

Regular Session, 2013

HOUSE BILL NO. 285

BY REPRESENTATIVE HARRIS

LOCAL GOVERNMENT: Creates the Alexandria Urban Renewal Authority

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(20) and to enact Chapter 13-M of Title 33 of the
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.201, relative
4 to Alexandria; to create and provide for a redevelopment authority known as the
5 Alexandria Urban Renewal Authority; to provide for governance of the authority; to
6 authorize the authority to use private and public resources to eliminate and prevent
7 the development or spread of slum, blighted, and distressed areas and to rehabilitate,
8 clear, and redevelop such areas; to provide relative to purchases and uses of property;
9 to provide for expedited procedures for quieting title to property; to otherwise define
10 the duties, liabilities, authority, and functions of the redevelopment authority; to
11 authorize public bodies to furnish funds, services, facilities, and property in aid of
12 redevelopment projects; and to provide for related matters.

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

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. Chapter 13-M of Title 33 of the Louisiana Revised Statutes of 1950,
18 comprised of R.S. 33:4720.201, is hereby enacted to read as follows:

1 CHAPTER 13-M. ALEXANDRIA URBAN RENEWAL AUTHORITY2 §4720.201. Alexandria Urban Renewal Authority3 A. This Chapter may be referred to as the "Alexandria Redevelopment Law".4 B.(1) It is hereby found and declared that:

5 (a) There exist in the city of Alexandria areas which have become slums,
6 blighted, and distressed because of the unsafe, unsanitary, inadequate, or
7 overcrowded condition of the structures therein, or because of inadequate planning
8 for the area, or because of physically or functionally obsolete structures, or because
9 of excessive dwelling unit density, or because of the lack of proper light and air and
10 open space, or because of faulty street or lot design, or inadequate public utilities or
11 community services, or because of failure to adequately maintain and repair
12 structures, or because of the conversion to incompatible types of land usage, or
13 because of environmental conditions and circumstances. Such conditions or a
14 combination of some or all of them have and will continue to result in making such
15 areas economic and social liabilities.

16 (b) The prevention and elimination of slum, blighted, and distressed
17 properties are matters of public policy and concern because such areas tend to
18 consume a disproportionate amount of city revenues because of the extra services
19 required for police, fire, accident, and other forms of public protection, services, and
20 facilities.

21 (c) The salvage, renewal, redevelopment, and reconstruction of such slum,
22 blighted, and distressed areas will promote the health, safety, morals, and welfare of
23 the public.

24 (d) The powers conferred by this Chapter are for public uses, purposes,
25 welfare, and utility for which public money may be expended as necessary and in the
26 public's interest. The provisions of this Chapter shall apply for residential,
27 recreational, commercial, industrial, or other purposes and otherwise to encourage
28 the provision of healthful homes, safe neighborhoods, a decent living environment,

1 and adequate places of employment for the people. Such purposes are hereby
2 declared as a matter of legislative determination.

3 (2) The object of this Chapter is to provide for the following:

4 (a) The elimination and prevention of the development or spread of slum,
5 blighted, and distressed areas and the rehabilitation, clearance, and redevelopment
6 of slum, blighted, and distressed areas.

7 (b) The general and economic welfare of the city through housing,
8 commercial, office, hospitality, recreation, education, infrastructure and utility
9 capacity, manufacturing, industrial, research, retail, or other activities which will
10 create or retain jobs, maintain or diversify industry, including new or emerging
11 technologies, or maintain or increase the tax base.

12 (c) The improvement of conditions of deteriorated physical development,
13 slow economic growth, and eroded financial health of the public and private sectors.

14 (d) The control, abatement, and prevention of pollution to protect public
15 health and safety, and the development and use of indigenous and renewable energy
16 resources.

17 (e) Assistance to nonprofit and governmental entities in support of health,
18 educational, charitable, community, cultural, agricultural, consumer, or other
19 services benefiting the citizens.

20 C.(1) There is hereby created in the city of Alexandria a body politic and
21 corporate which shall exist in perpetuity and shall be known as the Alexandria Urban
22 Renewal Authority, referred to in this Chapter as the "authority". The authority shall
23 encompass all of the territory included in the city of Alexandria.

24 (2) The authority shall be a special district created pursuant to Article VI,
25 Section 19 of the Constitution of Louisiana and political subdivision of the state as
26 defined in Article VI, Section 44 of the Constitution of Louisiana. The authority,
27 acting through its governing board, is hereby granted all of the rights, powers,
28 privileges, and immunities accorded by the laws and the Constitution of Louisiana
29 to political subdivisions of the state, subject to the limitations provided in this

1 Chapter; however, the authority shall not be deemed to be an instrumentality of the
2 state for purposes of Article X, Section 1(A) of the Constitution of Louisiana.

3 D.(1) The authority, for the purposes of this Chapter, may within its
4 jurisdiction formulate a workable program or programs for using appropriate private
5 and public resources to achieve the purposes identified in Paragraph (B)(2) of this
6 Section.

7 (2) The authority, to the greatest extent it determines to be feasible in
8 carrying out the provisions of this Chapter, shall seek out cooperative endeavors,
9 including partnerships, joint ventures, and equity participation structures with
10 nonprofit organizations and private enterprise. The authority shall give consideration
11 to this objective in exercising the powers granted by this Chapter.

12 E.(1)(a) The authority shall be governed by a board of commissioners,
13 referred to in this Chapter as the "board", comprised of not fewer than three and not
14 more than nine members appointed by the mayor of Alexandria. The actual number
15 of commissioners shall be set by ordinance of the governing authority of Alexandria.

16 (b) Each member shall be a citizen of the United States and a domiciliary of
17 or employed within the city, and a majority shall be domiciled in and qualified
18 electors of the city. Each member shall meet the domicile or employment
19 qualification, as applicable, for at least one year preceding the date of appointment
20 and shall remain so qualified during the entirety of the term of office.

21 (c) Each board member shall be of good character and shall possess some
22 skill, knowledge, or experience that will prove useful in the accomplishment of the
23 goals of the authority as set forth in Paragraph (B)(2) of this Section.

24 (d) A certificate of the appointment or reappointment of any commissioner
25 shall be filed with the clerk of the city of Alexandria, and such certificate shall be
26 conclusive evidence of the proper appointment of such commissioner.

27 (2) The commissioners who are first appointed shall serve initial terms as
28 designated by the mayor in making the initial appointments. Thereafter the term of

1 office shall be five years. A commissioner shall hold office until his successor has
2 been appointed and qualified.

