

CITY ORDINANCE NO. CO-180-2021

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AUTHORIZING THE LAFAYETTE MAYOR-PRESIDENT TO ACCEPT CERTAIN PROPERTY DESCRIBED HEREINAFTER FOR THE PURPOSE OF OPERATING AND MAINTAINING THE NECESSARY SEWER LIFT STATION AND TREATMENT PLANT FACILITIES

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: The Lafayette City Council hereby desires to accept the land and improvements hereinafter described for the purpose of operating and maintaining the necessary sewer lift station and treatment plant facilities.

SECTION 2: The purpose served by the donation of said property and improvements will allow for Lafayette Utilities System to operate and maintain the sewer facilities for Gable Crest Subdivision.

SECTION 3: The property to be donated is described as follows:

That certain tract of land described as Lot 48 in Gable Crest Subdivision containing an area of +/- 0.297 acres. Said tract has a municipal address of 200 Durke Road (A Public Street) and is used for sewer treatment plant facilities together with all equipment and improvements thereon. Tract lying and being situated in, Section 42, Township 11 South, Range 4 East, in the Parish of Lafayette, Louisiana, together with all rights, ways, privileges, servitudes, advantages and appurtenances thereon and thereunto appertaining, being shown and more fully described on the Map of Survey prepared by Paul L. Miers, dated November 05, 2019, recorded in conveyance records for the Parish of Lafayette, under file No. 2019-039003,

