

SUIT NUMBER: 1 2 9 7 6 4

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

STATE OF LOUISIANA

STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF JOSEPH A. KOURY, ET AL

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.

ESTATE OF JOSEPH A. KOURY, MARIE JOUBAN KOURY and TRIANGLE FARMS,

LESSEE 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, on 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.

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

OFFICE OF GENERAL COUNSEL

2016 MAY 28 AM 4:04

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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 ESTATE OF JOSEPH A. KOURY AND MARIE JOUBAN KOURY, subject to a lease in favor of TRIANGLE FARMS, required in full ownership, and described as follows, to-wit:

Two (2) certain tracts or parcels of land, 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 71, Township 13 South, Range 8 East, Southwestern Land District, identified as Parcel Nos. 2-3 & 2-4, on a white print of a plat of survey, consisting of Sheet Nos. 2, 12 & 13, 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. 2-3:

From a point on the centerline of State Project No. H.004932, at Highway Survey Station 317+88.24, proceed S59°22'41"E a distance of 40.34 feet to the point of beginning; thence proceed N38°07'20"E a distance of 19.37 feet to a point and corner; thence proceed S51°52'40"E a distance of 55.00 feet to a point and corner; thence proceed S80°30'37"W a distance of 18.66 feet to a point and corner; thence proceed N59°22'41"W a distance of 42.79 feet to the point of beginning. All of which comprises Parcel 2-3 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.004932, and contains an area of approximately 789.8 square feet or 0.018 of an acre.

PARCEL NO. 2-4:

From a point on the centerline of State Project No. H.004932, at Highway Survey Station 701+70.00, proceed N38°07'20"E a distance of 65.00 feet to the point of beginning; thence proceed S51°52'40"E a distance of 6.00 feet to a point and corner; thence proceed along a curve to the left having a radius of 1175.00 feet, whose length is 707.66 feet and whose chord length is 697.02 feet and bears S69°07'53"E to a point and corner; thence proceed S59°43'24" a distance of 247.60 feet to a point and corner; thence proceed along a curve to the right having a radius of 1305.00 feet, whose length is 1008.30 feet and whose chord length is 983.41 feet and bears N74°00'45"W to a point and corner; thence proceed N51°52'40"W a distance of 6.00 feet to a point and corner; thence proceed N38°07'20"E a distance of 130.00 feet to the point of beginning. All of which comprises Parcel 2-4 as shown on Sheets 2, 12 & 13 of the

Right of Way Plans of State Project No. H.004932, and contains an area of approximately 112949.0 square feet or 2.593 acres.

6.

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

7.

The above described property is owned by the Estate of Joseph A. Koury and Marie Jouban Koury, subject to a lease in favor of Triangle Farms, Lessee.

8.

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

9.

There are no buildings or improvements situated wholly or partially upon the above described property.

10.

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.

11.

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 the rights and interests of the lessee, subject to the mineral reservation set forth below, which property petitioner has attempted to acquire amicably but has been unable to do so.

12.

Therefore, it is necessary for petitioner to expropriate in full ownership the above described property, together with all the rights and interests of the lessee, subject to the mineral reservation set forth below.

13.

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.

14.

The just compensation to which the defendants are entitled, being the compensation for the full ownership of the above described property, together with all the rights and interests of the lessee, subject to the mineral reservation set forth herein, has been estimated to be the sum of Ninety Nine Thousand Two Hundred Sixty Two and No/100 Dollars (\$99,262.00), as shown by the written estimate of compensation marked "Exhibit P-5A" and "Exhibit P-5B," annexed hereto and made a part hereof.

15.

Petitioner is entitled to expropriate the full ownership of the above described property, and together with all the rights and interests of the lessee, 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.

16.

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

17.

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.

18.

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 Louisiana Code of Civil Procedure.

