

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VERSUS

FRANK M. CORDARO, ET UX

NO. 100447 DIV. _____

3RD JUDICIAL DISTRICT COURT

PARISH OF LINCOLN

STATE OF LOUISIANA

P E T I T I O N

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.

FRANK M. CORDARO and KATHIE MARTIN CORDARO are Defendants herein ("Defendants").

2.

The STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT, proposes to construct in the Parish of Lincoln, a certain project designated as State Project No. H.001679, LA 146 Bridges Near Vienna, State Route LA 146, which project is more fully described by a Certificate of Authorization to Expropriate, approved by the Secretary of the Department of Transportation & Development on May 23, 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 public interest, convenience and safety, and will be an important improvement to the State Highway System.

Filed in Clerk's Office

JUN 20 2019 20

s/ Janet Holcomb

Dy. C.D.C.

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JUN 26 2019 20

Janet Holcomb
Clerk, District Court

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 and 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, required in full ownership, and described as follows, to-wit:

One (1) certain tract or parcel 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 Lincoln, State of Louisiana, and in Section 34, Township 19 North, Range 3 West, North of Red River Land District, identified as Parcel No. 3-1, on a white print of a plat of survey, consisting of Sheet No. 3, made by Charles G. Coyle, Registered Land Surveyor, dated October 4, 2018, revised, annexed to the above numbered and entitled suit, said tract or parcel being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

REQUIRED IN FULL OWNERSHIP

PARCEL NO. 3-1:

From a point on the centerline of State Project No. H.001679, at Highway Survey Station 225+00.00, proceed S15°12'15"W a distance of 40.00 feet to the point of beginning; thence proceed along a curve to the right having a radius of 23960.00 feet, whose length is 149.93 feet and whose chord length is 149.93 feet and bears S74°36'59"E to a point and corner; thence proceed S13°32'34"W a distance of 18.90 feet to a point and corner; thence proceed N72°20'36"W a distance of 100.69 feet to a point and corner; thence proceed N58°0'20"W a distance of 52.11 feet to the point of beginning; all of which comprises Parcel 3-1 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.001679, and contains an area of approximately 2077.2 square feet or 0.048 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, and the only improvements situated wholly or partially thereon consist of timber.

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 described property, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below, 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 above described property, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below.

12.

The expropriation of the full ownership of the property described above shall be made subject to the reservation in favor of the owners of all oil or gas located under the property described above, 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.

13.

The just compensation to which Defendants are entitled, being the compensation for the full ownership of the above described property, together with all of the improvements situated

wholly or partially thereon, subject to the mineral reservation set forth herein, has been estimated to be the sum of Three Hundred Sixteen and 00/100 (\$316.00) 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 described property, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth herein, 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, Sections 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, Section 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, Section 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 that an Order issue herein directing Petitioner to deposit in the Registry of this Court the sum of Three Hundred Sixteen and 0/100 (\$316.00) Dollars for payment to the person or persons entitled thereto, and declaring that the full ownership of the above described property, together with all of the improvements situated wholly or partially thereon, and subject to the mineral reservation set forth herein, has been taken for highway purposes as of the

time such deposit is made.

Petitioner further prays that said Order directs Defendants to surrender to Petitioner possession of said property.

Petitioner further prays that the Order of Expropriation in this matter be recorded in the conveyance records of Lincoln Parish.

Petitioner further prays that Notice of this expropriation be issued and served upon Defendants, 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 Three Hundred Sixteen and 00/100 (\$316.00) Dollars.

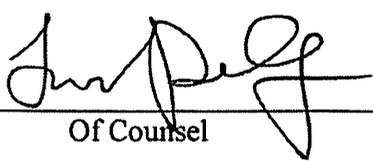
PLEASE SERVE:

FRANK M. CORDARO
1902 Nancy Drive
Ruston, LA 71270; *and*,

KATHIE MARTIN CORDARO
1902 Nancy Drive
Ruston, LA 71270.

Respectfully submitted,

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

By: 
Of Counsel

Terrence J. Donahue, Jr. (#32126)
1201 Capitol Access Road (70802)
P. O. Box 94245
Baton Rouge, LA 70804-9245
Telephone: (225) 242-4607
Fax: (225) 242-4691
Email: terrence.donahue@la.gov
Counsel for LA DOTD

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.001679
LA 146 BRIDGES NEAR VIENNA
ROUTE LA 146
PARISH OF LINCOLN**

State Project Number H.001679 provides for spot bridge replacement, grading, earthwork, guardrails, asphalt concrete pavement, reinforced box culverts, reinforced concrete slab span bridge, on LA 146 in Lincoln Parish, as follows:

Beginning Site 1 at approximate Highway Survey Station 110+00.00, then proceed in a southeasterly direction to end at approximate Highway Survey Station 111+00.00.

