

ACT No. 666

Regular Session, 2014

HOUSE BILL NO. 1085

BY REPRESENTATIVE SCHEXNAYDER

1 AN ACT

2 To authorize and provide for certain state property; to authorize the lease of certain state
3 property in Iberville Parish; to authorize the transfer of certain state property in East
4 Baton Rouge Parish; to provide for the property description; to provide for
5 reservation of mineral rights; to provide terms and conditions; to provide an effective
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. The secretary of the Department of Public Safety and Corrections and the
9 commissioner of administration, notwithstanding any other provision of law to the contrary,
10 are hereby authorized and empowered to lease any interest, excluding mineral rights, the
11 state may have to all or any portion of the following described parcel of property to Barry
12 Smiley:

13 That certain tract or parcel of land together with all building and improvements
14 thereon, and all rights, ways, privileges and prescriptions thereunto belonging, and
15 in anywise appertaining, lying and being situated in Sections 49 and 50, and a small
16 portion in Section 47, Township 9 South, Range 1 East, Southeastern Land District,
17 Iberville Parish, Louisiana. The said tract is situated East of the Mississippi River,
18 and contains 175 acres, more or less, and is bounded now or formerly as follows: On
19 the West by the Mississippi River, on the South and East by the State of Louisiana,
20 for the use of the Department of Public Safety and Corrections, and on the North by
21 other lands of Vendors. Said property is more fully shown on the plat of survey
22 prepared by SJB Group, LLC, and shown as "TRACT B, containing 175.000 acres,
23 to be acquired by First Louisiana Resource, LLC."

24 A portion of the above-described property, measuring 467' by 467' is subject to a
25 Lease Agreement, granted for erection and operation of a radio tower, executed by

1 Frank Polk, et ux, in favor of Waterway Communications System, Inc., dated
2 December 11, 1985, recorded in Conveyance Book 385, Page 77, under Entry No.
3 28, records Iberville Parish, Louisiana. The Lease provides for an initial term of
4 twenty years commencing on December 11, 1985, and also provides for an extension
5 for an additional period of twenty years under the same terms and conditions. Also,
6 the property is subject to the following rights-of-way: (1) Right-of-way for the U.S.
7 Marine Hospital - Geismer State Highway, Route Nos. 63 and 410, executed by
8 Harry B. Nelson in favor of the state of Louisiana and the Department of Highways,
9 dated July 7, 1941.

10 Section 2. The secretary of the Department of Public Safety and Corrections and the
11 commissioner of administration are hereby authorized to enter into such agreements,
12 covenants, conditions, and stipulations and to execute such documents as necessary to
13 properly effectuate any lease, excluding mineral rights, to the property described in Section
14 1 of this Act, and as more specifically described in any such agreements entered into and
15 documents executed by and between the secretary and the commissioner and Barry Smiley,
16 in exchange of consideration proportionate to the appraised value of the property.

17 Section 3. The secretary of the Department of Public Safety and Corrections, the
18 deputy secretary of the Office of Juvenile Justice of the Department of Public Safety and
19 Corrections, and the division of administration notwithstanding any other provision of law
20 to the contrary, are hereby authorized and empowered to negotiate, convey, transfer, assign,
21 lease, or deliver any interest, excluding mineral rights, the state may have to all or any
22 portion of the following described parcel of property to the City of Baton Rouge, Parish of
23 East Baton Rouge:

24 Sixty acres of the more or less 854.53 acres to be more definitely designated on the
25 ground situated in Sec 51, 43, 86, 42, & 41, T5S, R1W located at Old Scenic
26 Highway & Groom Road and La. Highway 964 & US Highway 61, Baker, La. 70714

27 Section 4. The secretary of the Department of Public Safety and Corrections, the
28 deputy secretary of the Office of Juvenile Justice of the Department of Public Safety and
29 Corrections, and the division of administration are hereby authorized to enter into such
30 agreements, covenants, conditions, and stipulations and to execute such documents as
31 necessary to properly effectuate any conveyance, transfer, assignment, lease or delivery of

1 title, excluding mineral rights, to the property described in Section 3 of this Act, and as more
 2 specifically described in any such agreements entered into and documents executed by and
 3 between the deputy secretary of the Office of Juvenile Justice of the Department of Public
 4 Safety and Corrections and the City of Baton Rouge, Parish of East Baton Rouge, in
 5 exchange of consideration proportionate to at least the appraised value of the property.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____