Petitioner believes that JOSEPH A. KOURY is 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 JOSEPH A. KOURY, 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 Ninety Nine Thousand, Two Hundred Sixty Two and No/100 Dollars (\$99,262.00), for payment to the person or persons entitled thereto, and declaring that the full ownership of the above described property, together with all the rights and interests of the lessee, 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 , 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.

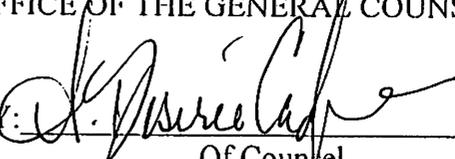
PETITIONER FURTHER PRAYS that an Attorney at Law be appointed to represent THE ESTATE OF JOSEPH A. KOURY, as authorized by LA C.C.P. Article 5091, as amended.

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. Article 48:451, 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 \$99,262.00.

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

BY: 
Of Counsel

Archana Desiree Cadge
Bar Roll No. 29548
P.O. Box 94245
Baton Rouge, LA 70804-9245
Telephone: (225) 242-4659
Facsimile: (225) 242-4690
Attorney for State, DOTD

PLEASE SERVE:

Through Court Appointed Curator
ESTATE OF JOSEPH A. KOURY
Last known address:
117 Huntington Dr.
Lafayette, LA 70508

MARIE JOUBAN KOURY
117 Huntington Dr.
Lafayette, LA 70508

TRIANGLE FARMS
Through Partner
William S. Patout, III, LLC
205 Main St.
Franklin, LA 70538

TRIANGLE FARMS
Through Partner
Robert B. Patout
3111 Enterprise Dr.
Jeanerette, LA 70544

TRIANGLE FARMS
Through Partner
M.R.P., Inc.
c/o Louise Fugua
305 Ashton St.
New Iberia, LA 70563

TRIANGLE FARMS
Through Partner
Robert H. Smith
9034 Glenwood Blvd.
Abbeville, LA 70510

TRIANGLE FARMS
Through Agent for Service
Rudy Hebert
5614 East Admiral Doyle Drive
Jeanerette, LA 70544

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MAY 23 2016

s/Jennifer R. Splane
DY. CLERK OF COURT

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF JOSEPH A. KOURY, ET AL

SUIT NUMBER: 129764

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

STATE OF LOUISIANA

DIV. "C"

ORDER

The foregoing considered:

IT IS ORDERED that Joseph Tabb, Attorney at Law,
whose address is 111 Wilson St.; Franklin, LA 70538, and
whose telephone number is (337) 828-0454, be and is hereby appointed to represent
THE ESTATE OF JOSEPH A. KOURY as authorized in La. C.C.P. Article 5091, as amended.

Franklin, Louisiana, the 23rd day of May, 2016.

[Signature]
JUDGE, SIXTEENTH JUDICIAL DISTRICT COURT

CLERK'S OFFICE, FRANKLIN, LA

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MAY 25 2016

MAY 23 2016

A true copy of the original
Attest [Signature]
Dy. Clerk of Court

[Signature]
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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MAY 23 2016

s/Jennifer R. Splane
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.

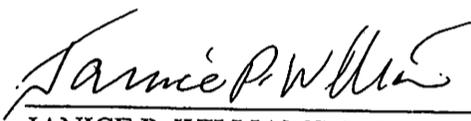
SECRETARY

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

5/12/16
DATE

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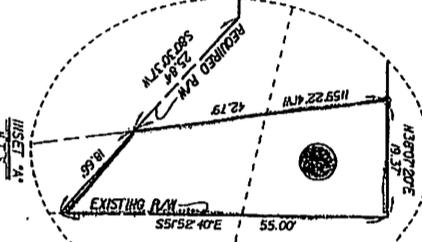
s/Jennifer R. Splane
DY. CLERK OF COURT



