FOURTEENTH JUDICIAL DISTRICT
PARISH OF CALCASIEU
STATE OF LOUISIANA

DOCKET NO.: 2018-3202 DIV./SEC. NO.: D

STATE OF LOUISIANA, DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT

VERSUS

ARC CAFEHLD001, L.L.C., ET AL

FILED: AUG 06 2018 Carole B LeBlanc
CLERK OF COURT

PETITION

The petition of the STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT, ("Petitioner"), legal successor to the Department of Highways, created and organized under the laws of the State of Louisiana, with its domicile in the City of Baton Rouge, Parish of East Baton Rouge, State of Louisiana, with respect, represents that:

1.

ARC CAFEHLD001, L.L.C., GPS HOSPITALITY PARTNERS IV, L.L.C. PARTNERS IV, L.L.C., and BURGER KING CORPORATION are the defendants herein ("Defendants").

2.

The STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT proposes to construct in the Parish of Calcasieu a certain project designated as State Project No. H.002059, LA 384 at LA 385, State Route LA 384 and LA 385, which project is more fully described by a Certificate of Authorization to Expropriate, approved by the Secretary, STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT, on April 17, 2018, which declares that it is necessary and useful to take immediately the hereinafter described property for highway purposes, a certified copy of said Certificate of Authorization to Expropriate being marked "Exhibit P-1," attached hereto and made a part hereof.

3.

The construction of said project will be greatly conducive to the public interest, convenience and safety, and will be an important improvement to the State Highway System.

4.

Petitioner has surveyed the right of way and laid out the centerline thereof for said project as the same will exist after said project is completed, and the width of the right of way has been fixed by the Chief Engineer of the Department of Transportation & Development, as shown by the Certificate of the Chief Engineer marked "Exhibit P-2," annexed hereto and made a part hereof.

5.

Included within the right of way required for said project is certain property believed to be owned by Defendants, ARC CAFEHLD001, L.L.C., GPS HOSPITALITY PARTNERS IV, L.L.C., and BURGER KING CORPORATION, a portion of which is required in full ownership designated as Parcel No. 3-5, and a portion of which is required for a temporary construction servitude for a period of time not to exceed completion of the project designated as Parcel No. 3-5-C-1, and described as follows, to wit:

> Two (2) certain tracts or parcels of land, together with all of the improvements situated wholly or partially thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of Calcasieu, State of Louisiana, and in Section 19, Township 10 South, Range 8 West, Southwestern Land District, identified as Parcel Nos. 3-5 and 3-5-C-1, on a white print of a plat of survey, consisting of Sheet No. 3, made by Douglas Domingue, Registered Land Surveyor, dated October 10, 2016, revised, annexed to the above numbered and entitled suit, said tracts or parcels being outlined in red and being more particularly described in accordance with said plat of survey, as follows:
>
> > <u>REQUIRED IN FULL OWNERSHIP AND TEMPORARY CONSTRUCTION SERVITUDE</u>
> >
> > <u>PARCEL NOS. 3-5 AND 3-5-C-1</u>
> >
> > <u>PARCEL NO. 3-5</u>:
> >
> > From a point on the centerline of State Project No. H.002059, at Highway Survey Station 113+59.99, proceed N89°18'6"W a distance of 30.05 feet to the point of beginning; thence proceed N89°18'6"W a distance of 1.45 feet to a point and corner; thence proceed N1°0'19"E a distance of 22.18 feet to a point and corner; thence proceed N5°56'4"W a distance of 10.35 feet to a point and corner; thence proceed S88°40'48"E a distance of 2.70 feet to a

point and corner; thence proceed S1°0'31"W a distance of 32.43 feet to the point of beginning; all of which comprises Parcel 3-5 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.002059, and contains an area of approximately 53.5 square feet or 0.001 of an acre.

PARCEL NO. 3-5-C-1:

From a point on the centerline of State Project No. H.002059, at Highway Survey Station 113+59.99, proceed N89°18'6"W a distance of 31.50 feet to the point of beginning; thence proceed N89°18'6"W a distance of 4.90 feet to a point and corner; thence proceed N1°0'19"E a distance of 21.68 feet to a point and corner; thence proceed N84°56'51"E a distance of 4.93 feet to a point and corner; thence proceed S1°0'19"W a distance of 22.18 feet to the point of beginning; all of which comprises Parcel 3-5-C-1 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.002059, and contains an area of approximately 107.5 square feet or 0.002 of an acre.

