

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF HERMAN CONNER, ET AL

NUMBER 1 2 9 7 2 5 DIV. "C"

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

STATE OF LOUISIANA

P E T I T I O N

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.

THE ESTATE OF HERMAN CONNER and THE ESTATE OF CELESTINE A. CONNER are the defendants herein.

2.

The Department of Transportation and Development, proposes to construct in the Parish of St. Mary, a certain project designated as State Project No. 700-51-0110 (H.004932), US 90 (FUTURE I-49) LA 318 INTERCHANGE, DESIGN BUILD PROJECT, STATE ROUTE US 90 WB RAMPS & LA 318 (DU WB-7 & MOT-1A), which project is more fully described by a Certificate of Authorization to Expropriate, approved by the Secretary, Department of Transportation and Development on February 10, 2016, 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.

OFFICE OF GENERAL COUNSEL

0010

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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 her certificate 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 the defendants, required in full ownership, 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 St. Mary, State of Louisiana, and in Section 6, Township 14 South, Range 8 East, Southwestern Land District, identified as Parcel Nos. 1-1 & 1-2, on a white print of a plat of survey, consisting of Sheet No. 1, made by Sam M. Holladay, III, Registered Land Surveyor, dated December 2, 2015, 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

PARCEL NO. 1-1:

From a point on the centerline of State Project No. H.004932, at Highway Survey Station 310+48.48, proceed N51°52'40"W a distance of 40.00 feet to the point of beginning; thence proceed N. 51°52'40"W a distance of 12.50 feet to a point and corner; thence proceed N38°07'20"E a distance of 212.99 feet to a point and corner; thence proceed S88°06'16"E a distance of 15.50 feet to a point and corner; thence proceed S38°07'20"W a distance of 222.15 feet to the point of beginning. All of which comprises Parcel 1-1 as shown on Sheet 1 of the Right of Way Plans of State Project No. H.004932, and contains an area of approximately 2719.6 square feet or 0.062 of an acre.

PARCEL NO. 1-2:

From a point on the centerline of State Project No. H.004932, at Highway Survey Station 313+44.52, proceed S89°31'49"W a distance of 51.18 feet to the point of beginning; thence proceed S38°07'20"W a distance of 22.08 feet to a point and corner; thence proceed N88°06'16"W a distance of 20.94 feet to a point and corner; thence proceed N08°54'57"E a distance of 16.62 feet to a point and corner; thence proceed N89°31'49"E a distance of 31.99 feet to the point of beginning. All of which comprises Parcel 1-2 as shown on Sheet 1 of the Right of Way Plans of State Project No. H.004932, and contains an approximate area of 448.7 square feet or 0.010 of an acre.

Being a portion of the same property acquired by defendants by Acts recorded February 6, 1963, in COB 12-N, Page 101, and May 21, 1970, in COB 16-D, Page 467 of the conveyance records of St. Mary 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 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 a gravel drive, concrete walk, water lateral, sewer lateral, gas lateral and a three plank fence.

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.

13.

The just compensation to which the 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 Twenty Six Thousand Four Hundred Ten and No/100 Dollars (\$26,410.00), 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 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.

18.

Petitioner believes that HERMAN CONNER and CELESTINE A. CONNER are deceased, no succession representative has been appointed, no heirs or legatees have been sent into possession judicially and it is necessary that an Attorney at Law be appointed to represent THE ESTATE OF HERMAN CONNER and THE ESTATE OF CELESTINE A. CONNER as authorized in La. C.C.P. Article 5091, as amended.

WHEREFORE, petitioner prays that an order issue herein directing petitioner to deposit in the registry of this court the sum of Twenty Six Thousand Four Hundred Ten and No/100 Dollars (\$26,410.00) 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 direct the 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 this Parish.

Petitioner further prays that notice of this expropriation be issued and served upon THE ESTATE OF HERMAN CONNER and THE ESTATE OF CELESTINE A. CONNER, 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.

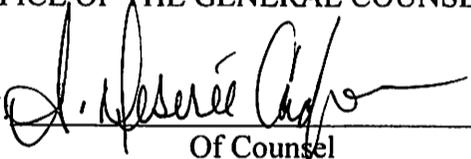
Petitioner further prays that an Attorney at Law be appointed to represent THE ESTATE OF HERMAN CONNER and THE ESTATE OF CELESTINE A. CONNER as authorized by LA C.C.P. Article 5091, as amended.

