

RAPIDES PARISH POLICE JURY

REGULAR SESSION
NOVEMBER 9, 2009

The Police Jury of the Parish of Rapides, State of Louisiana, met in Regular Session at its regular meeting place, the Police Jury Room of the Parish Courthouse, 701 Murray Street, Alexandria, Louisiana, on Monday, November 9, 2009, at three (3:00) o'clock p.m. (Central Standard Time).

There were present: Joe Bishop, Vice President and Chairman Pro Tem, and Police Jurors John "Buck" Lincecum, Jamie L. Floyd, Richard Gerald Vanderlick, Oliver "Ollie" Overton Jr., Richard W. Billings, and Scott Perry Jr.

Police Jurors absent were: Theodore Fountaine Jr., President, and Steve Coco.

Also present were Mr. Tim Ware, Treasurer; Ms. Donna Andries, Sales and Use Tax Director; Ms. Elaine Morace, WIA Operations Director; Mr. Jason Parks, Economic and Workforce Development Director; Mr. Dennis Woodward, Public Works Director; Mr. Shannon Trapp, Courthouse and Jail Building Superintendent; Ms. Linda Sanders, Civil Service Director; Chief David Peart, Fire District No. 2; Mr. Thomas O. Wells, Legal Counsel; and Ms. Angie Richmond, Secretary.

The invocation was given by Mr. Jamie Floyd.

The Pledge of Allegiance was led by Mr. Richard Billings.

The Police Jury of the Parish of Rapides, State of Louisiana, was duly convened as the governing authority of said Parish by Hon. Joe Bishop, Vice President and Chairman Pro Tem, who welcomed all present and then stated that the Police Jury was ready for the first item of business.

On motion by Mr. Richard Vanderlick and Mr. Ollie Overton, seconded by Mr. Scott Perry, to adopt the minutes of the Rapides Parish Police Jury held in Regular Session on October 12, 2009, as published in the Official Journal. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Richard Vanderlick and Mr. Scott Perry, that approved bills be paid. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Richard Billings and Mr. Scott Perry, to accept the Treasurer's Report. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Scott Perry and Mr. Jamie Floyd, to appoint Mr. Mike Mule II to the Coliseum Authority representing District G, to fill a vacancy in an unexpired term, term will expire on December 13, 2012. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Scott Perry, to appoint Dr. David "Dusty" Nassif to the Civil Service Board, nominee of LSU-A, for a three year term, term will expire on November 10, 2012. On vote the motion carried.

Mr. Overton laid over the appointment to the Fire District No. 4 Civil Service Board for a three year term to fill the expiring term of Mr. Byron McGee, nominee of Louisiana College, term will expire on November 12, 2009, until nominations are received from Louisiana College.

On motion by Mr. Richard Billings, seconded by Mr. Ollie Overton and Mr. Scott Perry, to lay over the appointment to the Children and Youth Planning Board to fill a vacancy in an unexpired term, representing the social services community, term will expire on October 11, 2010. On vote the motion carried.

On motion by Mr. Buck Lincecum, seconded by Mr. Richard Vanderlick and Mr. Ollie Overton, to reappoint Mr. Calvin Malone to the Esler Industrial Development Area Advisory Board, representing District A, for a five year term, term will expire on November 29, 2014. On vote the motion carried.

On motion by Mr. Richard Vanderlick, seconded by Mr. Scott Perry, to announce the following appointments to be made at the next meeting to:

Alexandria Central Economic Development District, representing the Rapides Parish Police Jury, for a four year term to fill the expiring term of Mr. Ronald Dorsey, term will expire on December 6, 2009,

Alexandria Central Economic Development District, representing the Rapides Parish Police Jury, for a four year term to fill the expiring term of Mr. Duane Blackwell, term will expire on December 6, 2009;

Esler Industrial Development Area Advisory Board, representing District G, for a five year term to fill the expiring term of Mr. Jerry Alan Cripps, term will expire on January 11, 2010; and

Gravity Drainage District No. 1 for a four year term to fill the expiring term of Mr. Lue Howard, term will expire on January 15, 2010.

On motion by Mr. Richard Billings, seconded by Mr. Scott Perry and Mr. Ollie Overton, to accept the announcements.

On vote the motions carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to receive the proposed 2010 Rapides Parish Police Jury Budget and call for a public hearing to be held on December 7, 2009 at 3:00 p.m. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to authorize renewal of the group health insurance, as recommended by the Treasurer, and authorize the President to sign any necessary documents. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to accept the Secretary's Report. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to authorize to apply for renewal of the eligibility in the Federal Surplus Property donation program; to designate the following as representatives to act for the Police Jury in acquiring donable property from the Louisiana Federal Property Assistance Agency and to obligate necessary funds; to authorize the President to execute the Louisiana Federal Property Assistance Agency Distribution Document including terms, conditions, reservations, and restrictions the State or GSA may establish on the use and disposal of the property, the Authorization of Participants, the Debarment Certification and Non-discrimination Assurance: Tim Ware, Treasurer; Paula Bounds, Purchasing Agent; Dennis Woodward, PE, Public Works Director; Dallas Lewis, Highway Superintendent; Nat Poisso, Mechanic; Bruce Kelly, Chief Accountant; Marla West, Account Clerk, Shane Trapp, Building Superintendent; Debra Wess, Account Clerk, Merritt Post, Watershed Director; Theresa Pacholik, Account Clerk. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, the following resolution was presented, to adopt the Annual Certificate of Compliance with the State of Louisiana, Off System Bridge Replacement Program, as recommended by the Public Works Director, and on vote unanimously adopted:

RESOLUTION

WHEREAS, the Code of Federal regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and,

WHEREAS, the responsibility to inspect, rate and load post those bridges under the authority of Rapides Parish in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to Rapides Parish.

THEREFORE, BE IT RESOLVED by the governing authority of Rapides Parish (herein referred to as the Parish) that the Parish in regular meeting assembled does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as the DOTD) that for the period October 1, 2008 through September 30, 2009:

1. The Parish has performed all interim inspections on all Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards.
2. All bridges owned or maintained by the Parish have been structurally analyzed and rated by the Parish as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the LA DOTD for all bridges where the maximum legal load under Louisiana State law exceeds the load permitted under the operating rating as determined above has been critically reviewed by the Parish. Load posting information has been updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.
3. All Parish owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge has been critically reviewed by the Parish Engineer prior to load posting.
4. All bridges owned or maintained by the Parish are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the Parish by the LA DOTD are noted.

