

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

VS.

MILITARY ROAD PARCEL E, LLC

NUMBER 2016-12712 J

22<sup>ND</sup> JUDICIAL DISTRICT COURT

PARISH OF ST. TAMMANY

STATE OF LOUISIANA

**FILED**

JUN 30 2016

MALISE PRIETO - CLERK  
Deputy  
~~S/ADDIE TROXCLAR~~

**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.

MILITARY ROAD PARCEL E, LL C is the defendant herein.

2.

The Department of Transportation and Development, proposes to construct in the Parish of St. Tammany, a certain project designated as State Project No. H.008369, US 11 @ CLEO ROAD, State Route US 11, which project is more fully described by a Certificate of Authorization to Expropriate, approved by the Secretary, Department of Transportation and Development on March 2, 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 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 defendant, required in full ownership, and described as follows, to-wit:

One certain tract or parcel of land, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, and in Section 13, Township 8 South, Range 14 East, Greensburg Land District, identified as Parcel No. 1-4, on a white print of a plat of survey, consisting of Sheet Nos. 1 & 2, made by Max O. Usrey, III & Robert H. Brooks, III, Registered Land Surveyors, dated April 30, 2015, revised, annexed to the above numbered and entitled suit, said tract or parcel being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

REQUIRED IN FULL OWNERSHIP

PARCEL NO. 1-4:

From a point on the centerline of State Project No. H.008369 at Highway Survey Station 103+70.00, proceed N47°18'10E" a distance of 40.00 feet to the point of beginning; thence proceed S67°11'40"E a distance of 188.80 feet to a point and corner; thence proceed S55°41'08"E a distance of 100.00 feet to a point and corner; thence proceed S20°46'04"E a distance of 91.47 feet to a point and corner; thence proceed N55°10'57"W a distance of 249.89 feet to a point and corner; thence proceed along a curve to the right having a radius of 532.96 feet, whose length is 111.03 feet and whose chord length is 110.83 feet and bears N49°12'51"W to the point of beginning. All of which comprises Parcel No. 1-4 as shown on Sheet Nos. 1 and 2 of the Right of Way Plans of State Project NO. H.008369 and contains approximately 12410.3 square feet or 0.285 of an acre.

6.

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

7.

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

8.

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

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, 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, 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 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 above described property, subject to the mineral reservation set forth herein, has been estimated to be the sum of Fifty-Two Thousand Seven Hundred Sixty Two and NO/100 Dollars (\$52, 762.00), 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, subject to the mineral reservation set forth herein, in a manner authorized by Article 1, Section 4 of

the Constitution of the State of Louisiana for the year 1974, and Title 48 of the Louisiana Revised Statutes of 1950, Sections 441 to 460, inclusive as amended and reenacted.

15.

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

16.

Petitioner desires to utilize the cash deposit authorized by Article 1734.1 of the Louisiana Code of Civil Procedure and desires that the amount of the deposit be fixed as required by law.

17.

Petitioner requests written notice at least thirty (30) days prior thereto of any trial, motion or other proceeding scheduled to come before this Honorable Court in this lawsuit in accordance with Title 48 of the Louisiana Revised Statutes, Section 451, and also requests notice of any interlocutory or final order, decree or judgment rendered and signed in this lawsuit as provided by the Louisiana Code of Civil Procedure.

WHEREFORE, petitioner prays that an order issue herein directing petitioner to deposit in the registry of this court the sum of Fifty-Two Thousand Seven Hundred Sixty Two and NO/100 Dollars (\$52, 762.00) for payment to the person or persons entitled thereto, and declaring that the full ownership of the above described property, 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 defendant 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 MILITARY ROAD PARCEL E, LLC, together with a certified copy of this petition, the order of expropriation of this court and the receipt of the Clerk of Court for the deposit made, according to law.

Petitioner further prays that this matter be tried by jury and that it be allowed to utilize the cash deposit authorized by LA C.C.P. Article 1734.1.

Petitioner further prays that it be served with written notice of any trial, motion or other proceeding scheduled before this Honorable Court in accordance with LA R.S. 48:451, and that it be served with notice of any interlocutory or final order, decree or judgment rendered and signed as provided by the Louisiana Code of Civil Procedure.

