

Regular Session, 2011

HOUSE BILL NO. 459

BY REPRESENTATIVE ABRAMSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC LANDS/STATE: Provides for the exchange of property in Orleans Parish

1 AN ACT

2 To authorize and provide for the transfer, sale, exchange, or lease of certain state real
3 property in Orleans Parish between the division of administration and the Deutsches
4 Haus; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. The commissioner of the division of administration on behalf of the state
7 of Louisiana, notwithstanding any other provision of the law to the contrary, is hereby
8 authorized and empowered to convey, sell, transfer, or assign and deliver to any and all
9 interest, excluding mineral rights, the state may have to the following described property to
10 the Deutsches Haus:

11 Situated in the Third District of the City of New Orleans on the right bank of Bayou
12 St. John; six (6) lots of ground acquired in two different transactions (plan by de
13 L'isle referenced), containing +/- 4.64 acres, according to records on file in this
14 office.

15 Act passed before Joseph Dewey Taylor June 29, 1883 (transaction 1).

16 Lot One (1) measures about one hundred and twenty-five feet front on Bayou
17 St. John one hundred and nineteen feet in the rear, about three hundred and ninety
18 feet on the side dividing it from Lot Two (2) and about three hundred and seventy
19 feet on the other side.

20 Lot Two (2) measures about one hundred and twenty-nine feet front on said
21 Bayou St. John, one hundred and twenty-six wide in the rear, about three hundred
22 and ninety feet deep on the line of division from Lot One (1), and about three
23 hundred and sixty feet on the line of division from Lot Three (3).

24 Lot Three (3) measures about one hundred and fifteen feet front on said
25 Bayou St. John, about one hundred and five feet six inches and two lines in the rear,
26 about three hundred and sixty feet deep on the line of division from Lot Two (2) and
27 about three hundred and five feet on a line of division from Lot Four (4).

28 Act passed before James Fahey October 03, 1891 (transaction 2).

29 Lot Four (4) measures about one hundred and fifteen feet front on said Bayou
30 St. John, about one hundred and five feet six inches and two lines in the rear, about
31 three hundred and five feet on a line of division from Lot Three (3), and about two
32 hundred and forty-five feet on a line of division from Lot Five (5).

1 Lot Five (5) measures about one hundred and eight feet front on Bayou St.
2 John, about one hundred and five feet six inches and three lines on the rear, about
3 two hundred and forty-five feet on a line of division from Lot Four and about two
4 hundred eleven feet on the line of division with Lot Six (6).

5 Lot Six (6) measures about one hundred and six feet front on said Bayou St.
6 John, about one hundred and five feet six inches and two lines wide in the rear, about
7 two hundred and eleven feet deep on the line of division from Lot Five (5) and about
8 two hundred and four feet on the other side line.

9 Being the same property identified as 1700 Moss St. Tax Bill # 37W309429 and that
10 according to the Orleans Parish Parcel map is bounded on the upstream side by 3443
11 Esplanade Ave, Tax Bill # 37W309401, bounded on the downstream side by 1756
12 Moss St., Tax Bill # 37W309415, and bounded on the rear by 3423 Esplanade Ave,
13 Tax Bill# 37W309428.

14 Section 2. The commissioner of the division of administration on behalf of the state
15 of Louisiana, notwithstanding any other provision of the law to the contrary, is hereby
16 authorized and empowered to purchase or receive any and all interest, excluding mineral
17 rights, the following described property from the Deutsches Haus:

18 A CERTAIN LOT OF GROUND, together with all the buildings and
19 improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances
20 and advantages thereunto belonging or in anywise appertaining, situated in the City
21 of New Orleans, First District of this City, in Square 521, bounded by Galvez,
22 Johnson and Palmyra Streets and Cleveland Avenue (formerly Jackson Street). Said
23 lot of ground measuring 78 feet, 1 inches and 4 lines front on Cleveland Street, 135
24 feet 3 inches in depth and front on Galvez Street and 134 feet 10 inches and 3 lines
25 in depth on the side line nearest to Johnson Street and 78 feet in width in the rear.
26 According to a survey made by Gilbert & Kelly, Surveyors, dated August 4, 1953,
27 which is annexed to an act before Hermann J. Schulze, N.P. dated August 14, 1953,
28 said lot forms the corner of S. Galvez Street and Cleveland Avenue, measures the
29 same as above with the exception of: 134 feet 10 inches 3 lines actual measurement,
30 135 feet 0 inches and 3 lines title measurements in depth and front on S. Galvez
31 Street and 78 feet 1 inch and 4 lines actual, 78 feet title measurements in width in the
32 rear.

33 The improvements thereon bear the Municipal Numbers 200 South Galvez Street
34 (aka 2122 Cleveland Avenue), New Orleans, Louisiana 70112.

35 AND

36 ONE CERTAIN LOT OF GROUND, together with all the buildings and
37 improvements thereon, and all the rights, ways, privileges, servitudes and advantages
38 thereunto belonging or in any wise appertaining situated in the FIRST DISTRICT
39 of the City of New Orleans, in SQUARE 521, bounded by South Galvez, Palmyra
40 and South Johnson Streets, and Cleveland Avenue, designated by NUMBER
41 FOURTEEN (14) OR TWENTY-FOUR (24) on a survey made by E.L. Eustis &
42 Sons, Civil Engineers & Surveyors, dated 29 October 1954, a copy of which is
43 annexed to vendor's Act of purchase, and, according to which, said lot commences
44 at a distance of one hundred and fifty feet from the corner of South Galvez and
45 Palmyra Streets and measures thence thirty four feet, ten inches and three lines
46 (34' 10" 3"') front on South Galvez Street, by a depth between equal and parallel lines
47 of one hundred and thirty feet, two inches and three lines (130' 2" 3"').

48 The improvements thereon bear the Municipal Numbers 218-220 South
49 Galvez Street, New Orleans, Louisiana 70112.

1 Section 3. The commissioner of the division of administration, on behalf of the state
2 of Louisiana, is hereby authorized to enter into such agreements, covenants, conditions, and
3 stipulations and to execute such documents as are necessary to properly effectuate any
4 conveyance, sale, transfer, or assignment and delivery of title to the real property described
5 in Section 1 herein, excluding, however, mineral rights, all of which as may be more
6 specifically described in any such agreements entered into and documents executed by and
7 between the commissioner and the Deutsches Haus, in exchange of consideration
8 proportionate to the appraised value of the real property above described.

9 Section 4. The commissioner of the division of administration, on behalf of the state
10 of Louisiana, is hereby authorized to enter into such agreements, covenants, conditions, and
11 stipulations and to execute such documents as are necessary to properly effectuate any
12 conveyance, receipt of title to the real property described in Section 2 herein, excluding,
13 however, mineral rights, all of which as may be more specifically described in any such
14 agreements entered into and documents executed by and between the commissioner and the
15 Deutsches Haus.

16 Section 5. 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 in 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)]

Abramson

HB No. 459

Authorizes the exchange of properties between the division of administration and the Deutsches Haus. Provides for the reservation of mineral rights.

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