

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

SHAWN ANTHONY GUERCIO

SUIT NUMBER: 145457

21ST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

<input checked="" type="checkbox"/>	Concourse
<input checked="" type="checkbox"/>	Content Manager
<input checked="" type="checkbox"/>	Financial Services
<input type="checkbox"/>	Docketed

SCANNED
7/17/14

PETITION

The petition of the STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, 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.

SHAWN ANTHONY GUERCIO is the defendant herein.

2.

The Department of Transportation and Development, proposes to construct in the Parish of Livingston, a certain project designated as State Project No. 013-06-0054 (H.000466), US 190: Roundabout at Eden Church Road, on State Route US 190, which project is more fully described by a Certificate of Authorization to Expropriate, approved by the Secretary, Department of Transportation and Development on November 27, 2013, 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 in 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 and Development, as shown by his certificate marked "Exhibit P-2," annexed hereto and made a part hereof.

2013 JUN 2 PM 2:23
DEPUTY CLERK
PARISH OF LIVINGSTON
CLERK OF COURT

Included within the right of way required for said project is certain property believed to be owned by the defendant, a portion of which is required in full ownership designated as Parcel No. 3-1, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below, 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. 3-1-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 Livingston, State of Louisiana, and in Section 32, Township 6 South, Range 3 East, Greensburg Land District, identified as Parcel Nos. 3-1 and 3-1-C-1, on a white print of a plat of survey, consisting of Sheet No(s). 2 and 3, made by Max O. Usrey, III and Robert H. Brooks, III, Registered Land Surveyor(s), dated September 24, 2013, revised, annexed to the above numbered and entitled suit, said tract(s) or parcel(s) 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 Right-of-Way Project No. H.000466, at Highway Survey Station 114+99.82, proceed N0°19'43"W a distance of 1.95 feet to the point of beginning; thence proceed N0°19'43"W a distance of 80.24 feet to a point and corner; thence proceed S66°20'1"E a distance of 143.9 feet to a point and corner; thence proceed S74°2'19"E a distance of 43.99 feet to a point and corner; thence proceed S0°2'52"E a distance of 30.49 feet to a point and corner; thence proceed N83°23'39"W a distance of 174.81 feet to the point of beginning; All of which comprises Parcel 3-1 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.000466, and contains an area of approximately 9190.8 square feet or 0.211 of an acre.

REQUIRED FOR A TEMPORARY SERVITUDE

PARCEL NO. 3-1-C-1:

From a point on the centerline of State Project No. H.000466, at Highway Survey Station 115+03.00, proceed N22°42'26"E a distance of 75.03 feet to the point of beginning; thence proceed N22°42'26"E a distance of 31.97 feet to a point and corner; thence proceed S67°8'45"E a distance of 30.4 feet to a point and corner; thence proceed S21°51'2"W a distance of 12 feet to a point and corner; thence proceed S69°0'14"E a distance of 113.34 feet to a point and corner; thence proceed S0°2'52"E a distance of 21.61 feet to a point and corner; thence proceed N74°2'19"W a distance of 43.99 feet to a point and corner; thence proceed N66°20'1"W a distance of

108.56 feet to the point of beginning; All of which comprises Parcel 3-1-C-1 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.000466, and contains an area of approximately 3596.8 square feet or 0.083 of an acre.

Being a portion of the same property acquired by defendant by Act recorded November 23, 2004, in COB 830, Page 172 of the conveyance records of Livingston Parish, State of Louisiana.

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 the 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 wood picket fence, concrete drive, landscaping, sign, wire mesh fencing, and wood post.

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. 3-1, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below, 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. 3-1-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. 3-1, together with all of the improvements situated wholly or partially

thereon, 3-1, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below, 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. 3-1-C-1.

12.

The expropriation of the full ownership of the property described as Parcel Nos. 3-1 and 3-1-C-1, together with all of the improvements situated wholly or partially thereon, shall be made subject to the reservation in favor of the owner 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.

13.