These stipulations are prerequisites to participation by the Parish in the Off-System Bridge Replacement Program.

This resolution was considered section by section and as a whole and upon motion of Mr. Ollie Overton, being seconded by Mr. Richard Billings, was adopted by the following vote on this the 9th day of November, 2009.

YEAS: Joe Bishop, John "Buck" Lincecum, Jamie L. Floyd, Richard Gerald Vanderlick, Oliver "Ollie" Overton Jr., Richard W. Billings, and Scott Perry Jr.

NAYS: None.

ABSENT AND NOT VOTING: Theodore Fountaine Jr. and Steve Coco.

And the resolution was declared adopted on this the 9th day of November, 2009.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to authorize Ms. Doris Augustine, 183 Slick Log Road, Forest Hill, as a Hardship Case, pending proper certification and waive the Notary requirement. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to grant a \$0.46 per hour pay increase to Firefighter John Cummings, effective November 5, 2009, as requested by the Alpine Volunteer Fire Department, to be paid out of Fire Protection District No. 3 Funds. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to ratify authorization for the President to sign a Request for Budget Revision for the LaJET Program, CFMS No. 631163 and authorize the Treasurer to amend the budget as needed. Budgeted funds to be transferred will move dollars from Personnel Services cost category line item Retirement in the amount of \$193.78 to the Personnel Services cost category line item FICA in the amount of \$150.90 and line item Unemployment Insurance in the amount of \$42.88. Other budgeted funds to be transferred from the Operating Expense cost category line item Postage in the amount of \$210.51 to Operating Expense cost category line item Copy Machine Rental in the amount of \$210.51. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to approve Topics for the Rapides Parish Showcase Video in collaboration with GCI Communications as selected by the Video Showcase Committee. Topics include: Welcome, Attractions, Economic Development/Business and Industry, Education, Dining and Shopping, Healthcare, Parks and Recreation, Quality of Life, Real Estate and Relocation, and Tourism/Things to Do. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to ratify authorization for the President to sign Local Workforce Investment Board No. 61 Assurances to be submitted for Certification Review to the Louisiana Workforce Commission, Office of Workforce Development. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to create one additional Equipment Operator I slot and two additional Equipment Operator II slots at the Parish Highway Department, as recommended by the Public Works Director. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to authorize the expenses of interested Police Jurors and the Public Works Director to attend the Environmental Regulatory Compliance Conference to be held on January 27-28, 2010 in Alexandria. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to approve and ratify authorization for the President to sign the Second Amended Cooperative Endeavor Agreement between the State of Louisiana and the Parish of Rapides for the Cotile Outflow Gate Repair and Replacement, Planning and Construction FP&C Project No. 50-J40-07B-01, for the rescinding of Capital Outlay Funds. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to approve Change Order No. 1 (Final) with C.G. Logan Construction LLC, Contractor, for the Walnut Grove Subdivision Sewer System Improvements Project (FY 2007 LCDBG Project No. 666672). This change order adjusts contract quantities to those actually installed and authorize the President to sign same, as recommended by Meyer, Meyer, LaCroix and Hixson Inc., Project Engineer, and Frye-Magee and Associates, Grant Administrator. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to ratify the submission of a grant application to Capital Outlay, Louisiana Division of Administration, for reconstruction of Melder Road in the approximate amount of \$1,100,000; authorize the President to sign all necessary documents; and request our Louisiana Legislative Delegation for their support. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to award a contract to the low bidder J & W Contractors Inc. to furnish and install mechanical wind-break curtains in the open-sided areas of the DeWitt Livestock Show Facility for the Base Bid plus Alternate No. 1 for an amount of \$99,794. \$43,048.85 is to be paid from the remaining funds in the Dean Lee Research Stations, Capital Outlay Planning and Construction Project, FP&C No. 50-J40-02-01, and the balance to be paid by the LSU Ag Center, and to authorize the President to sign necessary approval forms and contract documents, subject to approval by the Louisiana Division of Administration Facility, Planning and Control, as recommended by the Assistant Director/Engineer for the LSU Ag Center, Treasurer and Purchasing Agent. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, that the Rapides Parish Police Jury does hereby oppose Gravity Drainage District No. 1 proceeding with the Alexandria to the Gulf Feasibility Study; instead of spending \$650,000 for proceeding with the Study (which has a cost benefit ratio of 1.0-1.2), this Police Jury strongly suggests the District participate with the Police Jury on its Drainage Projects. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to change the date of the regular Police Jury meeting in March 2010 from Monday, March 8 to Monday, March 15, 2010, to eliminate the conflict with the NACo Legislative Conference to be held on March 6-10, 2010 in Washington, DC. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Buck Lincecum and Mr. Scott Perry, that the President form a committee of the Police Jury, including Legal Counsel, to get with the City of Alexandria on the proposed Versailles Boulevard project in order to bring back a recommendation to the Police Jury as expeditiously as possible. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, the following resolution was presented, a resolution authorizing the President to execute an agreement with LDOTD for the purchase and installation of a 150KW stationary type emergency generator for Esler Airport, State Project No. 977-99-0104, in the reimbursement amount of \$70,000 as recommended by the Esler Airport Manager, and on vote unanimously adopted:

The Rapides Parish Police Jury met in regular session on this date. The following resolution was offered by Mr. Ollie Overton and seconded by Mr. Richard Billings.

RESOLUTION

A resolution authorizing the President to execute an Agreement with the Louisiana Department of Transportation and Development (LA DOTD) for improvements at the Esler Regional Airport.

WHEREAS, Act 451 of the 1989 Regular Session of the Louisiana Legislature authorized the financing of certain airport improvements from funds appropriated from the Transportation Trust Fund; and

WHEREAS, the Rapides Parish Police Jury is requesting funding assistance from the LA DOTD for the purchase and installation of a 150KW stationary type emergency generator system for the airport; and

WHEREAS, the LA DOTD is agreeable to the implementation of this project and desires to cooperate with the Rapides Parish Police Jury according to the terms and conditions identified in that certain Agreement pertaining hereto; and

WHEREAS, the LA DOTD will reimburse the sponsor up to \$70,000.00 for the actual purchase and installation of a 150 KW stationary emergency generator for the Esler Regional Airport.