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 herein there be judgment herein in favor of petitioner fixing the amount of just compensation at a sum not to exceed Twenty Six Thousand Four Hundred Ten and No/100 Dollars (\$26,410.00).

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

BY: 
Of Counsel

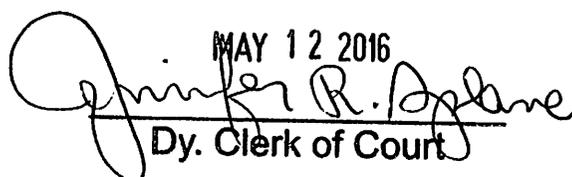
Archana Desiree Cadge
Bar Roll No. 29548
1201 Capitol Access Road
Baton Rouge, LA 70802
P. O. Box 94245
Baton Rouge, LA 70804-9245
PH: (225) 242-4659
FAX: (225) 242-4690
Attorney for State, DOTD

PLEASE SERVE:

Through Court Appointed Curator
Estate of Herman Conner
Last known address:
Route 1, Box 274
Jeanerette, LA 70544

Through Court Appointed Curator
Estate of Celestine A. Conner
Last known address:
Route 1, Box 274
Jeanerette, LA 70544

RECEIVED AND FILED

MAY 12 2016

Dy. Clerk of Court

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF HERMAN CONNER, ET AL

NUMBER 1 2 9 7 2 5 DIV. "C"

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

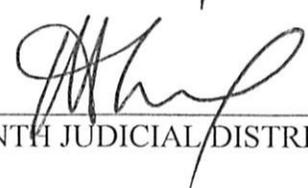
STATE OF LOUISIANA

ORDER

The foregoing considered:

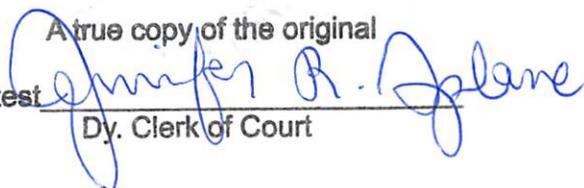
IT IS ORDERED that Marsha McNulty Attorney at Law, whose address is 200 Willow St. Franklin, LA 70538 and whose telephone number is (337) 828-5480, be and is hereby appointed to represent THE ESTATE OF HERMAN CONNER and THE ESTATE OF CELESTINE A. CONNER as authorized in LA C.C.P. Article 5091, as amended.

Franklin, Louisiana, the 12 day of May, 2016.

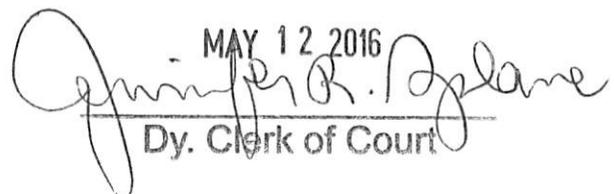

JUDGE, SIXTEENTH JUDICIAL DISTRICT COURT

CLERK'S OFFICE, FRANKLIN, LA

MAY 13 2016

A true copy of the original
Attest 
Dy. Clerk of Court

RECEIVED AND FILED

MAY 12 2016

Dy. Clerk of Court

February 10, 2016

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.004932
STATE PROJECT NO(S). 700-51-0110
US 90 (FUTURE I-49) LA 318 INTERCHANGE
DESIGN-BUILD PROJECT
STATE ROUTE US 90 WB RAMPS &
LA 318 (DU WB-7 & MOT-1A)
PARISH OF ST. MARY

State Project Number H.004932 / 700-51-0110 provides for asphaltic concrete pavement, base course, LG-54 girder span bridge, cold plane & overlay, drainage structures, signing, striping and related work, on US 90 (future I-49) LA 318 Interchange in St Mary Parish, as follows:

Beginning US 90 at approximate Highway Survey Station 100+83.72, then proceed in a southeasterly direction to end at approximate Highway Survey Station 201+71.85.

Beginning LA 318 at approximate Highway Survey Station 310+48.48, then proceed in a northeasterly direction to end at approximate Highway Survey Station 352+00.00. There is a Bridge Site between the following Highway Survey Stations: approximate Highway Survey Station 157+00.00 to approximate Highway Survey Station 175+87.00 (WB) and approximate Highway Survey Station 156+90.00 to 175+77.00 (EB).