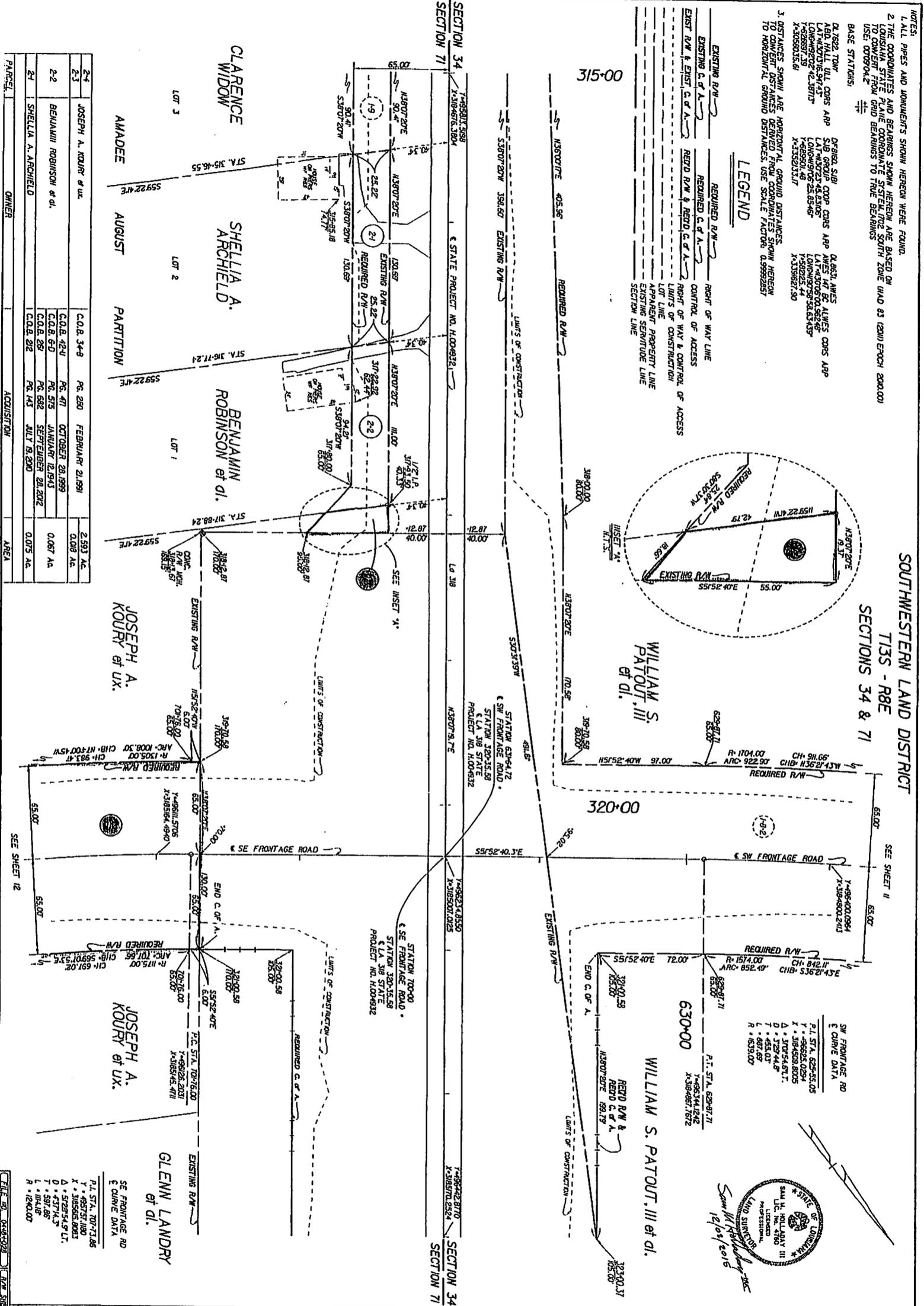
- NOTES:
1. ALL PIPES AND MONUMENTS SHOWN HEREON WERE FOUND.
 2. THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE NAD 83 (2011 EPOCH) 2000.00 TO ORIGIN FROM GRID BEARINGS TO TRUE BEARINGS USING 0099042.
 3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. TO CONVERT DISTANCES OBTAINED FROM COORDINATES SHOW HEREON TO HORIZONTAL GROUND DISTANCES USE SCALE FACTOR: 0.9992957