NOW, THEREFORE, BE IT RESOLVED by the Rapides Parish Police Jury that it does hereby authorize the President to execute an Agreement for improvements to the Esler Regional Airport identified as State Project No. 977-99-0104, more fully identified in the Agreement.

This resolution shall be in full force and effect from and after its adoption.

The aforesaid resolution, having been submitted to a vote, the vote thereon was as follows:

YES	NO	ABSENT
Joe Bishop		Theodore Fontaine
Buck Lincecum		Steve Coco
Jamie Floyd		
Richard Vanderlick		
Ollie Overton		
Richard Billings		
Scott Perry		

WHEREUPON, the resolution was declared adopted on this 9th day of November, 2009.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, the following ordinance was presented and on vote unanimously adopted:

ORDINANCE

AN ORDINANCE AUTHORIZING ADVERTISEMENT AND SALE OF THE PROPERTY LOCATED AT 1264 CANTERBURY DRIVE, ALEXANDRIA, LOUISIANA (FUHRER LIBRARY BRANCH)

WHEREAS, the Rapides Parish Police Jury has ownership of a certain piece, parcel or tract of land along with all buildings located at 1264 Canterbury Drive (Lot E, Wilshire Park Commercial Development), Alexandria, Rapides Parish, Louisiana, and being more particularly described as follows:

Rapides Parish Fuhrer Branch Library

A certain piece, parcel or tract of land along with all buildings located in the Parish of Rapides, State of Louisiana, being more particularly described as follows:

Begin at the intersection of the Southwest right-of-way of Canterbury Drive and the Northwest right-of-way of Parliament Drive in Wilshire Park Subdivision, as shown in Plat Book 12, Page 185, records of Rapides Parish, Louisiana, and run South 28 degrees 49 Minutes West 120 feet along the Northwest right-of-way of Parliament Drive; then turn 90 degrees to the right and run North 61 degrees 11 minutes West 150 feet; thence turn 90 degrees to the right and run North 28 degrees 49 minutes East 122.12 feet to the Southwest right-of-way of Canterbury Drive; then turn right and run 50.06 feet along the Southwest right-of-way of Canterbury Drive to the point of tangency of a curve; thence continue along the Southwest right-of-way of Canterbury Drive South 61 degrees 11 minutes East 100 feet to the point of beginning.

WHEREAS, this property is not needed for public purposes, and it has become desirable to sell this property; and

WHEREAS, under the authority of R.S. 33:4712, the Rapides Parish Police Jury does hereby fix the amount of this property to be sold at not less than Two Hundred Twenty Nine Thousand Three Hundred (\$229,300) Dollars as recommended by the Appraiser and authorized by this Police Jury on October 12, 2009, and the terms of this sale are to be cash, to the highest bidder;

WHEREAS, the Rapides Parish Police Jury had adopted on October 12, 2009, a Notice of Intent to Sell said property, which has published three times in fifteen days, namely, October 21, October 28, and November 4, 2009, for public review and comment with a deadline for receipt of any opposition by November 6, 2009;

WHEREAS, no opposition has been received by the Rapides Parish Police Jury before or after November 6, 2009, nor to date;

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury, in regular session convened, to offer for sale by public bid the property at 1264 Canterbury Drive (Lot E, Wilshire Park Commercial Development), situated in the City of Alexandria, Rapides Parish, Louisiana, and more particularly described as the Rapides Parish Fuhrer Branch Library; and,

BE IT FURTHER ORDAINED that the Notice of Intent to Sell the property (land and building) located at 1264 Canterbury Drive, Alexandria, Louisiana, of October 12, 2009, is hereby affirmed; and,

BE IT FURTHER ORDAINED said property will be offered for sale by public bid, to be sold on December 14, 2009; and,

BE IT FURTHER ORDAINED that this ordinance shall become effective November 9, 2009.
PASSED AND APPROVED on this 9th day of November, 2009.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to waive the thirty day announcement rule and reappoint Mrs. Judith Rozier to the Children and Youth Planning Board for a two year term, representing the education community, term will expire on February 11, 2012. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to waive the thirty day announcement rule and reappoint Ms. Christy Kelley to the Children and Youth Planning Board for a two year term representing the juvenile justice community, term will expire on February 14, 2012. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to waive the thirty day announcement rule and reappoint Mr. Cotrell W. Wrenn to the Children and Youth Planning Board for a two year term representing the education community, term will expire on February 14, 2012. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to ratify the nomination of the Chamber of Commerce on the appointment of Mrs. Nancy Stich to the England Economic and Industrial Development District. On vote the motion carried.

The following resolution was offered by Mr. Ollie Overton and seconded by Mr. Richard Billings:

RESOLUTION

A resolution ordering and calling a special election to be held in Fire Protection District No. 14 of the Parish of Rapides, State of Louisiana, to authorize the continuation of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the Police Jury of the Parish of Rapides, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 14 of the Parish of Rapides, State of Louisiana (the "District"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the

authority conferred by Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5 and Chapter 6-A of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the District on **SATURDAY, MARCH 27, 2010**, between the hours of six o'clock (6:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

FIRE PROTECTION DISTRICT NO. 14

Summary: Authority to continue to levy a 10 year 21.93 mill property tax continuation for acquiring, constructing, improving, maintaining or operating fire protection facilities, vehicles and equipment in Fire Protection District No. 14.

Shall Fire Protection District No. 14 of the Parish of Rapides, State of Louisiana (the "District"), continue to levy and collect a special ad valorem tax of twenty one and ninety-three hundredths (21.93) mills on all the property subject to taxation within the confines of the District, for a period of ten (10) years, beginning with the year 2012 and ending with the year 2021 (an estimated \$69,000 reasonably expected at this time to be collected from the levy of the tax for an entire year) for the purpose of acquiring, constructing, improving, maintaining or operating fire protection facilities, vehicles and equipment, including both movable and immovable property, that are to be used to provide fire protection in the District?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the Alexandria Daily Town Talk, a daily newspaper of general circulation within the District, published in Alexandria, Louisiana, and being the official journal of the District, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Rapides Parish Courthouse, 701 Murray Street, 2nd Floor, Alexandria, Louisiana, on **MONDAY, APRIL 12, 2010**, at **THREE O'CLOCK (3:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Monday, April 12, 2010, as provided in Section 3 hereof. All registered voters in the District will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Secretary of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the President and/or Secretary of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines of Rapides Parish and the Registrar of Voters of Rapides Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to continue to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Joe Bishop, John "Buck" Lincecum, Jamie L. Floyd, Richard Gerald Vanderlick, Oliver "Ollie" Overton Jr., Richard W. Billings, and Scott Perry Jr.