6.

This property is outlined in red on a plat of survey marked "Exhibit P-3," annexed hereto and made a part hereof.

7.

This property is a portion of a larger tract believed to be owned by Defendants.

8.

There are no buildings situated wholly or partially upon the above-described property, Parcel 3-5, and the only improvement situated wholly or partially thereon consists of heavy duty concrete.

9.

The location and design of the improvement(s) proposed by said project are in accordance with the best modern practices adopted in the interest of the safety and convenience of the traveling public, as shown by the Certificate on Location and Design, which is marked "Exhibit P-4," annexed hereto and made a part hereof.

10.

In order to construct said project in a manner and mode conducive to the public interest, convenience and safety, it is necessary that Petitioner acquire in full ownership the property described as Parcel No. 3-5, subject to the mineral reservation set forth below, and a temporary servitude for construction purposes for a period of time not to exceed completion of the project

on, over and across the property described as Parcel No. 3-5-C-1, which property Petitioner has attempted to acquire amicably but has been unable to do so.

11.

Therefore, it is necessary for Petitioner to expropriate in full ownership the property described as Parcel No. 3-5, subject to the mineral reservation set forth below, and a temporary servitude for construction purposes for a period of time not to exceed completion of the project on, over and across the property described as Parcel No. 3-5-C-1.

12.

The expropriation of the full ownership of the property described as Parcel No. 3-5 shall be made subject to the reservation in favor of the owners, ARC CAFEHLD001, L.L.C., GPS HOSPITALITY PARTNERS IV, L.L.C., and BURGER KING CORPORATION, of all oil or gas located under the property described hereinabove, or the royalties therefrom, in accordance with law, and subject to any existing oil or gas reservation to any existing oil or gas lease, such reservation of mineral rights being imprescriptible as authorized by LA R.S. 31:149.

13.

The just compensation to which Defendants is entitled, being the compensation for the full ownership of the property described hereinabove as Parcel No. 3-5, subject to the mineral reservation set forth herein, and a temporary servitude for construction purposes for a period of time not to exceed completion of the project on, over and across the property described herein as Parcel No. 3-5-C-1 has been estimated to be the sum of Seven Thousand Eight Hundred Fifty-Five and 00/100 ($7,855.00) Dollars, as shown by the written Certificate of Estimate of Compensation marked "Exhibit P-5A", annexed hereto and made a part hereof.

14.

Petitioner is entitled to expropriate the full ownership of the above property described as Parcel No. 3-5, subject to the mineral reservation set forth herein, and a temporary servitude for construction purposes for a period of time not to exceed completion of the project on, over and across the property descried herein as Parcel No. 3-5-C-1, in a manner authorized by Article 1, Section 4 of the Constitution of the State of Louisiana for the year 1974, and Title 48 of the Louisiana Revised Statutes of 1950, §§ 441 to 460, inclusive as amended and reenacted.

15.

Petitioner is entitled to trial by jury as authorized by Title 48 of the Louisiana Revised Statutes, § 451.2, as amended and reenacted.

16.

Petitioner desires to utilize the cash deposit authorized by Article 1734.1 of the Louisiana Code of Civil Procedure and desires that the amount of the deposit be fixed as required by law.

17.

Petitioner requests written notice at least thirty (30) days prior thereto of any trial, motion or other proceeding scheduled to come before this Honorable Court in this lawsuit in accordance with Title 48 of the Louisiana Revised Statutes, §451, and also requests notice of any interlocutory or final order, decree or judgment rendered and signed in this lawsuit as provided by the Louisiana Code of Civil Procedure.

