

Regular Session, 2013

HOUSE BILL NO. 246

BY REPRESENTATIVE GISCLAIR

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

PROPERTY/PUBLIC: Provides for the transfer of certain state property in Lafourche Parish

1 AN ACT

2 To authorize and provide for the transfer of certain state property; to authorize the transfer
3 of certain state properties in Lafourche 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 Be it enacted by the Legislature of Louisiana:

7 Section 1. The secretary of the Department of Transportation and Development,
8 notwithstanding any other provision of law to the contrary, is hereby authorized and
9 empowered to convey, transfer, assign, lease, or deliver any interest, excluding mineral
10 rights, the state may have to all or any portion of the following described parcels of property
11 to the governing authority of Lafourche Parish:

12 Tract "A"

13 A certain triangular shaped tract of property situated on the right descending bank
14 of Bayou Lafourche, in the Parish of Lafourche, city of Leeville, State of Louisiana,
15 located in Section 26 of Township 21 South and Range 22 East and described as
16 follows; Beginning at a point intersecting the southerly right of way of the relocated
17 La. Hwy. No. 1 bridge and the easterly right of way of the old La. Hwy. No. 1
18 bridge, which point has a horizontal State plane, NAD 83, Louisiana South Zone -
19 1702, U. S. survey feet coordinate of X=3,638,609.3464 and Y=273,846.2481, which
20 point shall also be designated as the "Point of Beginning," thence proceeding at a
21 bearing of South 73/11'03" East for a distance of 241.57 feet to a point, thence
22 proceeding at a bearing of South 82/18'44" West for a distance of 168.54 feet to a
23 point on the easterly right of way of the old La. Hwy. No. 1 bridge, thence
24 proceeding in a northwesterly direction along said right of way for an arc distance
25 of 112.68 feet to a point, which point is the "Point of Beginning." Said tract of
26 property formerly belonged to Ben Skidmore, et ux and has been acquired by the
27 Louisiana Department of Transportation and Development and shall be designated
28 as Tract "A". Said Tract "A" is fully shown on a plat prepared by Picciola &
29 Associates, Inc. dated March 1, 2012 and titled "Lafourche Parish Government."

30 Said tract of property has an area of 8,619.43 sq. ft. and is bounded in a northerly
31 direction by the relocated La. Hwy. No. 1 bridge right of way, in a southeasterly

1 direction by property which formerly belonged to Leonard J. Porche, et al which
2 shall be designated as Tract "B" and in a southwesterly direction by the old La. Hwy.
3 No. 1 lift bridge right of way, together with all buildings and improvements thereon
4 and all rights, ways, privileges and servitudes thereto belonging or in anywise
5 appertaining.

6 Tract "B"

7 A certain tract of property situated on the right descending bank of Bayou Lafourche,
8 in the Parish of Lafourche, city of Leeville, State of Louisiana, located in Section 26
9 of Township 21 South and Range 22 East and described as follows; Beginning at a
10 point intersecting the southerly right of way of the relocated La. Hwy. No. 1 bridge
11 and the easterly right of way of the old La. Hwy. No. 1 bridge, which point has a
12 horizontal State plane, NAD 83, Louisiana South Zone - 1702, U. S. survey feet
13 coordinate of X=3,638,609.3464 and Y=273,846.2481, thence proceeding along the
14 easterly right of way of the old La. Hwy. No. 1 bridge in a southeasterly direction for
15 an arc distance of 112.68 feet to a point, which point shall also be designated as the
16 "Point of Beginning" for herein described Tract "B", thence proceeding at a bearing
17 of North 82/18'44" East for a distance of 168.54 feet to a point, thence proceeding
18 at a bearing of South 73/11'03" East for a distance of 241.11 feet to a point, thence
19 proceeding at a bearing of South 82/18'44" West for a distance of 312.03 feet to a
20 point on the easterly right of way of the old La. Hwy. No. 1 bridge, thence
21 proceeding in a northwesterly direction along said right of way for an arc distance
22 of 125.73 feet to a point, which point is the "Point of Beginning" for herein described
23 Tract "B". Said tract of property formerly belonged to Leonard J. Porche, et al and
24 has been acquired by the Louisiana Department of Transportation and Development
25 and shall be designated as Tract "B". Said Tract "B" is fully shown on a plat
26 prepared by Picciola & Associates, Inc. dated March 1, 2012 and titled "Lafourche
27 Parish Government".