LEGEND

- EXISTING R/W
- REQUIRED R/W
- RIGHT OF WAY LINE
- CONTROL OF ACCESS
- RIGHT OF WAY & CONTROL OF ACCESS
- LIMITS OF CONSTRUCTION
- LOT LINE
- APPARENT PROPERTY LINE
- EXISTING SEWITUDE LINE
- SECTION LINE



SOUTHWESTERN LAND DISTRICT
T13S - R8E
SECTIONS 34 & 71



PARCEL	OWNER	ACQUISITION	AREA
2-4	JOSEPH A. KOURY et ux.	PG. 280 FEBRUARY 2, 1891	2.593 AC
2-3		PG. 471 OCTOBER 28, 1899	0.067 AC
2-2	BENJAMIN ROBINSON et al.	PG. 575 JANUARY 12, 1913	0.067 AC
2-1	SHELLIA A. ARCHFIELD	PG. 682 SEPTEMBER 28, 2002	0.075 AC

SE FRONTAGE RD	CH	ARC	CHB	CHS
1155.00	101.65	117.00	117.00	117.00
1175.00	101.65	117.00	117.00	117.00
1195.00	101.65	117.00	117.00	117.00
1215.00	101.65	117.00	117.00	117.00
1235.00	101.65	117.00	117.00	117.00
1255.00	101.65	117.00	117.00	117.00
1275.00	101.65	117.00	117.00	117.00
1295.00	101.65	117.00	117.00	117.00
1315.00	101.65	117.00	117.00	117.00
1335.00	101.65	117.00	117.00	117.00
1355.00	101.65	117.00	117.00	117.00
1375.00	101.65	117.00	117.00	117.00
1395.00	101.65	117.00	117.00	117.00
1415.00	101.65	117.00	117.00	117.00
1435.00	101.65	117.00	117.00	117.00
1455.00	101.65	117.00	117.00	117.00
1475.00	101.65	117.00	117.00	117.00
1495.00	101.65	117.00	117.00	117.00
1515.00	101.65	117.00	117.00	117.00
1535.00	101.65	117.00	117.00	117.00
1555.00	101.65	117.00	117.00	117.00
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1595.00	101.65	117.00	117.00	117.00
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2015.00	101.65	117.00	117.00	117.00
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2075.00	101.65	117.00	117.00	117.00
2095.00	101.65	117.00	117.00	117.00
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2135.00	101.65	117.00	117.00	117.00
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2175.00	101.65	117.00	117.00	117.00
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2435.00	101.65	117.00	117.00	117.00
2455.00	101.65	117.00	117.00	117.00
2475.00	101.65	117.00	117.00	117.00
2495.00	101.65	117.00	117.00	117.00
2515.00	101.65	117.00	117.00	117.00
2535.00	101.65	117.00	117.00	117.00
2555.00	101.65	117.00	117.00	117.00
2575.00	101.65	117.00	117.00	117.00
2595.00	101.65	117.00	117.00	117.00
2615.00	101.65	117.00	117.00	117.00
2635.00	101.65	117.00	117.00	117.00
2655.00	101.65	117.00	117.00	117.00
2675.00	101.65	117.00	117.00	117.00
2695.00	101.65	117.00	117.00	117.00
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2735.00	101.65	117.00	117.00	117.00
2755.00	101.65	117.00	117.00	117.00
2775.00	101.65	117.00	117.00	117.00
2795.00	101.65	117.00	117.00	117.00
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2995.00	101.65	117.00	117.00	117.00
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3395.00	101.65	117.00	117.00	117.00
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3435.00	101.65	117.00	117.00	117.00
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3875.00	101.65	117.00	117.00	117.00
3895.00	101.65	117.00	117.00	117.00
3915.00	101.65	117.00	117.00	117.00
3935.00	101.65	117.00	117.00	117.00
3955.00	101.65	117.00	117.00	117.00
3975.00	101.65	117.00	117.00	117.00
3995.00	101.65	117.00	117.00	117.00
4015.00	101.65	117.00	117.00	117.00
4035.00	101.65	117.00	117.00	117.00
4055.00	101.65	117.00	117.00	117.00
4075.00	101.65	117.00	117.00	117.00
4095.00	101.65	117.00	117.00	117.00
4115.00	101.65	117.00	117.00	117.00
4135.00	101.65	117.00	117.00	117.00
4155.00	101.65	117.00	117.00	117.00
4175.00	101.65	117.00	117.00	117.00
4195.00	101.65	117.00	117.00	117.00
4215.00	101.65	117.00	117.00	117.00
4235.00	101.65	117.00	117.00	117.00
4255.00	101.65	117.00	117.00	117.00
4275.00	101.65	117.00	117.00	117.00
4295.00	101.65	117.00	117.00	117.00
4315.00	101.65	117.00	117.00	117.00
4335.00	101.65	117.00	117.00	117.00
4355.00	101.65	117.00	117.00	117.00
4375.00	101.65	117.00	117.00	117.00
4395.00	101.65	117.00	117.00	117.00
4415.00	101.65	117.00	117.00</	

