

2020 Regular Session

HOUSE BILL NO. 111

BY REPRESENTATIVES DESHOTEL AND HARRIS

PUBLIC PROPERTY: Authorizes the Red River, Atchafalaya, and Bayou Boeuf Levee Districts to exchange property in Avoyelles Parish

1 AN ACT

2 To authorize and provide for the transfer of certain public property; to authorize the
3 exchange of certain public property in Avoyelles Parish; to provide for the property
4 description; to provide for reservation of mineral rights; to provide terms and
5 conditions; to provide an effective date; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The board of commissioners of the Red River, Atchafalaya, and Bayou
11 Boeuf Levee Districts, notwithstanding any other provision of law to the contrary, is hereby
12 authorized and empowered to convey, transfer, assign, lease, or deliver any interest,
13 excluding mineral rights, the state may have to all or any portion of the following described
14 parcel of property to the owner of the property described in Section 2 of this Act:

15 A certain piece, parcel or tract of ground, together with all rights, ways and
16 privileges thereunto belonging or in any way appertaining, being, lying and
17 situated in the Parish of Avoyelles, more particularly described as follows:

18 The Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section
19 19, T1N, R3E, Avoyelles Parish, Louisiana, referred to as "the District
20 Tract."

21 Section 2. In exchange for the above described properties in Section 1, the board of
22 commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee Districts,
23 notwithstanding any other provision of law to the contrary, is hereby authorized and

1 empowered to accept, in addition to any other consideration, delivery of title to all or any
2 portion of the following described parcels of property from the owner of such property:

3 A certain piece, parcel or tract of ground, together with all rights, ways and
4 privileges appertaining thereto located in Sections 20 and 21, T1N, R3E,
5 Avoyelles Parish, Louisiana, and being more particularly shown on a
6 Certificate of Survey prepared by Jessie P. Lachney dated December 4, 2019,
7 filed and recorded in the Avoyelles Parish records and being more
8 particularly described as follows:

9 Begin at the intersection of Sections 20, 21, 28 and 29, T1N, R3E, Avoyelles
10 Parish, Louisiana, and thence proceed North 0 degrees 07 minutes West a
11 distance of 2,689.5 feet to the North right-of-way line of Jacks Road; thence
12 proceed along the North right-of-way of Jacks Road North 89 degrees 20
13 minutes East a distance of 264.3 feet to a 1/2 inch iron rod being the point of
14 beginning of the property herein described; from the point of beginning thus
15 established thence proceed North 03 degrees 17 minutes West a distance of
16 210 feet to a point and corner and a 1/2 inch iron rod; thence proceed North
17 89 degrees 15 minutes West a distance of 426.9 feet to a point and corner and
18 a 1/2 inch iron rod; thence proceed North 01 degree, 23 minutes West a
19 distance of 427.9 feet to a point and corner and a 1/2 inch iron rod; thence
20 proceed South 89 degrees 26 minutes West a distance of 302.2 feet to a point
21 and corner and a 1/2 inch iron rod; thence proceed North 00 degrees 07
22 minutes West a distance of 699 feet to a point and corner and a 1/2 inch iron
23 rod; thence proceed North 89 degrees 15 minutes East a distance of 1,106.4
24 feet to a point and corner; thence proceed North 43 degrees 26 minutes East
25 a distance of 625.3 feet to a point and corner; thence proceed North 31
26 degrees 03 minutes East a distance of 639.7 feet to a point and corner; thence
27 proceed South 00 degrees 22 minutes West a distance of 1,189.6 feet to a
28 point and corner; thence proceed South 75 degrees 38 minutes West a
29 distance of 783.1 feet to a point and corner; thence proceed South 00 degrees
30 07 minutes East a distance of 969.8 feet to a point and corner and a 1/2 inch
31 iron rod; thence proceed South 89 degrees 57 minutes West a distance of
32 349.1 feet back to the point of beginning and a 1/2 inch iron rod, referred to
33 as the "SCB Tract."

34 Section 3. The board of commissioners of the Red River, Atchafalaya, and Bayou
35 Boeuf Levee Districts is hereby authorized to enter into such agreements, covenants,
36 conditions, and stipulations and to execute such documents as necessary to properly
37 effectuate any conveyance, transfer, assignment, lease, or delivery of title, excluding mineral
38 rights, to the property described in Sections 1 and 2 of this Act, and as more specifically
39 described in any such agreements entered into and documents executed by and between the
40 board of commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee Districts and
41 the owner of the property described in Section 2 of this Act, in exchange of consideration
42 proportionate to the appraised value of the property. In addition to any other provision
43 agreed to by the parties, the agreement authorized by this Section shall provide the
44 following:

1 (A) The board of commissioners shall reserve all oil, gas, and other minerals in, on,
 2 or under the property described in Section 1 of this Act and reserve all timber located on
 3 such property along with the right and privilege to cut and remove any timber from the
 4 property, subject to the forestry best management practices, including the right of ingress
 5 and egress, for a period of twenty-four months from the date of recording of the agreement.
 6 The timber rights provided for in the agreement may be granted for an additional twelve
 7 months due to weather conditions in the sole unlimited opinion of the board's forester.

8 (B) The owner of the property described in Section 2 of this Act shall reserve all oil,
 9 gas, and other minerals in, on, or under the property described in Section 2 of this Act and
 10 reserve all timber located on such property along with the right and privilege to cut and
 11 remove any timber from the property, subject to the forestry best management practices,
 12 including the right of ingress and egress, for a period of twenty-four months from the date
 13 of recording of the agreement. The timber rights provided for in the agreement may be
 14 granted for an additional twelve months due to weather conditions in the sole unlimited
 15 opinion of the board's forester.

16 Section 4. This Act shall become effective upon signature by the governor or, if not
 17 signed by the governor, upon expiration of the time for bills to become law without signature
 18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 20 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 111 Original

2020 Regular Session

Deshotel

Authorizes the exchange of certain property in Avoyelles Parish from the Red River, Atchafalaya, and Bayou Boeuf Levee Districts. Provides for the reservation of mineral rights and timber rights.

Effective upon signature of governor or lapse of time for gubernatorial action.