The just compensation to which the defendant is entitled, being the compensation for the full ownership of the property described as Parcel No. 3-1, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below, 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. 3-1-C-1, together with all of the improvements situated wholly or partially thereon, has been estimated to be the sum of Twenty-Nine Thousand Six Hundred Seventeen and No/100 Dollars (\$29,617.00), as shown by the written estimate of compensation marked "Exhibit P-5A" and "Exhibit P-5B," annexed hereto and made a part hereof.

14.

Petitioner is entitled to expropriate the full ownership of the property described as Parcel No. 3-1, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below, 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. 3-1-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 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 Revised Statutes, Section 451.2, as amended and reenacted.

16.

Petitioner desires to utilize the cash deposit authorized by Article 1734.1 of the 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 Article 451 of Title 48, and also requests notice of any interlocutory or final order, decree or judgment rendered and signed in this lawsuit as provided by 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 Twenty-Nine Thousand Six Hundred Seventeen and No/100 Dollars (\$29,617.00) for payment to the person or persons entitled thereto, and declaring that the full ownership of the property described as Parcel No. 3-1, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below, 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. 3-1-C-1, has been taken for highway purposes as of the time such deposit is made.

Petitioner further prays that said order direct the defendant to surrender to petitioner possession of said property.

Petitioner further prays that notice of this expropriation be issued and served upon SHAWN ANTHONY GUERCIO, 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 Article 1734.1 of the Code of Civil procedure.

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 Article 451 of Title 48, and

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

Petitioner further prays that upon a final hearing herein there be judgment herein in favor of petitioner fixing the amount of just compensation at a sum not to exceed Twenty-Nine Thousand Six Hundred Seventeen and No/100 Dollars (\$29,617.00).

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

BY: Robert J. King
Of Counsel

Robert J. King
Bar Roll No. 31814
1201 Capitol Access Road
Baton Rouge, LA 70802
P. O. Box 94245
Baton Rouge, LA 70804-9245
Telephone: (225) 242-4619
Facsimile: (225) 242-4690
Attorney for State, DOTD

PLEASE SERVE:

Shawn Anthony Guercio
28910 S. Anne Drive
Walker, LA 70785

November 27, 2013

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.000466
STATE PROJECT NO(S). 013-06-0054
US 190: ROUNDABOUT AT EDEN CHURCH ROAD
STATE ROUTE US 190
PARISH OF LIVINGSTON

State Project Number H.000466 / 013-06-0054 construction provides for earthwork, portland cement concrete pavement, superpave asphaltic concrete pavement, base course, and related work, on State Route US 190 in Livingston Parish, as follows: On State Route US 190 (Florida Avenue), begin at approximate Highway Survey Station 106+00.00, proceed in an easterly direction, and end at approximate Highway Survey Station 120+00.00; the roadway length is approximately 0.265 miles. On Eden Church Road, begin at approximate Highway Survey Station 50+00.00, proceed in a northerly direction, and end at approximate Highway Survey Station 56+61.07; the roadway length is approximately 0.125 miles. The total roadway length and overall project length is approximately 0.390 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.

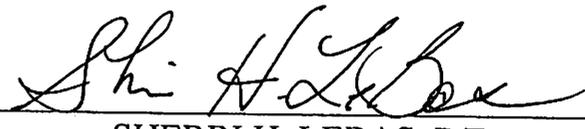
The proper construction of said described project is dependent upon the acquisition of the rights of way as fixed by the Chief Engineer, Office of Engineering, for the said project and such other rights as may be appurtenant thereto.

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.

FILED 6-12-14 AT 2:23 P.
Al Bendley DEPUTY CLERK M.

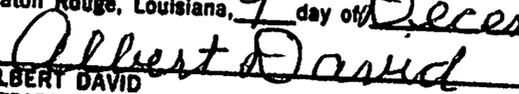
Pursuant to the authority vested in me by the provisions of L.R.S. 36:501 et seq., and L.R.S. 48:11 et seq., as Secretary of the Department of Transportation and Development, it is necessary and useful to take and, as required by L.R.S. 48:442(3)(a), I hereby approve and authorize the Department of Transportation 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.000466 / 013-06-0054, US 190: Roundabout at Eden Church Road, State Route US 190, Parish of Livingston.