3 (3) The board shall establish rules and requirements relative to the
4 attendance and participation of members in its meetings, regular or special. Such
5 rules and regulations may prescribe a procedure whereby, should any member fail
6 to comply with such rules and regulations, such member may be disqualified and
7 removed from office by no less than a majority vote of the remaining members of the
8 board, and that member's position shall be vacant as of the first day of the next
9 calendar month. Any person removed under the provisions of this Paragraph shall
10 be ineligible for reappointment to the board unless such reappointment is confirmed
11 unanimously by the board.

12 (4) Board members shall serve without compensation; however, the board
13 may reimburse any member for expenses actually incurred in the performance of
14 duties on behalf of the authority.

15 (5) The board may organize and reorganize the executive, administrative,
16 clerical, and other departments and forces of the authority and fix the duties, powers,
17 and compensation of its employees, agents, and consultants.

18 (6) The board shall elect yearly from its number a chairman, a vice chairman,
19 a secretary, and a treasurer and shall establish their duties as may be regulated by
20 rules adopted by the board. The offices of secretary and treasurer may be held by the
21 same person. The board may meet in regular session once each month and also shall
22 meet in special session as convened by the chairman or upon written notice signed
23 by three members. A majority of the members of the board, not including vacancies,
24 shall constitute a quorum for the conduct of business.

25 (7) All actions of the board shall be approved by the affirmative vote of a
26 majority of the members of the board present and voting; however, approval by a
27 majority of the total board membership is required for the following actions:

28 (a) Adoption of bylaws and other rules and regulations for conduct of the
29 authority's business.

1 (b) Hiring or firing of any employee or contractor. This function may be
2 delegated by the board by the affirmative vote of a majority of the total board
3 membership, to a specified officer or committee of the authority under such terms
4 and conditions and to the extent that the board may specify.

5 (c) The incurring of debt.

6 (d) Adoption or amendment of the annual budget.

7 (e) Sale, lease, encumbrance, or alienation of real property, improvements,
8 or personal property with an assessed value of more than twenty thousand dollars.

9 (8) Vote by proxy is prohibited. Any member may request a recorded vote
10 on any resolution or action of the authority.

11 (9) The board shall cause minutes and a record to be kept of all its
12 proceedings. Except as otherwise provided in this Paragraph, the authority shall be
13 subject to the Public Records Law, the Open Meetings Law, and the Code of
14 Governmental Ethics. Notwithstanding the provisions of R.S. 42:14, until thirty days
15 prior to the date the board is scheduled to consummate a final sale or lease of any
16 immovable property owned by the authority, the board may meet in executive
17 session to discuss negotiations between the authority and any prospective seller,
18 purchaser, lessor, or lessee of that property. R.S. 44:31 through 35 shall not apply
19 to any records related to the negotiations of or to the terms of such a sale or lease
20 until thirty days prior to the date the board is scheduled to consummate a final sale
21 or lease. The board shall give written public notice of its intention to consummate
22 a final sale or lease at least thirty days prior to the date on which the board intends
23 to take such action. This notice shall comply with the procedural provisions of R.S.
24 42:19.

25 F. The authority, through the board, shall have all powers necessary or
26 convenient to carry out and effectuate the purposes and provisions of this Chapter,
27 including but not limited to the following:

28 (1) To sue and be sued and as such to stand in judgment.

29 (2) To adopt, use, and alter at will a corporate seal.

1 (3) To acquire by gift, grant, purchase, lease, or otherwise and to hold and
2 use any property, real, personal, mixed, tangible, or intangible, or any interest therein
3 and to engage in any action, such as the purchase of insurance, necessary or desirable
4 for the maintenance or improvement of such property. The authority shall not have
5 any power to expropriate, except that power which is granted by the governing
6 authority of Alexandria.

7 (4)(a) To sell, lease for a term of up to ninety-nine years, exchange, or
8 otherwise dispose of or transfer to or with other political subdivisions of this state
9 or public or private persons at public or private sale any residential, commercial,
10 industrial, or subdivision land, property, improvements, or portions thereof,
11 including real property.

12 (b) Prior to any sale, lease, conveyance, disposition, or transfer of property
13 pursuant to this Paragraph, the authority shall fix the price and terms of the sale,
14 lease, exchange, or other contract to be made with reference to the property. Such
15 sale, lease, conveyance, disposition, or transfer shall comply with the terms and
16 provisions of this Chapter.

17 (c) Any sale of industrial land as defined by Chapter 8 of Title 51 of the
18 Louisiana Revised Statutes of 1950 and the statutes referenced therein shall be in
19 accordance with laws providing for the disposition or transfer of such land.

20 (d) Other than the requirements of this Chapter, no other law limiting or
21 regulating the form or manner of the sale, lease, conveyance, disposition, or transfer
22 of property by public bodies, including without limitation R.S. 41:1338, shall apply
23 to the sale, lease, conveyance, disposition, or transfer of property by the authority.
24 All such sales, leases, conveyances, dispositions, or transfers of property remain
25 subject to the limitations imposed by the Constitution of Louisiana.

26 (5) To convey to the United States, the state, or to any political subdivision
27 of the state any land, property, right-of-way, easement, servitude, or other thing of
28 value which the authority may own or acquire for use by such governmental entity
29 pursuant to the terms of any appropriate cooperative endeavor agreement.

1 (6) To make and collect reasonable charges for the use of property of the
2 authority and for services rendered by the authority and to regulate fees or rentals
3 charged for use of privately owned facilities located on property owned or sold by
4 the authority when such facilities are offered for use by the public or by a private
5 industrial, commercial, research, or other economic development entity or activity.

6 (7) To enter into contracts and agreements with public bodies or public or
7 private entities, including but not limited to contracts for professional, legal, and
8 other services and for the purchase, lease, acquisition, sale, construction, operation,
9 maintenance, marketing, and improvement of land, public works, and facilities.

10 (8) To plan, develop, regulate, operate, and maintain activities and planned
11 land uses to foster residential housing development.

12 (9) To acquire land and improvements to construct, operate, and maintain
13 facilities, improvements, and infrastructure, including buildings, roads, bridges,
14 drainage, and utilities, and to perform other functions and activities on property
15 owned or leased by the authority to accomplish the objectives and purposes of the
16 authority; however, the authority is prohibited from constructing, operating, or
17 maintaining any water, electric, or gas utility facilities which duplicate, curtail,
18 impair, or directly compete with a regulated water, electric, or gas utility facility
19 operating in or adjacent to the property owned or leased by the authority.

20 (10) To require and issue licenses.

21 (11) To develop, activate, construct, exchange, acquire, improve, repair,
22 operate, maintain, lease, mortgage, sell, and grant a security device affecting the
23 movable and immovable property, servitudes, facilities, and works within the city
24 of Alexandria under such terms and conditions as the board may deem necessary or
25 appropriate for residential development.

