



CITY OF LAKE CHARLES

326 Pujot St. • P.O. Box 900
Lake Charles, LA 70602-0900
(337)-491-1201 • FAX (337)-491-1206

RANDY ROACH
MAYOR

OFFICE OF THE MAYOR

April 26, 2011

Dear Lake Charles Realtor:

The City of Lake Charles is currently evaluating proposals for the development of a 9.246 acre tract of property on the lakefront which is the former location of the Harrah's Casino hotel and parking garage recently donated to the City by Pinnacle Entertainment which is more fully described in attached map and Exhibit A.

The City Council has authorized the solicitation of proposals from private developers for the purchase or lease of all or a portion of the property in an effort to determine the highest and best use of the property. Accordingly, you are invited to present offers to lease or purchase this property for consideration by the City in its evaluation of the development potential of the property.

Any proposal to purchase or lease this property should include a detailed description of the proposed use of the property as well as any other terms and conditions deemed necessary for the development of the property. In addition to price or rent, the offer should provide information as to the plans for development of the property such as a description of the development, projected project timeline, means of financing and a statement as to whether or not any portion of the existing improvements need to be removed to accommodate the proposed development.

The City will reserve a public servitude of access along the lake edge and may impose additional restrictions on the ownership or occupancy of the property depending on the nature of the proposed development.

If the City decides to accept an offer for the sale or lease of the property, the price or rent offered shall be subject to confirmation by an independent appraisal. By law the property cannot be sold or leased for less than the appraised value. The City will pay a commission of up to 6%. All offers shall be subject to procedures outlined in Ordinance 15549 and approval by the City Council and shall be subject to confirmation by public bid if accepted by the City in accordance with state law. (See enclosed Exhibits B and C).

The City expressly reserves the right to reject any and all proposals to purchase or lease the property regardless of the amount offered. Any proposal submitted must contain a signed acknowledgement form which is enclosed as Exhibit D.

Any response to this Request for Proposals must be received by the City of Lake Charles no later than 4:30 p.m. on Friday, August 15, 2011.

Please call Lori Marinovich at (337)491-1429 if you have any questions.

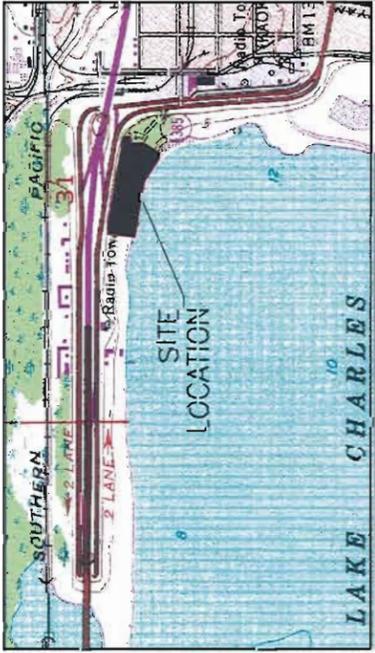
Sincerely yours,

JOHN CARDONE, JR
City Administrator
City of Lake Charles

cc: Randy Roach, Mayor
City Council Members

Cherishing the Past, Embracing the Future

PINNACLE DONATION TO THE CITY OF LAKE CHARLES SALES EXHIBIT A



VICINITY MAP
NOT TO SCALE

DESCRIPTION
TRACT 1 - HOTEL SITE

A tract of land in Section 31, Township 9 South, Range 8 West, Lake Charles, Calcasieu Parish, Louisiana, more fully described as:

For a point of commencement, begin at the Southeast corner of Block 30 of Thomas Bilbo and Ann Lawrence Subdivision in the City of Lake Charles, Louisiana;

Thence West along the North right-of-way line of Lawrence Street and along the West prolongation of the North right-of-way line of Lawrence Street 450.0 feet to the point in the West right-of-way line of U.S. Highway No. 90 - Business Route and/or the West right-of-way line of Orange Street (abandoned) projected South;

Thence West 60.0 feet along the Agreement boundary line between the State of Louisiana and the J.A. Bel Estate;

Thence North 57° 50'00" West record (North 57° 50'45" measured) 451.25 feet record and measured feet along the said agreement line to the point of commencement of the tract herein described;

Thence North 32° 10'00" East 249.49 feet record (North 32° 00'15" East 250.90 feet measured);

Thence due North 148.03 feet record (North 00° 18'02" West 148.03 feet measured);

Thence due East 80.0 feet record (South 89° 59'48" East 80.06 feet measured);

Thence due North 96.6 feet record, more or less (North 0° 06'13" West 96.97 feet measured) to a point on the South right-of-way line of U.S. Highway No. 90 Business Route;