Baton Rouge, Louisiana, this 27th day of November, 2013.


SHERRI H. LEBAS, P.E.
SECRETARY
DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT

I, Albert David, assistant custodian of official records of the Department of Transportation and Development of the State of Louisiana, do certify 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) which is (are) in my custody and possession in my official capacity.

Baton Rouge, Louisiana, 9 day of December 2013


ALBERT DAVID
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
STATE OF LOUISIANA

CERTIFICATE
OF THE
CHIEF ENGINEER

I hereby certify that I have fixed the right of way required to construct STATE PROJECT NO. 013-06-0054 / H.000466, US 190: ROUNDABOUT AT EDEN CHURCH ROAD, ROUTE US 190, LIVINGSTON PARISH, in a manner sufficient in my judgment to provide presently and in the future for the public interest, safety, and convenience

Janice P Williams 5-20-14

JANICE P. WILLIAMS, P.E. DATE
CHIEF ENGINEER ADMINISTRATOR

FILED *6-12-14* AT *2:23 P.* M.
A. Bendley DEPUTY CLERK

GREENSBURG LAND DISTRICT T6S - R3E SECTION 32

SHAWN ANTHONY GUERCIO

SHERRI SUMMERS BECNEL

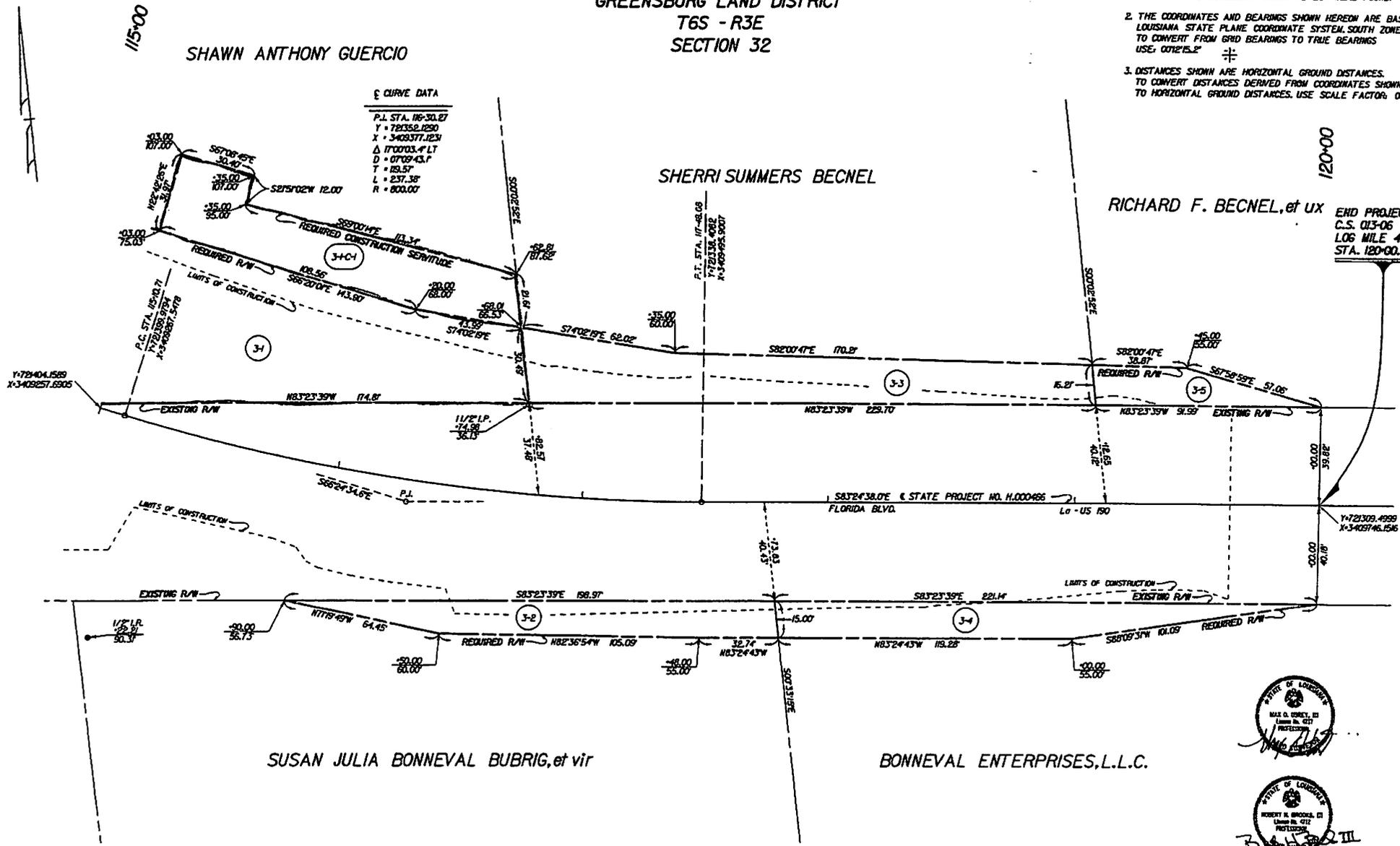
RICHARD F. BECNEL, et ux

END PROJECT
C.S. 013-06
LOS MILE 4.676
STA. 120+00.00

☉ CURVE DATA

P.I. STA. 116+30.87
 Y = 721352.1250
 X = 3408377.1231
 Δ = 170003.4° LT
 D = 07°09'43.1"
 T = 125.57'
 L = 237.35'
 R = 600.00'

