

JR-025-2022

435 Marigold Loop – Sale to Adjoining Property Owner

Lawrence Fontenot – Applicant

**Adjudicated since City, 2017 - \$12,164.38
 Parish, N/A – \$341.70**

Property value – \$6,250.00

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

RESOLUTION NO. JR-025-2022

A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AUTHORIZING A NON-WARRANTY CASH SALE OF THE PROPERTY AT 435 MARIGOLD LOOP (ASSESSMENT NUMBER 6031315) 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 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: 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: Lawrence Fontenot

Assessment Number: 6031315

Property Address: 435 Marigold Loop, Lafayette, Louisiana 70501

Legal Description:

244 Josephine Street, Lafayette, Louisiana 70501

"That certain piece or portion of ground, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Parish of Lafayette, Louisiana as Lot 31, Azalea Park Subdivision, Extension no. One (1), City and Parish of Lafayette, Louisiana."

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(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. 72-13(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(b) and Ch. 72-16(e) of the Lafayette City-Parish Consolidated Government Code of Ordinances.

SECTION 5: 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 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 of the aforescribed "Whereas" clauses are adopted as part of this resolution.

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: A. Naquin, Hebert, Cook, Lazard

NAYS: None

ABSENT: Lewis

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, Rubin

NAYS: None

ABSENT: None

ABSTAIN: None

AND the resolution was declared adopted on this, the 19th day of July, 2022.



VERONICA L. WILLIAMS
LAFAYETTE CLERK OF THE COUNCIL

Exhibit B
Renovation Plan

Applicant's plan is for the property to be used as additional green and yard space.

CASE NO. APD 2022-023

APPLICANT INFORMATION

Applicant Name Lawrence Fontenot Phone (337) 303-2879 (337) 233-2012
 Email lfontenot180@gmail.com
 Applicant Address 437 Marigold Loop 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 435 Marigold Loop Assessment No. 6031315
 Neighborhood Mills Addition Subdivision Azalea Park
 City District 1 Pat Lewis Parish District 5 Abraham Rubin
 Adjudication Status City Parish
 Date Adjudicated 2017 N/A
 Amount of Taxes Owed \$12,164.38 \$341.70

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 \$6,250 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 Law Enforcement 0
 Maintained Environmental 0
 Improved Housing 0

RENOVATION PLAN *See Attached

Zoning Designation "RS-1" Residential Single-Family *Conditional Use Permit
 Meets Zoning Standard for District Yes No N/A
 Assessor's Description Res Subd Lot
 Is Consistent with Area Land Use Yes No N/A
 Flood Zone AE
 Will Require Mitigation Yes No N/A

Intended Use Green Space

Description of Intended Use

Applicant will use property for additional yardage and green space.

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