26 (12) To borrow money and to pledge or grant a security device affecting all
27 or part of its revenues, leases, rents, and other advantages as security for such loans.

28 (13) To appoint officers, agents, and employees, prescribe their duties, and
29 fix their compensation.

1 (14) To undertake and carry out redevelopment projects and related
2 activities.

3 (15) To apply for and accept advances, leases, grants, contributions, and any
4 other form of financial assistance from the federal government, the state, parish, or
5 other public bodies, or from any sources, public or private, for the purposes of this
6 Chapter, and to give such security as may be required and to enter into and carry out
7 contracts or agreements in connection therewith, and to include in any contract for
8 financial assistance with the federal government such conditions imposed pursuant
9 to federal laws as the board may deem reasonable and appropriate and which are not
10 inconsistent with the purposes of this Chapter.

11 (16) To make or have made all surveys and plans necessary to the carrying
12 out of the purposes of this Chapter and to adopt or approve, modify, and amend such
13 plans, which plans may include but are not limited to:

14 (a) Plans for carrying out a program of voluntary or compulsory repair and
15 rehabilitation of buildings and improvements.

16 (b) Plans for the enforcement of state and local laws, codes, and regulations
17 relating to the use of land and the use and occupancy of buildings and improvements
18 and to the compulsory repair, rehabilitation, demolition, or removal of buildings and
19 improvements.

20 (c) Appraisals, title searches, surveys, studies, and other plans and work
21 necessary to prepare for the undertaking of redevelopment projects and related
22 activities.

23 (17) To develop, test, and report methods and techniques and carry out
24 demonstrations and other activities for the prevention and the elimination of slums
25 and urban blight, including developing and demonstrating new or improved means
26 of providing housing or continuing care, assisted living, independent living, or
27 similar housing for elderly or retired persons or other persons desiring such housing
28 facilities.

1 (18) To make and from time to time amend and repeal bylaws, orders, rules,
2 and regulations in order to effectuate the provisions of this Chapter.

3 (19) To exercise all or any part or combination of powers herein granted by
4 this Chapter.

5 G.(1) The exercise by the board of the powers conferred by virtue of this
6 Chapter shall be deemed and held to be an essential governmental function of the
7 state and city. As the exercise of the powers granted by this Chapter will be in all
8 respects for the benefit of the people of the state and city, for the increase of their
9 commerce and prosperity, and for the improvement of their health and living
10 conditions, the authority shall not be required to pay any taxes, including but not
11 limited to sales and use taxes, ad valorem, occupational licensing, income, or any
12 other taxes of any kind or nature, or fees or assessments upon any property held,
13 acquired, or used by the authority under the provisions of this Chapter, or upon the
14 income therefrom. Any evidences of indebtedness issued by the authority and the
15 income therefrom shall be exempt from taxation by the state and any political
16 subdivision of the state. The authority shall not be deemed to be a public utility and
17 shall not be subject in any respect to the authority, control, regulation, or supervision
18 of the Louisiana Public Service Commission.

19 (2) All property of the authority, including funds owned or held by it for the
20 purpose of this Chapter, shall be exempt from levy and sale by virtue of an
21 execution, and no execution or other judicial process shall issue against the same, nor
22 shall judgment against the city or authority be a charge or lien upon such property;
23 however, the provisions of this Subsection shall not apply to or limit the right of
24 obligees to pursue any remedies for the enforcement of any pledge or lien given
25 pursuant to this Chapter by the authority on its rents, fees, grants, or revenues.

26 H. The authority has the following powers with respect to the purchase of
27 property:

28 (1)(a) To purchase adjudicated properties within its territorial jurisdiction
29 from any political subdivision of the state of Louisiana. No such purchase shall be

1 construed to or otherwise have the effect of extending or suspending the period
2 prescribed by law for the redemption of the property by the tax debtor or any other
3 person.

4 (b) In addition to the authority set forth in Subpart B of Part IV of Chapter
5 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, such purchases
6 by the authority may be by a direct negotiated purchase and sale agreement between
7 the authority and a political subdivision without any other requirement of a public
8 sale prior to the transfer of such properties to the authority. Such purchases by the
9 authority shall not be considered the sale of surplus property or of property owned
10 by the political subdivision.

11 (c) Effective upon the recordation of the transfer of an adjudicated property
12 to the authority pursuant to a purchase and sale agreement, the rights of the authority
13 in and to such property shall be the rights of a purchaser at a tax sale as contemplated
14 by Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950,
15 subject only to the rights of redemption of the property set forth in Article VII,
16 Section 25(B) of the Constitution of Louisiana, and the property shall no longer be
17 deemed to be adjudicated property as of such recordation. For purposes of the right
18 of redemption in Article VII, Section 25(B) of the Constitution of Louisiana, the
19 three-year period commences on the date of the recordation of the initial adjudication
20 to the political subdivision and not on the date of transfer to the authority.

21 (d) Any such purchase and sale agreement shall set forth the total
22 consideration to be paid by the authority and the method and timing of payment of
23 such consideration by the authority.

24 (e) The state and any political subdivision with liens on the property may,
25 pursuant to intergovernmental agreements with the authority, cancel such liens
26 contemporaneously with or subject to the transfer of the property to the authority.

27 (2)(a) To purchase properties at tax sales conducted in accordance with Part
28 III of Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950,

1 and any and all such purchases shall be a purchase pursuant to those provisions and
2 not an adjudication to a political subdivision.

3 (b) Notwithstanding the provisions of Chapter 5 of Subtitle III of Title 47 of
4 the Louisiana Revised Statutes of 1950, the authority may tender a bid at a tax sale
5 which is a credit bid, consisting of the obligation of the authority to satisfy the
6 component parts of the bid by payments to the respective political subdivisions and
7 taxing entities in accordance with intergovernmental agreements between the
8 authority and such political subdivisions and taxing entities.

9 (c) A bid by the authority at a tax sale for the minimum amount shall take
10 priority over all other bids for the same quantity of property, except for a higher bid
11 submitted by a conventional mortgage holder holding a mortgage on the subject
12 property.

13 (3) To purchase property at a sale conducted pursuant to enforcement of
14 judicial mortgages created in accordance with R.S. 13:2575 or 2576 by tendering a
15 bid equal to or greater than the minimum bid advertised, which bid may be a credit
16 bid consisting of the obligation of the authority to satisfy the bid by payment to the
17 political subdivision holding the lien being enforced in accordance with
18 intergovernmental agreements between the authority and such political subdivision.
19 Such a bid shall be given priority over all other bids regardless of amount.