WHEREFORE, Petitioner prays an Order issue herein directing Petitioner to deposit in the Registry of the Court the sum of Seven Thousand Eight Hundred Fifty-Five and 00/100 ($7,855.00) Dollars for payment to the person or persons entitled thereto, and declaring that the full ownership of the property described as Parcel No. 3-5, subject to the mineral reservation set forth herein, and a temporary servitude for construction purposes for a period of time not to exceed completion of the project on, over and across the property described as Parcel No. 3-5-C-1, has been taken for highway purposes as of the time such deposit is made.

Petitioner further prays that said order direct Defendants to surrender to Petitioner possession of said property.

Petitioner further prays that notice of this expropriation be issued and served upon ARC CAFEHLD001, L.L.C., GPS HOSPITALITY PARTNERS IV, L.L.C., and BURGER KING CORPORATION, together with a certified copy of this Petition, the Order of Expropriation of this Court, and the Receipt of the Clerk of Court for the deposit made, according to law.

Petitioner further prays that this matter be tried by jury and that it be allowed to utilize the cash deposit authorized by LA C.C.P. Article 1734.1.

Petitioner further prays that it be served with written notice of any trial, motion or other proceeding scheduled before this Honorable Court in accordance with LA R.S. §48:451, and that

it be served with notice of any interlocutory or final order, decree or judgment rendered and signed as provided by the Louisiana Code of Civil Procedure.

Petitioner further prays that upon a final hearing there be judgment herein in favor of Petitioner fixing the amount of just compensation at a sum not to exceed Seven Thousand Eight Hundred Fifty-Five and 00/100 ($7,855.00) Dollars.

Respectfully Submitted:

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

By: _____
Of Counsel

Archana D. Cadge (#29548)
1201 Capitol Access Rd. (70802)
P. O. Box 94245
Baton Rouge, LA 70804-9245
Telephone: (225) 242-4659
Fax: (225) 242-4691
Email: archana.cadge@la.gov

PLEASE SERVE:

ARC CAFEHLD001, L.L.C.,
Through its Agent for Service of Process:
c/o VEREIT | Ms. Keeley Smith
2325 E. Camelback Rd., Ste. 1100
Phoenix, AZ 85016;

VIA LONG ARM

GPS HOSPITALITY PARTNERS IV, L.L.C.,
Through its Agent for Service of Process:
Ms. Julie Henshaw
2100 Riveredge Parkway, Ste. 850
Atlanta, GA 30328; and,

VIA LONG ARM

BURGER KING CORPORATION,
Through its Agent for Service of Process:
CT CORPORATION SYSTEM
3867 Plaza Tower Dr.
Baton Rouge, LA 70816.

A TRUE COPY
Lake Charles, Louisiana
Deputy Clerk of Court
Calcasieu Parish, Louisiana
AUG - 6 2018

April 17, 2018

CERTIFICATE OF AUTHORIZATION TO EXPROPRIATE

The Department of Transportation and Development contemplates and plans to construct certain projects for the improvement of various highways throughout the State of Louisiana.

The project presently planned by the Department of Transportation and Development is hereinafter set forth:

STATE PROJECT NO(S). H.002059
LA 384 AT LA 385
STATE ROUTE LA 384 & LA 385
PARISH OF CALCASIEU

State Project Number H.002059 provides for earthwork, arborist work, traffic signals, base course, Portland cement concrete pavement, asphalt concrete overlay, striping, sidewalk, drainage structures and related work on LA 384 & LA 385 in Calcasieu Parish, as follows:

Beginning at approximate Highway Survey Station 100+00.00, then proceed in a northerly direction to end at approximate Highway Survey Station 118+00.00.

Beginning Jefferson Dr. at approximate Highway Survey Station 46+51.46 then proceed in an easterly direction to end at approximate Highway Survey Station 48+99.52

The total roadway length is approximately 0.377 miles, for an overall project length of approximately 0.377 miles.

The construction of the above described project will be conducive to the public interest, convenience and safety and will enable the Department of Transportation and Development to properly fulfill the functions imposed upon it by law.

The proper construction of said described project is dependent upon the acquisition of the rights of way as fixed by the Chief Engineer, Office of Engineering, for the said project and such other rights as may be appurtenant thereto.

It is necessary and useful to take, by expropriation for highway purposes and in the manner provided by law, in servitude or in full ownership, the property and property rights not otherwise acquired, which are needed for the proper construction of said project.