The total roadway length is approximately 1.786 miles, and the total bridge length is approximately 0.357 miles for an overall project length of approximately 2.143 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.

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- 1 -

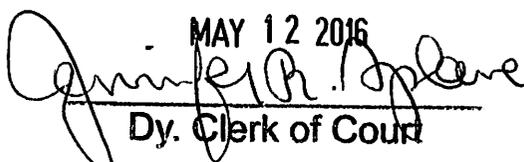
MAY 12 2016

Dy. Clerk of Court

EXHIBIT P-1

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.004932 / 700-51-0110, US 90 (Future I-49) LA 318 Interchange Design-Build Project, State Route US 90 WB Ramps & LA 318 (DU WB-7 & Mot-1A), Parish of St. Mary.

Baton Rouge, Louisiana, this 10 day of February, 2016.



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

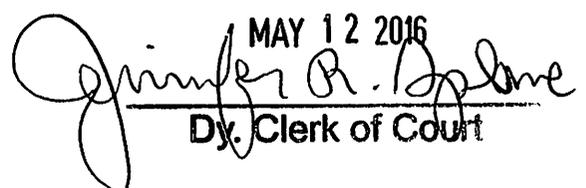
I hereby certify that I have fixed the right of way required to construct STATE
PROJECT NO. H.004932 (DESIGN-BUILD PROJECT), US 90 (FUTURE I-49) LA 318
INTERCHANGE, DESIGN-BUILD PROJECT, ROUTE US 90 EB RAMPS & S. FRONTAGE
RD., ST. MARY PARISH, in a manner sufficient in my judgment to provide presently and in the
future for the public interest, safety and convenience.



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

4-21-16
DATE

RECEIVED AND FILED

MAY 12 2016


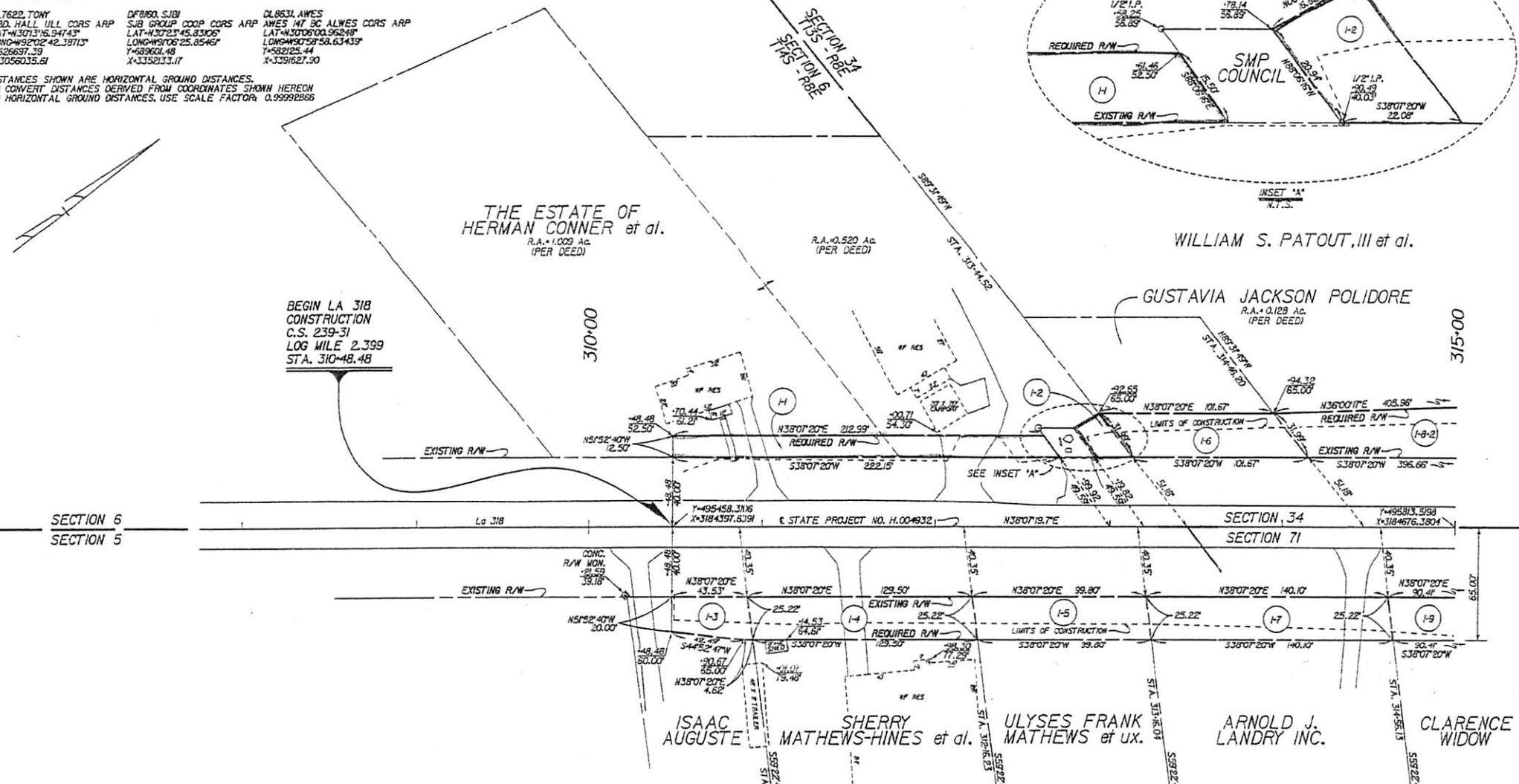
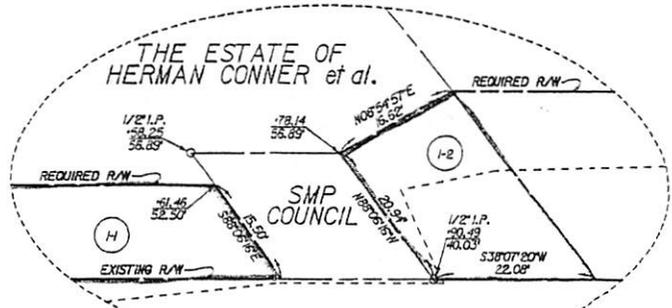
Dy. Clerk of Court

