayette, Louisiana, 70501."

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 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 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 Chapter 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 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 in 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: 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 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 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: Lewis, A. Naquin, Hebert, Cook, Lazard

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, K. Naquin, Carlson, Guilbeau

NAYS: None

ABSENT: Rubin

ABSTAIN: None

AND the resolution was declared adopted on this, the 6th day of June, 2023.

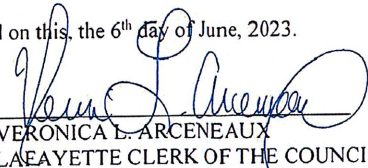

VERONICA L. ARCENEAUX
LAFAYETTE CLERK OF THE COUNCIL

Exhibit 1
Legal Description

Assessment Number: 6031441

Property Address: 107 Patton Street, Lafayette, LA 70501

“That certain parcel of ground known and designated as Lot 4, Cloverhill Addition to the City and Parish of Lafayette, Louisiana together with all improvements situated thereon, said lot having such metes and bounds as are shown on plat of survey of said subdivision on file in the records of the Lafayette Parish Clerk of Courts, which property was acquired by the vendor by Acts Nos. 620646, 620645, 620644, 620647, and 620700.

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Exhibit B
Renovation Plan

Applicant's plan to use the lot for yard and green space, as well as for a garage.