AUG 06 2018
FILED
Carole B LeBlanc
Deputy Clerk of Court
Calcasieu Parish, Louisiana

EXHIBIT P-1

Pursuant to the authority vested in me by the provisions of L.R.S. 36:501 et seq., and L.R.S. 48:11 et seq., as Secretary of the Department of Transportation and Development, it is necessary and useful to take and, as required by L.R.S. 48:442(3)(a), I hereby approve and authorize the Department of Transportation and Development to take by expropriation for highway purposes and in the manner provided by law, in servitude or in full ownership, the property and property rights not otherwise acquired, and which are needed for the proper construction of State Project No(s). H.002059, LA 384 at LA 385, State Route LA 384 & LA 385, Parish of Calcasieu.

Baton Rouge, Louisiana, this 17th day of April, 2018.

SHAWN D. WILSON, Ph.D.
SECRETARY
DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT

The custodian of official records of the Department of Transportation and Development of the State of Louisiana certifies under the provisions of R.S. 13:3712 and Chapter 9 of the Louisiana Code of Evidence that the attached 2 page(s) is(are) a true and correct copy (copies) of the original(s).

CERTIFICATE

OF THE

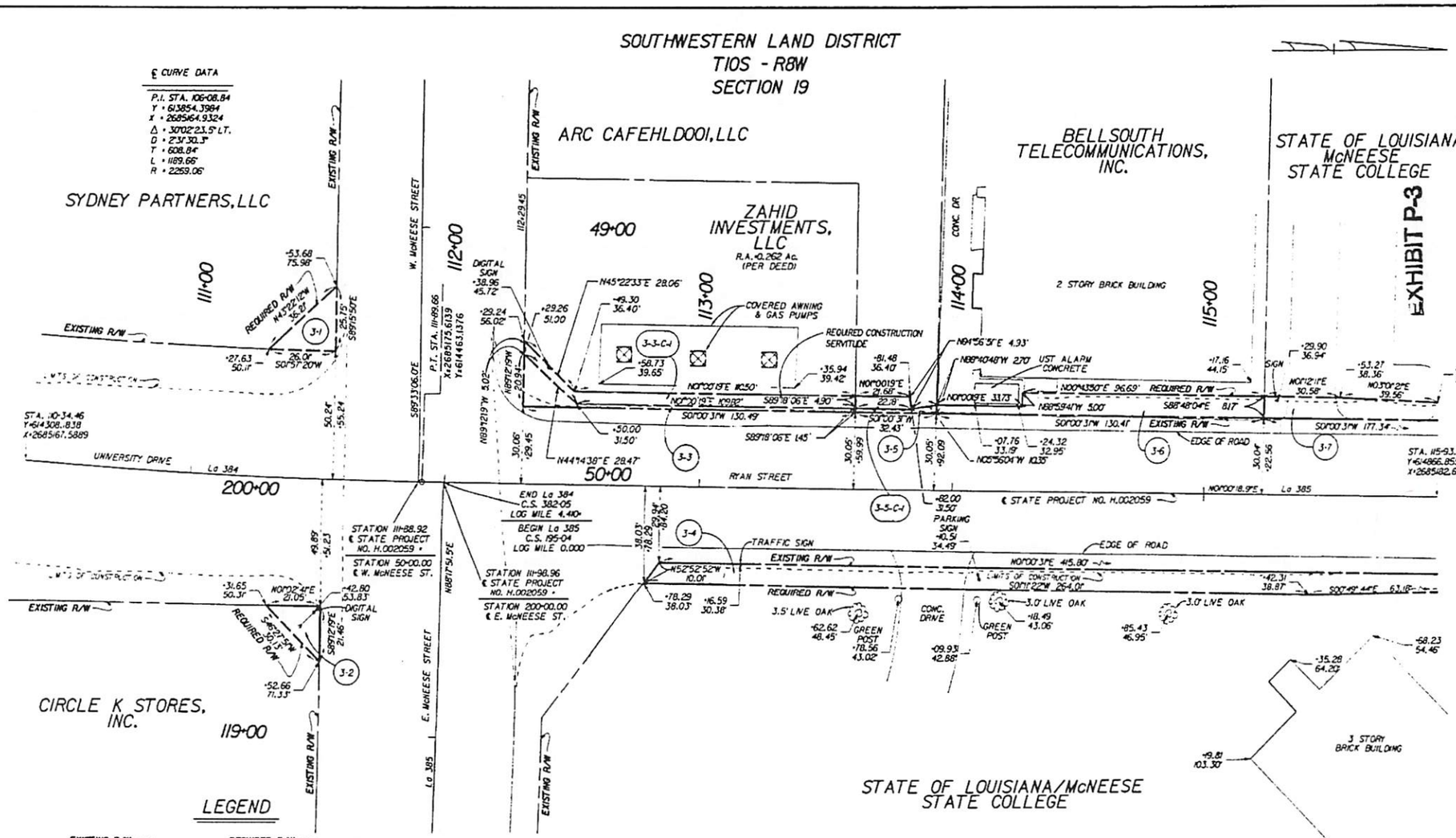
CHIEF ENGINEER

I hereby certify that I have fixed the right of way required to construct STATE PROJECT NO. H.002059, LA 384 @ LA 385, ROUTE LA 384 & LA 385, CALCASIEU PARISH, in a manner sufficient in my judgment to provide presently and in the future for the public interest, Safety and convenience.