EXHIBIT P-2

10: 12/3/2015

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, 102 SOUTH ZONE (NAD 83 (2011) EPOCH 2010.00) TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 00°09'07.7"
 BASE STATIONS:
 DL7622 TONY ABD. HALL ULL CORS ARP
 LAT=N3013°16.94743" LONG=W82°02'42.38713" Y=626637.39 X=3056035.61
 DFB90 SJBI SUB GROUP COOP CORS ARP
 LAT=N30°23'45.83106" LONG=W81°06'25.85466" Y=639001.48 X=3352133.17
 DL8631 AWES AWES 147 BC ALWES CORS ARP
 LAT=N30°06'00.96248" LONG=W81°07'58.63439" Y=639125.44 X=3391627.30
 3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.99992868

SOUTHWESTERN LAND DISTRICT
 T14S - R8E SECTIONS 5 & 6
 T13S - R8E SECTIONS 34 & 71



PARCEL	OWNER	ACQUISITION	AREA
I-9	CLARENCE WIDOW	DOM BK K PG. 178 JULY 17, 1974	0.052 Ac.
I-9-C-1		C.O.B. 257 PG. 196 DECEMBER 28, 2012	1.100 Ac.
I-9-2	WILLIAM S. PATOUT, III et al.	C.O.B. 149 PG. 112 JANUARY 1, 2008	5.953 Ac.
I-9-1		C.O.B. 149 PG. 112 JANUARY 1, 2008	6.588 Ac.
I-7	ARNOLD J. LANDRY INC.	C.O.B. 23-0 PG. 131 APRIL 20, 1981	0.080 Ac.
I-6	GUSTAVIA JACKSON POLIDORE	C.O.B. 19-4 PG. 551 DECEMBER 2, 1975	0.058 Ac.
I-5	ULYSES FRANK MATHEWS et ux.	C.O.B. 15-W PG. 146 SEPTEMBER 25, 1969	0.057 Ac.
		C.O.B. 24-P PG. 95 MARCH 4, 1987	
		C.O.B. 29-2 PG. 729 DECEMBER 2, 1986	
I-4	SHERRY MATHEWS-HINES et al.	C.O.B. 266 PG. 250 DECEMBER 13, 2012	0.074 Ac.
		C.O.B. 266 PG. 254 DECEMBER 13, 2012	
I-3	ISAAC AUGUSTE	C.O.B. 3-H PG. 197 MARCH 27, 1993	0.023 Ac.
I-2		C.O.B. 12-W PG. 107 FEBRUARY 6, 1963	0.010 Ac.
H	THE ESTATE OF HERMAN CONNER et al.	C.O.B. 16-0 PG. 467 MAY 21, 1970	0.062 Ac.