Petitioner further prays that upon a final hearing herein there be judgment herein in favor of petitioner fixing the amount of just compensation at a sum not to exceed Fifty-Two Thousand Seven Hundred Sixty Two and NO/100 Dollars (\$52,762.00).

LOUISIANA DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT  
OFFICE OF THE GENERAL COUNSEL

BY:  \_\_\_\_\_  
Of Counsel

Jonathan C. Augustine  
Bar Roll No. 27363  
1201 Capitol Access Road  
Baton Rouge, LA 70802  
P. O. Box 94245  
Baton Rouge, LA 70804-9245  
PH: (225) 242-4619  
FAX: (225) 242-4690  
Attorney for State, DOTD

PLEASE SERVE:

MILITARY ROAD PARCEL E, LLC  
Through Agent for Service of Process  
Brian Baker  
2301 Gause Blvd. E  
Slidell, LA 70461

A TRUE COPY  
*Addie Seaman*  
CLERK 22<sup>ND</sup> JUD. DIST. COURT  
ST. TAMMANY PARISH, LA

FILED

JUN 3 0 2016

2016-127125

MALISE PRIETO-CLERK  
Deputy ADDIE TROXCLAIR

March 2, 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.008369  
STATE PROJECT NO(S). 852-26-0021  
US 11 @ CLEO ROAD  
STATE ROUTE US 11  
PARISH OF ST. TAMMANY

State Project Number H.008369 / 852-26-0021 provides for asphaltic concrete pavement and widening, roundabout, drainage structures, signing and striping, and related work along State Route US 11, US 11 @ Cleo Road in St. Tammany Parish, as follows:

Beginning US 11 at approximate Highway Survey Station 101+39.36, then proceed in a southeasterly direction to end at approximate Highway Survey Station 110+94.00.

Beginning Cleo Road at approximate Highway Survey Station 45+79.84, then proceed in a northeasterly direction to end at approximate Highway Survey Station 50+00.00.

The total roadway length is approximately 0.260 mile, for an overall project length of approximately 0.260 mile.

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

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

It is necessary and useful to take, by expropriation for highway purposes and in the manner provided by law, in servitude or in full ownership, the property and property rights not otherwise acquired, which are needed for the proper construction of said project.

Pursuant to the authority vested in me by the provisions of L.R.S. 36:501 et seq., and L.R.S. 48:11 et seq., as Secretary of the Department of Transportation and Development, it is necessary and useful to take and, as required by L.R.S. 48:442(3)(a), I hereby approve and authorize the Department of Transportation and Development to take by expropriation for highway purposes and in the manner provided by law, in servitude or in full ownership, the property and property rights not otherwise acquired, and which are needed for the proper construction of State Project No(s). H.008369 / 852-26-0021, US 11 @ Cleo Road, State Route US 11, Parish of St. Tammany.

Baton Rouge, Louisiana, this 2 day of March, 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).

