

RESOLUTION NO. JR-034-2021

A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL TAKING CORRECTIVE ACTION ON THE PROPERTY DESCRIPTION PROVIDED IN JOINT RESOLUTION NO. JR-035-2020 AUTHORIZING A NON-WARRANTY CASH SALE OF THE ADJUDICATED PROPERTY AT 523 SOUTH WASHINGTON STREET TO AN ADJOINING LANDOWNER

BE IT RESOLVED by the Lafayette City Council and the Lafayette Parish Council, that:

WHEREAS, the Lafayette City-Parish Council has adopted Resolution No. R-035-2020 authorizing a Non-Warranty Cash Sale of the adjudicated property at 523 South Washington Street, Lafayette, LA to a qualified applicant; and

WHEREAS, the property description provided on both Resolution R-035-2020 and the resulting Act of Sale was inadequate and is in need of correction; and

WHEREAS, so that the Act of Sale commemorating the Non-Warranty Cash Sale accurately reflects the property sold; and

WHEREAS, the Lafayette City Council and the Lafayette Parish Council desire to take corrective action so that the Act of Sale commemorating the Non-Warranty Cash Sale accurately reflects the property sold.

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, hereby approve the attached Act of Correction providing a more accurate description of the property previously sold in the Non-Warranty Cash Sale authorized by Resolution R-035-2020.

SECTION 3: All resolutions, or parts thereof, in conflict herewith are hereby repealed.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 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 Parish Council thereon was as follows:

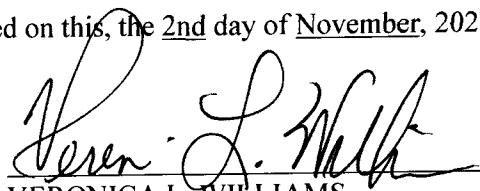
YEAS: Tabor, K. Naquin, Carlson, Guilbeau, Rubin

NAYS: None

ABSENT: None

ABSTAIN: None

AND the resolution was declared adopted on this, the 2nd day of November, 2021.



VERONICA L. WILLIAMS
LAFAYETTE CLERK OF THE COUNCIL

**NOTARIAL ACT OF CORRECTION
(of Non-Warranty Cash Sale: Lafayette Parish Conveyance File No. 2021-00034647)**

STATE OF LOUISIANA
PARISH OF LAFAYETTE

BEFORE ME, the undersigned Notary Public, personally came and appeared:

LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT, a political subdivision of the State of Louisiana, represented herein by Lafayette Mayor-President Joshua S. Guillory, authorized by Joint Resolution No. JR-XXX-2021 of the Lafayette City Council and the Lafayette Parish Counsel;

Who declared that a clerical mistake was made in the following Non-Warranty Cash Sale:

Non-Warranty Cash Sale by Lafayette City-Parish Consolidated Government (“Seller”) to Nola Ames (“Purchaser”), dated April 16, 2021, recorded July 27, 2021, in the Lafayette Parish Conveyance Records as **File Number 2021-00034647**.

The description of the involved property (the “Property”) was missing a portion of its legal description. For that reason, the undersigned party, **LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT**, hereby corrects the **Property description as listed in the Non-Warranty Cash Sale to read as follows:**

Assessment Number: 6021861

Property Address: 523 South Washington Street, Lafayette, Louisiana 70501

Legal Description:

“A full interest in and to that certain lot of ground together with all improvements and thereunto belonging in Mills Addition in the City of Lafayette, Louisiana, in accordance with a plat of John Campbell of Mills Addition, is known and designated as Lot One Hundred Sixty-three (163) thereof; having a front of one hundred feet (100’) on Washington Street by a depth between parallel lines of One Hundred Forty (140) feet and bounded North by Lot 162; East by Lot 164; South by Lot 166; all of Mills Addition; and West by Washington Street, less and except for that . Being the same property acquired under Acts Numbers 99158 and 104007, records of Lafayette Parish, Louisiana. “

Less and except that certain lot or parcel of ground together with all improvements situated in the Mills Addition, in the City of Lafayette, and being the Northwest portion of Lot 163 of said addition; having a frontage on the East side of Washington Street of 40 feet by a depth in parallel lines of 75 feet; and, being bounded North by Lot 168; South and East by portions of Lot 163 and West by Washington Street.”

Appearer herein authorizes and directs the Clerk of Court for Lafayette Parish, Louisiana to record, index, and marginally cross-reference this Notarial Act of Correction with respect to the Non-Warranty Cash Sale filed in the **Lafayette Parish Conveyance Records as File No. File Number 2021-00034647**, to serve as official notice to third parties of this correction.

**Signatures on following page*

DONE AND PASSED at my office in said _____ in presence of the undersigned competent witnesses and me, Notary, on this _____ day of _____, 2021.