20 (4) To purchase property at a sale conducted pursuant to enforcement of
21 judicial mortgages created in accordance with R.S. 13:2575(C) by tendering a bid
22 equal to or greater than the minimum bid advertised, which bid may be a credit bid.
23 The obligation of the credit bid may be satisfied by the authority by the direct
24 expenditure of funds, in an amount not less than the credit bid, on demolition,
25 remediation, maintenance, and rehabilitation activities on such property within a
26 period of twenty-four months following the date of sale. Such a bid shall be given
27 priority over all other bids regardless of amount, except for a higher bid submitted
28 by a conventional mortgage holder holding a mortgage on the subject property.

1 I.(1) The authority shall have the power to create and execute redevelopment
2 or development plans for specified areas within its territorial jurisdiction. The
3 implementation of all such plans shall not proceed until, to the extent required by
4 law, the authority has obtained the approval of the local planning commission or
5 zoning board. In the execution of such a redevelopment plan, the authority shall
6 have the powers provided in this Subsection. The fact that a certain power is
7 expressed or implied in this Paragraph as pertinent to the authority's execution of a
8 redevelopment plan shall not suggest or imply that such power is otherwise denied
9 to the authority.

10 (2) A redevelopment plan shall include a definition of the redevelopment
11 area. This area, or any part thereof, may be further designated as a subdistrict of the
12 authority.

13 (3) The authority may sell, lease, exchange, or otherwise transfer immovable
14 property or any interest therein acquired by it for residential, recreational,
15 commercial, industrial, or other uses or for public use, subject to such covenants,
16 conditions, and restrictions, including covenants running with the land, as it may
17 deem to be necessary or desirable to assist in carrying out the purposes of this
18 Chapter. The purchasers or lessees and their successors and assigns shall be
19 obligated to devote such immovable property only to the uses as the authority may
20 determine to be in the public interest, including the obligation to begin within a
21 reasonable time any improvements on such immovable property. Such immovable
22 property or interest shall be sold, leased, exchanged, or otherwise transferred at not
23 less than its fair value for uses in accordance with the redevelopment or development
24 plan. In determining the fair value of immovable property for uses in accordance
25 with the redevelopment or development plans, the authority shall take into account
26 and give consideration to the use provided in such plan; the restrictions upon and the
27 covenants, conditions, and obligations assumed by the purchaser or lessee; and the
28 objectives of such plan. The authority, in any instrument of conveyance to a private
29 purchaser or lessee, may provide that such purchaser or lessee shall be without power

1 to sell, lease, exchange, or otherwise transfer the immovable property without the
2 prior written consent of the authority until such purchaser or lessee has completed
3 the construction of any and all improvements which he has obligated himself to
4 construct thereon. Immovable property acquired in accordance with the provisions
5 of the plan shall be transferred as rapidly as feasible in the public interest, consistent
6 with the carrying out of the provisions of the project plan. Such plan and any
7 substantial modification of such plan shall be filed as a public record in the office of
8 the clerk of the city, and any conveyances, encumbrances, or other contracts may
9 incorporate the provisions thereof by reference which shall afford notice thereof to
10 all parties.

11 (4) The authority may dispose of, sell, exchange, or lease immovable
12 property in a redevelopment area to any private person for the fair market value of
13 the property as determined by a certified and competent appraiser, or to any private
14 person pursuant to reasonable competitive bidding procedures as it shall prescribe
15 subject to the provisions set forth in this Paragraph. Such reasonable bidding
16 procedures must include public notice, by publication once each week for two
17 consecutive weeks in a newspaper having a general circulation in the community,
18 inviting proposals from and making available all pertinent information to private
19 redevelopers or any persons interested in undertaking to redevelop or rehabilitate a
20 redevelopment area or any part thereof. Such notice shall identify the area, or
21 portion thereof, and shall state that proposals shall be made by those in interest
22 within thirty days after publication of such notice, and that such further information
23 as is available may be obtained at such office as shall be designated in the notice.
24 The board shall consider all such redevelopment or rehabilitation proposals and the
25 financial and legal ability of the persons making such proposals to carry them out,
26 and may negotiate with any persons for proposals for the purchase, lease, or other
27 transfer of any immovable property acquired by the authority in the redevelopment
28 area. The board may accept such proposals as it deems to be in the public interest
29 and in furtherance of the purposes of this Chapter. Such notice, and all contracts to

1 sell, lease, exchange, or otherwise transfer immovable property under the provisions
2 of this Chapter, shall be a public record and shall include the name of the redeveloper
3 or purchaser, together with the names of its officers and principal members or
4 shareholders and investors and other interested parties, the redeveloper's estimate of
5 the cost of any residential development and rehabilitations, and the redeveloper's
6 estimate of rentals and sales prices of any proposed housing involved in such
7 redevelopment and rehabilitation. Thereafter, the board may execute such contract
8 in accordance with the provisions of this Chapter and deliver acts of sale, leases, and
9 other instruments and take all steps necessary to effectuate such contract.

10 (5) The authority may temporarily operate, maintain, or lease real property
11 acquired by it in a redevelopment area for or in connection with a redevelopment
12 project pending disposition of the property as authorized in this Chapter for such
13 uses and purposes as may be deemed desirable even though not in connection with
14 the redevelopment plan.

15 (6) Any real property within a redevelopment area acquired pursuant to this
16 Subsection may be disposed of without regard to the other provisions of this Chapter.
17 Real property acquired in accordance with the redevelopment plan may be disposed
18 of to a public body for public reuse without regard to the provisions of this
19 Subsection.

20 J. For the purpose of aiding in the planning or carrying out of a
21 redevelopment or development project and related activities authorized by this
22 Chapter, any public body may, upon such terms, with or without consideration as it
23 may determine:

24 (1) Dedicate, sell, convey, or lease any of its interest in any property or grant
25 easements, licenses, or other rights or privileges therein to the authority.

26 (2) Incur the entire expense of any public improvements made by such
27 public body.

28 (3) Do any and all things necessary to aid or cooperate in the planning or
29 carrying out of a redevelopment plan and related activities.

1 (4) Lend, grant, or contribute funds to the authority in accordance with an
2 appropriate cooperative endeavor agreement and borrow money and apply for and
3 accept advances, loans, grants, contributions, and any other form of financial
4 assistance from the federal government, the state, parish, or other public body, or
5 from any other source.

6 (5) Enter into agreements which may extend over any period,
7 notwithstanding any provision or rule of law to the contrary, with the federal
8 government or other public body respecting action to be taken pursuant to any of the
9 powers granted by this Chapter, including the furnishing of funds or other assistance
10 in connection with a redevelopment project and related activities.

11 (6) Cause public buildings and public facilities, including parks,
12 playgrounds, recreational, community, educational, water, sewer, or drainage
13 facilities, or any other works which it is otherwise empowered to undertake to be
14 furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan
15 streets, roads, sidewalks, ways, or other places; plan or replan, zone or rezone, or
16 make exceptions from building regulations.