for CHRISTOPHER P. KNOTTS, P.E. 7/11/18
DOTD CHIEF ENGINEER DATE

FILED AUG 06 2018
Carole B LeBlanc
Deputy Clerk of Court
Calcasieu Parish, Louisiana

EXHIBIT P-2



PARCEL	OWNER	ACQUISITION	AREA
3-5-C-1	ARC CAFEHLDOOI, LLC	C.O.B 3995 PAGE 404 AUGUST 21, 2013	0.002 ACRE
3-3-C-1	ZAHID INVESTMENTS, LLC	C.O.B 3591 PAGE 751 JULY 7, 2009	0.015 ACRE
3-7	STATE OF LOUISIANA/MCNEESE STATE COLLEGE	C.O.B DONATION BOOK 2 PAGE 244 OCT. 7, 1950	0.022 ACRE
3-6	BELLSOUTH TELECOMMUNICATIONS, INC.	C.O.B 2305 PAGE 759 JUNE 10, 1992	0.020 ACRE
3-5	ARC CAFEHLDOOI, LLC	C.O.B 3895 PAGE 404 AUGUST 21, 2013	0.001 ACRE
3-4	STATE OF LOUISIANA/MCNEESE STATE COLLEGE		DELETED
		C.O.B DONATION BOOK 2 PAGE 244 OCT. 7, 1950	0.070 ACRE
3-3	ZAHID INVESTMENTS, LLC	C.O.B 3591 PAGE 751 JULY 7, 2009	0.009 ACRE
3-2	CIRCLE K STORES, INC.	C.O.B 2375 PAGE 499 AUGUST 25, 1993	0.005 ACRE
3-1	SYDNEY PARTNERS, LLC	C.O.B 4042 PAGE 243 JUNE 16, 2015	0.008 ACRE

NOTES:
1. ALL PIPES AND MONUMENTS SHOWN HEREON WERE FOUND.
2. THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 83) (CORS 96) (EPOCH: 2002.00) TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 00°56'33.5"

BASE STATIONS:

CAMR, DK3579	MCNE, DE8095
CAMERON PARISH	MCNEESE ST UNN
CT CORS ARP	CORPS ARP
LAT=N29°47'54.57704"	LAT=N30°10'50.02164"
LONG=W093°19'30.38064"	LONG=W093°13'03.84399"
Y=477103.50'	Y=686052.26'
X=2649431.89'	X=2685466.99'

3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.9999304016

AUG 06 2018
FILED
Carole B LeBlanc
Deputy Clerk of Court
Calcasieu Parish, Louisiana