NAYS: None.

ABSENT: Theodore Fountaine Jr. and Steve Coco
And the resolution was declared adopted on this, the 9th day of November, 2009.

EXHIBIT "A"

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Police Jury of the Parish of Rapides, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 14 of the Parish of Rapides, State of Louisiana (the "District"), on November 9, 2009, NOTICE IS HEREBY GIVEN that a special election will be held within the District on **SATURDAY, MARCH 27, 2010**, and that at the said election there will be submitted to all registered voters in the District qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

FIRE PROTECTION DISTRICT NO. 14

Summary: Authority to continue to levy a 10 year 21.93 mill property tax continuation for acquiring, constructing, improving, maintaining or operating fire protection facilities, vehicles and equipment in Fire Protection District No. 14.

Shall Fire Protection District No. 14 of the Parish of Rapides, State of Louisiana (the "District"), continue to levy and collect a special ad valorem tax of twenty one and ninety-three hundredths (21.93) mills on all the property subject to taxation within the confines of the District, for a period of ten (10) years, beginning with the year 2012 and ending with the year 2021 (an estimated \$69,000 reasonably expected at this time to be collected from the levy of the tax for an entire year) for the purpose of acquiring, constructing, improving, maintaining or operating fire protection facilities, vehicles and equipment, including both movable and immovable property, that are to be used to provide fire protection in the District?

The said special election will be held at the following polling places situated within the District, which polls will open at six o'clock (6:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to-wit:

POLLING PLACES

Precinct	Location
S01	Northwood High School, 8830 Hwy. 1 North, Boyce (IN PART)
S02	Fire District #14, Fire Station #1, 2051 Hwy. 8, Flatwoods
S07	Oak Hill School, 7362 Hwy. 112, Hineston (IN PART)
S08	Cotile Vol Fire Station, 55 Parker Road, Boyce(IN PART)
S09	Clifton Community Center, 1146 Clifton Road, Clifton/Choctaw Community

The polling places set forth above are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The said special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the Rapides Parish Courthouse, 701 Murray Street, 2nd Floor, Alexandria, Louisiana, on **MONDAY, APRIL 12, 2010**, at **THREE O'CLOCK (3:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the District are entitled to vote at said special election and voting machines will be used.

THUS DONE AND SIGNED at Alexandria, Louisiana, on this, the 9th day of November, 2009.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to adopt a Notice of Intent of Sale on the various Abandoned/Adjudicated Properties as listed below:

<u>Tax Debtor</u>	<u>Description of Property</u>
Ray & Thelma Carr	Lot Six (6) of the Kilpatrick Addition to the City of Alexandria, said lot having a front of Fifty-Five (55') Feet on Hebert Street and running back there from between parallel lines One Hundred and Twenty (120') Feet, bearing the municipal address of 2319 Taylor Street, Alexandria, LA 71301

Alfred Young	Lots Five (5) and Six (6), Square Two (2) of the Alexandria Land and Improvements Company's West Alexandria Addition to the City of
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Alexandria, bearing the municipal address of 324 Wheelock Avenue, Alexandria, LA 71301

Burley Jones Part of Lot Seven (7) of Block Twenty (20) of the Race Track Addition to the City of Alexandria, bearing the municipal address of 1725 Reed Avenue, Alexandria, LA

Charles & Betty M. Lot 1 Square 17 of Welch Addition to Daniels the City of Addition, bearing the municipal address of 1408 Ashley Avenue, Alexandria, LA

Trances T. Alix Lot Fronting 50.05' on 8th Street x 51' on alley adjacent to Zilla Harris Subdivision, Lot Fronting 32' on Alley x 106' adjacent to Zilla Harris Subdivision, bearing the municipal address of 2416 8th Street, Alexandria, LA

On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to extend until June 30, 2010 the deadline for the below referenced adjudicated properties:

- 1) Lot 7 and part of Lot 6, SAL Co. Addition bearing the municipal address of 2307 Harris Street to the purchaser, Second Evergreen Baptist Church
- 2) Lot 10 of Square 29, Race Tract Addition bearing the municipal address of 1611 No. 16th Alley, Alexandria to the purchaser, Cedell Nash
- 3) Lot 9 of Square 29, Race Tract Addition, bearing the municipal address of 1716 No. 16th Alley, Alexandria to the purchaser, Cedell Nash

On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, that the Rapides Parish Police Jury does hereby waive any conflict with Mr. Thomas O. Wells, Legal Counsel and Assistant District Attorney, representing the Police Jury in the matter of Ann Anderson vs. Rapides, Police Jury et al. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to authorize renewal of annual Intergovernmental Agreements with the following municipalities and authorize the President to sign same:

- Woodworth Road District 2C
- Ball Road District 10A
- Cheneyville Road District 3A
- Forest Hill Road District 1A
- Glenmora Road District 1A
- Lecompte Road District 3A
- Boyce Road District 7A

On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to receive the required report from Acadian Ambulance under the Contract for September 2009:

Response Zone	Number Responses	Required %	Compliance %
Alexandria - 8 minute	412	80%	86.19%
Pineville - 8 minute	131	80%	84.73%
Rapides - 12 minute	156	80%	89.10%
Rapides - 20 minute	146	80%	82.19%

On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to authorize the expenses of the President who attended the Parish Officials' Responsibility with the Louisiana Homeland Security and Emergency Assistance Disaster Act Seminar held on November 5, 2009 in Ruston, Louisiana. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to accept the donation of land from the Peniel Baptist Church to Fire District No. 11, currently leased for use as Fire Station No. 2, as recommended by the Spring Creek Volunteer Fire Department Board of Directors, and authorize the President to sign the Act of Donation. On vote the motion carried.

On motion by Mr. Richard Billings, seconded by Mr. Buck Lincecum, that the following items be added to the agenda.

A roll call vote was called and was as follows:

YES	NO	ABSENT
Joe Bishop		Theodore Fountaine
Buck Lincecum		Steve Coco
Jamie Floyd		

Richard Vanderlick
Ollie Overton
Richard Billings
Scott Perry

On vote the motion carried 7-0.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, the following ordinances were presented and on vote unanimously adopted:

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

Lot 2 of Block a of Laborde Subdivision, fronting 50 feet on Willow Glen Street, Alexandria, Rapides Parish, Louisiana, in accordance with official plat thereof, Plat Book 7, page 54, records of Rapides Parish, Louisiana.