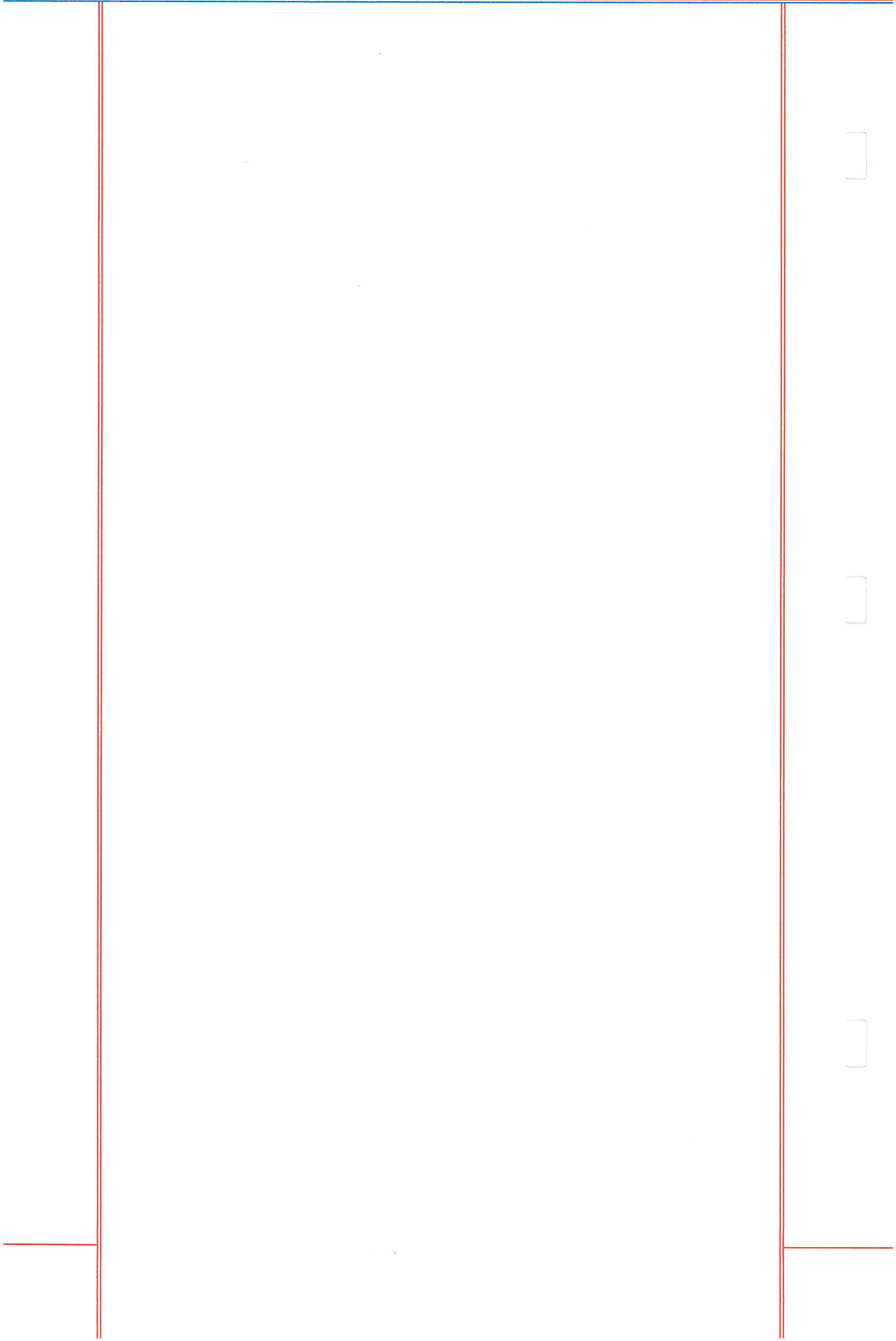
and

That certain tract of land described as Sewer Pump Station in Gable Crest Subdivision containing an area of +/- 0.057 acres. Said tract has a municipal address of 204 Durke Road (A Public Street) and is used for sewer lift station facilities together with all equipment and improvements thereon. Tract lying and being situated in, Section 42, Township 11 South, Range 4 East, in the Parish of Lafayette, Louisiana, together with all rights, ways, privileges, servitudes, advantages and appurtenances thereon and thereunto appertaining, being shown and more fully described on the Map of Survey prepared by Paul L. Miers, dated November 05, 2019, recorded in conveyance records for the Parish of Lafayette, under file No. 2019-039003, attached hereto.

SECTION 4: The Lafayette Mayor-President is hereby authorized, empowered and directed to execute an Act of Donation and such other documents and instruments as may be appropriate to conclude the acquisition of property by the City of Lafayette, for the benefit of the Lafayette Utilities System.

SECTION 5: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 6: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.



STATE OF LOUISIANA

PARISH OF LAFAYETTE

ACT OF DONATION

BE IT KNOWN, that on the days and dates hereinafter set forth, before the undersigned Notaries Public in and for the respective parishes/counties and states, duly commissioned and qualified as such, and in the presence of the undersigned competent witnesses, personally came and appeared:

BREAUX DEVILLE LAND DEVELOPERS, LLC, a Louisiana Limited Liability Company, organized under the laws of the State of Louisiana, appearing herein by and through its duly authorized Agent, John Hoss, whose mailing address is 203 Waterhouse Road, Carencro, Louisiana 70520, (hereinafter referred to as "Donor");

who, after being first duly sworn, did depose and declare that for good and valuable consideration, the receipt and sufficiency of which and hereby acknowledged, it does by these presents donate, transfer, convey, set over and deliver unto:

CITY OF LAFAYETTE, a political subdivision of the State of Louisiana, herein represented by Joshua S. Guillory, Lafayette Mayor-President, whose primary mailing address is P.O. Box 4017-C, Lafayette, Louisiana 70502, (hereinafter referred to as "Donee");

present, accepting and acquiring for itself, its heirs, successors and assigns, and acknowledging delivery thereof, the following described property, to-wit:

That certain tract of land described as Lot 48 in Gable Crest Subdivision containing an area of +/- 0.297 acres. Said tract has a municipal address of 200 Durke Road (A Public Street) and is used for sewer treatment plant facilities together with all equipment and improvements thereon. Tract lying and being situated in, Section 42, Township 11 South, Range 4 East, in the Parish of Lafayette, Louisiana, together with all rights, ways, privileges, servitudes, advantages and appurtenances thereon and thereunto appertaining, being shown and more fully described on the Map of Survey prepared by Paul L. Miers, dated November 05, 2019, recorded in conveyance records for the Parish of Lafayette, under file No. 2019-039003,

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AND

Donor expressly includes within this donation all sanitary sewer equipment, as well as all gravity and force main lines installed within the subdivision rights of ways.

Donee accepts this Donation with gratitude.

Donor and Donee agree that this Act of Donation may be executed in any number of counterparts. It shall not be necessary for the signatures of all persons to appear on each counterpart to bind any party. All counterparts shall collectively constitute a single instrument. Additionally, a signature or notarial acknowledgment page to any counterpart may be detached from such counterpart without impairing the legal effect of the signatures and thereafter attached to another identical counterpart. It shall not be necessary in making proof of this Act of Donation or for purposes of recordation to produce or account for more than a single counterpart containing the respective signatures of, or on behalf of, each of the parties' signatories.

THUS DONE AND PASSED in Lafayette Parish, State of Louisiana, before me, the undersigned Notary Public, duly commissioned and qualified in and for the Parish and State aforesaid, on the ____ day of _____, 2022, in the presence of the undersigned competent witnesses, who have signed in the presence of the undersigned parties, and me, Notary, after due reading of the whole.