SHEET NAME	EXHIBIT P-3
PARISH	CALCASIEU
LOCATION	382-05 & 195-04
STATE PROJECT NO.	H.002059
COMPUTED DAD	
DRAWN C.JP	
DATE 10/10/16	
SCALE 1"=20'	
RIGHT OF WAY MAP STATE PROJECT NO. H.002059 LA 384 & LA 385 CALCASIEU PARISH La 384 & La 385	
PENSCO INC.	
DOTD/APR	
DOTD/APR	
DOTD/APR	
DOTD/APR	
2-1-18	REVISED PARCELS 3-5 AND 3-6
10-27-17	DELETED REQUIRED CONSTRUCTION SERVITUDE 3-4-C-1
4-20-17	ADDED PARCELS 3-3-C-1 AND 3-5-C-1
4-20-17	REVISED PARCELS 3-3 AND 3-5
FILE NO. 05-4-104	R/W SHEET NO. 3

PW100140 / 140KW03

CERTIFICATE

ON

LOCATION AND DESIGN

We hereby certify that the location and design of the improvements proposed within STATE PROJECT NO. H.002059, LA 384 @ LA 385, ROUTE LA 384 & LA 385, CALCASIEU PARISH, are in accordance with the best modern practices adopted in the interest of the safety and convenience of the traveling public.

for CHRISTOPHER P. KNOTTS, P.E. — 7/11/18 DATE
DOTD CHIEF ENGINEER

DAVID S. SMITH P.E. — 7/6/18 DATE
ROAD DESIGN ENGINEER

FILED AUG 06 2018
Carole B LeBlanc
Deputy Clerk of Court
Calcasieu Parish, Louisiana

EXHIBIT P-4

Parcel No. 3-5 and 3-5-C-1
Project. No. H002059

CERTIFICATE
OF
ESTIMATE OF COMPENSATION

I, the undersigned, hereby certify that I have made a careful investigation of the property identified as Parcel Number(s) 3-5 and 3-5-C-1, and its (their) remainder(s) which is the subject matter of this estimate, that I am familiar with land values in the vicinity, and that I estimate the compensation to be as follows:

VALUE OF LAND AND IMPROVEMENTS	$ 7,855.00
DAMAGES	$ 0.00
ADDITIONAL COMPENSATION	$ 0.00
TOTAL ESTIMATE OF COMPENSATION	$ 7,855.00

Methodology Used:

X 1. Sales Comparison Approach
X 2. Cost Approach
.... 3. Income Capitalization Approach

Leonard E. Pauley, Jr., CCIM
1531 Hodges Street
Lake Charles, LA 70601

Qualifications:

____ 1. Designated Appraiser
____ 2. Candidate for Designation
____ 3. Louisiana Certified Residential Real Estate Appraiser
X 4. Louisiana Certified General Real Estate Appraiser
____ 5. Right of Way Appraiser in the regular employ of the Department

Lake Charles, Louisiana, April 6, 2018

Leonard E. Pauley, Jr., CCIM
LOUISIANA CERTIFIED GENERAL REAL ESTATE APPRAISER
CERTIFICATE NO. (G) 0200

Total Approved Amount of Compensation to the full extent of
The owner's loss $ 7,855.00

CHARLES McBRIDE
Real Estate Administrator
Department of Transportation and
Transportation, State of Louisiana

FILED AUG 06 2018
Carole B LeBlanc
Deputy Clerk of Court
Calcasieu Parish, Louisiana

EXHIBIT P-5A

FOURTEENTH JUDICIAL DISTRICT
PARISH OF CALCASIEU
STATE OF LOUISIANA

DOCKET NO.: 2018-3202 DIV./SEC. NO.: D

STATE OF LOUISIANA, DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT

VERSUS

ARC CAFEHLD001, L.L.C., ET AL

FILED: AUG 06 2018 Carole B. LeBlanc
CLERK OF COURT

ORDER OF EXPROPRIATION

The petition, exhibits and premises considered:

IT IS HEREBY ORDERED that the STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT ("Petitioner"), deposit in the Registry of the Court, for the use and benefit of the person or persons entitled thereto, the sum of Seven Thousand Eight Hundred Fifty-Five and 00/100 ($7,855.00) Dollars.