Bridge Site 1 is between the following Highway Survey Stations: approximate Highway Survey Station 110+44.33 and Highway Survey Station 110+79.66.

Beginning Site 2 at approximate Highway Survey Station 210+00.00, then proceed in a southeasterly direction to end at approximate Highway Survey Station 213+00.00.

Bridge Site 2 is between the following Highway Survey Stations: approximate Highway Survey Station 211+77.75 and Highway Survey Station 212+08.25.

Beginning Site 3 at approximate Highway Survey Station 225+00.00, then proceed in an easterly direction to end at approximate Highway Survey Station 241+00.00.

Bridge Site 3 is between the following Highway Survey Stations: approximate Highway Survey Station 229+75.00 and Highway Survey Station 231.15.00.

The total roadway length is approximately 0.352 miles, and the total bridge length is approximately 0.027 miles, for an overall project length of approximately 0.379 miles.

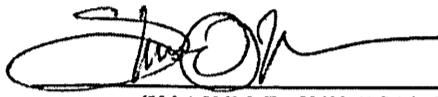
The construction of the above described project will be conducive to the public interest, convenience and safety and will enable the Department of Transportation and Development to properly fulfill the functions imposed upon it by law.

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.010815, LA 124 Extension (Segment 1), Route LA 124, Parish of Catahoula.

Baton Rouge, Louisiana, this 23rd day of May, 2019.



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.001679, F.A.P. H001679, LA 146 BRIDGES NEAR VIENNA, ROUTE LA 146,
LINCOLN 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. 5/31/19
DOTD CHIEF ENGINEER DATE



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, NORTH ZONE (NAD 83 (2011) EPOCH 2010.00) TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 00°05'07.5"

BASE STATIONS:

SHRN,007296	NLN,DF7069	LTEC,DL0637
SHREVEPORT CORP ARP	U OF LA ST MONROE CORP	LTEC 285 CORP ARP
LAT+43°25'39.6566"	LAT+43°37'44.5037"	LAT+43°27'00.4160"
LONG+93°42'46.6636"	LONG+92°04'33.2340"	LONG+92°59'11.7235"
Y=702894.45	Y=730565.01	Y=733681.80
X=290847.40	X=348547.16	X=323358.16

3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 1.0000600

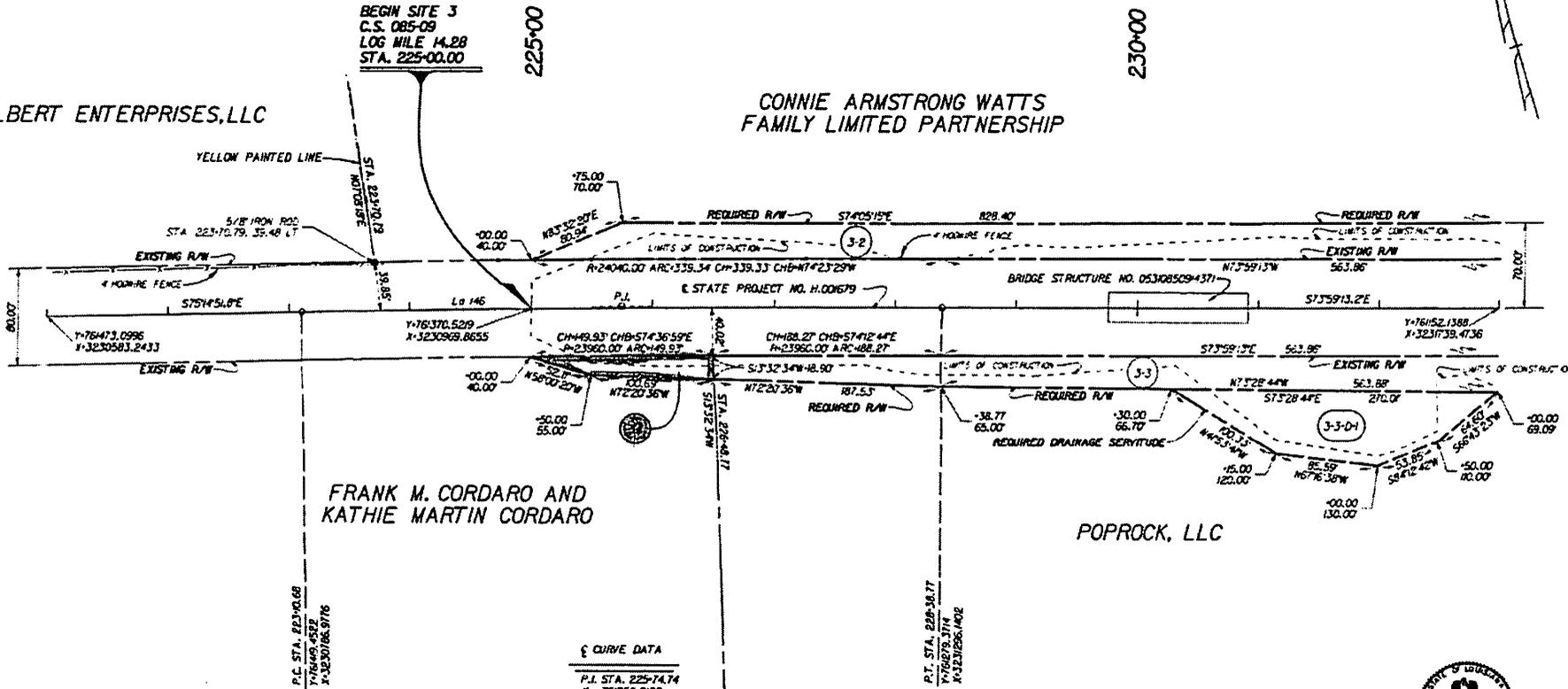
LAND DISTRICT NORTH OF RED RIVER
 T19N - R3W
 SECTION 34