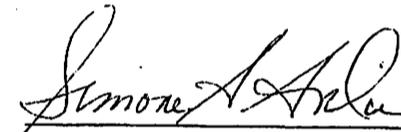
CERTIFICATE
ON
LOCATION AND DESIGN

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.



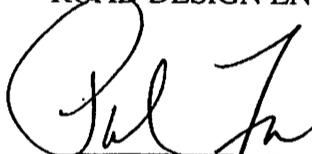
JANICE P. WILLIAMS, P.E.
DOTD CHIEF ENGINEER

5-12-16
DATE



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

05/11/16
DATE



PAUL FOSSIER, P.E.
BRIDGE DESIGN ENGINEER

5/11/16
DATE

RECEIVED AND FILED

MAY 23 2016

s/Jennifer R. Splane
DY. CLERK OF COURT

EXHIBIT P-4

Parcel No. 2-3 and 2-4
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) 2-3, 2-4, 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>\$ 24,407.00</u>
DAMAGES	<u>\$ 36,629.00</u>
ADDITIONAL COMPENSATION	<u>\$ 38,226.00</u>
TOTAL ESTIMATE OF COMPENSATION	<u>\$ 99,262.00</u>

Methodology Used:

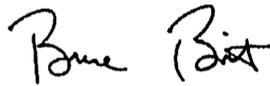
- 1. Sales Comparison Approach
- 2. Cost Approach
- 3. Income Capitalization Approach

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, December 3, 2015.



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 \$ 99,262.00

Heather Corsetino 5/16/2016
Date

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

RECEIVED AND FILED

MAY 23 2016

s/Jennifer R. Splane
DY. CLERK OF COURT

EXHIBIT P-5A

Parcels 2-3 and 2-4

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) 2-3 and 2-4, 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	\$46,072
DAMAGES	\$4,548
ADDITIONAL COMPENSATION	<u>\$30,379</u>
TOTAL ESTIMATE OF COMPENSATION	\$80,999

Methodology Used:

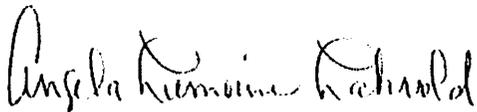
- 1. Sales Comparison Approach
- 2. Cost Approach
- 3. Income Capitalization Approach

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

Qualifications:

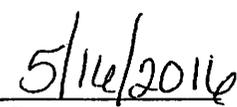
- 1. Designated Appraiser
- 2. Candidate for Designation
- 3. Louisiana Certified Residential Real Estate Appraiser
- 4. Louisiana Certified General Real Estate Appraiser
- 5. Right of Way Appraiser in the regular employ of the Department

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
\$ 99,262.00.

