

2021 Regular Session

HOUSE BILL NO. 646

BY REPRESENTATIVE JAMES

1 AN ACT

2 To authorize and provide for the interest in and use of certain state property; to authorize the  
3 transfer of certain state property in East Baton Rouge Parish; to authorize the state  
4 to enter into agreements regarding the dedicated property; to provide for property  
5 descriptions; to provide for reservation of mineral rights; to provide terms and  
6 conditions; to provide an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. The commissioner of administration, notwithstanding any law to the  
9 contrary, is hereby authorized and empowered to convey, transfer, assign, lease, or deliver  
10 any right or interest, excluding mineral rights, the state may have in and to all or any portion  
11 of the following described property (hereinafter "Dedicated Property"), to the Recreation and  
12 Parks Commission for the Parish of East Baton Rouge (hereinafter "BREC"):

13 1948 Dedication

14 A certain tract or parcel of land containing Thirty-one and  
15 Sixty-seven One-Hundredths (31.67) acres and being described with  
16 reference to a survey of a portion of property formerly known as Louisiana  
17 State University Experimental Farm and belonging to the State of Louisiana,  
18 lying wholly in Section 44, Township 7 South, Range 1 West, prepared by  
19 Barnard & Burk, Consulting Engineers of Baton Rouge, Louisiana, and dated  
20 November 24, 1948, a blue print of which is attached hereto, made a part  
21 hereof and paraphrased "Ne Varietur" by me, Notary Public for identification  
22 with these presents, said tract or parcel of land being described with  
23 reference to said survey as follows, to-wit:

24 Starting at a concrete monument which is the section corner of  
25 Sections 42, 44, 45 and 46, Range 1 West, Township 7 South and traveling  
26 in a Westerly direction on the section line of Sections 42 and 44, Range 1  
27 West, Township 7 South and on a bearing of South eighty-eight degrees five  
28 minutes West (S88 -05'W) for a distance of one thousand eighty-four and  
29 00/100 (1084.00) feet, thence Southerly on a bearing of South one degree  
30 fifty-two minutes East (S1°-52'E) a distance of fifty and 00/100 (50.00) feet  
31 to an iron pin marking the Northeast corner of parcel surveyed and referred  
32 to as the point of beginning.

1 Beginning at the aforementioned iron pin and traveling in a Westerly  
 2 direction parallel to the section line of Section 42 and Section 44 and on a  
 3 bearing of South eighty-eight degrees five minutes West (S88°-05'W) for a  
 4 distance of one thousand five hundred seventy-three and 50/100 (1,573.50)  
 5 feet to an iron pin, thence Southerly on a bearing of South two degrees  
 6 fifty-six minutes East (S2°-56'E) a distance of five hundred twenty-eight and  
 7 90/100 (528.90) feet to an iron pin, thence Easterly on a bearing of North  
 8 eighty-seven degrees and four minutes East (N87°-04'E), a distance of  
 9 twenty-five and 00/100 (25.00) feet to an iron pin, thence Southerly on a  
 10 bearing of South two degrees fifty-six minutes East (S2°-56'E) for a distance  
 11 of three hundred sixty-three and 00/100 (363.00) feet to an iron pin, thence  
 12 Easterly on a bearing of North eighty-seven degrees forty-nine minutes East  
 13 (N87°-49'E) a distance of one thousand five hundred thirty and 78/100  
 14 (1530.78) feet to an iron pin, thence Northerly on a bearing of North one  
 15 degree fifty-two minutes West (N1°-52'W) a distance of eight hundred  
 16 eighty-four and 30/100 (884.30) feet to point of beginning at Northeast  
 17 corner of property surveyed.

18 1954 Dedication

19 Beginning at an iron bar on the north right-of-way of Foss Street at  
 20 the southeast corner of property of Military District of Louisiana and at the  
 21 southwest corner of land surveyed; thence north eight-eight degrees and  
 22 eleven minutes east (N 88° - 11' E) seven hundred fifty-four and ten  
 23 hundredth (754.10) feet along the northerly right-of-way of Foss Street to an  
 24 iron pipe at the southeast corner of the land surveyed; thence north two  
 25 degrees and twenty-nine minutes west (N 2° - 29' W) five hundred seventy-  
 26 two and sixty-nine hundredth (572.69) feet along the westerly right-of-way  
 27 of Scenic Highway to an iron pipe at the northeast corner of land surveyed;  
 28 thence south eighty-seven degrees and fifty-seven minutes west (S 87° - 57'  
 29 W) seven hundred fifty-eight and forty-nine hundredth (758.49) feet along  
 30 the southerly boundary of Ellerslie Subdivision to an iron pipe at the  
 31 northwest corner of land surveyed; thence south two degrees and fifty-six  
 32 minutes east (S 2° - 56' E) five hundred sixty-eight and eight tenths (568.8)  
 33 feet to the point of beginning. Said tract of land contains nine and forty-six  
 34 hundredth (9.46) acres more or less.

35 (The Acts of Dedication are attached.)

36 Section 2. In addition to the authority granted in Section 1 of this Act, the  
 37 commissioner of administration is hereby authorized and empowered to enter into any  
 38 agreement, cooperative endeavor, commercial lease, or other contractual relationship with  
 39 BREC, with a third party, or with BREC and a third party, for the purpose of development  
 40 within the Dedicated Property, provided that any such agreement shall provide a  
 41 demonstrable benefit to the public in its use of the property, and shall enhance the public's  
 42 use and enjoyment of the property or otherwise support BREC's ability to keep and operate  
 43 the property and improvements thereon for the broad purpose for which the land was  
 44 originally dedicated, namely, public parks and recreation facilities. Any such agreement  
 45 shall be agreed upon by and between the commissioner of administration and BREC.

1           Section 3. The commissioner of administration is hereby authorized to enter into  
 2 such agreements, covenants, conditions, and stipulations and to execute such documents as  
 3 may be necessary to properly effectuate any conveyance, transfer, assignment, lease, or  
 4 delivery of title or interest, excluding mineral rights, to the property described in Section 1  
 5 of this Act, and as more specifically described in any such agreements entered into and  
 6 documents executed by and between the commissioner of administration, BREC, and any  
 7 third party as provided in this Act.

8           Section 4. No authority provided for in this Act shall be construed in any way to  
 9 interfere with the existing dedication or with BREC's rights and responsibilities under the  
 10 dedication, or to authorize any further restriction of BREC's permitted use of the Dedicated  
 11 Property. The authority provided for in this Act is intended only to allow for the expansion  
 12 of permissible uses of the Dedicated Property by BREC, for the benefit of the community,  
 13 and as agreed to by the commissioner of administration.

14           Section 5. This Act shall become effective upon signature by the governor or, if not  
 15 signed by the governor, upon expiration of the time for bills to become law without signature  
 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 17 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 18 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_