Municipal Address: 4605 Willow Glen Street, Alexandria,
Rapides Parish, Louisiana. 71302

TO H & H DIVERSIFIED HOLDINGS
Through its authorized agent, David E. Hudson
FOR THE CONSIDERATION OF \$2733.33 CASH

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as:

Lot 2 of Block A of Laborde Subdivision, fronting 50 feet on Willow Glen Street, Alexandria, Rapides Parish, Louisiana, in accordance with official plat thereof, Plat Book 7, page 54, records of Rapides Parish Louisiana.

Municipal address of the Property: N.A.; Lot 2, 50 feet on Willow Glen Street, Alexandria, LA

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from **H & H DIVERSIFIED HOLDINGS, through its authorized agent, David E. Hudson**, to purchase said property for the consideration of \$2733.33 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to **H & H DIVERSIFIED HOLDINGS, through its authorized agent, David E. Hudson**, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that:

Section 1. Lot 2 of Block A of Laborde Subdivision, fronting 50 feet on Willow Glen Street, Alexandria, Rapides Parish, Louisiana, in accordance with official plat thereof, Plat Book 7, page 54, records of Rapides Parish, Louisiana.

Municipal address of the Property: N.A.; Lot 2, 50 feet on Willow Glen Street, Alexandria, LA

Rapides Parish, Louisiana, should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- a) the mortgage and conveyance records of Rapides Parish,
- b) the current telephone book,
- c) any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities.

Section 3. The acquiring person shall submit the required notifications (R.S.47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process. *Copies of the "green and white receipts" should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

- a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly "proces verbal"), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly "proces verbal");
- b) The filing of the sale or donation transferring the property.
- c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the property, until the later of:

- a) Sixty days, for property on which a tax sale certificate (formerly "proces verbal") was filed over five years previous of the first publication, or six months if the tax sale certificate (formerly "proces verbal") was filed less than five years before the first publication of the notice provided for in this Subsection.
- b) The filing of the sale or donation transferring the property.
- c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney's office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier's check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

- a) All sales and donations shall be without warranty, either expressed or implied, even as to return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sold is reasonable fit for its ordinary purpose or the acquiring person's intended or particular purpose.
- b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.
- c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

- a) The affidavit may also contain a statement of the interest to which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.
- b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.
- c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- d) With respect to a donation, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the property.
- f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

A certain piece, parcel or tract of land together with all buildings and improvements located thereon and all rights, ways, servitudes and privileges thereunto belonging or in any way appertaining, being, lying and situated in Rapides Parish, Louisiana and being more particularly described as follows, to-wit;

Lot Twenty-Six (26) of Grundy Cooper Subdivision as per plat thereof recorded in Plat Book 9, page 12, records of Rapides Parish, Louisiana.

Municipal Address:
5026 Cooper Drive, Alexandria, LA 71303

**TO ANNIE RIDEAUX
married to and living in community with
ERNEST RIDEAUX**

FOR THE CONSIDERATION OF \$1606.11 CASH

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as:

A certain piece, parcel or tract of land together with all buildings and improvements located thereon and all rights, ways, servitudes and privileges thereunto belonging or in any way appertaining, being, lying and situated in Rapides Parish, Louisiana and being more particularly described as follows, to-wit:

Lot Twenty-Six (26) of Grundy Cooper Subdivision as per plat thereof recorded in Plat Book 9, page 12, records of Rapides Parish, Louisiana.

Municipal Address:
5026 Cooper Drive, Alexandria, LA 71303

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from **ERNEST REDEAUX, married to and living in community with ANNIE RIDEAUX**, to purchase said property for the consideration of \$1606.11 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to **ERNEST RIDEAUX, married to and living in community with ANNIE RIDEAUX**, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that:

Section 1. A certain piece, parcel or tract of land together with all buildings and improvements located thereon and all rights, ways, servitudes and privileges thereunto belonging or in any way appertaining, being, lying and situated in Rapides Parish, Louisiana and being more particularly described as follows, to-wit:

Lot Twenty-Six (26) of Grundy Cooper Subdivision as per plat thereof recorded in Plat Book 9, page 12, records of Rapides Parish, Louisiana.

Municipal Address:
5026 Cooper Drive, Alexandria, LA 71303

Rapides Parish, Louisiana, should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- a) the mortgage and conveyance records of Rapides Parish,
- b) the current telephone book,
- c) any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities.

Section 3. The acquiring person shall submit the required notifications (R.S.47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process. *Copies of the "green and white receipts" should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

- a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly "proces verbal"), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly "proces verbal");
- b) The filing of the sale or donation transferring the property.
- c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the property, until the later of:

- a) Sixty days, for property on which a tax sale certificate (formerly "proces verbal") was filed over five years previous of the first publication, or six months if the tax sale certificate (formerly "proces verbal") was filed less than five years before the first publication of the notice provided for in this Subsection.

- b) The filing of the sale or donation transferring the property.
- c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney's office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier's check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

- a) All sales and donations shall be without warranty, either expressed or implied, even as to return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sold is reasonable fit for its ordinary purpose or the acquiring person's intended or particular purpose.
- b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.
- c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

- a) The affidavit may also contain a statement of the interest to which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.
- b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.
- c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- d) With respect to a donation, the filing of the affidavit provided herein shall operate as a

cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.

- e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the property.
- f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

Lot four (4) of square Fifty-Three (53) of the South Alexandria Land Company Limited Addition to the City of Alexandria, Rapides Parish, Louisiana, all as is more particularly show by plat of said addition duly of record in the plat record of Rapides Parish, Louisiana, being the same property acquired by Bertrand Bowie from Charles S Prosser and W. Patrick Aertker by deed dated October 12, 1946 duly of record in the records of Rapides Parish, Louisiana.

