

Regular Session, 2010
HOUSE BILL NO. 1107
BY REPRESENTATIVE JOHNSON

ACT No. 1047

1 AN ACT

2 To authorize the Red River, Atchafalaya, and Bayou Beouf Levee District to exchange
3 certain property in Avoyelles Parish with the adjacent landowners; to provide for
4 property descriptions; to provide for reservation of mineral rights; and to provide for
5 related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The Red River, Atchafalaya, and Bayou Beouf Levee District,
11 notwithstanding any provision of law to the contrary, is hereby authorized and empowered
12 to exchange, convey, transfer, assign, and deliver any servitude or other interest, excluding
13 mineral rights, the district may have to all or any portion of the following described parcel
14 property to the landowner, Brent Scallan:

15 **TRACT 1:**

16 A certain tract or parcel of land, containing 9.99 acres, more or less situated in
17 Section 24, T3N-R4E, Southwester Land district, Ward 2, Avoyelles Parish,
18 Louisiana designated as Tract "I" per plat of survey by Jessie P. Lachney, R.L.S.
19 dated August 9, 2008 and being more particularly described in accordance with said
20 survey as follows: Beginning at the Northwest corner of a 20 acre parcel belonging
21 to RRABB Levee District situated in said Section 24 and the Southwest corner of the
22 lot herein described and the right descending bank of the Red River, hereinafter the
23 point of beginning, proceed North 2/ 28' 16" West 390.61 feet along the high bank
24 of the Red River to a point, thence proceed North 10/ 58' 11" West 425.53 feet to a
25 corner being the Northwest corner of the tract herein described, thence proceed
26 North 89/ 50' 25" East 399.93 feet to a corner, thence proceed North 36/ 12' 0" West

1 715.87 feet to a corner thence proceed South 47/ 11' 59" West 47.25 feet to a corner,
 2 thence proceed Westerly 265.51 feet to the point of beginning. Said tract being
 3 bounded, now or formerly, on the North by Mrs. D. B. O'Bryan Estate, South by
 4 RRABB Levee District, East by Brent Scallan and RRABB Levee District and West
 5 by Red River.

6 **TRACT 2:**

7 A certain tract or parcel of land, containing 4.7 acres, more or less, situated in section
 8 24, T3N-R4E, Southwestern Land District, Ward 2, Avoyelles Parish, Louisiana,
 9 designated as Tract "2" per plat of survey by Jessie P. Lachney, R.L.S. dated August
 10 9, 2008, and being more particularly described in accordance with said survey as
 11 follows:

12 Beginning at the Southwester corner of a 20 acre tract owned by RRABB Levee
 13 District in said Section 24 and the Northwest corner of a 27 acre tract owned by
 14 Brent Scallan and the high bank of the right descending bank of Red River,
 15 hereinafter the point of beginning, proceed South 90/ 0' 0" East 39.82 feet to a
 16 corner, thence proceed South 19/ 22' 51" West 1,465.36 feet to a point, thence
 17 proceed South 51/ 44' 30" West 551.35 feet to a corner, thence proceed North 38/ 15'
 18 30" East 103.4 to a corner on the right descending bank of Red River, thence proceed
 19 North 44/ 20' 24" East 594.6 feet to a point, thence proceed North 23/ 17' 15" East
 20 1,376.28 feet to the point of beginning.

21 Section 2. In exchange for any servitude or other interest in the above described
 22 property, the Red River, Atchafalaya, and Bayou Beouf Levee District is hereby authorized
 23 to accept from landowner, Brent Scallon, title to the following described property in
 24 Avoyelles Parish:

25 **TRACT 3:**

26 A certain tract or parcel of land, containing 2.4 acres, more or less, situated in
 27 Section 24, T3N-R4E, Southwestern Land District, Ward 2, Avoyelles Parish,
 28 Louisiana (designated Tract "3" of 1.05 acres and parcel A of 1.43 acres of sketch
 29 by Michael H. Moreau, Jr., P.L.S.) and being more particularly described as
 30 commencing at a point on the common section line of Sections 24 and 25, T3N-R4E
 31 and the right descending bank of the Red River, hereinafter the point of beginning,

1 thence proceed Easterly along the common section line of Sections 24 and 25 a
 2 distance of 471 feet to the Southeastern corner of the lot herein described, thence
 3 proceed North 51/ 44' 38" West 317.72 feet to a corner, thence proceed North 38/ 15'
 4 30" West 227.52 feet to a corner on the right ascending bank of Red River, thence
 5 proceed Southwesterly along the high bank of the Red River approximately 693 feet
 6 to the point of beginning. Being bounded, now or formerly, on the North and West
 7 by Red River, South by the common section line of Section 24 and 25 referred to
 8 above and North and East by Brent Scallan.

9 Section 3. The Red River, Atchafalaya, and Bayou Beouf Levee District, is hereby
 10 authorized to enter into such agreements, covenants, conditions, and stipulations and to
 11 execute such documents as are necessary to properly effectuate any exchange, conveyance,
 12 transfer, assignment, lease, or delivery of title, any servitude or other interest excluding
 13 mineral rights, to the property owned by the district described in Section 1 herein, and as
 14 more specifically described in any such agreements entered into and documents executed
 15 by and between the Red River, Atchafalaya, and landowner, Brent Scallan, in exchange of
 16 consideration proportionate to the appraised value of such properties or interests.

17 Section 4. The Red River, Atchafalaya, and Bayou Beouf Levee District,
 18 notwithstanding any provision of law to the contrary, is hereby authorized and empowered
 19 to exchange, convey, transfer, assign, and deliver any interest, excluding mineral rights, the
 20 district may have to all or any portion of the following described parcel property to the
 21 landowner, Donald Bishop:

22 240 acres located in SE 1/4 of Section 7 and the S 1/2 of SW 1/4 OF Section 8,
 23 Township 1 North, Range 6 East, Avoyelles Parish.

24 Section 5. In exchange for any interest in the above described property, the Red
 25 River, Atchafalaya, and Bayou Beouf Levee District is hereby authorized to accept from
 26 landowner, Donald Bishop, the following described property in Avoyelles Parish:

27 A certain tract of land with all buildings and improvements thereon situated and
 28 lying in Sections 21 and 16 Township One North, Range Five East, Avoyelles
 29 Parish, Louisiana, consisting of 231.63 acres.

30 Section 6. The Red River, Atchafalaya, and Bayou Beouf Levee District, is hereby
 31 authorized to enter into such agreements, covenants, conditions, and stipulations and to

1 execute such documents as are necessary to properly effectuate any exchange, conveyance,
 2 transfer, assignment, lease, or delivery of title, excluding mineral rights, to the property
 3 owned by the district described in Section 4 herein, and as more specifically described in any
 4 such agreements entered into and documents executed by and between the Red River,
 5 Atchafalaya, and landowner, Donald Bishop , in exchange of consideration proportionate to
 6 the appraised value of such properties or interests.

7 Section 7. This Act shall become effective upon signature by the governor or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____