Thence Westerly on the said right-of-way line along the arc of a curve having a radius of 355.0 feet (the chord of which bears North 76° 44'00" West 47.72 feet record (North 76° 52'12" West 47.73 feet measured)) an arc distance of 47.72 feet record (and measured);

Thence North 83° 35'00" West 95.46 feet record (North 83° 59'03" West 95.41 feet measured) along said South right-of-way line;

Thence North 80° 35'00" West 560.4 feet record (North 80° 28'21" West 560.66 feet measured) along said South right-of-way line;

Thence North 80° 35'00" West (North 80° 34'31" West measured) 400 feet record and measured along said South right-of-way line;

Thence South 06° 01'00" West (South 06° 01'29" West measured) 12 feet record and measured;

Thence North 80° 35'00" West (North 80° 34'31" West measured) 50 feet record and measured;

Thence South 6° 01'00" West 325 feet record (South 06° 01'29" West 325.06 feet measured);

Thence South 80° 35'00" East 450 feet record (South 80° 34'31" East 449.12 feet measured);

Thence South 80° 35'00" East 200 feet record (South 80° 06'16" East 199.89 feet measured);

Thence South 57° 50'00" East 378.25 feet record (South 57° 50'45" East 379.75 feet measured) to the point of commencement, containing 9.246 acres.

PROPERTY DESCRIPTION FROM EXHIBIT "A" INCLUDED IN THE ACT OF DONATION BEARING FILE No. 3002583 RECORDED IN CONVEYANCE BOOK 3717 AT PAGE 138, RECORDS OF CALCASIEU PARISH, LOUISIANA. RECORDED 04/12/2011



DRAWN M. W. Legler
APPROVED D. W. JESSEN, JR.
DATE 04/19/11
ACAD FILE LC-2011-477(PinnacleDonation).dwg



GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.



City of Lake Charles

Signature

Ordinance Number: 15549

326 Pujot Street
P.O. Box 1178
Lake Charles, LA
70602-1178

An ordinance authorizing developers and/or investors to submit proposals regarding lakefront development directly to the Lake Charles City Council.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE CHARLES, LOUISIANA, in regular session convened, that:

SECTION 1: Subsection (B) of Section 4 of Ordinance No. 14114 passed and adopted by the City Council of the City of Lake Charles, Louisiana, on May 5, 2007, is hereby amended and reenacted by adding the following subsection to be numbered 4.a, b and c, to read as follows:

"4.a. Projects to be developed in accordance with Section 7-09 of the City Charter shall be coordinated through a Request for Proposal Process (RFP) approved by the Mayor and the City Council. Copies of all responses to the RFP shall be filed with the Clerk of the City Council and distributed to the council members and the Mayor.

b. The Mayor shall review the responses to the RFP and submit a report to the City Council concerning the nature and scope of the project and its compliance with the provisions of Section 7-09 of the City Charter.

c. Prior to submitting his report to the City Council, the Mayor shall submit these projects to the DDA for review, evaluation and recommendation. The findings and recommendation of the DDA shall be incorporated into the report submitted to the City Council. During the DDA review process the Mayor, or his designee, shall consult with the DDA to insure timely completion of the review process. For purposes of this section the term "project" shall mean each proposal received in response to any request for development proposals or interest in such development issued by or on behalf of the City."

SECTION 2: All other paragraphs, subsections, subparagraphs, clauses, phrases and words of this section, not specifically amended by this ordinance, are to remain the same.

At a meeting of the City Council on 8/18/2010, this Ordinance was adopted as amended by the following vote:

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August

Passed and Adopted Rodney Geyen Date 8-18-10
Rodney Geyen, President or Presiding Officer

Attest Lynn F. Thibodeaux Date 8-18-10
Lynn F. Thibodeaux
Clerk of the Council

Approved by Randy Roach Date 8-19-10
Randy Roach, Mayor
City of Lake Charles, Louisiana

[West's Louisiana Statutes Annotated](#)

[Louisiana Revised Statutes](#)

[Title 33. Municipalities and Parishes \(Refs & Annos\)](#)

[Chapter 13. Property and Buildings \(Refs & Annos\)](#)

LSA-R.S. 33:4712

§ 4712. Sale, exchange, or lease of property by a municipality

[Currentness](#)

A. A municipality may sell, lease for a term of up to ninety-nine years, exchange, or otherwise dispose of, to or with other political corporations of this state, or private persons, at public or private sale, any property, or portions thereof, including real property, which is, in the opinion of the governing authority, not needed for public purposes.