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 SERVITUDE LINE
 --- SECTION LINE

STATE OF LOUISIANA
 SAM M. HOLLADAY III
 LIC. No. 4760
 LICENSED PROFESSIONAL LAND SURVEYOR
 12/02/2015

RIGHT OF WAY MAP
 STATE PROJECT NO. H.004932
 INTERCHANGE US 90 @ LA 318
 ST. MARY PARISH
 14 - US 90 & LA 318

FILE NO. 04181-028 R/W SHEET NO. 1

Final Right-of-Way Map
 disciplinesurvey\right-of-way\iron sheet1.dgn

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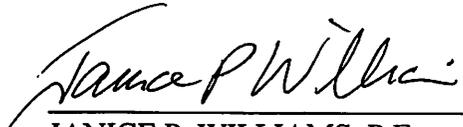
MAY 12 2016

s/Jennifer R. Splane
 DY. CLERK OF COURT

Exh. 3

CERTIFICATE
ON
LOCATION AND DESIGN

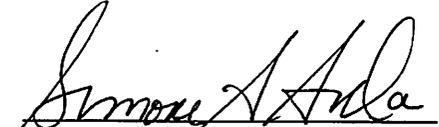
We hereby certify that the location and design of the improvements proposed within STATE PROJECT NO. H.004932 (DESIGN-BUILD PROJECT), US 90 (FUTURE I-49) LA 318 INTERCHANGE, DESIGN-BUILD PROJECT, ROUTE US 90 EB RAMPS & S. FRONTAGE RD., ST. MARY PARISH, are in accordance with the best modern practices adopted in the interest of the safety and convenience of the traveling public.



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

4-21-16

DATE



SIMONE A. ARDOIN, P.E.
ROAD DESIGN ENGINEER

04/19/16

DATE

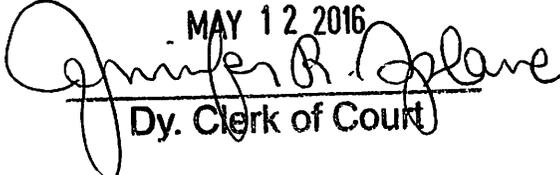


PAUL FOSSIER, P.E.
BRIDGE DESIGN ENGINEER

04/20/16

DATE

RECEIVED AND FILED

MAY 12 2016


Dy. Clerk of Court

EXHIBIT P-4

Parcel No. 1-1 and 1-2
S. P. No. H.004932

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) 1-1 and 1-2, 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	<u>\$ 3,690.00</u>
DAMAGES	<u>\$ 22,720.00</u>
ADDITIONAL COMPENSATION	<u>\$ -0-</u>
TOTAL ESTIMATE OF COMPENSATION	<u>\$ 26,410.00</u>

Methodology Used:

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

Bruce Britt
P.O. Box 545
Glenmora, LA 71433

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

Glenmora, Louisiana, January 12, 2016

Bruce Britt

Bruce Britt
LOUISIANA CERTIFIED GENERAL REAL ESTATE APPRAISER
CERTIFICATE NO. G0102

Total Approved Amount of Compensation to the full
extent of the owner's loss \$ 26,410.00

Heather Corsetino 5/6/2016

HEATHER CORSENTINO Date

Assistant R/E Administrator,
Department of Transportation and
Development, State of Louisiana

RECEIVED AND FILED

MAY 12 2016
Jennifer R. Malone

Dy. Clerk of Court EXHIBIT P-5A

Parcel 1-1 and 1-2

State Project Number H.004932

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) 1-1 and 1-2, 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	\$3,786
DAMAGES	\$8,870
ADDITIONAL COMPENSATION	<u>\$0</u>
TOTAL ESTIMATE OF COMPENSATION	\$12,656

Methodology Used:

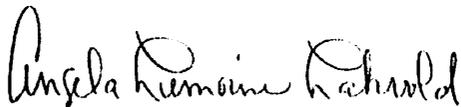
- 1. Sales Comparison Approach
- 2. Cost Approach
- 3. Income Capitalization Approach

Angela Lemoine-Lakvold, MAI, SRA, R/W-AC
The Lakvold Group, LLC
4520 Jamestown Avenue, Suite 1
Baton Rouge, La 70808

Qualifications:

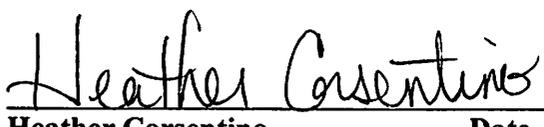
- 1. Designated Appraiser
- 2. Candidate for Designation
- 3. Louisiana Certified Residential Real Estate Appraiser
- 4. Louisiana Certified General Real Estate Appraiser
- 5. Right of Way Appraiser in the regular employ of the Department

Baton Rouge, Louisiana, December 3, 2015.



