

RESOLUTION NO. JR-026-2020

**A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE  
LAFAYETTE PARISH COUNCIL AUTHORIZING A NON-WARRANTY CASH SALE  
OF 109 SOUTH BIENVILLE 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 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 at 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: Dexter Alfred**

**Assessment Number: 6068320**

**Property Address: 109 South Bienville Street, Lafayette, Louisiana 70501**

**Legal Description:**

109 South Bienville Street, Lafayette, Louisiana 70501

“That certain lot of ground, situated in the Girard Salles Addition to the City of Lafayette, Louisiana, and being composed of the North half of Lot No. 11 of said addition together with all improvements, said parcel measuring 50 feet front on Bienville Street by the depth as shown on the survey of said addition on file in the Office of the Clerk of Court. “

**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 at Ch. 72-16(d) of the Lafayette City-Parish Consolidated Government Code of Ordinances.

**SECTION 5:** After compliance with the filing requirements set forth at 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:

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 15<sup>th</sup> day of September, 2020.

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VERONICA L. WILLIAMS  
LAFAYETTE CLERK OF THE COUNCIL

**NON-WARRANTY CASH SALE**

**STATE OF LOUISIANA**

**PARISH OF LAFAYETTE**

**BE IT KNOWN**, on the dates written below before the undersigned Notaries Public, duly commissioned and qualified in their respective parishes, personally came and appeared:

Lafayette City-Parish Consolidated Government,

referred to as "Seller," a political subdivision of the State of Louisiana, represented herein by Lafayette Mayor-President Joshua S. Guillory, who, authorized by Joint Resolution No. JR-\_\_\_\_-2020 of the Lafayette City Council and the Lafayette Parish Council, declared that:

Seller sells, without any warranty of title whatsoever, either expressed or implied, even as to the return or reduction of the purchase price, except for the warranty against eviction resulting from a prior alienation by the political subdivision, but with full substitution and subrogation in and to all the rights and actions of warranty which Seller may have, to:

Dexter Alfred

whose permanent mailing address 105 South Bienville Street, Lafayette, LA, 70501, referred to as "Purchaser," all of Seller's right, title and interest in and to the property more fully described on Exhibit "1" attached hereto and made a part hereof, together with all appurtenances thereunto belonging or in any way appertaining, and all buildings and improvements located on the property, if any, collectively referred to as the "Property."

This sale is made and accepted for and in consideration of the sum of "Zero Dollars" cash, which Purchaser has paid to Seller.

Purchaser acknowledges that this sale is subject to, and conditioned upon, the provisions of the aforementioned Resolution, which is incorporated herein and made part hereof, and whose recordation alongside this Act of Sale is an essential condition of this Sale.

Pursuant to La. R.S. § 9:2721(A), from and after the date of execution of this Non-Warranty Cash Sale by the Seller, all property taxes and assessment notices should be mailed to the Purchaser at its address first set forth on the preceding page.