WITNESSES:

Signature

By: Joshua S. Guillory
Title: Lafayette Mayor-President

Printed Name

Signature

Printed Name

NOTARY PUBLIC

Printed Name: _____

Notary/Bar Roll No.: _____

JR-034-2021

RESOLUTION NO. JR-035-2020

A JOINT RESOLUTION OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AUTHORIZING A NON-WARRANTY CASH SALE OF 523 SOUTH WASHINGTON 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: Nola Ames

Assessment Number: 6021861

Property Address: 523 South Washington Street, Lafayette, Louisiana 70501

Legal Description:

523 South Washington Street, Lafayette, Louisiana 70501

"An undivided one-fourth (1/4) interest in and to that certain lot of ground together with all improvements and thereunto belonging in Mills Addition in the City of Lafayette, Louisiana, in accordance with a plat of John Campbell of Mills Addition, is known and designated as Lot One Hundred Sixty-three (163) thereof; having a front of One Hundred feet (100) on Washington Street by a depth between parallel lines of One Hundred Forty (140) feet and bounded North by Lot 162; East by Lot 164; South by Lot 166; all of Mills Addition; and West by Washington Street. Being the same property acquired under Acts Numbers 99158 and 104007, 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 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 resolutive 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

NAYS: None

ABSENT: Lazard

ABSTAIN: None

This resolution having been submitted to a vote, the vote on behalf of the Lafayette Parish Council thereon was as follows:

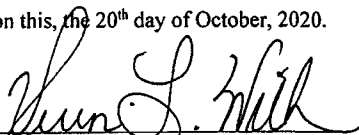
YEAS: Tabor, K. Naquin, Carlson, Guilbeau, Rubin

NAYS: None

ABSENT: None

ABSTAIN: None

AND the resolution was declared adopted on this, the 20th day of October, 2020.


VERONICA L. WILLIAMS
LAFAYETTE CLERK OF THE COUNCIL



SR-034-2021

RECEIVED

OCT 18 2021

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Community Development and Planning Department
Office of the Director (9010)

TO: Cydra Wingerter

DATE: October 18, 2021

FROM: Mary Sliman, Director

**SUBJ: CORRECTIVE ACTION ON JR-035-2020 APPROVING THE DISPOSITION OF THE ADJUDICATED PROPERTY AT 523 SOUTH WASHINGTON STREET BY SALE TO AN ADJOINING PROPERTY OWNER
RESOLUTION FOR ADOPTION – NOVEMBER 2, 2021**

Enclosed for your review and consideration is a proposed resolution taking corrective action on the property description provided in Resolution No. R-035-2020 that authorized the disposition of the adjudicated property at 523 South Washington Street by sale to an adjoining property owner.

As part of the original resolution (and the subsequent Act of Sale) it was necessary that a description of the property (to be conveyed to the applicant) be provided. While a description was provided, it was inadequate and insufficiently defined the specific parcel.

This corrective action will provide a more complete description of the parcel to finalize the Act of Sale.

Please find enclosed the following:

1. Submittal Item Justification Form;
2. Resolution;
3. Resolution No. R-035-2020; and,
4. The corrective action

If all is in order, please submit for adoption on the November 2, 2021 agenda.

A handwritten signature in cursive script that reads 'Mary Sliman'.

Mary Sliman, Director
Community Development and Planning Department

MS/kdt

Attachments

LAFAYETTE CITY-PARISH COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

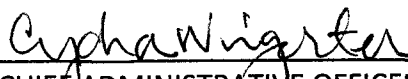
- 1) **JUSTIFICATION FOR REQUEST:** To authorize a resolution of the Lafayette City-Parish Council taking corrective action on the property description provided in Resolution No. R-035-2020 which authorized a non-warranty cash sale of the adjudicated property at 523 South Washington Street to an adjoining landowner.
- 2) **ACTION REQUESTED:** Adoption of the attached resolution to authorize corrective action on the property description provided in R-035-2020.
- 3) **REQUEST ACTION OF COUNCIL:**
 - A. INTRODUCTION:
 - B. FINAL ADOPTION: November 2, 2021
- 4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**
 - A. Cover letter from Director (1 page)
 - B. Submittal Form (1 page)
 - C. Resolution with Act of Correction (4 pages)
 - D. Resolution R-035-2020 (4 pages)
- 5) **FISCAL IMPACT:**
 Fiscal Impact (will be detailed in Cost-Revenue Analysis)
 No Fiscal Impact

RECOMMENDED BY:



MARY SLIMAN, DIRECTOR

APPROVED FOR AGENDA:



CHIEF ADMINISTRATIVE OFFICER