17 K. Any instrument executed, in proper form and with proper certification of
18 authority, by the authority purporting to convey any right, title, or interest in any
19 property under this Chapter shall be conclusively presumed to have been executed
20 in compliance with provisions of this Chapter insofar as title or other interest of any
21 bona fide purchasers, lessees, or transferees of the property is concerned.

22 L. Insofar as the provisions of this Chapter are inconsistent with the
23 provisions of any other law, the provisions of this Chapter shall be controlling;
24 however, the authority shall be subject to the provisions of the Local Government
25 Fair Competition Act, R.S. 45:844.41 et seq. The authority conferred by this Chapter
26 shall be in addition and supplemental to the powers conferred by any other law.

27 M.(1) In addition to other powers granted to the authority pursuant to this
28 Chapter, the authority may initiate an expedited quiet title and foreclosure action
29 under this Subsection to quiet title to immovable property held by the authority,

1 interests in property purchased by the authority at tax sales or in formerly
2 adjudicated properties acquired by the authority from a political subdivision, by
3 recording with the conveyance records of the clerk of court and ex officio recorder
4 of mortgages a notice of pending expedited quiet title and foreclosure action. The
5 notice shall include a legal description of the property; the street address of the
6 property if available; the name, address, and telephone number of the authority; a
7 statement that the property is subject to expedited quiet title proceedings and
8 foreclosure under this Subsection; and a statement that any legal interests in the
9 property may be extinguished by a district court order vesting title to the property in
10 the authority. The right of redemption from tax sales in Article VII, Section 25(B)
11 of the Constitution of Louisiana shall be terminated by these proceedings only if the
12 time period for expiration of the right of redemption has expired. If a notice is
13 recorded in error, the authority may correct the error by recording a certificate of
14 correction with the register of conveyances. A notice or certificate under this
15 Subsection need not be notarized and may be authenticated by a digital signature or
16 other electronic means. If the authority has reason to believe that a property subject
17 to an expedited quiet title and foreclosure action under this Subsection may be the
18 site of environmental contamination, the authority shall provide the Department of
19 Environmental Quality with any information in the possession of the authority that
20 suggests the property may be the site of environmental contamination.

21 (2) After recording the notice under Paragraph (1) of this Subsection, the
22 authority shall initiate a search of records identified in this Paragraph to identify the
23 owners of a property interest in the property who are entitled to notice of the quiet
24 title and foreclosure hearing under this Subsection. The authority may enter into a
25 contract with or may request from one or more authorized representatives a title
26 search or other title product to identify the owners of a property interest in the
27 property as required under this Paragraph or to perform the other functions set forth
28 in this Subsection required for the quieting of title to property. The owner of a
29 property interest is entitled to notice under this Subsection if that owner's interest

1 was identifiable by reference to any of the following sources before the date that the
2 authority records the notice under Paragraph (1) of this Subsection:

3 (a) Land title records in the office of the recorder of mortgages and the
4 register of conveyances.

5 (b) Tax records in the office of the assessor.

6 (3) The authority may file a single petition with the district court to expedite
7 foreclosure under this Subsection listing all property subject to expedited foreclosure
8 by the authority and for which the authority seeks to quiet title. If available to the
9 authority, the list of properties shall include a legal description of, a tax parcel
10 identification number for, and the street address of each parcel of property. The
11 petition shall seek a judgment in favor of the authority against each property listed
12 and shall include a date, within ninety days of filing, on which the authority requests
13 a hearing on the petition. The petition shall request that a judgment be entered
14 vesting absolute title in the authority, without right of redemption for each parcel of
15 property listed, as provided in this Paragraph. Prior to the entry of judgment under
16 this Paragraph, the authority may request the court to remove property erroneously
17 included in the petition or any tax delinquent properties redeemed prior to the
18 hearing.

19 (4) The district court in which a petition is filed under Paragraph (3) of this
20 Subsection shall immediately set the date, time, and place for a hearing on the
21 petition for foreclosure. The date shall be set by the court and shall not be more than
22 ten days after the date requested by the authority in the petition. In no event may the
23 court schedule the hearing later than ninety days after the filing of a petition by the
24 authority under Paragraph (3) of this Subsection.

25 (5) After completing the records search under Paragraph (2) of this
26 Subsection, the authority shall determine the address or addresses reasonably
27 calculated to inform those owners of a property interest in property subject to
28 expedited foreclosure under this Subsection of the pendency of the quiet title and
29 foreclosure hearing under Paragraph (11) of this Subsection. If, after conducting the

1 title search, the authority is unable to determine an address reasonably calculated to
2 inform a person with a property interest in property subject to expedited foreclosure,
3 or if the authority discovers a deficiency in notice under this Subsection, the
4 following shall be considered reasonable steps by the authority to ascertain the
5 addresses of persons with a property interest in the property subject to expedited
6 foreclosure or to ascertain an address necessary to correct a deficiency in notice
7 under this Subsection:

8 (a) For an individual, a search of records of the recorder of mortgages and
9 the register of conveyances.

10 (b) For a business entity, a search of business entity records filed with the
11 commercial division of the Department of State.

12 (c) For a state or federal chartered depository financial institution, a search
13 of entity records filed with the Louisiana Office of Financial Institutions or with the
14 Federal Deposit Insurance Corporation.

15 (6) Not less than thirty days before the quiet title and foreclosure hearing
16 under Paragraph (11) of this Subsection, the authority shall send notice by certified
17 mail, return receipt requested, of the hearing to the persons identified under
18 Paragraph (2) of this Subsection who have a property interest in property subject to
19 expedited foreclosure. The authority shall also send a notice via regular mail
20 addressed to the "Occupant" for each property subject to expedited foreclosure if an
21 address for the property is ascertainable.

22 (7) Not less than thirty days before the quiet title and foreclosure hearing
23 under Paragraph (11) of this Subsection, the authority or its authorized representative
24 or authorized agent shall visit each parcel of property subject to expedited
25 foreclosure and post on the property conspicuous notice of the hearing. In addition
26 to the requirements of Paragraph (8) of this Subsection, the notice shall also include
27 the following statement: "This Property has been transferred to the Alexandria Urban
28 Renewal Authority and is subject to an expedited quiet title and foreclosure action.

1 Persons with information regarding the prior owner of the property are requested to
2 contact the Alexandria Urban Renewal Authority".

3 (8) The notices required under Paragraphs (6) and (7) of this Subsection shall
4 include:

5 (a) The date on which the authority recorded, under Paragraph (1) of this
6 Subsection, notice of the pending expedited quiet title and foreclosure action.