28 Said tract of property has an area of 24,273.17 sq. ft. and is bounded in a
29 northeasterly direction by the relocated La. Hwy. No. 1 bridge right of way, in a
30 southeasterly direction by property which formerly belonged to The Allan Company,
31 LA. Partnership which shall be designated as Tract "C", in a southwesterly direction
32 by the old La. Hwy. No. 1 lift bridge right of way and in a northwesterly direction
33 by property which formerly belonged to Ben Skidmore, et al which shall be
34 designated as Tract "A", together with all buildings and improvements thereon and
35 all rights, ways, privileges and servitudes thereto belonging or in anywise
36 appertaining.

37 Tract "C"

38 A certain tract of property situated on the right descending bank of Bayou Lafourche,
39 in the Parish of Lafourche, city of Leeville, State of Louisiana, located in Section 26
40 of Township 21 South and Range 22 East and described as follows; Beginning at a
41 point intersecting the southerly right of way of the relocated La. Hwy. No. 1 bridge
42 and the easterly right of way of the old La. Hwy. No. 1 bridge, which point has a
43 horizontal State plane, NAD 83, Louisiana South Zone - 1702, U. S. survey feet
44 coordinate of X=3,638,609.3464 and Y=273,846.2481, thence proceeding along the
45 easterly right of way of the old La. Hwy. No. 1 bridge in a southeasterly direction for
46 an arc distance of 238.41 feet to a point, which point shall also be designated as the
47 "Point of Beginning" for herein described Tract "C", thence proceeding at a bearing
48 of North 82/18'44" East for a distance of 312.03 feet to a point, thence proceeding
49 at a bearing of South 73/11'03" East for a distance of 73.74 feet to a point, thence
50 proceeding at a bearing of South 52/53'23" West for a distance of 27.40 feet to a
51 point, thence proceeding at a bearing of South 16/11'42" West for a distance of 54.31
52 feet to a point, thence proceeding at a bearing of South 08/05'46" East for a distance
53 of 76.83 feet to a point, thence proceeding at a bearing of South 10/04'58" East for
54 a distance of 32.03 feet to a point on the northerly right of way of the old La. Hwy.
55 No. 1 bridge, thence continuing along said right of way at a bearing of North
56 78/09'01" West for a distance of 66.82 feet to a point, thence continuing in a

1 northwesterly direction along said right of way for an arc distance of 329.68 feet to
2 a point, which point is the "Point of Beginning" for herein described Tract "C". Said
3 tract of property formerly belonged to The Allan Company, LA. Partnership and has
4 been acquired by the Louisiana Department of Transportation and Development and
5 shall be designated as Tract "C". Said Tract "C" is fully shown on a plat prepared
6 by Picciola & Associates, Inc. dated March 1, 2012 and titled "Lafourche Parish
7 Government".

8 Said tract of property has an area of 41,993.32 sq. ft. and is bounded in a northerly
9 direction by the relocated La. Hwy. No. 1 bridge right of way, in an easterly
10 direction by Bayou Lafourche, in a southerly direction by the old La. Hwy. No. 1 lift
11 bridge right of way and in a northwesterly direction by property which formerly
12 belonged to Leonard J. Porche, et al which shall be designated as Tract "B", together
13 with all buildings and improvements thereon and all rights, ways, privileges and
14 servitudes thereto belonging or in anywise appertaining.

15 Less and Except

16 Less and except any highway area under the control of DOTD and less and except
17 any other public streets.

18 Section 2. The secretary of the Department of Transportation and Development is
19 hereby authorized to enter into such agreements, covenants, conditions, and stipulations and
20 to execute such documents as necessary to properly effectuate any conveyance, transfer,
21 assignment, lease, or delivery of title, excluding mineral rights, to the properties described
22 in Section 1 of this Act, and as more specifically described in any such agreements entered
23 into and documents executed by and between the secretary of the Department of
24 Transportation and Development and the governing authority of Lafourche Parish, in
25 exchange of consideration proportionate to the appraised value of the property.

26 Section 3. This Act shall become effective upon signature by the governor or, if not
27 signed by the governor, upon expiration of the time for bills to become law without signature
28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
29 vetoed by the governor and subsequently approved by the legislature, this Act shall become
30 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)]

Gisclair

HB No. 246

Authorizes the transfer or lease of certain state property in Lafourche Parish from the Dept. of Transportation and Development to Lafourche Parish. Provides for the reservation of mineral rights to the state.

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