Municipal address of the Property: 1313 Dallas Avenue, Alexandria, LA

**TO JOSEPH E. SANDERS, PH.D.
AUTHORIZED AGENT ACTING ON BEHALF OF
NEW MORNING STAR BAPTIST CHURCH**

FOR THE CONSIDERATION OF \$844.15 CASH

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as:

Lot four (4) of square Fifty-Three (53) of the South Alexandria Land Company Limited Addition to the City of Alexandria, Rapides Parish, Louisiana, all as is more particularly show by plat of said addition duly of record in the plat record of Rapides Parish, Louisiana, being the same property acquired by Bertrand Bowie from Charles S. Prosser and W. Patrick Aertker by deed dated October 12, 1946 duly of record in the records of Rapides Parish, Louisiana.

Municipal Address of the Property: 1313 Dallas Avenue, Alexandria, LA

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from **JOSEPH E. SANDERS, PH.D.**, authorized agent acting on behalf of New Morning Star Baptist Church to purchase said property for the consideration of \$844.15 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to **JOSEPH E. SANDERS, PH.D.**, authorized agent acting on behalf of New Morning Star Baptist Church, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that:

Section 1. Lot four (4) of square Fifty-Three (53) of the South Alexandria Land Company Limited Addition to the City of Alexandria, Rapides parish, Louisiana, all as is more particularly show by plat of said addition duly of record in the plat record of Rapides Parish, Louisiana, being the same property acquired by Bertrand Bowie from Charles S. Prosser and W. Patrick Aertker by deed dated October 12, 1946 duly of record in the records of Rapides Parish, Louisiana.

Municipal Address of the Property: 1313 Dallas Avenue, Alexandria, LA

should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- a) the mortgage and conveyance records of Rapides Parish,
- b) the current telephone book,
- c) any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities.

Section 3. The acquiring person shall submit the required notifications (R.S.47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process. *Copies of the "green and white receipts" should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

- a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly "proces verbal"), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly "proces verbal");
- b) The filing of the sale or donation transferring the property.
- c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the property, until the later of:

- a) Sixty days, for property on which a tax sale certificate (formerly "proces verbal") was filed over five years previous of the first publication, or six months if the tax sale certificate (formerly "proces verbal") was filed less than five years before the first publication of the notice provided for in this Subsection.
- b) The filing of the sale or donation transferring the property.
- c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. the recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney's office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier's check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

- a) All sales and donations shall be without warranty, either expressed or implied, even as to

return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sold is reasonable fit for its ordinary purpose or the acquiring person's intended or particular purpose.

- b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.
- c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

- a) The affidavit may also contain a statement of the interest to which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.
- b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.
- c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- d) With respect to a donation, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the property.
- f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

A certain piece, parcel or tract of land, together with all buildings and improvements thereon, rights, ways and privileges thereto belonging or in anywise appertaining, being, lying and situated in Rapides, Louisiana, and being more particularly described as follows, to-wit:

Lot C of a re-subdivision of lots One (1), Two (2) and Three (3) of Block Sixty-Three (63) of Washington Court Subdivision of the Town of Boyce, as per the official plat thereof recorded in Mortgage Book 695, page 363, records of Rapides Parish, Louisiana.

Municipal Address: Corner of Belfast Avenue and Longford Street (thought to be) 415 Belfast Avenue,

Boyce, LA.

**TO ARCHIE and DOROTHY KIRKLIN
FOR THE
CONSIDERATION OF \$820.80 CASH**

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as

A certain piece, parcel or tract of land, together with all buildings and improvements thereon, rights, ways and privileges thereto belonging or in anywise appertaining, being, lying and situated in Rapides, Louisiana, and being more particularly described as follow, to-wit:

Lot C of a re-subdivision of Lots One (1), Two (2) and Three (3) of Block Sixty-Three (63) of Washington Court Subdivision of the Town of Boyce, as per the official plat thereof recorded in Mortgage Book 695, page 363, records of Rapides Parish, Louisiana.

Municipal Address: Corner of Belfast Avenue and Longford Street (thought to be) 415 Belfast Avenue, Boyce, LA.

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from **ARCHIE** and **DOROTHY KIRKLIN**, to purchase said property for the consideration of \$820.80 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to **ARCHIE** and **DOROTHY KIRKLIN**, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that:

Section 1. A certain piece, parcel or tract of land, together with all buildings and improvements thereon, rights, ways and privileges thereto belonging or in anywise appertaining, being, lying and situated in Rapides, Louisiana, and being more particularly described as follows, to-wit:

Lot C of a re-subdivision of Lots One (1), Two (2) and Three (3) of Block Sixty-Three (63) of Washington Court Subdivision of the Town of Boyce, as per the official plat thereof recorded in Mortgage Book 695, page 363, records of Rapides Parish, Louisiana.

Municipal Address: Corner of Belfast Avenue and Longford Street (thought to be) 415 Belfast Avenue, Boyce, LA.

Rapides Parish, Louisiana, should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other persons(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- a) the mortgage and conveyance records of Rapides Parish,
- b) the current telephone book,
- c) any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities

Section 3. The acquiring person shall submit the required notifications (R.S. 47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process.

*Copies of the "green and white receipts" should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

- a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly "proces verbal"), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly "proces Verbal");

- b) The filing of the sale or donation transferring the property.
- c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the property, until the later of:

- a) Sixty days, for property on which a tax sale certificate (formerly "proces verbal") was filed over five years previous of the first publication, or six months if the tax sale certificate (formerly "proces verbal") was filed less than five years before the first publication of the notice provided for in this Subsection.
- b) The filing of the sale or donation transferring the property.
- c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney's office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier's check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

- a) All sales and donations shall be without warranty, either expressed or implied, even as to return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sold is reasonable fit for its ordinary purpose or the acquiring person's intended or particular purpose.
- b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.
- c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47:2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

- a) The affidavit may also contain a statement of the interest to which the purchaser or donee takes subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.
- b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.
- c) With respect to a sale, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- d) With respect to a donation, the filing of the affidavit provided herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the property.
- f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

ORDINANCE

AUTHORIZING THE RAPIDES PARISH POLICE JURY TO SELL

LOT Eight (8), Block Three (3), of the Willow Glen Plantation Subdivision, as said Subdivision is correctly shown by official plat of survey recorded at Plat Book 7, page 33, records of Rapides Parish, La.

Municipal Address of the Property: Corner of Wells Boulevard and Smith Avenue

TO BOBBIE CARTER, FOR THE CONSIDERATION OF \$1900.00 CASH

WHEREAS, the City of Alexandria and/or the City of Pineville and/or Parish of Rapides owns property described as

LOT Eight (8), Block Three (3), of the Willow Glen Plantation Subdivision, as said Subdivision is correctly shown by official plat of survey recorded at Plat Book 7, page 33, records of Rapides Parish, La.