7 (b) A statement that a person with a property interest in the property may
8 lose his interest as a result of the quiet title and foreclosure hearing.

9 (c) A legal description, parcel number of the property, and the street address
10 of the property, if available.

11 (d) The person to whom the notice is addressed.

12 (e) The date and time of the hearing on the petition for foreclosure under
13 Paragraph (1) of this Subsection, and a statement that the judgment of the court may
14 result in title to the property vesting in the authority.

15 (f) An explanation of any rights of redemption and notice that the judgment
16 of the court may extinguish any ownership interest in or right to redeem the property.

17 (g) The name, address, and telephone number of the authority.

18 (h) A statement that persons with information regarding the owner or prior
19 owner of any of the properties are requested to contact the authority.

20 (9) If the authority is unable to ascertain the address reasonably calculated
21 to inform the owners of a property interest entitled to notice under this Section, or
22 is unable to provide notice under Paragraphs (6) and (7) of this Subsection, the
23 authority shall provide notice by publication. Prior to the hearing, a notice shall be
24 published for three successive weeks, once each week, in a newspaper published and
25 circulated in the jurisdiction of the authority. The published notice shall include all
26 of the following:

27 (a) A legal description, parcel number of the property, and the street address
28 of the property, if available.

1 (b) The name of any person not notified under Paragraphs (6) and (7) of this
2 Subsection that the authority reasonably believes may be entitled to notice under this
3 Section of the quiet title and foreclosure hearing under Paragraph (11) of this
4 Subsection.

5 (c) A statement that a person with a property interest in the property may
6 lose his interest as a result of the foreclosure proceeding.

7 (d) The date and time of the hearing on the petition for foreclosure under
8 Paragraph (1) of this Subsection.

9 (e) A statement that the judgment of the court may result in title to the
10 property vesting in the authority.

11 (f) An explanation of any rights of redemption and notice that judgment of
12 the court may extinguish any ownership interest in or right to redeem the property.

13 (g) The name, address, and telephone number of the authority.

14 (h) A statement that persons with information regarding the owner or prior
15 owner of any of the properties are requested to contact the authority.

16 (10) If prior to the quiet title and foreclosure hearing under Paragraph (11)
17 of this Subsection, the authority discovers any deficiency in the provision of notice
18 under this Subsection, the authority shall take reasonable steps in good faith to
19 correct the deficiency before the hearing. The provisions of this Subsection relating
20 to notice of the quiet title and foreclosure hearing are exclusive and exhaustive.
21 Other requirements relating to notice and proof of service under other law, rule, or
22 other legal requirement are not applicable to notice or proof of service under this
23 Subsection.

24 (11) If a petition for expedited quiet title and foreclosure is filed under
25 Paragraph (3) of this Subsection, before the hearing, the authority shall file with the
26 clerk of the district court proof of notice by certified mail under Paragraph (6) of this
27 Subsection, proof of notice by posting on the property under Paragraph (7) of this
28 Subsection, and proof of notice by publication, if applicable. A person claiming an
29 interest in a parcel of property set forth in the petition for foreclosure, including a

1 current holder of a conventional mortgage, who desires to contest that petition shall
2 file written objections with the clerk of the district court and serve those objections
3 on the authority before the date of the hearing. A holder of a conventional mortgage
4 may object to the action and is entitled to a dismissal of the proceedings by the
5 district court upon a showing that it is the holder of a legally enforceable
6 conventional mortgage and upon payment of the outstanding amount of any liens,
7 taxes, and related costs. The district court may appoint and utilize as the court
8 considers necessary a curator for assistance with the resolution of any objections to
9 the foreclosure or questions regarding the title to property subject to foreclosure. If
10 the court withholds property from foreclosure, the authority's ability to include the
11 property in a subsequent petition for expedited quiet title and foreclosure is not
12 prejudiced. No injunction shall issue to stay an expedited quiet title and foreclosure
13 action under this Subsection. The district court shall enter judgment on a petition to
14 quiet title and foreclosure filed under Paragraph (3) of this Subsection not more than
15 ten days after the conclusion of the hearing or contested case, and the judgment shall
16 become effective ten days after the conclusion of the hearing or contested case. The
17 district court's judgment shall specify all of the following:

18 (a) The legal description and, if known, the street address of the property
19 foreclosed.

20 (b) That title to property foreclosed by the judgment is vested absolutely in
21 the authority, except as otherwise provided in Paragraphs (1) and (3) of this
22 Subsection, without any further rights of redemption.

23 (c) That all liens against the property, including any lien for unpaid taxes or
24 special assessments, are extinguished.

25 (d) That, except as otherwise provided in Subparagraph (e) of this Paragraph,
26 the authority has good and marketable title to the property.

27 (e) That all existing recorded and unrecorded interests in the property are
28 extinguished, except a visible or recorded easement or right-of-way or private deed
29 restrictions.

1 (f) A finding that all persons entitled to notice and an opportunity to be heard
2 have been provided that notice and opportunity. A person shall be deemed to have
3 been provided notice and an opportunity to be heard if the authority followed the
4 procedures for provision of notice by mail, by visits to property subject to expedited
5 quiet title and foreclosure, and by publication under this Subsection, or if one or
6 more of the following apply:

7 (i) The person had constructive notice of the hearing by acquiring an interest
8 in the property after the date of the recording, under Paragraph (1) of this Subsection,
9 of the notice of pending expedited quiet title and foreclosure action.

10 (ii) The person appeared at the hearing or submitted written objections to the
11 district court under this Subsection prior to the hearing.

12 (iii) Prior to the hearing under this Paragraph, the person had actual notice
13 of the hearing.

14 (12) Except as otherwise provided in Subparagraph (11)(e) of this
15 Subsection, title to property set forth in a petition for foreclosure filed under
16 Paragraph (3) of this Subsection shall vest absolutely in the authority upon the
17 effective date of the judgment by the district court, and the authority shall have
18 absolute title to the property. The authority's title shall not be subject to any
19 recorded or unrecorded lien, except as provided in Paragraph (11) of this Subsection,
20 and shall not be stayed or held invalid, except as provided in Paragraph (13) of this
21 Subsection. A judgment entered under this Subsection is a final order with respect
22 to the property affected by the judgment and shall not be modified, stayed, or held
23 invalid after the effective date of the judgment, except as provided in Paragraph (13)
24 of this Subsection.

