

DOCKET NO. 41305
FILED:
2019 APR 11 AM 10:45
Jeany Knapp
CLERK & RECORDER
LASSALLE PARISH, LA

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

NO. _____
28TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF LaSALLE

BARBAREAN ELMORE a/k/a
BARBARA ELMORE

STATE OF LOUISIANA

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.

BARBAREAN ELMORE a/k/a BARBARA ELMORE is the defendant herein ("Defendant").

2.

The STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT proposes to construct in the Parish of LaSalle a certain project designated as State Project No. H.000754. US 184: UP RAILROAD OVERPASS (HBI), State Route: US 84, 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 January 7, 2019, 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 Defendant, BARBAREAN ELMORE a/k/a BARBARA ELMORE, a portion of which is required in full ownership designated as Parcel No. 2-6, 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. 2-6-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 LaSalle, State of Louisiana, and in Section 24, Township 10 North, Range 1 East, North of Red River Land District, identified as Parcel Nos. 2-6 and 2-6-C-1, on a white print of a plat of survey, consisting of Sheet No. 2, made by Paul D. Fryer, Registered Land Surveyor, dated June 22, 2017, 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

H.000754: US 84 RR OVERPASS

PARCEL NOS. 2-6 AND 2-6-C-1

PARCEL NO. 2-6:

From a point on the centerline of State Project No. H.000754, at Highway Survey Station 134+43.15, proceed S37°50'08"W a distance of 84.13 feet to the point of beginning; thence proceed S60°03'24"E a distance of 255.24 feet to a point and corner; thence proceed N63°55'09"W a distance of 252.51 feet to a point and corner; thence proceed along a curve to the right having a radius of 1845.75 feet, whose length is 17.33 feet and whose chord length is 17.33 feet and bears N18°56'31"E to the point of beginning. All of which comprises Parcel 2-6 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.000754, and contains an area of approximately 2171.1 square feet or 0.050 of an acre.

PARCEL NO. 2-6-C-1:

From a point on the centerline of State Project No. H.000754, at Highway Survey Station 135+49.75, proceed S37°50'08"W a distance of 79.51 feet to the point of beginning; thence proceed S63°55'09"E a distance of 149.35 feet to a point and corner; thence proceed S52°10'30"E a distance of 3.24 feet to a point and corner; thence proceed S38°30'00"W a distance of 25.64 feet to a point and corner; thence proceed N54°00'14"W a distance of 149.24 feet to the point of beginning. All of which comprises Parcel 2-6-C-1 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.000754, and contains an area of approximately 1960.6 square feet or 0.045 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 Defendant.

8.

There are no buildings situated wholly or partially upon the above-described property, and the only improvements situated wholly or partially thereon consist of a gravel drive.

9.

The location and design of the improvements 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. 2-6, 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. 2-6-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. 2-6, 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. 2-6-C-1.

12.

The expropriation of the full ownership of the property described as Parcel No. 2-6 shall be made subject to the reservation in favor of the owner, BARBAREAN ELMORE a/k/a BARBARA ELMORE, 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 Defendant is entitled, being the compensation for the full ownership of the property described hereinabove as Parcel No. 2-6, 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. 2-6-C-1 has been estimated to be the sum of Two Thousand One Hundred Five and 00/100 (\$2,105.00) 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. 2-6, 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. 2-6-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 Two Thousand One Hundred Five and 00/100 (\$2,105.00) Dollars for payment to the person or persons entitled thereto, and declaring that the full ownership of the property described as Parcel No. 2-6, 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. 2-6-C-1, has been taken for highway purposes as of the time such deposit is made.

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

Petitioner further prays that notice of this expropriation be issued and served upon BARBAREAN ELMORE a/k/a BARBARA ELMORE, 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 Two Thousand One Hundred Five and 00/100 (\$2,105.00) Dollars.