- 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). TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 001°15.12"
 3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.9999602

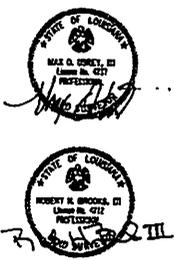


SHEET NUMBER		LIVINGSTON 013-06		H.000466	
PROJECT NO.	11-022	DATE	09/24/13	SCALE	1" = 20'
DESIGNED BY	W. USSELY	CHECKED BY	W. USSELY	DATE	09/24/13
DRAWN BY	W. USSELY	DATE	09/24/13	SCALE	1" = 20'
STATE PROJECT NO. H.000466 US 190 ROUNDABOUT AT EDEN CHURCH ROAD LIVINGSTON PARISH LA - US 190					
EVANS-GRAVES ENGINEERS 1100 PINE BLVD. SUITE 100 GREENSBURG, LA 70043					

PARCEL	OWNER	ACQUISITION	AREA
3-5	RICHARD F. BECNEL, et ux	COB 570 PAGE 660 SEPT. 27, 1990	0.023 AC.
3-4	BONNEVAL ENTERPRISES, L.L.C.	COB 709 PAGE 300 JULY 28, 1997	0.058 AC.
3-3	SHERRI SUMMERS BECNEL	COB 206 PAGE 797 NOV. 26, 1975	0.105 AC.
3-2	SUSAN JULIA BONNEVAL BUBRIG, et vir	COB 206 PAGE 716 NOV. 26, 1975	0.055 AC.
3+0-1	SHAWN ANTHONY GUERCIO	COB 830 PAGE 172 NOV. 23, 2004	0.083 AC.
3-1			0.291 AC.

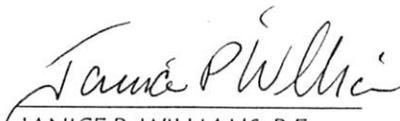
LEGEND

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



CERTIFICATE
ON
LOCATION AND DESIGN

We hereby certify that the location and design of the improvements proposed within STATE PROJECT NO. 013-06-0054 / H.000466, US 190: ROUNDABOUT AT EDEN CHURCH ROAD, ROUTE US 190, LIVINGSTON PARISH, are in accordance with the best modern practices adopted in the interest of the safety and convenience of the traveling public.