Heather Corsentino Date
Assistant Real Estate Administrator,
Department of Transportation and Development, State of Louisiana

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF JOSEPH A. KOURY, ET AL

SUIT NUMBER: 1 2 9 7 6 4 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 \$99,262.00.

AND IT IS HEREBY FURTHER ORDERED that the full ownership of the property described below, together with all the rights and interests of the lessee, subject to the reservation in favor of ESTATE OF JOSEPH A. KOURY, MARIE JOUBAN KOURY and TRIANGLE FARMS, LESSEE 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, 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 71, Township 13 South, Range 8 East, Southwestern Land District, identified as Parcel Nos. 2-3 & 2-4, on a white print of a plat of survey, consisting of Sheet Nos. 2, 12 & 13, 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. 2-3:

From a point on the centerline of State Project No. H.004932, at Highway Survey Station 317+88.24, proceed S59°22'41"E a distance of 40.34 feet to the point of beginning; thence proceed N38°07'20"E a distance of 19.37 feet to a point and corner; thence proceed S51°52'40"E a distance of 55.00 feet to a point and corner; thence proceed S80°30'37"W a distance of 18.66 feet to a point and corner; thence proceed N59°22'41"W a distance of 42.79 feet to the point of beginning. All of which comprises Parcel 2-3 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.004932, and contains an area of approximately 789.8 square feet or 0.018 of an acre.

OFFICE OF GENERAL COUNSEL

2016 MAY 28 AM 4:03

RECEIVED

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF JOSEPH A. KOURY, ET AL

SUIT NUMBER: 1 2 9 7 6 4 DIV. "C"

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

STATE OF LOUISIANA

ORDER OF EXPROPRIATION (Continued)

PARCEL NO. 2-4:

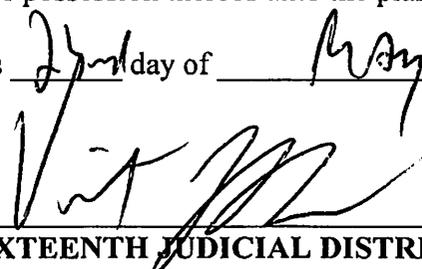
From a point on the centerline of State Project No. H.004932, at Highway Survey Station 701+70.00, proceed N38°07'20"E a distance of 65.00 feet to the point of beginning; thence proceed S51°52'40"E a distance of 6.00 feet to a point and corner; thence proceed along a curve to the left having a radius of 1175.00 feet, whose length is 707.66 feet and whose chord length is 697.02 feet and bears S69°07'53"E to a point and corner; thence proceed S59°43'24" a distance of 247.60 feet to a point and corner; thence proceed along a curve to the right having a radius of 1305.00 feet, whose length is 1008.30 feet and whose chord length is 983.41 feet and bears N74°00'45"W to a point and corner; thence proceed N51°52'40"W a distance of 6.00 feet to a point and corner; thence proceed N38°07'20"E a distance of 130.00 feet to the point of beginning. All of which comprises Parcel 2-4 as shown on Sheets 2, 12 & 13 of the Right of Way Plans of State Project No. H.004932, and contains an area of approximately 112949.0 square feet or 2.593 acres.

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.

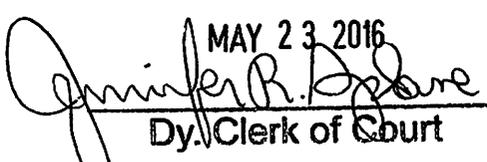
AND IT IS HEREBY FURTHER ORDERED that the defendants, ESTATE OF JOSEPH A. KOURY, MARIE JOUBAN KOURY and TRIANGLE FARMS, LESSEE, vacate the above described property and surrender possession thereof unto the plaintiff immediately.