25 (13) The authority or a person claiming to have a property interest under
26 Paragraph (2) of this Subsection in property foreclosed under this Subsection may,
27 within twenty-one days of the effective date of the judgment under Paragraph (11)
28 of this Subsection, appeal the district court's order or the district court's judgment
29 foreclosing property to the court of appeals. The appeal of the judgment shall be

1 entitled to preference and priority and shall be handled on an expedited basis by the
2 court of appeal and, if applicable, the Louisiana Supreme Court. In such cases, the
3 record shall be prepared and filed within fifteen days of the granting of the order of
4 appeal. The court of appeal shall hear the case within thirty days after the filing of
5 the appellee's brief. An appeal under this Paragraph is limited to the record of the
6 proceedings in the district court under this Subsection. The district court's judgment
7 foreclosing property shall be stayed until the court of appeals has reversed, modified,
8 or affirmed that judgment. If an appeal under this Paragraph stays the district court's
9 judgment foreclosing property, the district court's judgment is stayed only as to the
10 property that is the subject of that appeal, and the district court's judgment
11 foreclosing other property that is not the subject of that appeal is not stayed. To
12 appeal the district court's judgment foreclosing property, a person appealing the
13 judgment shall pay to the authority any taxes, interest, penalties, and fees due on the
14 property and provide notice of the appeal to the authority within twenty-one days
15 after the district court's judgment becomes effective. If the district court's judgment
16 foreclosing the property is affirmed on appeal, the amount determined to be due shall
17 be refunded to the person who appealed the judgment. If the district court's
18 judgment foreclosing the property is reversed or modified on appeal, the authority
19 shall refund the amount determined to be due to the person who appealed the
20 judgment, if any, and forward the balance to the appropriate taxing jurisdictions in
21 accordance with the order of the court of appeals.

22 (14) The authority shall record a notice of judgment for each parcel of
23 foreclosed property in the office of the register of conveyances. If the authority
24 records a notice of judgment in error, the authority may subsequently record a
25 certificate of correction. A notice or certificate under this Paragraph need not be
26 notarized and may be authenticated by a digital signature or other electronic means.
27 After the entry of a judgment foreclosing the property under this Subsection, if the
28 property has not been transferred by the authority, the authority may cancel the

1 foreclosure by recording with the register of conveyances a certificate of error, if the
2 authority discovers any of the following:

3 (a) The description of the property used in the expedited quiet title and
4 foreclosure proceeding was so indefinite or erroneous that the foreclosure of the
5 property was void.

6 (b) An owner of an interest in the property entitled to notice of the expedited
7 quiet title and proceedings against the property under this Subsection was not
8 provided notice sufficient to satisfy the minimum due process requirements of the
9 Constitution of Louisiana and the Constitution of the United States.

10 (c) A judgment of foreclosure was entered under this Subsection in violation
11 of an order issued by a United States bankruptcy court.

12 (15) If a judgment of foreclosure is entered under Paragraph (11) of this
13 Subsection, and all existing recorded and unrecorded interests in a parcel of property
14 are extinguished as provided in Paragraph (11) of this Subsection, the owner of any
15 extinguished recorded or unrecorded interest in that property who claims that he did
16 not receive notice of the expedited quiet title and foreclosure action shall not bring
17 an action for possession of the property against any subsequent owner but may bring
18 an action only to recover monetary damages from the authority as provided in this
19 Paragraph. The district court has original and exclusive jurisdiction in any action to
20 recover monetary damages under this Paragraph. An action to recover monetary
21 damages under this Paragraph shall not be brought more than two years after a
22 judgment for foreclosure is entered under Paragraph (11) of this Subsection. Any
23 monetary damages recoverable under this Paragraph shall be determined as of the
24 date a judgment for foreclosure is entered under Paragraph (11) of this Subsection
25 and shall not exceed the fair market value of the interest in the property held by the
26 person bringing the action under this Subsection on that date, less any taxes, interest,
27 penalties, and fees owed on the property as of that date. The right to sue for
28 monetary damages under this Paragraph shall not be transferable except by testate
29 or intestate succession.

1 (16) The owner of a property interest with notice of the quiet title and
2 foreclosure hearing under Paragraph (11) of this Subsection may not assert any of
3 the following:

4 (a) That notice to the owner was insufficient or inadequate in any way
5 because some other owner of a property interest in the property was not notified.

6 (b) That any right to redeem tax reverted property was extended in any way
7 because some other person was not notified.

8 (17) A person holding or formerly holding an interest in tax reverted
9 property subject to expedited foreclosure under this Subsection is barred from
10 questioning the validity of the expedited foreclosure under this Subsection.

11 (18) The failure of the authority to comply with any provision of this
12 Subsection shall not invalidate any proceeding under this Subsection if a person with
13 a property interest in property subject to foreclosure was accorded the minimum due
14 process required under the Constitution of Louisiana and the Constitution of the
15 United States.

16 (19) It is the intent of the legislature that the provisions of this Subsection
17 relating to the expedited quiet title and foreclosure of property by the authority
18 satisfy the minimum requirements of due process required under the Constitution of
19 Louisiana and the Constitution of the United States but that the provisions do not
20 create new rights beyond those required under the Constitution of Louisiana or the
21 Constitution of the United States. The failure of the authority to follow a
22 requirement of this Section relating to the expedited quiet title and foreclosure of
23 property held by the authority shall not be construed to create a claim or cause of
24 action against the authority unless the minimum requirements of due process
25 accorded under the Constitution of Louisiana or the Constitution of the United States
26 are violated.

27 (20) As used in this Subsection, "authorized representative" includes one or
28 more of the following:

Proposed law provides that all actions of the board shall be approved by the affirmative vote of a majority of the members present and voting. Requires however approval by a majority of the total board membership for any of the following actions:

- (1) Adoption of bylaws and other rules and regulations for conduct of the authority's business.
- (2) Hiring or firing of any employee or contractor of the authority. Provides that this function may by favorable vote of the board membership be delegated to a specified officer or committee of the authority, under such terms and conditions, and to the extent that the board may specify.
- (3) Incurring debt.
- (4) Adoption or amendment of the annual budget.
- (5) Sale, lease, encumbrance, or alienation of real property, improvements, or personal property with an assessed value of more than \$20,000.

Proposed law provides that the authority is generally subject to present law relative to open meetings and public records. However, provides exceptions to open meetings and public records laws for certain meetings and records pertaining to the sale or lease of immovable property. Such exceptions are applicable until 30 days prior to the date the board is scheduled to consummate a final sale or lease. Requires that the board give written public notice of its intention to consummate a final sale or lease at least 30 days prior to such action. Proposed law provides that the authority is subject to the Code of Governmental Ethics.