TALBERT ENTERPRISES, LLC

CONNIE ARMSTRONG WATTS FAMILY LIMITED PARTNERSHIP

FRANK M. CORDARO AND KATHIE MARTIN CORDARO

POPROCK, LLC



§ CURVE DATA

P.I. STA. 225+74.74
 Y = 76352.0189
 X = 383048.3285
 Δ = 0°15'38.6" RT
 D = 007+49.6'
 T = 254.05'
 L = 528.09'
 R = 24000.00'



Charles E. Cole
10/1/18

LEGEND

EXISTING R/W	REQUIRED R/W	RIGHT OF WAY LINE
EXISTING C. of A.	REQUIRED C. of A.	CONTROL OF ACCESS
EXIST R/W & EXIST C. of A.	REQD R/W & REQD C. of A.	RIGHT OF WAY & CONTROL OF ACCESS
---	---	LIMITS OF CONSTRUCTION
---	---	LOT LINE
---	---	APPARENT PROPERTY LINE
---	---	EXISTING SERVIDUTE LINE
---	---	SECTION LINE

PARCEL	OWNER	ACQUISITION	AREA
3-3-01	POPROCK, LLC	C.O.B. 1390 Pg. 840	0.246 Ac. 10705.8 SF
3-3	CONNIE ARMSTRONG WATTS FAMILY LIMITED PARTNERSHIP	C.O.B. 1040 Pg. 367	0.801 Ac. 34869.8 SF
3-2	FRANK M. CORDARO AND KATHIE MARTIN CORDARO	C.O.B. 987 Pg. 153	0.048 Ac. 2077.4 SF

RIGHT OF WAY MAP
 STA. 146 BRIDGES NEAR VERRINA
 LINCOLN PARISH
 SITE 3

DATE: 10/01/2018
 TIME: 11:30

PROJECT: 085-09
 SHEET: H.001679

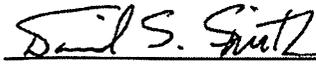
DATE: 10/01/2018
 TIME: 11:30

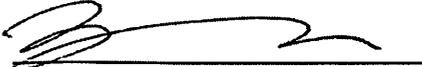
PROJECT: 085-09
 SHEET: H.001679

CERTIFICATE
ON
LOCATION AND DESIGN

We hereby certify that the location and design of the improvements proposed within STATE PROJECT NO. H.001679, F.A.P. H001679, LA 146 BRIDGES NEAR VIENNA, ROUTE LA 146, LINCOLN 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. 5/31/19
DOTD CHIEF ENGINEER DATE


DAVID S. SMITH P.E. 5/30/19
ROAD DESIGN ENGINEER DATE


ZHENG ZHENG FU, P.E. 5/30/19
BRIDGE DESIGN ENGINEER DATE

Parcel Nos.: 3-1
S. P. No. : H.001679

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) 3-1, 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	\$ 316.00
DAMAGES	\$ 0.00
ADDITIONAL COMPENSATION	\$ 0.00
TOTAL ESTIMATE OF COMPENSATION	\$ 316.00

Methodology Used:

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

TIFFANY N. TAYLOR
3339 INDUSTRIAL DRIVE
BOSSIER CITY, LA

Qualifications:

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

Bossier City, Louisiana, March 18, 2019.