JANICE P. WILLIAMS, P.E.
CHIEF ENGINEER ADMINISTRATOR

5-20-14
DATE



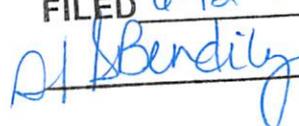
CHAD WINCHESTER, P.E.
ROAD DESIGN ENGINEER ADMINISTRATOR

5-19-14
DATE



PAUL FOSSIER, P.E.
BRIDGE DESIGN ENGINEER ADMINISTRATOR

5-20-14
DATE

FILED 6-12-14 AT 2:23 P.
 DEPUTY CLERK

Parcel No. 3-1 & 3-1-C-1
S. P. No. H.000466

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 & 3-1-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	\$ 28,457.00
DAMAGES	\$.00
ADDITIONAL COMPENSATION	\$.00
TOTAL ESTIMATE OF COMPENSATION	\$ 28,457.00

Methodology Used:

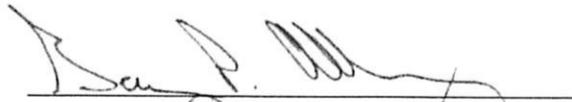
1. Sales Comparison Approach
 2. Cost Approach
 3. Income Capitalization Approach

Gary P. Albarez
2186 Myrtle Dale Avenue
Baton Rouge, Louisiana 70808

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

Baton Rouge, Louisiana, January 22, 2014



Gary P. Albarez
Louisiana Certified General Real Estate Appraiser #G1094

Total Approved Amount of Compensation to the full extent of the owner's loss \$ 29,617.00

Heather Corsetino 5/12/2014
HEATHER CORSENTINO Date
Assistant R/E Administrator,
Department of Transportation and
Development, State of Louisiana

FILED 6-12-14 AT 2:23 P.
AJ Bendley DEPUTY CLERK

EXHIBIT P-5A

Certificate – Land and Improvements

Parcel No. 3-1 and 3-1-C-1

Louisiana State Project No. H.000466

CERTIFICATE OF ESTIMATE OF COMPENSATION (LAND)

I, the undersigned, hereby certify that I have made a careful investigation of the property identified as Parcel Number(s) 3-1 and 3-1-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 TO BE ACQUIRED	<u>\$24,265</u>
DAMAGES	<u>-0-</u>
ADDITIONAL COMPENSATION	<u>-0-</u>
TOTAL COMPENSATION	<u>\$24,265</u>

Methodology used:

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

NAME

Roberto J. Aguilar, IFAS, ASA, SR/WA
8178 GSRI Avenue
Baton Rouge, Louisiana 70820

Qualifications:

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

Baton Rouge, East Baton Rouge, Louisiana _____ January 17, 2014 _____,

AGUILAR CONSULTANTS, LLC



Roberto J. Aguilar, IFAS, ASA, SR/WA
Louisiana State Certified General Real Estate Appraiser, Certification No. G0476
Senior Independent Fee Appraiser
Senior Member, American Society of Appraiser
Senior Right of Way Agent

Total Approved Amount of Compensation to the full extent of the owner's loss \$ 29,617.⁰⁰

Heather Corsentino 5/12/2014

Heather Corsentino **Date**
Department of Transportation and
Development, State of Louisiana

FILED 6-12-14 AT 2:23 P M.
A. Bendley DEPUTY CLERK

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

SHAWN ANTHONY GUERCIO

SUIT NUMBER:

21ST JUDICIAL DISTRICT COURT

PARISH OF LIVINGSTON

STATE OF LOUISIANA

ORDER OF EXPROPRIATION

The petition, exhibits and the premises considered:

IT IS HEREBY ORDERED that the STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, do deposit in the registry of this court, for the use and benefit of the person or persons entitled thereto, the sum of Twenty-Nine Thousand Six Hundred Seventeen and No/100 Dollars (\$29,617.00).

AND IT IS HEREBY FURTHER ORDERED that the full ownership of the property described as Parcel No. 3-1, together with all of the improvements situated wholly or partially thereon, subject to the reservation in favor of SHAWN ANOTHNY GUERCIO, 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, 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. 3-1-C-1, together with all of the improvements situated wholly or partially thereon, 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 Livingston, State of Louisiana, and in Section 32, Township 6 South, Range 3 East, Greensburg Land District, identified as Parcel Nos. 3-1 and 3-1-C-1, on a white print of a plat of survey, consisting of Sheet No(s). 2 and 3, made by Max O. Usrey, III and Robert H. Brooks, III, Registered Land Surveyor(s), dated September 24, 2013, revised, annexed to the above numbered and entitled suit, said tract(s) or parcel(s) being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