Powers and Duties

Proposed law provides that the authority, through the board, shall have all powers necessary or convenient to carry out its objectives and purposes. Some of the powers specifically granted are:

- (1) To acquire and use property. Provides that the authority shall not have any power to expropriate, except that power which is granted by the governing authority of Alexandria.
- (2) To dispose of property at public or private sale. Provides relative to procedures and exceptions for and limitations on such dispositions.
- (3) To convey property and property rights to federal, state, and local governmental entities pursuant to terms of a cooperative endeavor agreement.
- (4) To collect reasonable charges for the use of property and for services rendered and to regulate fees or rentals charged for use of privately owned facilities located on property owned or sold by the authority.
- (5) To plan, develop, regulate, operate, and maintain activities and planned land uses to foster residential housing development.
- (6) To require and issue licenses.
- (7) To borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, and other advantages as security for such loans.
- (8) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

- (9) To develop, test, and report methods and techniques and carry out demonstrations and other activities for the prevention and the elimination of slums and urban blight, including means of providing housing or continuing care, assisted living, independent living, or similar housing for elderly or retired persons or other persons desiring such housing facilities.

Proposed law provides that the authority is not an instrumentality of the state for purposes of the state civil service provisions of the state constitution. Exempts the authority and its property from taxes, as well as evidences of indebtedness it issues and income therefrom.

Acquisition of Property

Proposed law authorizes the authority to purchase property from other political subdivisions as follows:

- (1) To purchase adjudicated properties within its jurisdiction. Provides that such a purchase does not extend or suspend the redemption period. Authorizes such purchases through direct negotiated purchase and sale agreement without any other requirement of a public sale. Provides that the rights of the authority in such property are those of a purchaser at a tax sale. Authorizes the cancellation of public liens on the property contemporaneously with or subject to the transfer of the property to the authority.
- (2) To purchase property at a tax sale. Authorizes the authority to make such purchases by tendering a credit bid, consisting of the obligation of the authority to satisfy the component parts of the bid by payments to the respective political subdivisions. Provides that a bid by the authority for the minimum amount shall take priority over all other bids except for a higher bid submitted by a conventional mortgage holder.
- (3) To purchase property at a sale conducted pursuant to enforcement of a judicial mortgage by tendering a bid equal to or greater than the minimum bid advertised, which bid may be a credit bid consisting of the obligation of the authority to satisfy the bid by payment to the political subdivision holding the lien being enforced. With respect to certain such purchases, the obligation of the credit bid may be satisfied by the direct expenditure of funds on demolition, remediation, maintenance, and rehabilitation activities. Provides relative to the priority of such bids.

Redevelopment Activities

Proposed law authorizes the authority to create and execute redevelopment or development plans for specified areas within its jurisdiction. Prohibits implementation of such plans until, to the extent required by law, approved by the local planning commission or zoning board. Provides that a specified area may be designated as a subdistrict of the authority.

Proposed law authorizes the transfer of immovable property in a redevelopment area for residential, recreational, commercial, industrial, or other uses or for public use, in accordance with the redevelopment plan and subject to other limitations on property use. Authorizes the authority to require improvements to and to restrict the uses and the reconveyance of such property.

Proposed law authorizes the transfer of immovable property in a redevelopment area pursuant to solicitation of redevelopment and rehabilitation proposals. Authorizes such transfers by private sale or competitive bidding. Requires and provides for public notice of solicitations for redevelopment and rehabilitation proposals. Provides that contracts to transfer immovable property are public records and specifies certain information to be included.

Proposed law authorizes the authority to temporarily operate, maintain, or lease real property in a redevelopment area pending disposition of the property.

Proposed law provides that any real property within a redevelopment area may be disposed of without regard to the provisions of proposed law. Provides that real property acquired in accordance with a redevelopment plan may be disposed of to a public body for public reuse without regard to the provisions of proposed law.

Proposed law authorizes other public entities to take various actions to aid in planning or carrying out a redevelopment plan.

Quiet Title Proceedings

Proposed law provides as follows for an expedited procedure to enable the authority to more efficiently quiet title and initiate a foreclosure action regarding immovable property acquired by the authority:

- (1) Requires the authority to file a notice with the clerk of court regarding the property it is attempting to seize. Requires certain content of such notice including a statement that any legal interests in the property may be extinguished. Provides for additional procedures if there is a deficiency in the notice. Provides that quiet title proceedings terminate Const. Art. VII, §529(B) right of redemption only if the time for expiration of such right has expired.
- (2) Requires the authority to notify the Dept. of Environmental Quality if it believes that property is the site of environmental contamination.
- (3) Requires the authority, after recording the notice, to search for persons with an interest in the property. Provides that the owner of a property interest is entitled to notice under proposed law if that owner's interest was identifiable by reference to title records in the office of the recorder of mortgages and the register of conveyances or tax records in the office of the assessor.
- (4) Authorizes the authority to file a single petition with the district court which lists all of the property subject to expedited foreclosure. Requires the authority to request a hearing on the petition and provides deadlines with respect to such a hearing.
- (5) Requires the authority to notify any person with an interest in the property about the hearing. Further requires notice via regular mail addressed to "Occupant" to each property subject to expedited foreclosure. Requires posting a written notice on each property at least 30 days prior to the expedited foreclosure hearing. Requires that each notice include specified information. Requires publication of notice if the authority is otherwise unable to provide appropriate notice.
- (6) Requires the authority to file proof of the notice required by proposed law with the clerk of the district court prior to the hearing. Requires a person who has an interest in the property who desires to contest the petition to file written objections with the clerk and serve those objections on the authority prior to the hearing.
- (7) Requires the district court to enter judgment on the petition not more than 10 days following the conclusion of the hearing or contested case. Requires the judgment to specify certain information.
- (8) Proposed law provides that except as otherwise provided in proposed law, title to property set forth in a petition for foreclosure shall vest absolutely in the authority upon the effective date of the judgment by the district court. Provides that the authority shall have absolute title to the property and the title is not subject to any recorded or unrecorded lien, except as otherwise provided in proposed law and shall

- not be stayed or held invalid except as otherwise provided in proposed law. Provides that a judgment is a final order with respect to the property affected by the judgment and shall not be modified, stayed, or held invalid after the effective date of the judgment, except as otherwise provided in proposed law.
- (9) Provides that a person with an interest in foreclosed property may appeal the district court's order or judgment. Provides with respect to such appeals.
- (10) Provides that it is the intent of the legislature that the provisions of proposed law relating to the expedited quiet title and foreclosure of property by the authority satisfy the minimum requirements of due process required under the state constitution and the U.S. Constitution. Provides that the provisions do not create new rights beyond those required under the state constitution or the U.S. Constitution. Provides that the failure of the authority to follow a requirement of proposed law shall not be construed to create a claim or cause of action against the authority unless the minimum requirements of due process accorded under the state constitution or the U.S. Constitution are violated.
- (Amends R.S. 44:4.1(B)(20); Adds R.S. 33:4720.201)