Respectfully Submitted:

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

By: Andrew G. Barry
Of Counsel

Andrew G. Barry (#26599)
1201 Capitol Access Rd. (70802)
P. O. Box 94245
Baton Rouge, LA 70804-9245
Telephone: (225) 242-4665
Fax: (225) 242-4691
Email: andrew.barry@la.gov

PLEASE SERVE:

BARBAREAN ELMORE
[a/k/a BARBARA ELMORE]
1085 Martin Street
Tullos, LA 71479

ATTEST A TRUE COPY
Deey Knapp
Dy. Clerk of Court & Ex-Officio Recorder
LaSalle Parish, LA

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.000754
US 84: UP RAILROAD OVERPASS (HBI)
ROUTE US 84
PARISH OF LASALLE

State Project No. H.000754 provides for spot replacement bridge: grading, base course, asphaltic concrete, 3 span steel girder bridge, earthwork and related work on US 84 in LaSalle parish as follows:

Beginning at approximate Highway Survey Station 116+00.00, then proceed in a southeasterly direction to end at approximate Highway Survey Station 145+00.00.

There is a Bridge Site between the following Highway Survey Stations: approximate Highway Survey Station 131+97.00 and Highway Survey Station 134+87.00.

The total roadway length is approximately 0.494 miles, and the total bridge length is approximately 0.055 miles, for an overall project length of approximately 0.549 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.

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.000754, US 84: UP Railroad Overpass (HBI), Route US 84, Parish of LaSalle.

Baton Rouge, Louisiana, this 7th day of January, 2019.


SHAWN D. WILSON, Ph.D.

SECRETARY
DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT

RECEIVED

APR 11 2019

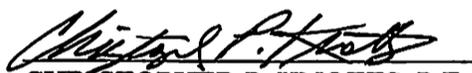
LASALLE PARISH
CLERK OF COURT

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 1 page(s) is(are) a true and correct copy (copies) of the original(s).

EXHIBIT P-1

CERTIFICATE
OF THE
CHIEF ENGINEER

I hereby certify that I have fixed the right of way required to construct STATE PROJECT NO. H.000754, F.A.P. H000754, US 84: UP RAILROAD OVERPASS (HBI), ROUTE US 84, LASALLE PARISH, in a manner sufficient in my judgment to provide presently and in the future for the public interest, safety and convenience.

