

100 Block of Red Brick Circle – Sale to Adjoining Property Owner

Robert Barras – Applicant

**Adjudicated since City, 2007 - \$1,880.57
 Parish, 2007 – \$6,511.26**

Property value – \$71,130.00

**Council City Council District 3 – Liz Hebert
 Parish Council District 4 – John Guilbeau**

RESOLUTION NO. JR-039-2022

A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AUTHORIZING A NON-WARRANTY CASH SALE OF THAT PARCEL KNOWN AS THE 100 BLOCK OF RED BRICK CIRCLE (ASSESSMENT NUMBER 6015927) 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 aforescribed "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: Robert Barras

Assessment Number: 6015927

Property Address: The 100 Block of Red Brick Circle, Lafayette, Louisiana 70501

Legal Description:

The 100 Block of Red Brick Circle, Lafayette, Louisiana 70501

"1. That certain parcel of land being known and designated as RED BRICK CIRCLE as shown on a plat of survey prepared by R. Douglas McGee & Associates, Ltd., dated September 16, 1985, revised January 16, 1986, which plat is recorded as Act No. 86-8330 in the Lafayette Parish Clerk of Court's Office. This tract includes only the hard surfaced private street shown as Red Brick Circle on said plat, and does not include any land that has not been paved within the fifty (50') feet radius right of passage shown as the "Circle" portion of Red Brick Circle.

2. That certain parcel of land shown as Common Area One and Common Area Two on that plat of survey prepared by R. Douglas McGee & Associates, Ltd., dated December 16, 1985, revised January 16, 1986, which plat is recorded as Act No. 86-8330 in the Lafayette Parish Clerk of Court's Office."

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

e) 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. 72-18(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(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(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(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, K. Naquin, Carlson, Guilbeau, Rubin

NAYS: None

ABSENT: None

ABSTAIN: None

AND the resolution was declared adopted on this, the 6th day of December, 2022.

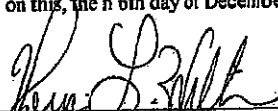

VERONICA L. WILLIAMS
LAFAYETTE CLERK OF THE COUNCIL

Exhibit 1
Legal Description

Assessment Number: 6015927

Property Address: The 100 Block of Red Brick Circle, Lafayette, LA 70503

"1. That certain parcel of land being known and designated as RED BRICK CIRCLE as shown on a plat of survey prepared by R. Douglas McGee & Associates, Ltd., dated September 16, 1985, revised January 16, 1986, which plat is recorded as Act No. 86-8330 in the Lafayette Parish Clerk of Court's Office. This tract includes only the hard surfaced private street shown as Red Brick Circle on said plat, and does not include any land that has not been paved within the fifty (50') feet radius right of passage shown as the "Circle" portion of Red Brick Circle.

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Exhibit B
Renovation Plan

Applicant's plan is to utilize property for ingress and egress and green space for owners of lots on Red Brick Circle.