

2020 Regular Session

HOUSE BILL NO. 111

BY REPRESENTATIVES DESHOTEL AND HARRIS AND SENATOR CLOUD

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 District, 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 board of commissioners may have to all or any portion of the  
14 following described parcel of property to the owner of the property described in Section 2  
15 of this Act:

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

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

22 Section 2. In exchange for the above described properties in Section 1, the board of  
23 commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District,  
24 notwithstanding any other provision of law to the contrary, is hereby authorized and  
25 empowered to accept, in addition to any other consideration, delivery of title to all or any  
26 portion of the following described parcels of property from the owner of such property:

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

7 Begin at the intersection of Sections 20, 21, 28 and 29, T1N, R3E, Avoyelles  
 8 Parish, Louisiana, and thence proceed North 0 degrees 07 minutes West a  
 9 distance of 2,689.5 feet to the North right-of-way line of Jacks Road; thence  
 10 proceed along the North right-of-way of Jacks Road North 89 degrees 20  
 11 minutes East a distance of 264.3 feet to a ½ inch iron rod being the point of  
 12 beginning of the property herein described; from the point of beginning thus  
 13 established thence proceed North 03 degrees 17 minutes West a distance of  
 14 210 feet to a point and corner and a ½ inch iron rod; thence proceed North  
 15 89 degrees 15 minutes West a distance of 426.9 feet to a point and corner and  
 16 a ½ inch iron rod; thence proceed North 01 degree, 23 minutes West a  
 17 distance of 427.9 feet to a point and corner and a ½ inch iron rod; thence  
 18 proceed South 89 degrees 26 minutes West a distance of 302.2 feet to a point  
 19 and corner and a ½ inch iron rod; thence proceed North 00 degrees 07  
 20 minutes West a distance of 699 feet to a point and corner and a ½ inch iron  
 21 rod; thence proceed North 89 degrees 15 minutes East a distance of 1,106.4  
 22 feet to a point and corner; thence proceed North 43 degrees 26 minutes East  
 23 a distance of 625.3 feet to a point and corner; thence proceed North 31  
 24 degrees 03 minutes East a distance of 639.7 feet to a point and corner; thence  
 25 proceed South 00 degrees 22 minutes West a distance of 1,189.6 feet to a  
 26 point and corner; thence proceed South 75 degrees 38 minutes West a  
 27 distance of 783.1 feet to a point and corner; thence proceed South 00 degrees  
 28 07 minutes East a distance of 969.8 feet to a point and corner and a ½ inch  
 29 iron rod; thence proceed South 89 degrees 57 minutes West a distance of  
 30 349.1 feet back to the point of beginning and a ½ inch iron rod, referred to  
 31 as the "SCB Tract."

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

43 (A) The board of commissioners shall reserve all oil, gas, and other minerals in, on,  
 44 or under the property described in Section 1 of this Act and reserve all timber located on  
 45 such property along with the right and privilege to cut and remove any timber from the

1 property, subject to the forestry best management practices, including the right of ingress  
 2 and egress, for a period of twenty-four months from the date of recording of the agreement.  
 3 The timber rights provided for in the agreement may be granted for an additional twelve  
 4 months due to weather conditions in the sole unlimited opinion of the board's forester.

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

13 Section 4. This Act shall become effective upon signature by the governor or, if not  
 14 signed by the governor, upon expiration of the time for bills to become law without signature  
 15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 16 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 17 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: \_\_\_\_\_