

RESOLUTION NO. JR-013-2021

A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AUTHORIZING A NON-WARRANTY CASH SALE OF THE 600 BLOCK OF EAST PINHOOK ROAD 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: OCT of Louisiana – Omar Thibeaux

Assessment Number: 6142477

Property Address: The 600 Block of East Pinhook Road, Lafayette, Louisiana 70501

Legal Description:

The 600 Block of East Pinhook Road, Lafayette, Louisiana 70501

"TR 2-B SEC 76 T9S R5E
(.0496 AC)(41.13X55.52X36.59X55.89
TR 2-B-1 SEC 76 T9S R5E
(.0016 AC)(2.2X41.13X1.2X41.13)"

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 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, Carlson, Guilbeau, Rubin

NAYS: None

ABSENT: K. Naquin

ABSTAIN: None

AND the resolution was declared adopted on this, the 18th day of May, 2021.

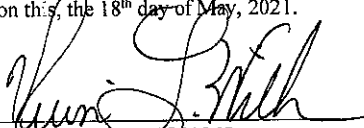

VERONICA L. WILLIAMS
LAFAYETTE CLERK OF THE COUNCIL

Exhibit B
Renovation Plan

Applicant's plan is to extend property line for additional parking.

CASE NO. APD 2021-019

APPLICANT INFORMATION

Applicant Name OCT of Louisiana Phone
 Omar Thibeaux Email thibeauxlaw@bellsouth.net
 Applicant Address 600 E. Pinhook Rd. Applicant Municipality Lafayette
 Applicant Lives in Neighborhood Yes No N/A
 Applicant Services Neighborhood Yes No N/A
 If yes, in what capacity? N/A

ADJUDICATED PROPERTY INFORMATION

Property Address 600 Blk. Of E. Pinhook Rd. Assessment No. 6142477
 Neighborhood Old Addition Subdivision
 City District 1 Pat Lewis Parish District 5 Abraham Rubin
 Adjudication Status City Parish
 Date Adjudicated 2010 2010
 Amount of Taxes Owed \$505.24 \$1,010.15

Disposition Process Sale - Adjoining Legislative Process Sale/ALT to Adjoining Property Owner
*If sale is to adjoining property owner, affidavit confirming one (1) year maintenance con

Minimum Bid Value \$6,820 1st Public Sale N/A 2nd Public Sale N/A
*Minimum bid used in public sale process as per 72.30 (f) and 72.31©

Property Condition Calls for Service 0
 Vacant Vacant Law Enforcement 0
 Maintained Environmental 0
 Improved Improved Housing 0

RENOVATION PLAN *See Attached

Zoning Designation "CH" Commercial Heavy
 Meets Zoning Standard for District Yes No N/A
 Assessor's Description Res NonSubd Lot
 Is Consistent with Area Land Use Yes No N/A
 Flood Zone X
 Will Require Mitigation Yes No N/A

Intended Use Extend Property
 Description of Intended Use
 Applicant will use lot for additional parking.

Administrator Notes

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

Conditions not satisfied
 1
 2
 3