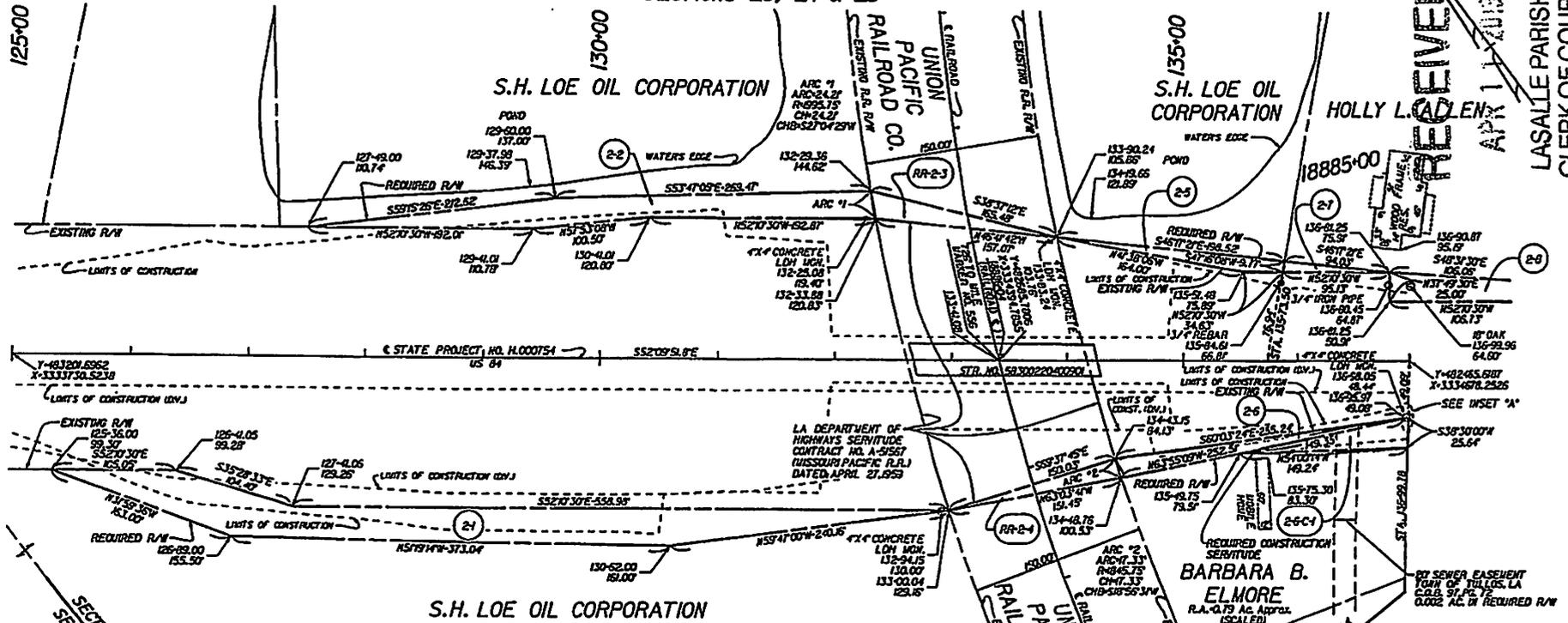

CHRISTOPHER P. KNOTTS, P.E. 3/25/19
DOTD CHIEF ENGINEER DATE



Final Right-of-Way Map

\\PROJECTS\180808_02\ustaction\US 84 UPRR OVERPASS SHEET 2.dgn

NORTH OF RED RIVER LAND DISTRICT
TION-RIE
SECTIONS 23, 24 & 25



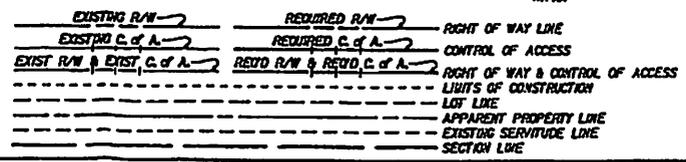
NOTES:

- ALL PIPES AND MONUMENTS SHOWN HEREON WERE FOUND.
- THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON LOUISIANA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (NAD 83 (ICRS93) EPOCH 2002.0000). TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: $COGS \pm 7.1''$
- DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.99993581.

BASE STATIONS (CORS):

07992 LSUA LSU-ALEXANDRIA CORS ARP LAT: N31°04'33.5732" LONG: W092°24'44.3357" Y: 249927.95 X: 3308258.37	07063 AULM U OF LA AT MONROE CORS ARP LAT: N32°31'50.33" LONG: W092°04'33.2348" Y: 730356.01 X: 348547.12	07704 SHS SICILY ISLAND CORS ARP LAT: N37°50'36.1583" LONG: W091°39'19.5644" Y: 489691.29 X: 3543081.91
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LEGEND



PARCEL	OWNER	ACQUISITION	AREA
2-9	HOLLY L. ALLEN	C.O.B. 387 PG. 854 12/09/2015	0.053 Ac.
2-7			0.01 Ac.
2-6-C1	BARBARA B. ELMORE	C.O.B. #73 PG. 12 12/27/1989	0.045 Ac.
2-6			0.050 Ac.
2-5	S.H. LOE OIL CORPORATION	C.O.B. #9 PG. 709 08/08/1986	0.034 Ac.
RR-2-4	UNION PACIFIC RAILROAD CO.	C.O.B. #33 PG. 783 07/23/2001	0.030 Ac.
RR-2-3			0.042 Ac.
2-2	S.H. LOE OIL CORPORATION	C.O.B. #9 PG. 709 08/08/1986	0.156 Ac.
2-1			0.435 Ac.