B. Except as otherwise provided in this Section, before disposition can be made of property under the provisions of this Subpart, an ordinance must be introduced, giving the reasons for the action on the part of the governing authority, and fixing the minimum price and terms of the sale, lease, exchange, or other contract to be made with reference to the property. In instances of exchanges of municipally owned immovable property valued at one hundred thousand dollars or more, the municipality, prior to introduction of the aforementioned ordinance, shall for a minimum of three times in thirty days advertise for and receive other proposals for the exchange of property comparable with the exchange of properties proposed by the municipality; however, exchanges involved in the relocation of public streets, roads, highways, servitudes, rights of way, and/or public franchises shall not be subject to this requirement. Thereafter, notice of the proposed ordinance must be published three times in fifteen days, one week apart, in a newspaper published in the municipality or, if there is no such newspaper, in a newspaper having a general circulation in the municipality, and if there is no newspaper of general circulation in the municipality, by posting in three public and conspicuous places in the municipality.

C. Any opposition to the proposed ordinance shall be made in writing, filed with the clerk or secretary of the municipality within fifteen days after posting of the above notice or its first publication. If an opposition is filed, the governing authority shall not adopt the ordinance until a hearing has been held. If the 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 municipality for an order restraining the disposition of the property. After the ordinance becomes effective, it cannot be contested for any reason.

D. The provisions of this Section relating to exchanges shall not apply to any exchange authorized by ordinance prior to January 1, 1983.

E. Notwithstanding any other provision of law to the contrary, a municipality may sell, lease for a term of up to ninety-nine years, exchange, or otherwise dispose of any real property, or portions thereof, to other political, public, or quasi public corporations, to state agencies or to private persons without the necessity of advertisement or bid, if the property sold, exchanged, or leased is dedicated for the purpose of creating a research and development park in cooperation with the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, or the Board of Trustees for State Colleges and Universities and the governing authority of the appropriate parish or municipality. Before disposition can be made of property under the provisions of this Subpart, an ordinance must be introduced giving the reasons for the actions on the part of the governing authority and fixing the terms of the sale, lease, exchange, or other contract to be entered into with respect to the property so dedicated. The assumption of the obligation by the vendee or lessee to establish, operate, and manage a research and development park in accordance with

restrictions and covenants mutually agreed between the municipality and the lessee or vendee shall constitute valid consideration to the municipality for the sale, lease, or exchange of the dedicated property.

F. Notwithstanding any provisions of this Section to the contrary, a municipality may sell any movable property having an appraised value of five thousand dollars or less at private sale provided that:

(1) A resolution giving the reasons for the action on the part of the governing authority and fixing the minimum price and terms of the sale shall be adopted.

(2) Notice of the resolution and proposed sale shall be published once at least fifteen days prior to the date of the sale in the official journal of the municipality.

(3) The sale shall be made to the person with the highest bid.

G. Notwithstanding any provisions of this Section to the contrary, a municipal police officer who retires with at least twenty years of active service and who is in good standing with the Municipal Police Employees' Retirement System shall be entitled to purchase his firearm at fair market value upon retirement, subject to approval by the chief of police and the local governing authority.

Credits

Amended by Acts 1966, No. 486, § 1; Acts 1982, No. 473, § 1, eff. Jan. 1, 1983; [Acts 1992, No. 61, § 1](#); [Acts 1993, No. 725, § 1](#); [Acts 1995, No. 530, § 1](#); [Acts 2010, No. 239, § 2](#).

Editors' Notes

REPORTER'S NOTES--1950

2009 Main Volume

Acts 1946, No. 314, § 4, provided as follows: "All laws or parts of laws in conflict herewith are hereby repealed and especially Act No. 291 of 1928; provided, however, Act No. 382 of 1938 is expressly retained and should any provisions thereof conflict with the provisions of this Act then the provisions of Act No. 382 of 1938 shall control."

[Notes of Decisions \(48\)](#)

Current through the 2010 Regular Session

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[West's Louisiana Statutes Annotated](#)

[Louisiana Revised Statutes](#)

[Title 33. Municipalities and Parishes \(Refs & Annos\)](#)

[Chapter 13. Property and Buildings \(Refs & Annos\)](#)

LSA-R.S. 33:4717.2

§ 4717.2. Transfer of property by political subdivision for industrial inducement purposes

[Currentness](#)