IT IS HEREBY FURTHER ORDERED that the full ownership of the property described as Parcel No. 3-5, together with all improvements situated wholly or partially thereon, subject to the reservation in favor of ARC CAFEHLD001, L.L.C., GPS HOSPITALITY PARTNERS IV, L.L.C., and BURGER KING CORPORATION, ("Defendants"), of all oil or gas located under the property described below, or the royalties therefrom, in accordance with law, and subject to any existing oil or gas reservation or to any existing oil or gas lease, such reservation of mineral rights being imprescriptible as authorized by LA R.S. 31:149, and a temporary servitude for construction purposes for a period of time not to exceed completion of the project on, over and across the property described as Parcel No. 3-5-C-1, is expropriated and taken for highway purposes as of the time of such deposit, according to law, said property being described as follows, to-wit:

> Two (2) certain tracts or parcels of land, together with all of the improvements situated wholly or partially thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining,

situated in the Parish of Calcasieu, State of Louisiana, and in Section 19, Township 10 South, Range 8 West, Southwestern Land District, identified as Parcel Nos. 3-5 and 3-5-C-1, on a white print of a plat of survey, consisting of Sheet No. 3, made by Douglas Domingue, Registered Land Surveyor, dated October 10, 2016, revised, annexed to the above numbered and entitled suit, said tracts or parcels being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

REQUIRED IN FULL OWNERSHIP AND TEMPORARY CONSTRUCTION SERVITUDE

PARCEL NOS. 3-5 AND 3-5-C-1

PARCEL NO. 3-5:

From a point on the centerline of State Project No. H.002059, at Highway Survey Station 113+59.99, proceed N89°18'6"W a distance of 30.05 feet to the point of beginning; thence proceed N89°18'6"W a distance of 1.45 feet to a point and corner; thence proceed N1°0'19"E a distance of 22.18 feet to a point and corner; thence proceed N5°56'4"W a distance of 10.35 feet to a point and corner; thence proceed S88°40'48"E a distance of 2.70 feet to a point and corner; thence proceed S1°0'31"W a distance of 32.43 feet to the point of beginning; all of which comprises Parcel 3-5 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.002059, and contains an area of approximately 53.5 square feet or 0.001 of an acre.

PARCEL NO. 3-5-C-1:

From a point on the centerline of State Project No. H.002059, at Highway Survey Station 113+59.99, proceed N89°18'6"W a distance of 31.50 feet to the point of beginning; thence proceed N89°18'6"W a distance of 4.90 feet to a point and corner; thence proceed N1°0'19"E a distance of 21.68 feet to a point and corner; thence proceed N84°56'51"E a distance of 4.93 feet to a point and corner; thence proceed S1°0'19"W a distance of 22.18 feet to the point of beginning; all of which comprises Parcel 3-5-C-1 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.002059, and contains an area of approximately 107.5 square feet or 0.002 of an acre.

IT IS HEREBY FURTHER ORDERED that this matter be tried by jury upon Petitioner making a cash deposit in accordance with LA C.C.P. Article 1734.1. Upon the setting of this matter for trial, the Court shall fix the amount due and the time of said deposit, which time shall be no later than thirty (30) days prior to trial.

IT IS HEREBY FURTHER ORDERED that Defendants, ARC CAFEHLD001, L.L.C., GPS HOSPITALITY PARTNERS IV, L.L.C., and BURGER KING CORPORATION, vacate

FOURTEENTH JUDICIAL DISTRICT
PARISH OF CALCASIEU
STATE OF LOUISIANA

DOCKET NO.: 2018-3202 DIV./SEC. NO.: D

STATE OF LOUISIANA, DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT

VERSUS

ARC CAFEHLD001, L.L.C., ET AL

FILED: AUG 06 2018 Carole B LeBlanc
CLERK OF COURT

ORDER OF EXPROPRIATION [continued]

the above described property and surrender possession thereof unto Petitioner immediately upon the deposit of the estimated compensation into the Registry of the Court.

Lake Charles, Louisiana, this 6th day of August, 2018.

