

2015 Regular Session

SENATE BILL NO. 240

BY SENATOR LAFLEUR

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

PUBLIC LANDS. Provides for the exchange of school lands by the Avoyelles Parish School Board. (gov sig)

1 AN ACT

2 To enact R.S. 41:909 and to repeal R.S. 41:906, relative to school lands; to provide relative

3 to the exchange of school lands; to authorize Avoyelles Parish School Board to

4 exchange certain school lands pursuant to court settlement and purchase substitute

5 lands from the principal of the sale proceeds; to provide for the property description

6 and the reservation of mineral rights; to provide for effectiveness; to provide certain

7 terms, conditions, and requirements; to repeal certain provisions relative to the

8 authority of the Avoyelles Parish School Board to exchange certain school lands; and

9 to provide for related matters.

10 Notice of intention to introduce this Act has been published.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 41:909 is hereby enacted to read as follows:

13 **§909. Avoyelles Parish School Board; exchange of school lands; procedures;**  
14 **description**

15 **A. Notwithstanding any other law to the contrary, the Avoyelles Parish**  
16 **School Board, pursuant and subject to a settlement of all claims and**  
17 **controversies relative to a demand for access signed as an order of the court on**

1 February 4, 2015, in that certain litigation in civil action No. 08-CV-1374 in the  
2 matter entitled "School Board of Avoyelles Parish versus U.S. Dept. Of Interior,  
3 et al" on the docket of the United States District Court for the Western District  
4 of Louisiana, Alexandria Division, is authorized to sell for the appraised value  
5 of one million two hundred and twenty-two thousand six hundred and seventy-  
6 six dollars to Bayou Joson, L.L.C. the following described property:

7 Tract 1

8 A certain tract or parcel of land consisting of 640 acres, more or less, forming  
9 Section 16, Township Two North, Range Six East (T2N-R6E), Avoyelles Parish,  
10 Louisiana, being further described as property bounded on the North by land  
11 of Bayou Joson, L.L.C., on the East by land of William D. Arnouville; on the  
12 South by land of Le Chevalier, L.L.C. and on the West by land of Bayou Joson,  
13 L.L.C.

14 Less and Except:

15 A certain tract of parcel of land consisting of 11.17 acres, lying within and  
16 forming a portion of Avoyelles Parish, Louisiana and being more particularly  
17 described as Tract A on a Plat of Survey by Robert L. Wolfe, Jr., dated April  
18 14, 2013 and recorded in Plat Book 31 at page 327, conveyed by the Avoyelles  
19 Parish School Board to Le Chevalier, L.L.C. in an Act of Exchange dated  
20 August 16, 2013 and recorded in Conveyance Book 665 at page 657, Records of  
21 Avoyelles Parish, Louisiana.

22 Tract 2

23 A certain tract or parcel of land containing 21.37 acres, lying within and  
24 forming a portion of Section 21, Township Two North, Range Six East (T2N-  
25 R6E) Avoyelles Parish, Louisiana, and being more particularly described as  
26 Tract B on a Plat of Survey by Robert L. Wolfe, Jr. Dated April 14, 2013,  
27 recorded in Plat Book 31 at page 327, Records of Avoyelles Parish, Louisiana.  
28 Being the identical property acquired by Avoyelles Parish School Board from  
29 Le Chevalier, L.L.C. by Act of Exchange dated August 16, 2013 and recorded

1 in Book 655 at page 657, Records of Avoyelles Parish, Louisiana.

2 Subject to:

3 A mineral reservation in favor of Le Chevalier, L.L.C. created in that certain  
4 Act of Exchange with the Avoyelles Parish School Board dated August 16, 2013  
5 and recorded in Book 655 at page 657, Records of Avoyelles Parish, Louisiana.

6 B. The Avoyelles Parish School Board shall reserve to the state all of the  
7 mineral rights and minerals in accordance with law for the Sixteenth Section  
8 land described in Subsection A of this Section.

9 C. The Avoyelles Parish School Board shall deposit all funds received  
10 from the sale into a restricted account. The interest received by the school board  
11 from the funds in the account may be used by the Avoyelles Parish School  
12 Board without restriction. The principal of the funds in the account shall be  
13 used only to purchase revenue-generating land within the state of Louisiana and  
14 to defray any costs of the sale, including surveying fees. Such lands, after  
15 purchased by the Avoyelles Parish School Board, shall not thereafter be  
16 alienated, sold, transferred, or encumbered to any other person or entity  
17 without the prior approval of the legislature.

18 Section 2. R.S. 41:906 is hereby repealed.

19 Section 3. This Act shall become effective upon signature by the governor or, if not  
20 signed by the governor, upon expiration of the time for bills to become law without signature  
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
23 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by McHenry Lee.

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SB 240 Original

DIGEST  
2015 Regular Session

LaFleur

Proposed law allows the Avoyelles Parish School Board, pursuant and subject to a settlement of all claims and controversies relative to a demand for access signed as an order of the court on February 4, 2015, to sell a certain tract of land to Bayou Josen, L.L.C. for the appraised value of \$1,222,676.00.

Proposed law provides for the land description.

Proposed law provides that the state shall reserve the mineral and mineral rights for the 16<sup>th</sup> Section land from the sale outlined in proposed law.

Proposed law provides that the money received from the sale must be deposited in a restricted account. Further provides that the interest from the funds in the account may be used by the Avoyelles Parish School Board without restriction. Further provides that the principal of the funds may only be used to purchase revenue-generating land within the state and to defray any costs of the sale, including surveying fees.

Proposed law prohibits the purchased land from being alienated, sold, transferred, or encumbered to any other person or entity without prior approval of the legislature.

Present law authorizes the Avoyelles Parish School Board to exchange certain lands for lands of comparable value in Avoyelles Parish and provides that such authorization terminates on August 1, 2015.

Proposed law repeals present law.

Effective upon the signature of the governor.

(Adds R.S. 41:909; repeals R.S. 41:906)