FILED 6-12-14 AT 2:27 P. M.
A. Bendig DEPUTY CLERK

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT
VS.
SHAWN ANTHONY GUERCIO

SUIT NUMBER:
21ST JUDICIAL DISTRICT COURT
PARISH OF LIVINGSTON
STATE OF LOUISIANA

ORDER OF EXPROPRIATION (Continued)

REQUIRED IN FULL OWNERSHIP

PARCEL NO. 3-1:

From a point on the centerline of State Right-of-Way Project No. H.000466, at Highway Survey Station 114+99.82, proceed N0°19'43"W a distance of 1.95 feet to the point of beginning; thence proceed N0°19'43"W a distance of 80.24 feet to a point and corner; thence proceed S66°20'1"E a distance of 143.9 feet to a point and corner; thence proceed S74°2'19"E a distance of 43.99 feet to a point and corner; thence proceed S0°2'52"E a distance of 30.49 feet to a point and corner; thence proceed N83°23'39"W a distance of 174.81 feet to the point of beginning; All of which comprises Parcel 3-1 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.000466, and contains an area of approximately 9190.8 square feet or 0.211 of an acre.

REQUIRED FOR A TEMPORARY SERVITUDE

PARCEL NO. 3-1-C-1:

From a point on the centerline of State Project No. H.000466, at Highway Survey Station 115+03.00, proceed N22°42'26"E a distance of 75.03 feet to the point of beginning; thence proceed N22°42'26"E a distance of 31.97 feet to a point and corner; thence proceed S67°8'45"E a distance of 30.4 feet to a point and corner; thence proceed S21°51'2"W a distance of 12 feet to a point and corner; thence proceed S69°0'14"E a distance of 113.34 feet to a point and corner; thence proceed S0°2'52"E a distance of 21.61 feet to a point and corner; thence proceed N74°2'19"W a distance of 43.99 feet to a point and corner; thence proceed N66°20'1"W a distance of 108.56 feet to the point of beginning; All of which comprises Parcel 3-1-C-1 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.000466, and contains an area of approximately 3596.8 square feet or 0.083 of an acre.

Being a portion of the same property acquired by defendant by Act recorded November 23, 2004, in COB 830, Page 172 of the conveyance records of Livingston Parish, State of Louisiana.

AND IT IS HEREBY FURTHER ORDERED that this matter be tried by jury upon the plaintiff making a cash deposit in accordance with LA C.C.P. Art. 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.

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT
VS.
SHAWN ANTHONY GUERCIO

SUIT NUMBER: **145457**
21ST JUDICIAL DISTRICT COURT
PARISH OF LIVINGSTON
STATE OF LOUISIANA

ORDER OF EXPROPRIATION (Continued)

AND IT IS HEREBY FURTHER ORDERED that the defendant, **SHAWN ANTHONY GUERCIO**, vacate the above described property and surrender possession thereof unto the plaintiff immediately upon the deposit of the estimated just compensation into the registry of this Court.

Livingston, Louisiana, this 17th day of June, 2014.



JUDGE, TWENTY-FIRST JUDICIAL DISTRICT COURT

21st JUDICIAL DISTRICT
PARISH OF LIVINGSTON, LA
A true copy of the original
this 6-23-14 20
CAE
Deputy Clerk Of Court

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

SHAWN ANTHONY GUERCIO

SUIT NUMBER: 145457
21ST JUDICIAL DISTRICT COURT
PARISH OF LIVINGSTON
STATE OF LOUISIANA

RECEIPT

THOMAS SULLIVAN, JR., CLERK OF COURT

TO

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

STATE OF LOUISIANA
PARISH OF LIVINGSTON

BE IT KNOWN that on the 23 day of June, 2014, before me,
Cary Anthony, Deputy Clerk of Court and Ex-officio Notary Public, in
and for the Parish of Livingston, State of Louisiana, duly commissioned and qualified, and in the
presence of the witnesses hereinafter named and undersigned, personally came and appeared Thomas
Sullivan, Jr., a resident of the Parish of Livingston, State of Louisiana, and Clerk of the Twenty-First
Judicial District Court for the State of Louisiana, in and for the Parish of Livingston.

