

Town of Homer
Second Amended Ordinance No. 16-005

**AN AMENDED ORDINANCE OF THE TOWN OF HOMER TO SELL
CERTAIN PROPERTY OWNED BY THE TOWN OF HOMER**

The Town of Homer ("Homer") desires to sell a certain tract of property located in Claiborne Parish, Louisiana as this property is no longer needed for public purposes. The property is more fully described as follows:

All of that portion of the W $\frac{1}{2}$ of Section 36, Township 22 North, Range 7 West, Claiborne Parish, Louisiana, lying and being situated North of the Centerline of the Homer-Colquitt Highway (La. Highway 520) LESS AND EXCEPT the following described tracts:

- 1) A tract of land described as commencing at the point at which the centerline of Louisiana Highway 520 intersects the West line of Section 36, Township 22 North, Range 7 West, thence North, 49 degrees 22 minutes East 130 feet to starting point, thence North 930 feet; thence North 56 degrees 30 minutes East 1035 feet; thence South 0 degrees 02 minutes West 942 feet to centerline of aforesaid Louisiana Highway 520; thence South 65 degrees 02 minutes West along said Highway 468 feet; thence South 49 degrees 22 minutes West 578.8 feet to point of beginning, containing 20 acres, more or less, together with all and singular the improvements thereon.
- 2) A tract of land described as beginning at the point of intersection of the center of La. Highway No. 520 with the West line of SW $\frac{1}{4}$ of Section 36, Township 22 North, Range 7 West, and run North 1624.5 feet, thence East 878.2 feet for a starting point, thence run North 20 degrees 10 minutes West 537.9 feet, thence South 70 degrees West 121.63 feet, thence South 18 degrees 09 minutes West 728.46 feet, thence South 33 degrees 30 minutes East 99.83 feet, thence North 56 degrees 30 minutes East 565.56 feet to starting point, situated in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 22 North, Range 7 West, Claiborne Parish, Louisiana and containing 5.0 acres, more or less.

- 3) Commence at the point at which the centerline of Louisiana Highway No. 520 intersects the West line of said Section 36; thence run $N49^{\circ}49'10''E$ (deed call $N49^{\circ}22'E$) a distance of 130.00 feet, to the Southwest Corner of that certain 20 acre tract conveyed to Betty Sue Tyler, recorded in Conveyance Book 841, Page 284, Records of Claiborne Parish, Louisiana; thence run $N00^{\circ}14'30''W$ (call North) along the West line of said Tyler tract, a distance of 925.19 feet (deed call 930.00 feet) to the Northwest Corner of said Tyler tract; thence run $N56^{\circ}08'50''E$ (deed call $N56^{\circ}30'E$) along the North line of said Tyler tract a distance of 1042.35 feet (deed call 1035.00 feet) to a found channel iron and bent sucker rod marking the Northeast Corner of said Tyler tract and the POINT OF BEGINNING; thence run $N00^{\circ}43'46''E$, a distance of 252.39 feet; thence run $S89^{\circ}16'14''E$, a distance of 500.00 feet; thence run $S00^{\circ}43'46''W$, a distance of 500.00 feet; $N89^{\circ}16'14''W$, a distance of 500.00 feet to the East line of said Tyler tract; thence run $N00^{\circ}43'46''E$, along the East line of said Tyler tract, a distance of 247.61 feet; back to the POINT OF BEGINNING and containing 5.739 acres of land, more or less, together with a 40.00 feet wide access easement for ingress, egress, and utilities, the centerline of said access easement being more particularly described as follows:

From the POINT OF BEGINNING of previously described 5.739 acre tract, run $N00^{\circ}43'46''E$ along the West line of said 5.739 acre tract, a distance of 50.11 feet, to the POINT OF BEGINNING of herein described access easement; thence run $N22^{\circ}47'37''W$, a distance of 308.88 feet, to the East right of way line of Krouse Road, all as more fully shown on Plat of Survey by Donald W. Korn, Professional Land Surveyor No. 4660, attached hereto and made a part hereof.

- 4) Commence at the Northeast Corner of the $NW\frac{1}{4}$ of Section 36, Township 22 North, Range 7 West, Claiborne Parish, Louisiana and proceed South $00^{\circ}17'6''$ West along the East line of the $NW\frac{1}{4}$ of said Section 36, a distance of 700.00 feet to a set $\frac{5}{8}$ " rebar and the POINT OF BEGINNING; thence continue South $00^{\circ}17'16''$ West along the East line of the $NW\frac{1}{4}$ and the $SW\frac{1}{4}$ of said Section 36, a distance of 2028.59 feet to a spindle set in the center of Louisiana Highway No. 520 (apparent 100' right of way); thence run the following courses along the center of said Louisiana Highway No. 520, South $69^{\circ}04'49''$ West, a distance of 129.75 feet to a set spindle; thence in a Southwesterly direction and along a curve to the left, for an arc length of 306.94 feet (chord = South $59^{\circ}13'35''$ West - 305.43 feet - Radius = 892.35 feet) to a set spindle; thence South $49^{\circ}22'20''$ West, a distance of 828.03 feet to