Municipal Address of the Property: Corner of Wells Boulevard and Smith Avenue

said property having been adjudicated to either of aforementioned Cities and/or the Parish for unpaid property taxes; and

WHEREAS, a request has been received from BOBBIE CARTER to purchase said property for the consideration of \$1900.00 cash, at the time of sale, said consideration representing the total of the statutory impositions, governmental liens, and costs of sale or two-thirds (2/3) of the appraised value of the property; and,

WHEREAS, this Jury is of the opinion that it would be in the public interest to convey the above-mentioned property to BOBBIE CARTER, for the offered consideration.

NOW, THEREFORE, BE IT ORDAINED by the Rapides Parish Police Jury that;

Section 1. LOT Eight (8), Block Three (3), of the Willow Glen Plantation Subdivision, as said Subdivision is correctly shown by official plat of survey recorded at Plat Book 7, page 33, records of Rapides Parish, La.

Municipal Address of the Property: Corner of Wells Boulevard and Smith Avenue

Rapides Parish, Louisiana, should be re-entered into the stream of commerce thereby serving the public interest.

Section 2. The acquiring person shall certify, in writing, to the Purchasing Department that he/she or his/her agent has searched for all names and last known addresses of all owners, mortgages, and any other person(s) who may have a vested or contingent interest in the property, or who have filed a request for notice as indicated in those records and has so examined:

- a) the mortgage and conveyance records of Rapides Parish,
- b) the current telephone book,
- c) any other examination resources, including Internet search engines, if any, the records of the Louisiana Secretary of State and the Secretary of States set forth by the names of identified entities

Section 3. The acquiring person shall submit the required notifications (R.S. 47:2206 A and B) to the Civil Sheriff for his/her signature, and then notify those persons identified via regular mail, certified mail*, publication and/or service of process. *Copies of the "green and white receipts" should be maintained by the purchaser as indicia of compliance with the notice requirements;

Section 4. The acquiring person shall send a written notice notifying any tax sale party whose interest the successful bidder or donee intends to be terminated that the party has until the later of the following to redeem the property or otherwise challenge in a court of competent jurisdiction the potential sale or donation:

- a) Sixty days from the date of the notice provided in this Subsection, if five years have elapsed from the filing of the tax sale certificate (formerly "proces verbal"), or six months after the date of the notice provided for in this Subsection, if five years have not elapsed since the filing of the tax sale certificate (formerly "proces verbal");
- b) The filing of the sale or donation transferring the property.
- c) The written notice required by this Section shall be that which is included in R.S. 47:2206 A. (2).

Section 5. The acquiring person shall cause to be published in the official journal of this Parish (currently the Town Talk) a notice that any tax sale party whose interest the successful bidder or donee intends to be terminated has, to redeem the property, until the later of:

- a) Sixty days, for property on which a tax sale certificate (formerly "proces verbal") was filed over five years previous of the first publication, or six months if the tax sale certificate (formerly "proces verbal") was filed less than five years before the first publication of the notice provided for in this Subsection.
- b) The filing of the sale or donation transferring the property.
- c) The publication required by this Section shall be that which is included in R.S. 47:2206 B. (2).

Section 6. The acquiring person may file with the recorder of mortgages a copy of one of the notices that was sent to the tax debtor or the current owner. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the notice shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the acquiring person.

Section 7. At any time after the expiration of the sixty-day or six-month periods, as applicable, set forth in R.S. 47:2206 (A) and (B), the acquiring person, or his/her successors and assigns, may send to this body a written notice requesting that the sale/donation to him/her be authenticated. The President of the Jury shall authenticate the sale or donation within ten days from the date of the request or as soon thereafter as practical. However, the President shall not execute the act of cash sale or act of donation until the District Attorney's office has certified in writing to the President, that purchaser or donee has complied with the mandates of this Ordinance. The sale price shall be paid by cashier's check or money order at the time of the sale.

NOTE: The initial application fee of \$75.00 and any other costs incurred by the purchaser shall not be applied to the purchase price and shall not be refundable if the purchaser elects not to complete the process.

NOTE: The City of Alexandria and/or the City of Pineville and/or the Parish of Rapides shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

Section 8. The acquiring person shall be responsible for filing the sale or donation and payment of all filing fees.

Section 9. The only warranty owed by the political subdivision or the municipalities shall be a warranty against eviction resulting from a prior alienation by the political subdivision or the municipality.

- a) All sales and donations shall be without warranty, either expressed or implied, even as to return or reduction of the purchase price, including without limitation the warranty against redhibitory defects or vices and the warranty that the thing sold is reasonable fit for its ordinary purpose or the acquiring person's intended or particular purpose.
- b) These waivers or exclusions of warranties shall be self-operative regardless of whether the waivers or exclusions are contained in the act of sale or donation, and regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. This provision supersedes the requirements of any other law.
- c) The writing constituting the sale shall be in the form as provided in R.S. 47:2207 B. and the writing constituting the donation shall be that which is included in R.S. 47: 2207 C.

Section 10. The provisions of R.S. 41:1338 shall not apply to the property being sold or donated in accordance with this Ordinance.

Section 11. A certified copy of the sale or donation shall be prima facie evidence of the regularity of all matters dealing with the sale or donation and the validity of the sale or donation.

Section 12. Contemporaneously with or subsequent to the filing of the sale or donation of adjudicated property, the acquiring person, his/her successors, or assigns, may file with the recorder of mortgages an affidavit indicating how the tax sale parties whose interest the acquiring person, his/her successors, or assigns, intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication.