PAUL D. FEYER
REGISTERED
LAND SURVEYOR
01/22/2017

APPROVED
APR 1 1 2018
LASALLE PARISH
CLERK OF COURT

STATE PROJECT NO. H.000754
US 84 UPRR OVERPASS (PH1)

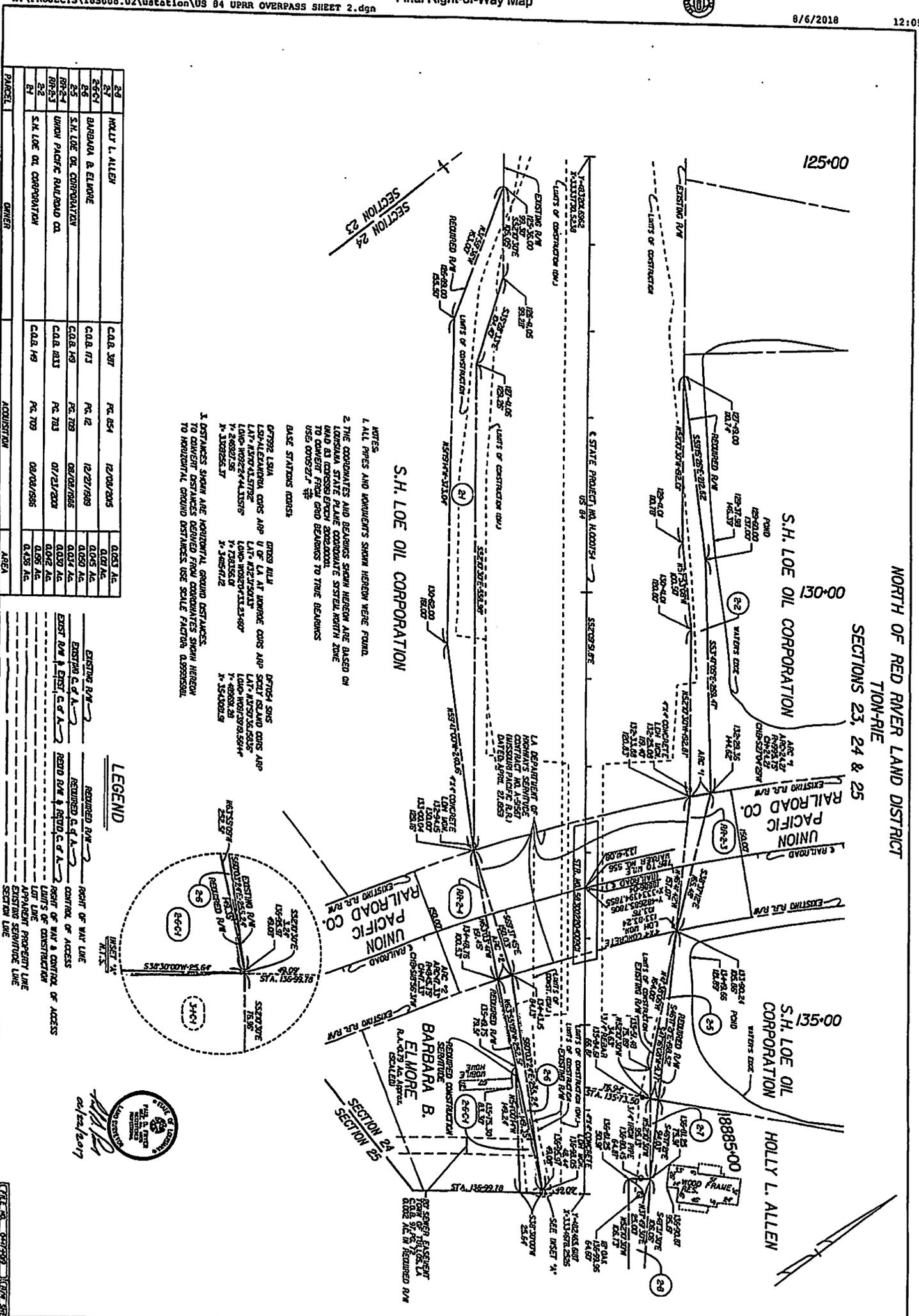
RIGHT OF WAY MAP
STATE PROJECT NO. H.000754
US 84 UPRR OVERPASS (PH1)
LASALLE PARISH
US 84