Tiffany N. Taylor
TIFFANY N. TAYLOR
LOUISIANA CERTIFIED GENERAL/RESIDENTIAL REAL ESTATE
APPRAISER CERTIFICATE NO. G2947

Total Approved Amount of Compensation to the full
extent of the owner's loss \$ 316.00

Heather Corsetino 6/4/19
HEATHER CORSENTINO Date
Assistant R/E Administrator,
Department of Transportation and
Development, State of Louisiana

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VERSUS

FRANK M. CORDARO, ET UX

NO. 60447 DIV. _____

3RD JUDICIAL DISTRICT COURT

PARISH OF LINCOLN

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 Three Hundred Sixteen and 00/100 (\$316.00) Dollars.

IT IS HEREBY FURTHER ORDERED that the full ownership of the property described below, together with all of the improvements situated wholly or partially thereon, subject to the reservation in favor of Defendants, FRANK M. CORDARO and KATHIE MARTIN CORDARO, 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, 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:

One (1) certain tract or parcel 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 Lincoln, State of Louisiana, and in Section 34, Township 19 North, Range 3 West, North of Red River Land District, identified as Parcel No. 3-1, on a white print of a plat of survey, consisting of Sheet No. 3, made by Charles G. Coyle, Registered Land Surveyor, dated October 4, 2018, revised, annexed to the above numbered and entitled suit, said tract or parcel being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

REQUIRED IN FULL OWNERSHIP

PARCEL NO. 3-1:

From a point on the centerline of State Project No. H.001679, at Highway Survey Station 225+00.00, proceed S15°12'15"W a distance of 40.00 feet to the point of beginning; thence proceed along a curve to the right having a radius of 23960.00 feet, whose

Page 1 of 2 Pages

Filed in Clerk's Office

JUN 24 2019 20

s/ Janet Holcomb

Dy. C.D.C.

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JUN 26 2019 20

Janet Holcomb
D. Clerk, District Court

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VERSUS

FRANK M. CORDARO, ET UX

NO. 60447 DIV. _____

3RD JUDICIAL DISTRICT COURT

PARISH OF LINCOLN

STATE OF LOUISIANA

ORDER OF EXPROPRIATION (continued)

length is 149.93 feet and whose chord length is 149.93 feet and bears S74°36'59"E to a point and corner; thence proceed S13°32'34"W a distance of 18.90 feet to a point and corner; thence proceed N72°20'36"W a distance of 100.69 feet to a point and corner; thence proceed N58°0'20"W a distance of 52.11 feet to the point of beginning; all of which comprises Parcel 3-1 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.001679, and contains an area of approximately 2077.2 square feet or 0.048 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 this Order of Expropriation be recorded in the conveyance records of Lincoln Parish.

IT IS HEREBY FURTHER ORDERED that Defendants, FRANK M. CORDARO and KATHIE MARTIN CORDARO, vacate the above described property and surrender possession thereof unto Petitioner immediately upon the deposit of the estimated compensation into the Registry of the Court.

Ruston, Louisiana, this 24 day of JUNE, 2019.

s/ Bruce E. Hampton

JUDGE | 3RD JUDICIAL DISTRICT COURT
PARISH OF LINCOLN | STATE OF LOUISIANA

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VERSUS

FRANK M. CORDARO, ET UX

NO. 60447 DIV. _____

3RD JUDICIAL DISTRICT COURT

PARISH OF LINCOLN

STATE OF LOUISIANA

RECEIPT

HONORABLE LINDA COOK, LINCOLN PARISH CLERK OF COURT

TO

STATE OF LOUISIANA,
DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

In the cause entitled "STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT VS. FRANK M. CORDARO, ET UX", No. 60447 of the docket of said Court, the State of Louisiana seeks the expropriation of the full ownership of the property described below, together with all of the improvements situated wholly or partially thereon, subject to the reservation in favor of the owners 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:

One (1) certain tract or parcel 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 Lincoln, State of Louisiana, and in Section 34, Township 19 North, Range 3 West, North of Red River Land District, identified as Parcel No. 3-1, on a white print of a plat of survey, consisting of Sheet No. 3, made by Charles G. Coyle, Registered Land Surveyor, dated October 4, 2018, revised, annexed to the above numbered and entitled suit, said tract or parcel being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

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s/ Janet Holcomb
Dy. C.D.C.

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Dy. Clerk, District Court

distance of 18.90 feet to a point and corner; thence proceed N72°20'36"W a distance of 100.69 feet to a point and corner; thence proceed N58°0'20"W a distance of 52.11 feet to the point of beginning; all of which comprises Parcel 3-1 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.001679, and contains an area of approximately 2077.2 square feet or 0.048 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 the Court the sum of Three Hundred Sixteen and 00/100 (\$316.00) 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 same has been placed in the Registry of the Court.

Signed at Ruston, Louisiana, this 25th day of JUNE, 2019.

s/ Janet Holcomb

DEPUTY CLERK OF COURT
3RD JUDICIAL DISTRICT COURT
PARISH OF LINCOLN
STATE OF LOUISIANA