- a) The affidavit may also contain a statement of the interest to which the purchaser or donee take subject. The recorder of mortgages shall index the affidavit only under the names of the owner filing the affidavit and the tax debtor, as mortgagors.
- b) The affidavit described herein shall be sufficient if it follows the form articulated in R.S. 47:2208.
- c) With respect to a sale, the filing of the affidavit proved herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- d) With respect to a donation, the filing of the affidavit proved herein shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- e) Upon filing of the affidavit, the recorder of mortgages or the recorder of conveyances shall treat as canceled, terminated, released, or erased, all those liens, privileges, mortgages or other encumbrances canceled, terminated, released or erased under subsections (c) or (d) of this Section, only insofar as they affect the property.
- f) The owner filing the affidavit shall be liable to and indemnify the recorder of mortgages, the recorder of conveyances, and any other person relying on the cancellation, termination, release, or erasure by affidavit for any damages that they may suffer as a consequence of such reliance if the recorded affidavit contains materially false or incorrect statements that cause the recorder to incorrectly cancel, terminate, release, or erase any interest listed in the affidavit. The recorder of mortgages and the recorder of conveyances shall not be liable for any damages resulting to any person or entity as a consequence of the cancellation, termination, release or erasure of any interest in compliance with this Section.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to authorize to advertise for bids or to purchase under the Louisiana Contract No. 407730, File No. 026742E, an Automated Fleet Fuel Management System, as recommended by the Purchasing Agent, Treasurer and Public Works Director, to be paid from Road and Bridge and various other department funds. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, the following resolution was presented, to adopt a resolution to accept a grant from the Louisiana Department of Transportation and Development in the amount of \$32,677.00 for the Signage Updates and Runway Renumbering at Esler Airport, State Project No. 940-01-0028, and authorize the President to sign all necessary documents, and on vote unanimously adopted:

The Rapides Parish Police Jury met in regular session on this date. The following resolution was

offered by Mr. Ollie Overton and seconded by Mr. Richard Billings.

RESOLUTION

A resolution authorizing the President to execute an Agreement with the Louisiana Department of Transportation and Development (LA DOTD) for improvements at the Esler Regional Airport.

WHEREAS, Act 451 of the 1989 Regular Session of the Louisiana Legislature authorized the financing of certain airport improvements from funds appropriated from the Transportation Trust Fund; and

WHEREAS, the Rapides Parish Police Jury is requesting funding assistance from the LA DOTD for signage upgrades and runway renumbering; and

WHEREAS, the LA DOTD is agreeable to the implementation of this project and desires to cooperate with the Rapides Parish Police Jury according to the terms and conditions identified in that certain Agreement pertaining hereto; and

WHEREAS, the LA DOTD will provide up to 100% of the necessary funding,

NOW, THEREFORE, BE IT RESOLVED by the Rapides Parish Police Jury that it does hereby authorize the President to execute an Agreement for improvements to the Esler Regional Airport identified as State Project No. 940-01-0028, more fully identified in the Agreement.

This resolution shall be in full force and effect from and after its adoption.

The aforesaid resolution, having been submitted to a vote, the vote thereon was as follows:

YES	NO	ABSENT
Joe Bishop		Theodore Fountaine
Buck Lincecum		Steve Coco
Jamie Floyd		
Richard Vanderlick		
Ollie Overton		
Richard Billings		
Scott Perry		

WHEREUPON, the resolution was declared adopted on this 9th day of November, 2009.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to accept the low bid for the Signage Updates and Runway Renumbering, State Project No. 940-01-0028) from Earnest P. Breaux Electrical Inc. in the amount of \$32,677.00 and authorize the President to sign. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to approve a four (4%) percent cost of living increase to full time employees of Fire District No. 4, as requested by the Holiday Village Volunteer Fire Department. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to accept the proposal of Environ International Corporation to conduct a Phase I environmental site assessment of the property located at 4305 Pardue Road, Pineville, Louisiana, for the Coughlin Industrial Complex, Phase II, State Project No. 05-252-04B-05, for an estimated amount of \$4,800, as recommended by Frye-Magee, Consultants, subject to approval by the Louisiana Division of Administration, Facility Planning and Control, and authorize the President to sign any necessary documents. On vote the motion carried.

On motion by Mr. Jamie Floyd, seconded by Mr. Ollie Overton, to request the Louisiana Department of Wildlife and Fisheries to close the Dewey Wills Wildlife Management area to deer hunting this season, due to the rising high waters, a copy of this resolution be sent to Senator Neil Riser and Representative Chris Hazel requesting their support. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to authorize the removal of certain culverts installed on Sunridge Drive, Ward 1, District E. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to approve participation and authorize OHSEP Director to administer and sign related documents for the 2009 State Homeland Security Grant Program (SHSP). Administration will be in accordance with grant guidelines. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to ratify authorization for the President to sign Rapides Parish Workforce Investment Board No. 61 Public Sector Nomination Form on Nominee Elaine Morace, representing Title I. This nomination is in accordance with the WIA Regulations at 20 CFR Section 661.325 and Louisiana Workforce Commission Policy No. 99-07; Policy Name WIB Certification that allows the LWIA Local Program Director to represent funding streams administered through the Louisiana Workforce Commission (WIA Title I). On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to ratify authorization for the

President to sign Rapides Parish Workforce Investment Board No. 61 Nomination Approval for Elaine Morace representing public sector WIA Title I. On vote the motion carried.

On motion by Mr. Ollie Overton, seconded by Mr. Richard Billings, to award the Construction for Sanitary Sewer Improvements, LA 623 (Tioga Road), to the low bidder A & A Cable Contractors Inc. in an amount of \$523,333 subject to approval from the State of Louisiana, Division of Administration, under the Capital Outlay Program through the Town of Ball, as recommended by the Treasurer and Purchasing Agent, and approved by Legal Counsel. On vote the motion carried.

The President asked if there was any Public Comment on any agenda item, to which there was no response.

On motion by Mr. Richard Vanderlick, seconded by Mr. Olli Overton, to go into Executive Session to discuss the pending litigation of Cheryl Lavergne vs. Rapides, Police Jury et al, Civil Suit 236,456 Ninth JDC.

A roll call vote was called and was as follows:

YES	NO	ABSENT
Joe Bishop		Theodore Fontaine
Buck Lincecum		Steve Coco
Jamie Floyd		
Richard Vanderlick		
Ollie Overton		
Richard Billings		
Scott Perry		

On vote the motion carried 7-0 at 3:15 p.m.

EXECUTIVE SESSION

On motion by Mr. Jamie Floyd, seconded by Mr. Richard Billings, to return to open session. On vote the motion carried at 3:35 p.m.

The President asked if there was any Public Comment on any Agenda Item, to which there was no response.

On motion by Mr. Richard Billings, seconded by Mr. Buck Lincecu, that there being no further business, the meeting be declared adjourned. On vote the motion carried at 3:35 p.m.

Angie Richmond, Secretary
Rapides Parish Police Jury

Joe Bishop, Chairman Pro Tem
Rapides Parish Police Jury