FILE NO. 05-11-009 (N/W SHEET PA. 2)



NORTH OF RED RIVER LAND DISTRICT
TOWNSHIP

SECTIONS 23, 24 & 25



S.H. LOE OIL CORPORATION

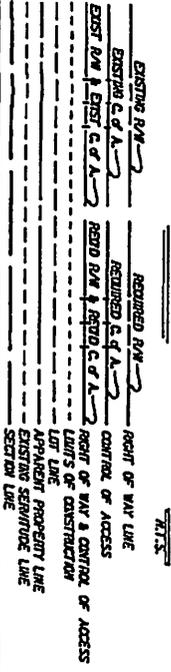
NOTES:
1. ALL PASSES AND REQUIREMENTS SHOWN HEREON WERE FOUND.
2. THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON LOMINA STATE PLANE COORDINATE SYSTEM NORTH ZONE TO CORRECT FROM GRID BEARINGS TO TRUE BEARINGS USE CONVERSION #2.

BASE STATIONS COURSE:
DT292 LSVA DT293 SONS
LSVA-LEAVANON CORS APP U OF LA AT LARINE CORS APP
LAT: N27°21'39.89" LONG: W082°44'13.57" NAD 83
Y: 4820275 X: 30825217
DT294 SONS DT295 SONS
SOUTH ISLAND CORS APP
LAT: N27°21'39.89" LONG: W082°44'13.57" NAD 83
Y: 4820275 X: 30825217

1. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES TO CORRECT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES USE SCALE FACTOR 0.9999998.

PARCEL	OWNER	ACQUISITION	AREA
24	HOLLY L. ALLEN	02/08/2015	0.053 AC.
24-C1	DARBABA & ELMORE	02/08/2015	0.057 AC.
24	S.H. LOE OIL CORPORATION	02/08/2015	0.050 AC.
24-C1	UNION PACIFIC RAILROAD CO.	07/27/2009	0.034 AC.
24-C2	UNION PACIFIC RAILROAD CO.	07/27/2009	0.030 AC.
24-C3	UNION PACIFIC RAILROAD CO.	07/27/2009	0.026 AC.
24	S.H. LOE OIL CORPORATION	02/08/2015	0.055 AC.
24	S.H. LOE OIL CORPORATION	02/08/2015	0.435 AC.

LEGEND

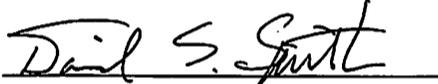


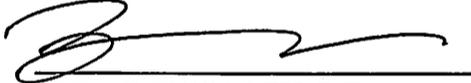
DATE: 08/06/18	REV: PARCEL 2-6-C-1	SCALE: AS SHOWN	PROJECT: H.000754
RIGHT OF WAY MAP STATE PROJECT NO. H.000754 US 84 UPRR OVERPASS (IHB) LASALLE PARISH LA 70501		DRAWN BY: J. B. ... CHECKED BY: J. B. ... DATE: 06/22/2017 SCALE: 1" = 50'	PARISH: LASALLE PROJECT: 022-04 STATE PROJECT: H.000754

CERTIFICATE
ON
LOCATION AND DESIGN

We hereby certify that the location and design of the improvements proposed within STATE PROJECT NO. H.000754, F.A.P. H000754, US 84: UP RAILROAD OVERPASS (HBI), ROUTE US 84, LASALLE PARISH, are in accordance with the best modern practices adopted in the interest of the safety and convenience of the traveling public.


