

JR-046-2021

200 Block of Ben B. Street – Sale to Adjoining Property Owner

**Bobby Celestine – Applicant**

**Adjudicated since      City, 1991 - \$24,299.75  
                                 Parish, 2003 – \$5,304.10**

**Property value – \$4,080.00**

**Council                  City Council District 1 – Pat Lewis  
                                 Parish Council District 5 – AB Rubin**

**RESOLUTION NO. JR-046-2021**

**A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AUTHORIZING A NON-WARRANTY CASH SALE OF THE 200 BLOCK OF BEN B. STREET (ASSESSMENT NUMBER 6038891) 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, 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: Bobby Celestine**

**Assessment Number: 6038891**

**Property Address: The 200 Block of Ben B. Street, Lafayette, Louisiana 70501**

**Legal Description:**

**The 200 Block of Ben B. Street, Lafayette, Louisiana 70501**

"That certain parcel of ground, together with all improvements, situated in the city of Lafayette, Louisiana, having a front of 36 feet on Ben B. Street by a depth in parallel lines of 105 feet, more or less; said lot of ground consists of the southern portion of the lot of ground acquired by ALBERT ST. JULIEN by Act No. 214369, which together with the plat of survey attached to Act No. 214369, are made part of hereof by reference. The lot herein sold is bounded North by the north part of said lot, South by Lot 6 Block 2 of the Home Addition, East by O.B. Hopkins or assigns, and west by Ben B. Street.

Being the same property acquired by WILSON HEBERT from Lafayette Building Association by Act No. 456556, records of Lafayette Parish, Louisiana, and acquired by the Lafayette Building Association from WILSON HEBERT by Act No. 519757 records of Lafayette Parish, Louisiana. WILSON HEBERT acquired said property from the Lafayette Building Association by Act No. 519758, records of Lafayette Parish, 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(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:

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 December, 2021.

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VERONICA L. WILLIAMS  
LAFAYETTE CLERK OF THE COUNCIL

**Exhibit B**  
**Renovation Plan**

Applicant's plan is to maintain property as green and additional yard space.

CASE NO. APD 2021-045

APPLICANT INFORMATION

Applicant Name Bobby Celestine Phone (337) 230-9200  
Email [celestinepaintingllc@gmail.com](mailto:celestinepaintingllc@gmail.com)  
Applicant Address 223 Ben B. Street 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 200 Blk. Of Ben B. Assessment No. 6038891  
Neighborhood Mills Addition Subdivision Second Home Area  
City District 1 Pat Lewis Parish District 5 Abraham Rubin  
Adjudication Status City Parish  
Date Adjudicated 1991 2003  
Amount of Taxes Owed \$24,299.76 \$5,304.10

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 \$4,080 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 Maintained Environmental 0  
Improved Improved Housing 0

RENOVATION PLAN \*See Attached

Zoning Designation "RS-1" Residential Single-Family  
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 X  
Will Require Mitigation  Yes  No  N/A  
Intended Use Extend Property  
Description of Intended Use  
Applicant will use lot for additional yard 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