A. Except as provided for those parishes in Subsection E below, in addition to authority granted by other laws, any parish, municipality, industrial district, port, harbor and terminal district, or other political subdivision of the state, hereinafter referred to as “political subdivision,” which is permitted by law to own land, buildings, or other property for industrial inducement purposes, shall have the authority to sell, lease, or otherwise dispose of, by suitable and appropriate contract, such transactions being hereinafter referred to as “transfers,” to any enterprise locating or existing within, outside of, or adjoining to such political subdivision, all or any part of an industrial plant site, building, port, harbor, or terminal facility, or other property owned by the political subdivision. In determining the consideration for any transfer, the governing authority of the political subdivision may consider the potential value of the economic impact of the enterprise being induced to locate or expand within, outside of, or adjoining the political subdivision, as well as the value of the lands, buildings, or other properties involved. Prior to any transfer, the governing authority of the political subdivision shall give notice of its intention to do so, by publication of a notice of intention once a week for two consecutive weeks, beginning at least fourteen days from the date such action is contemplated. Such notice of intention shall include the following: (1) a general description of the proposed transfer, (2) a description of the property to be transferred, (3) the proposed consideration to be given in exchange for said property, (4) a statement that the proposed contract is on file for public inspection in the office of the political subdivision, (5) a statement as to the appraised value of such property as determined by a real estate appraisal made within the previous twelve months, and (6) a date, time, and place at which objections to such transfer will be received. Should five percent of the resident electors of the political subdivision object to said proposed transaction, an election shall be held for the purpose of submitting the question of the transfer to the voters in accordance with Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950.¹

B. The resolution or ordinance adopted by the governing authority authorizing any transfer of property of the political subdivision shall set forth, in a general way, the terms of the authorized transfer and that the contract is on file for public inspection in the office of the political subdivision. At the regularly scheduled meeting immediately prior to the meeting at which the resolution will be considered, the governing authority of the political subdivision shall announce to those persons present that the resolution will be considered at the next meeting. Such resolution or ordinance shall be published as soon as possible after adoption in one issue of the official journal of the political subdivision. For a period of thirty days from the date of publication of any such resolution or ordinance, any interested person may contest the legality of such resolution or ordinance or the validity of the authorized transfer, after which time, no one shall have any cause of action to contest the legality of the transfer for any cause whatsoever, and it shall be conclusively presumed thereafter that every legal requirement has been complied with, and no court shall have authority to inquire into such matters after the lapse of said thirty days.

C. This Section shall not apply to property acquired from the proceeds of industrial development bonds issued in compliance with the provisions of laws authorized by [Article 6, Section 21, of the Louisiana Constitution](#) of 1974 or issued by industrial development boards in compliance with the provisions of Chapter 7 of Title 51 of the Louisiana Revised Statutes of 1950, as amended.² In such instances, property may be leased, sold or otherwise disposed of in compliance with such laws.

D. Repealed by [Acts 1991, No. 355, § 1](#).

E. Within the parishes of St. Tammany and St. Mary, any municipality, industrial district, port, harbor and terminal district, or other political subdivision of the state, hereinafter referred to as “political subdivision”, which is permitted by law to own land, buildings, or other property for industrial inducement purposes, shall have the authority to sell, lease, or otherwise dispose of, by suitable and appropriate contract, such transactions being hereinafter referred to as “transfers”, to any enterprise locating or existing within such political subdivision, all or any part of an industrial plant site, building, port, harbor, or terminal facility, or other property owned by the political subdivision. In determining the consideration for any transfer, the governing authority of the political subdivision may consider the potential value of the economic impact of the enterprise being induced to locate or expand within the political subdivision as well as the value of the lands, buildings, or other properties involved. Prior to any transfer, the governing authority of the political subdivision shall give notice of its intention to do so, by publication of a notice of intention once a week for two consecutive weeks, beginning at least fourteen days from the date such action is contemplated. Such notice of intention shall include the following: (1) a general description of the proposed transfer, (2) a description of the property to be transferred, (3) the proposed consideration to be given in exchange for said property, (4) a statement that the proposed contract is on file for public inspection in the office of the political subdivision, (5) a statement as to the appraised value of such property as determined by a real estate appraisal made within the previous twelve months, (6) a date, time, and place at which objections to such transfer will be received. Should five percent of the resident electors of the political subdivision object to said proposed transaction, an election shall be held for the purpose of submitting the question of the transfer to the voters in accordance with Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950.

Credits

Added by Acts 1978, No. 199, § 1, eff. June 29, 1978. Amended by Acts 1981, No. 216, § 1.

1 [R.S. 18:1299 et seq.](#)

2 [R.S. 51:1151 et seq.](#)

[Notes of Decisions \(16\)](#)

Current through the 2010 Regular Session

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Exhibit D

Lakefront Hotel Acknowledgement Form

The City expressly reserves the right to reject any and all proposals to purchase or lease the property regardless of the amount offered.

Any proposal submitted must contain a signed acknowledgement form.

Please sign this form and attach as a cover to your submittal.

Date: _____

Signature of Realtor / Submitter:

Contact Information

Name of Realtor or Submitter: _____

Firm / Company: _____

Address: _____

Email: _____

Phone: _____

Mobile: _____

Alternate Contact: _____