Franklin, Louisiana, this 22nd day of May, 2016.



JUDGE, SIXTEENTH JUDICIAL DISTRICT COURT

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MAY 23 2016

Dy. Clerk of Court

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

SUIT NUMBER 1 2 9 7 6 4 DIV. "C"

VS.

JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

ESTATE OF JOSEPH A. KOURY

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 JOSEPH A. KOURY" No. 1 2 9 7 6 4 of the docket of said court, the State of Louisiana seeks the expropriation of the full ownership of the property described below, subject to the reservation in favor of the owners 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, 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 71, Township 13 South, Range 8 East, Southwestern Land District, identified as Parcel Nos. 2-3 & 2-4, on a white print of a plat of survey, consisting of Sheet Nos. 2, 12 & 13, 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. 2-3:

From a point on the centerline of State Project No. H.004932, at Highway Survey Station 317+88.24, proceed S59°22'41"E a distance of 40.34 feet to the point of beginning; thence proceed N38°07'20"E a distance of 19.37 feet to a point and corner; thence proceed S51°52'40"E a distance of 55.00 feet to a point and corner; thence proceed S80°30'37"W a distance of 18.66 feet to a point and corner;

thence proceed N59°22'41"W a distance of 42.79 feet to the point of beginning. All of which comprises Parcel 2-3 as shown on Sheet 2 of the Right of Way Plans of State Project No. H.004932, and contains an area of approximately 789.8 square feet or 0.018 of an acre.

PARCEL NO. 2-4:

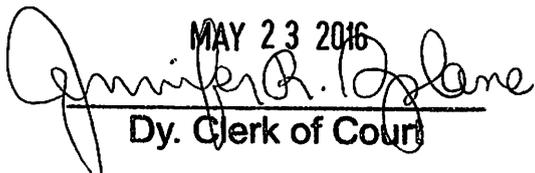
From a point on the centerline of State Project No. H.004932, at Highway Survey Station 701+70.00, proceed N38°07'20"E a distance of 65.00 feet to the point of beginning; thence proceed S51°52'40"E a distance of 6.00 feet to a point and corner; thence proceed along a curve to the left having a radius of 1175.00 feet, whose length is 707.66 feet and whose chord length is 697.02 feet and bears S69°07'53"E to a point and corner; thence proceed S59°43'24" a distance of 247.60 feet to a point and corner; thence proceed along a curve to the right having a radius of 1305.00 feet, whose length is 1008.30 feet and whose chord length is 983.41 feet and bears N74°00'45"W to a point and corner; thence proceed N51°52'40"W a distance of 6.00 feet to a point and corner; thence proceed N38°07'20"E a distance of 130.00 feet to the point of beginning. All of which comprises Parcel 2-4 as shown on Sheets 2, 12 & 13 of the Right of Way Plans of State Project No. H.004932, and contains an area of approximately 112949.0 square feet or 2.593 acres.

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 Ninety Nine Thousand Two Hundred Sixty Two and No/100 Dollars (\$99,262.00) 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/she has placed same in the registry of said court.

Signed at Franklin, Louisiana, this 23rd day of May, 2016.


DEPUTY CLERK OF COURT, SIXTEENTH JUDICIAL DISTRICT COURT

RECEIVED AND FILED

MAY 23 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 Order & Receipt on file and recorded in Conv. Book 336, Entry No. 324995, Page 458 of date 5-23-16.

IN EVIDENCE WHEREOF, witness my official signature and impress of the seal of my office this 5-25-16 at Franklin, St. Mary Parish, Louisiana.

Cynthia R. Aylane
Deputy Clerk of Court