

PR-009-2021

100 Block of Opus Drive – Sale to Adjoining Property Owner

James Simon – Applicant

**Adjudicated since City, N/A
 Parish, 1995 – \$4,927.15**

Property value – \$18,440.00

**Council City Council District –
 Parish Council District 2 – Kevin Naquin**

PARISH RESOLUTION NO. PR-009-2021

A RESOLUTION OF THE LAFAYETTE PARISH COUNCIL AUTHORIZING A NON-WARRANTY CASH SALE OF THAT PROPERTY LOCATED AT THE 100 BLOCK OF OPUS LANE (ASSESSMENT NUMBER 6035421) 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 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 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 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 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 Parish Council, that:

SECTION 1: All of the foregoing "Whereas" clauses are adopted as part of this resolution.

SECTION 2: 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: James Simon

Assessment Number: 6035421

Property Address: The 100 Block of Opus Lane, Lafayette, Louisiana 70506

Legal Description:

The 100 Block of Opus Lane, Lafayette, Louisiana 70506

"Those certain lots of ground, together with all buildings and improvements situated thereon and belonging thereto, situated in an irregular Section 37, Township 10 South, Range 3 East, Lafayette Parish, Louisiana, as per plat of survey prepared by J.E. Schexnaider & Associates, Registered Land Surveyor, dated January 6, 1981, said plat of survey being recorded under Entry No. 83-4409 of the Conveyance Records of Lafayette Parish, Louisiana. Said lots being designated as LOTS 41 & 42 of the said plat of survey, and having such boundaries, measurements and dimensions as shown on said plat of survey."

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 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 resolutory 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 Parish Council thereon was as follows:

YEAS: Tabor, Carlson, Guilbeau, Rubin

NAYS: None

ABSENT: Naquin

ABSTAIN: None

AND the resolution was declared adopted on this, the 20th day of July, 2021.

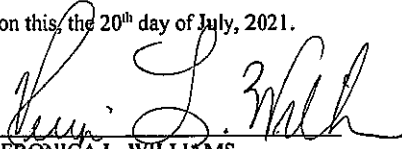

VERONICA L. WILLIAMS
LAFAYETTE CLERK OF THE COUNCIL

Exhibit B
Renovation Plan

Applicant's plan is to utilize this property for access to the lot he currently owns identified as the 1800 Block of Lagneaux Road, Assessment Number 6064932.

CASE NO. APD 2021-025

APPLICANT INFORMATION

Applicant Name James Simon Phone (337) 258-7710
 Email jsimon4570@gmail.com

Applicant Address 1800 Blk. Lagneaux Road Applicant Municipality Uninc 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 100 Blk. Of Opus Lane Assessment No. 6035421
 Neighborhood South Richfield to River Subdivision Savane Sauvage
 City District 10 None Parish District 2 Kevin Naquin

Adjudication Status City Parish
 Date Adjudicated N/A 1995
 Amount of Taxes Owed N/A \$4,927.15

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 \$18,440 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
 Not Improved Housing 0

RENOVATION PLAN *See Attached

Zoning Designation Parish - Unzoned

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

Mitigation Yes No N/A

Intended Use Extend Property

Description of Intended Use
 Applicant will use this property for access to the adjoining property he currently owns at the 1800 Block of Lagneaux Road (Assessment No. 6064932)

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
 7. Mailing Address is 220 Sunny Ln., Lafayette, LA 70506-6339

Conditions not satisfied
 1
 2
 3