a set spindle; thence in a Southwesterly direction and along a curve to the right, for an arc length of 496.84 feet (chord = South 57°15'43" West 495.27' – Radius = 1804.06 feet) to a set spindle; thence South 65°09'05" West, a distance of 261.29 feet to a 5/8" bolt found marking the Southeast Corner of a certain tract of land conveyed to Jerry Wayne Tyler in Conveyance Book 990, Page 166, Records of Claiborne Parish, Louisiana; thence leaving said Louisiana Highway No. 520 proceed North 00°43'46" East along the East line of said Tyler Tract, a distance of 946.85 feet to a ¼" drill stem marking the Northeast Corner of said Tyler Tract (said corner also being the Southeast Corner of a certain tract of land conveyed to Michael Wallace Lewis in Conveyance Book 1088, Page 253, Records of Claiborne Parish, Louisiana); thence proceed North 22°53'55" West along the Easterly line of said Lewis Tract, a distance of 340.59 feet to the Northeast Corner of said Lewis Tract; thence proceed North 89°41'48" West along the North line of said Lewis Tract, a distance of 33.27 feet to a 5/8" bolt found in the center of Krause Road and marking the Northwest Corner of said Lewis Tract; thence run the following courses along the center of Krause Road, North 31°37'22" East, a distance of 443.84 feet to a set spindle; thence North 37°58'13" East, a distance of 302.04 feet to a set spindle; thence North 41°11'25" East, a distance of 396.75 feet to a set spindle; thence North 22°34'35" East, a distance of 150.88 feet to a set spindle; thence North 03°28'24" East, a distance of 639.84 feet to a set spindle; thence North 11°24'24" West, a distance of 196.95 feet to a set spindle; thence leaving Krause Road proceed North 89°54'52" East, a distance of 1092.11 feet to the POINT OF BEGINNING, containing 83.27 acres, more or less, and being subject to all rights of way, easements, and servitudes of record or of use. This description is based on the boundary survey map plat prepared by Thomas A. Semmes, Jr., Registered Professional Land Surveyor No. 4795, dated October, 1998, and is designated as Tract No. 1 in said survey.

After the "LESS AND EXCEPT" portion described herein above, the property contains approximately 107 acres, more or less.

This property is no longer needed for public purposes, as it has been abandoned and unused for several years. It is proposed that the property along with the timber contained thereon be sold for a minimum bid of \$214,000.00. In accordance with La. R.S. 33:4712, the following procedure

will be followed in the disposition of the property and will ensure that any and all individuals who are interested in purchasing the property will have the opportunity to do so.

1. The minimum bid for the property is two hundred fourteen thousand and 00/100 dollars (\$214,000.00);
2. Any party interested in purchasing the property may submit a sealed bid to Homer City Hall, % Ms. Lori Kirkpatrick, 400 East Main Street, Homer, Louisiana 71040;
3. The bid envelope shall reference that the bid is submitted on the 107 acre tract of property being sold;
4. All sealed bids must be submitted to the Town of Homer between May 22, 2017 and June 5, 2017 ("the bidding period");
5. On June 5, 2017, at 12:00 p.m., all bids will be opened with said property to be sold to the highest qualifying bid; and
6. A successful bidder will be given thirty (30) days to make payment on his/her bid and complete the sale; otherwise, the property will be sold to the second highest qualifying bid.

Notice of this ordinance will be published three times in fifteen days, one week apart, in the Homer Guardian Journal beginning on April 20, 2017. Any opposition to this ordinance must be made in writing, filed with the clerk or secretary of the Town of Homer within fifteen days of the first publication. If an opposition is filed, this ordinance will not be adopted until a hearing is held by the Town Council of the Town of Homer. If this ordinance is adopted, it shall not become effective until ten days after its passage, during which time any interested citizen may apply to the district court having jurisdiction of the Town of Homer for an order restraining the disposition of the property. After this ordinance becomes effective, it cannot be contested for any reason, and the property will be sold to the highest bidder.

BE IT FURTHER ORDAINED that if any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein, which can be given effect without the invalid provision; and to this end, the provisions of this ordinance are hereby declared to be severable.

This ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the Town Council of the Town of Homer, State of Louisiana, was then submitted to an official vote as a whole, the vote thereon being as follows.

Moved for adoption by Councilman Brandon Rich

Seconded by Councilman Bobby Burns

Whereupon this ordinance was submitted to a vote and resulted in the following:


YEAS (5)

NAYS (0)


ABSTAIN (0)

ABSENT (0)

PASSED AND ADOPTED THIS 8TH DAY OF MAY, 2017.



DANNY ROY LEWIS, MAYOR
TOWN OF HOMER, LOUISIANA



LORI KIRKPATRICK, TOWN CLERK
TOWN OF HOMER, LOUISIANA