CHRISTOPHER P. KNOTTS, P.E. 3/25/19
DOTD CHIEF ENGINEER DATE


DAVID S. SMITH P.E. 3/22/19
ROAD DESIGN ENGINEER DATE


ZHENG ZHENG FU, P.E. 3/25/19
BRIDGE DESIGN ENGINEER DATE

RECEIVED

APR 11 2019

LASALLE PARISH
CLERK OF COURT

Parcel No. 2-6, 2-6-C-1
State Project No. H.000754

**CERTIFICATE
OF
ESTIMATE OF COMPENSATION**

I, the undersigned appraiser, hereby certify that I have made a careful investigation of the property identified as Parcel Number(s) 2-6, 2-6-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	\$2,105
DAMAGES	\$0
ADDITIONAL COMPENSATION	\$0
TOTAL ESTIMATE OF COMPENSATION	\$2,105

Methodology Used:

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

John D. Mowad
297 Links Dr.
Alexandria, LA 71303-9711

Qualifications:

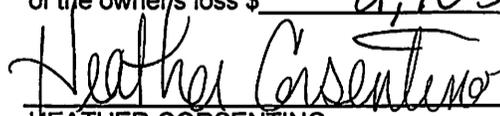
- 1. Designated Appraiser
- 2. Candidate for Designation
- 3. Louisiana Certified Residential Real Estate Appraiser
- 4. Certified General Real Estate Appraiser
- 5. Right-of-way appraiser in the regular employment of the Department

Alexandria, Louisiana, March 22, 2019



JOHN D. MOWAD
LOUISIANA CERTIFIED GENERAL REAL ESTATE APPRAISER
CERTIFICATE NO. G0109

Total Approved Amount of Compensation to the full extent
of the owner's loss \$ 2,105.00

 3/27/19

HEATHER CORSENTINO Date
Assistant Real Estate Administrator
Department of Transportation and Development
State of Louisiana

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LASALLE PARISH
CLERK OF COURT

EXHIBIT P-5A

DOCKET NO. 44305 0776
FILED:

2019 APR 11 AM 10:46

Jerry Knapp
CLERK & RECORDER
LASSALLE PARISH, LA

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

NO. _____

VERSUS

28TH JUDICIAL DISTRICT COURT

BARBAREAN ELMORE a/k/a
BARBARA ELMORE

PARISH OF LaSALLE

STATE OF LOUISIANA

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 Two Thousand One Hundred Five and 00/100 (\$2,105.00) Dollars.

IT IS HEREBY FURTHER ORDERED that the full ownership of the property described as Parcel No. 2-6, together with all improvements situated wholly or partially thereon, subject to the reservation in favor of BARBAREAN ELMORE a/k/a BARBARA ELMORE, ("Defendant"), 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. 2-6-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 LaSalle, State of Louisiana, and in Section 24, Township 10 North, Range 1 East, North of Red River Land District, identified as Parcel Nos. 2-6 and 2-6-C-1, on a white print of a plat of survey, consisting of Sheet No. 2, made by Paul D. Fryer, Registered Land Surveyor, dated June 22, 2017, 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

H.000754: US 84 RR OVERPASS

PARCEL NOS. 2-6 AND 2-6-C-1

PARCEL NO. 2-6:

From a point on the centerline of State Project No. H.000754, at Highway Survey Station 134+43.15, proceed S37°50'08"W a distance of 84.13 feet to the point of beginning; thence proceed S60°03'24"E a distance of 255.24 feet to a point and corner; thence proceed N63°55'09"W a distance of 252.51 feet to a point and corner; thence proceed along a curve to the right having a radius of 1845.75 feet, whose length is 17.33 feet and whose chord length is 17.33 feet and bears N18°56'31"E to the point of beginning. All of which comprises Parcel 2-6 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.000754, and contains an area of approximately 2171.1 square feet or 0.050 of an acre.

PARCEL NO. 2-6-C-1:

From a point on the centerline of State Project No. H.000754, at Highway Survey Station 135+49.75, proceed S37°50'08"W a distance of 79.51 feet to the point of beginning; thence proceed S63°55'09"E a distance of 149.35 feet to a point and corner; thence proceed S52°10'30"E a distance of 3.24 feet to a point and corner; thence proceed S38°30'00"W a distance of 25.64 feet to a point and corner; thence proceed N54°00'14"W a distance of 149.24 feet to the point of beginning. All of which comprises Parcel 2-6-C-1 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.000754, and contains an area of approximately 1960.6 square feet or 0.045 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 Defendant, BARBAREAN ELMORE a/k/a BARBARA ELMORE, vacate the above described property, and surrender possession thereof

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

NO. _____ DIV. " ____ "

VERSUS

28TH JUDICIAL DISTRICT COURT

BARBAREAN ELMORE a/k/a
BARBARA ELMORE

PARISH OF LaSALLE

STATE OF LOUISIANA

ORDER OF EXPROPRIATION (continued ...)

unto Petitioner immediately upon the deposit of the estimated compensation into the Registry of
the Court.