S/ David A. Ritchie
JUDGE | 14TH JUDICIAL DISTRICT COURT
PARISH OF CALCASIEU | STATE OF LOUISIANA

A TRUE COPY
Lake Charles, Louisiana
Deputy Clerk of Court
Calcasieu Parish, Louisiana
AUG - 6 2018

FOURTEENTH JUDICIAL DISTRICT
PARISH OF CALCASIEU
STATE OF LOUISIANA

DOCKET NO.: 2018-3202 DIV./SEC. NO.: D

STATE OF LOUISIANA, DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT

VERSUS

ARC CAFEHLD001, L.L.C., ET AL

FILED: AUG 06 2018 Carole B LeBlanc
CLERK OF COURT

RECEIPT

HON. H. LYNN JONES II | CLERK OF COURT | 14TH JUDICIAL DISTRICT COURT
PARISH OF CALCASIEU | STATE OF LOUISIANA

TO

THE STATE OF LOUISIANA, AND
THE DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

In the cause entitled "STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT VS. ARC CAFEHLD001, L.L.C., ET AL", No. 2018-3202, of the docket of said Court, the State of Louisiana seeks the expropriation of the full ownership of the property described below, subject to the reservation in favor of the owners, ARC CAFEHLD001, L.L.C., GPS HOSPITALITY PARTNERS IV, L.L.C., and BURGER KING CORPORATION, of all oil or gas located under the property described below, or the royalties therefrom, in accordance with law, and subject to any existing oil or gas reservation or to any existing oil or gas lease, for the project set forth in the petition, said property being described as follows, to-wit:

> Two (2) certain tracts or parcels of land, together with all of the improvements situated wholly or partially thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of Calcasieu, State of Louisiana, and in Section 19, Township 10 South, Range 8 West, Southwestern Land District, identified as Parcel Nos. 3-5 and 3-5-C-1, on a white print of a plat of survey, consisting of Sheet No. 3, made by Douglas Domingue, Registered Land Surveyor, dated October 10, 2016, revised, annexed to the above numbered and entitled suit, said tracts or parcels being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

REQUIRED IN FULL OWNERSHIP AND TEMPORARY CONSTRUCTION SERVITUDE

PARCEL NOS. 3-5 AND 3-5-C-1

PARCEL NO. 3-5:

From a point on the centerline of State Project No. H.002059, at Highway Survey Station 113+59.99, proceed N89°18'6"W a distance of 30.05 feet to the point of beginning; thence proceed N89°18'6"W a distance of 1.45 feet to a point and corner; thence proceed N1°0'19"E a distance of 22.18 feet to a point and corner; thence proceed N5°56'4"W a distance of 10.35 feet to a point and corner; thence proceed S88°40'48"E a distance of 2.70 feet to a point and corner; thence proceed S1°0'31"W a distance of 32.43 feet to the point of beginning; all of which comprises Parcel 3-5 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.002059, and contains an area of approximately 53.5 square feet or 0.001 of an acre.

PARCEL NO. 3-5-C-1:

From a point on the centerline of State Project No. H.002059, at Highway Survey Station 113+59.99, proceed N89°18'6"W a distance of 31.50 feet to the point of beginning; thence proceed N89°18'6"W a distance of 4.90 feet to a point and corner; thence proceed N1°0'19"E a distance of 21.68 feet to a point and corner; thence proceed N84°56'51"E a distance of 4.93 feet to a point and corner; thence proceed S1°0'19"W a distance of 22.18 feet to the point of beginning; all of which comprises Parcel 3-5-C-1 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.002059, and contains an area of approximately 107.5 square feet or 0.002 of an acre.

In accordance with an order of the Court signed herein, the Department of Transportation & Development, on behalf of the State of Louisiana and of itself, has this day paid into the Registry of said Court the sum of Seven Thousand Eight Hundred Fifty-Five and 00/100 ($7,855.00) Dollars in cash, lawful current money of the United States of America, by delivering said sum to the said Clerk of Court, who acknowledges receipt of said sum and declares that he has placed same in the Registry of said Court.

SIGNED at Lake Charles, Louisiana, this 6th day of August, 2018.

s/ H. Lynn Jones II

DEPUTY CLERK OF COURT | 14TH JUDICIAL DISTRICT COURT
PARISH OF CALCASIEU | STATE OF LOUISIANA