WITNESSES:

_____ **BREAUX DEVILLE LAND DEVELOPERS, LLC**

Print name: _____

By _____

_____ John Hoss
Authorized Agent

Print name: _____

Notary Public

Print name: _____

Notary Identification Number: _____

THUS DONE AND PASSED in Lafayette Parish, State of Louisiana, before me, the undersigned Notary Public, duly commissioned and qualified in and for the Parish and State aforesaid, on the 13 day of January, 2022, in the presence of the undersigned competent witnesses, who have signed in the presence of the undersigned parties, and me, Notary, after due reading of the whole.

WITNESSES:

CITY OF LAFAYETTE

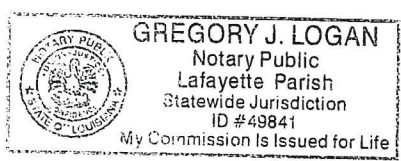
Harnette H. Orleap
Print name: HARNETTE H. ORLEAP

[Signature]
By: Joshua S. Guillory
Lafayette Mayor-President

Julie Fruge
Print name: JULIE FRUGE

[Signature]
Notary Public

Print name: _____
Notary Identification Number: _____





RECEIVED

NOV 29 2021

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Lafayette Utilities System
Engineering Administration (7081)

TO: Cydra Wingerter

DATE: November 23, 2021

THRU: Jeffrey Stewart
JS 11/23/21

Lowell Duhon
LD 11/29/21

FROM: Bryan Guidry

SUBJECT: Gable Crest Subdivision sewer lift station and treatment plant facilities

Attached for consideration by the Lafayette City Council is an ordinance proposing the Act of Donation of land and equipment of the sewer lift station and treatment plant facilities and necessary appurtenances for operating and maintaining the sewer facilities within Gable Crest Subdivision.

LUS recommends approval of the proposed ordinance.

Please place this ordinance on the agenda for the Lafayette City Council for introduction at the December 15, 2021 meeting and final adoption at the January 4, 2022 meeting.

Thank you,

Bryan Guidry

Bryan Guidry
Chief Civil Engineer

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) **JUSTIFICATION FOR REQUEST:** An ordinance of the Lafayette City Council authorizing the Lafayette Mayor-President to accept certain property described hereinafter for the purpose of operating and maintaining the necessary sewer lift station and treatment plant facilities.

2) **ACTION REQUESTED:** Adoption of ordinance

3) **COUNCIL DISTRICT(S) (if applicable):** Parish Council District Three (3)

4) **REQUESTED ACTION OF COUNCIL:**

A) INTRODUCTION: December 15, 2021

B) FINAL ADOPTION: January 4, 2022

5) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**

A) Internal Memorandum (1 page)

B) Submittal (1 page)

C) Ordinance (1 page)

D) Act of Donation (3 pages)

E) Subdivision plat (1 page)

6) **FISCAL IMPACT:**

 Fiscal Impact (Explain)

 X No Fiscal Impact

RECOMMENDED BY:

DIRECTOR

APPROVED FOR AGENDA:


CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-180-2021

1. This ordinance was introduced: December 15, 2021
 YEAS: Lewis, Naquin, Hebert, Lazard
 NAYS: None
 ABSENT: Cook
 ABSTAIN: None
- Final disposition by Council: January 4, 2022
 YEAS: Lewis, Naquin, Cook, Lazard
 NAYS: None
 ABSENT: Hebert
 ABSTAIN: None
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on December 22, 2021.
3. This ordinance was presented to the Mayor-President for approval on 1/5/2022, 2022, at 9:45 o'clock a.m.


 ASST. CLERK OF THE COUNCIL

4. Disposition by Mayor-President:
- I hereby:
- A. Approve this ordinance, the 13 day of JANUARY, 2022, at 9:45 o'clock a.m.
- B. Veto this ordinance, the _____ day of _____, 2022, at _____ o'clock ____m., veto message is attached.
- C. Line item veto certain items this _____ day of _____, 2022, at _____ o'clock ____m., veto message is attached.

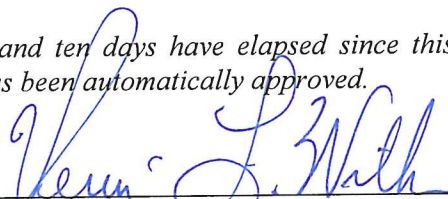

 MAYOR-PRESIDENT

5. Returned to Council Office with/without veto message on January 14, 2022, at 8:50 o'clock a.m.

6. Reconsideration by Council (if vetoed):
- On _____, 2022, the Council did/refused to adopt this ordinance after the Mayor-President's veto.

7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2022, at _____ o'clock ____m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.


 CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on January 7, 2022.