Angela Lemoine-Lakvold, MAI, SRA, RW-AC
Louisiana State Certified General Appraiser #G0575

Total Approved Amount of Compensation to the full extent of the owner's loss
\$ 26,410.⁰⁰

 5/6/2016
Heather Corsentino Date
Assistant Real Estate Administrator,
Department of Transportation and Development, State of Louisiana

St. Mary Parish Recording Page

Cliff Dressel
Clerk of Court
500 Main Street
P.O. Drawer 1231
Franklin, LA 70538
(337) 828-4100

Received From :
CIVIL

First VENDOR

CONNER, HERMAN -ESTATE

First VENDEE

LOUISIANA STATE OF DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

Index Type : Conveyances

File Number : 324918

Type of Document : Order

Book : 336

Page : 68

Recording Pages : 6

Recorded Information

I hereby certify that the attached document was filed for registry and recorded in the Clerk of Court's office for St. Mary Parish, Louisiana


Deputy Clerk

On (Recorded Date) : 05/12/2016

At (Recorded Time) : 1:15:56PM



Doc ID - 005997200006



Return To :

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF HERMAN CONNER, ET AL

NUMBER 1 2 9 7 2 5 DIV. "C"

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

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 SIX THOUSAND FOUR HUNDRED TEN and NO/100 DOLLARS (\$26,410.00).

AND 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 THE ESTATE OF HERMAN CONNER and THE ESTATE OF CELESTINE A. CONNER 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, 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 St. Mary, State of Louisiana, and in Section 6, Township 14 South, Range 8 East, Southwestern Land District, identified as Parcel Nos. 1-1 & 1-2, on a white print of a plat of survey, consisting of Sheet No. 1, made by Sam M. Holladay, III, Registered Land Surveyor, dated December 2, 2015, 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

PARCEL NO. 1-1:

From a point on the centerline of State Project No. H.004932, at Highway Survey Station 310+48.48, proceed N51°52'40"W a distance of 40.00 feet to the point of beginning; thence proceed N.

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF HERMAN CONNER, ET AL

NUMBER 1 2 9 7 2 5 DIV. "C"

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

STATE OF LOUISIANA

ORDER OF EXPROPRIATION (Continued, p. 2)

51°52'40"W a distance of 12.50 feet to a point and corner; thence proceed N38°07'20"E a distance of 212.99 feet to a point and corner; thence proceed S88°06'16"E a distance of 15.50 feet to a point and corner; thence proceed S38°07'20"W a distance of 222.15 feet to the point of beginning. All of which comprises Parcel 1-1 as shown on Sheet 1 of the Right of Way Plans of State Project No. H.004932, and contains an area of approximately 2719.6 square feet or 0.062 of an acre.

PARCEL NO. 1-2:

From a point on the centerline of State Project No. H.004932, at Highway Survey Station 313+44.52, proceed S89°31'49"W a distance of 51.18 feet to the point of beginning; thence proceed S38°07'20"W a distance of 22.08 feet to a point and corner; thence proceed N88°06'16"W a distance of 20.94 feet to a point and corner; thence proceed N08°54'57"E a distance of 16.62 feet to a point and corner; thence proceed N89°31'49"E a distance of 31.99 feet to the point of beginning. All of which comprises Parcel 1-2 as shown on Sheet 1 of the Right of Way Plans of State Project No. H.004932, and contains an approximate area of 448.7 square feet or 0.010 of an acre.

Being a portion of the same property acquired by defendants by Acts recorded February 6, 1963, in COB 12-N, Page 101, and May 21, 1970, in COB 16-D, Page 467 of the conveyance records of St. Mary 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. 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.

AND IT IS HEREBY FURTHER ORDERED that this Order of Expropriation be recorded in the conveyance records of this Parish.