Jena, Louisiana, this 12th day of April, 2019.



JUDGE | 28TH JUDICIAL DISTRICT COURT
PARISH OF LaSALLE | STATE OF LOUISIANA

ATTEST A TRUE COPY
Jenny Knapp
Dy. Clerk of Court & Ex-Officio Recorder
LaSalle Parish, LA

DOCKET NO. 41305
FILED:

2019 APR 11 AM 10:46

Jerry Knapp
CLERK & RECORDER
LASALLE PARISH, LA
DIV.: " "

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

NO. _____
28TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF LaSALLE

BARBAREAN ELMORE a/k/a
BARBARA ELMORE

STATE OF LOUISIANA

RECEIPT

HONORABLE STEVE ANDREWS | CLERK OF COURT
28TH JUDICIAL DISTRICT COURT
PARISH OF LaSALLE | 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. BARBAREAN ELMORE a/k/a BARBARA
ELMORE", No. 41305, 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 owner, BARBAREAN ELMORE a/k/a BARBARA ELMORE, 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 LaSalle, State of Louisiana, and in Section 24, Township 10 North,
Range 1 East, North of Red River Land District, identified as Parcel Nos. 2-6 and
2-6-C-1, on a white print of a plat of survey, consisting of Sheet No. 2, made by
Paul D. Fryer, Registered Land Surveyor, dated June 22, 2017, 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

H.000754: US 84 RR OVERPASS

PARCEL NOS. 2-6 AND 2-6-C-1

PARCEL NO. 2-6:

From a point on the centerline of State Project No. H.000754, at Highway Survey Station 134+43.15, proceed S37°50'08"W a distance of 84.13 feet to the point of beginning; thence proceed S60°03'24"E a distance of 255.24 feet to a point and corner; thence proceed N63°55'09"W a distance of 252.51 feet to a point and corner; thence proceed along a curve to the right having a radius of 1845.75 feet, whose length is 17.33 feet and whose chord length is 17.33 feet and bears N18°56'31"E to the point of beginning. All of which comprises Parcel 2-6 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.000754, and contains an area of approximately 2171.1 square feet or 0.050 of an acre.

PARCEL NO. 2-6-C-1:

From a point on the centerline of State Project No. H.000754, at Highway Survey Station 135+49.75, proceed S37°50'08"W a distance of 79.51 feet to the point of beginning; thence proceed S63°55'09"E a distance of 149.35 feet to a point and corner; thence proceed S52°10'30"E a distance of 3.24 feet to a point and corner; thence proceed S38°30'00"W a distance of 25.64 feet to a point and corner; thence proceed N54°00'14"W a distance of 149.24 feet to the point of beginning. All of which comprises Parcel 2-6-C-1 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.000754, and contains an area of approximately 1960.6 square feet or 0.045 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 Two Thousand One Hundred Five and 0/100 (\$2,105.00) 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 Jena, Louisiana, this 11th day of April, 2019.

Jenny Knapp

DEPUTY CLERK OF COURT | 28TH JUDICIAL DISTRICT COURT
PARISH OF LaSALLE | STATE OF LOUISIANA

STATE OF LOUISIANA
I hereby certify that the above 6 pages contains a true copy of the original instrument as same appears in this office under register number 240278 of date 4/18/19 Time: 8:51AM recorded in Cont Record Book 406 Page 775
Given under my hand and seal this 18th day of April, 2019.
Jenny Knapp
Dy. Clerk and Ex-Officio Recorder

ATTEST A TRUE COPY
Jenny Knapp
Dy. Clerk of Court & Ex-Officio Recorder
LaSalle Parish, LA