The appearer declared that in the cause entitled "STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION AND DEVELOPMENT VS. SHAWN ANTHONY GUERCIO," No.
145457 of the docket of said court, the State of Louisiana seeks the expropriation of the
full ownership of the property described as Parcel No. 3-1, together with all of the improvements
situated wholly or partially thereon, subject to the reservation in favor of the owner(s) 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, 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. 3-1-C-1, together with all of the improvements
situated wholly or partially thereon, for the project set forth in the petition, said property being
described as follows, to-wit:

Cary Anthony
DEPUTY CLERK
20 JUN 12 PM 2:21
PARISH OF LIVINGSTON

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 Livingston, State of Louisiana, and in Section 32, Township 6 South, Range 3 East, Greensburg Land District, identified as Parcel Nos. 3-1 and 3-1-C-1, on a white print of a plat of survey, consisting of Sheet No(s). 2 and 3, made by Max O. Usrey, III and Robert H. Brooks, III, Registered Land Surveyor(s), dated September 24, 2013, revised, annexed to the above numbered and entitled suit, said tract(s) or parcel(s) 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 Right-of-Way Project No. H.000466, at Highway Survey Station 114+99.82, proceed N0°19'43"W a distance of 1.95 feet to the point of beginning; thence proceed N0°19'43"W a distance of 80.24 feet to a point and corner; thence proceed S66°20'1"E a distance of 143.9 feet to a point and corner; thence proceed S74°2'19"E a distance of 43.99 feet to a point and corner; thence proceed S0°2'52"E a distance of 30.49 feet to a point and corner; thence proceed N83°23'39"W a distance of 174.81 feet to the point of beginning; All of which comprises Parcel 3-1 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.000466, and contains an area of approximately 9190.8 square feet or 0.211 of an acre.

REQUIRED FOR A TEMPORARY SERVITUDE

PARCEL NO. 3-1-C-1:

From a point on the centerline of State Project No. H.000466, at Highway Survey Station 115+03.00, proceed N22°42'26"E a distance of 75.03 feet to the point of beginning; thence proceed N22°42'26"E a distance of 31.97 feet to a point and corner; thence proceed S67°8'45"E a distance of 30.4 feet to a point and corner; thence proceed S21°51'2"W a distance of 12 feet to a point and corner; thence proceed S69°0'14"E a distance of 113.34 feet to a point and corner; thence proceed S0°2'52"E a distance of 21.61 feet to a point and corner; thence proceed N74°2'19"W a distance of 43.99 feet to a point and corner; thence proceed N66°20'1"W a distance of 108.56 feet to the point of beginning; All of which comprises Parcel 3-1-C-1 as shown on Sheet 3 of the Right of Way Plans of State Project No. H.000466, and contains an area of approximately 3596.8 square feet or 0.083 of an acre.

Being a portion of the same property acquired by defendant by Act recorded November 23, 2004, in COB 830, Page 172 of the conveyance records of Livingston Parish, State of Louisiana.

The appearer further declared that in accordance with an order of the court signed herein, the Department of Transportation and Development, on behalf of the State of Louisiana and of itself, has this day paid into the registry of said court the sum of Twenty-Nine Thousand Six Hundred

Seventeen and No/100 Dollars (\$29,617.00) in cash, lawful current money of the United States of America, by delivering said sum to the said Clerk of Court and said appearer further acknowledges receipt of said sum and declares that he has placed same in the registry of said court.

THUS DONE, READ AND PASSED at my office in the City of Livingston, Parish of Livingston, State of Louisiana, in the presence of Trish Robins and Rebecca Sullivan, competent witnesses, who have hereunto signed their names with the appearer and me, said Notary, the day, month and year first above written.

Rebecca Sullivan

[Signature]

2. 2
THOMAS "TOM" SULLIVAN, JR.
CLERK OF COURT

C. Anthony
DEPUTY CLERK OF COURT AND EX-OFFICIO NOTARY PUBLIC