AND IT IS HEREBY FURTHER ORDERED that the defendants, THE ESTATE OF HERMAN CONNER and THE ESTATE OF CELESTINE A. CONNER, vacate the above described

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF HERMAN CONNER, ET AL

NUMBER 129725 DIV. "C"

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

STATE OF LOUISIANA

ORDER OF EXPROPRIATION (Continued, p.3)

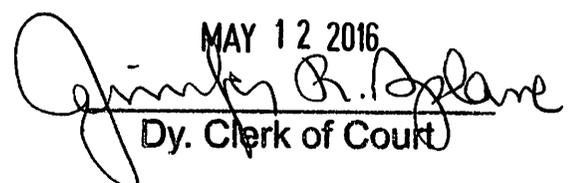
property and surrender possession thereof unto the plaintiff immediately.

Franklin, Louisiana, this 12 day of May, 2016.



JUDGE, SIXTEENTH JUDICIAL DISTRICT COURT

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Dy. Clerk of Court

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

NUMBER 1 2 9 7 2 5 DIV. "C"

VS.

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

ESTATE OF HERMAN CONNER, ET AL.

STATE OF LOUISIANA

RECEIPT

CLIFF DRESSEL, CLERK OF COURT

TO

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

In the cause entitled "STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, VS. ESTATE OF HERMAN CONNER, ET AL" No. 1 2 9 7 2 5 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:

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 St. Mary, State of Louisiana, and in Section 6, Township 14 South, Range 8 East, Southwestern Land District, identified as Parcel Nos. 1-1 & 1-2, on a white print of a plat of survey, consisting of Sheet No. 1, made by Sam M. Holladay, III, Registered Land Surveyor, dated December 2, 2015, 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

PARCEL NO. 1-1:

From a point on the centerline of State Project No. H.004932, at Highway Survey Station 310+48.48, proceed N51°52'40"W a distance of 40.00 feet to the point of beginning; thence proceed N. 51°52'40"W a distance of 12.50 feet to a point and corner; thence

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF HERMAN CONNER, ET AL

NUMBER 1 2 9 7 2 5 DIV. "C"

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

STATE OF LOUISIANA

RECEIPT (Continued)

proceed N38°07'20"E a distance of 212.99 feet to a point and corner; thence proceed S88°06'16"E a distance of 15.50 feet to a point and corner; thence proceed S38°07'20"W a distance of 222.15 feet to the point of beginning. All of which comprises Parcel 1-1 as shown on Sheet 1 of the Right of Way Plans of State Project No. H.004932, and contains an area of approximately 2719.6 square feet or 0.062 of an acre.

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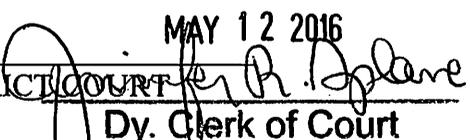
Being a portion of the same property acquired by defendants by Acts recorded February 6, 1963, in COB 12-N, Page 101, and May 21, 1970, in COB 16-D, Page 467 of the conveyance records of St. Mary Parish, State of Louisiana.

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 Six Thousand Four Hundred and No/100 Dollars (\$26,410.00) 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 Franklin, Louisiana, this 12th day of May, 2016.

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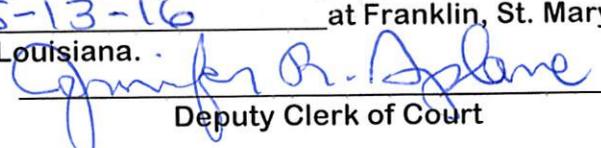

DEPUTY CLERK OF COURT, SIXTEENTH JUDICIAL DISTRICT COURT

MAY 12 2016

Dy. Clerk of Court

STATE OF LOUISIANA
PARISH OF ST. MARY

I, the undersigned Deputy Clerk, 16th Judicial District Court, St. Mary Parish, LA, Ex-Officio Recorder, thereof, duly commissioned and qualified, do hereby certify that the attached is a true and correct copy of the original judgment rendered of date 5-12-16, filed in Civil ^{order} ~~Probate~~ proceeding No 129,725 and recorded in Conv.-Mtg. Book 336, Entry No. 324918, Page 68 of date 5-12-16.

IN EVIDENCE WHEREOF, witness my official signature and impress of the seal of my office this 5-13-16 at Franklin, St. Mary Parish, Louisiana.


Deputy Clerk of Court