2016-12712 J  
**FILED**

CERTIFICATE  
ON  
CHIEF ENGINEER

JUN 30 2016

MALISE PRIETO-CLERK  
Deputy  
~~SHODIE TROYCLAIR~~

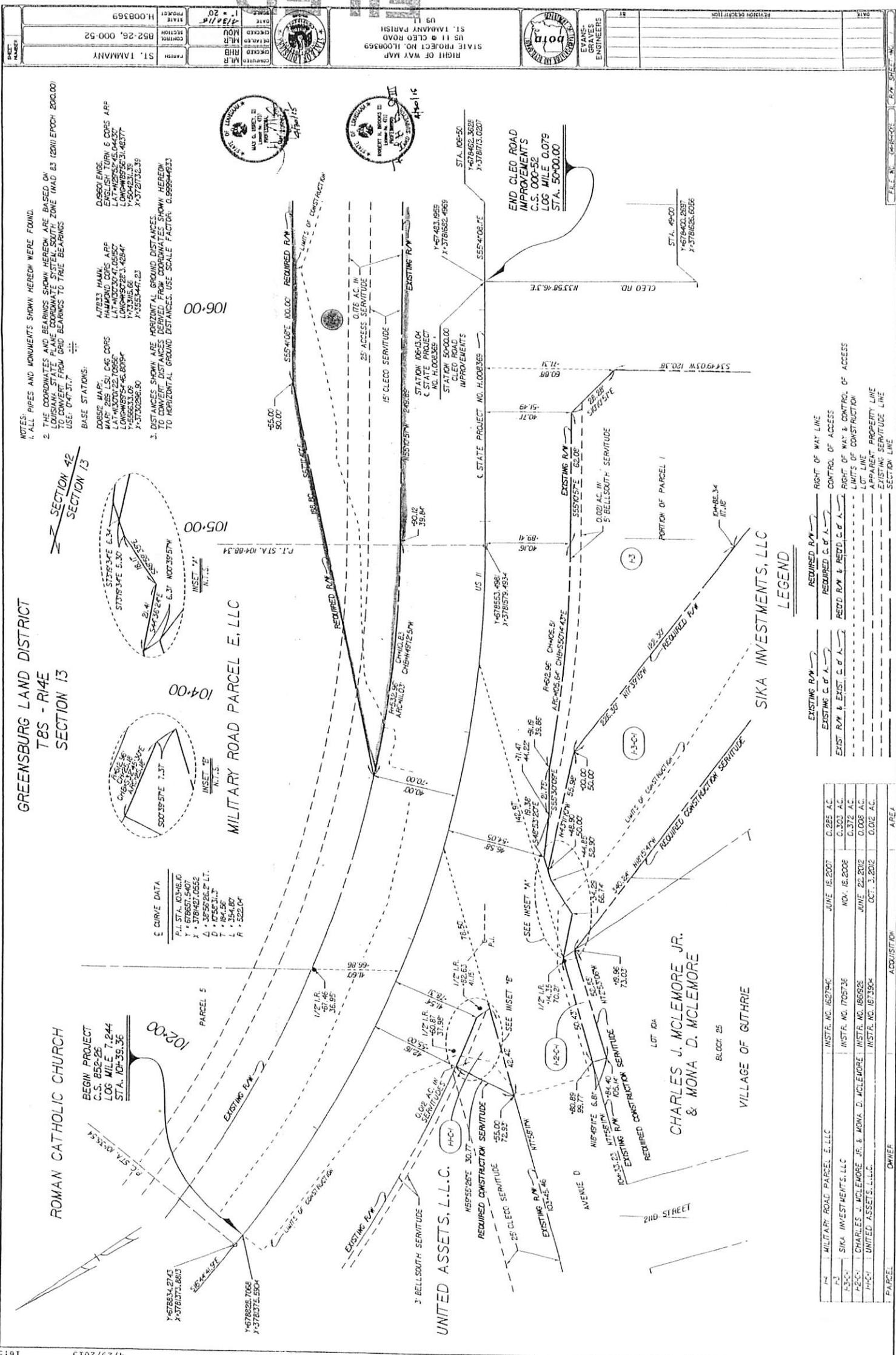
I hereby certify that I have fixed the right of way required to construct STATE PROJECT NO. H.008369, US 11 @ CLEO ROAD, ROUTE US 11, ST. TAMMANY PARISH, in a manner sufficient in my judgment to provide presently and in the future for the public interest, safety and convenience.

*Janice P. Williams* 6-14-16  
\_\_\_\_\_  
JANICE P. WILLIAMS, P.E. DATE  
DOTD CHIEF ENGINEER

2016-127125  
 JUN 8 0 2016

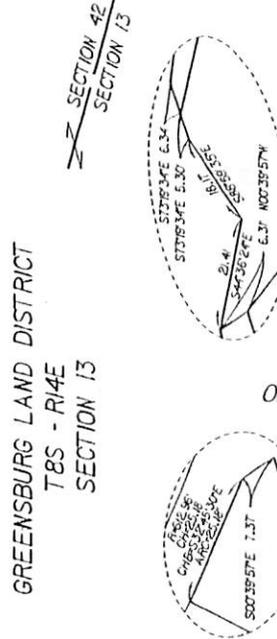
MALISE PRIETO-CLEEK  
 DEPWADIE TROXCIAR

FILED



**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 (2011) EPOCH 2000.00) TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 04731.7  
 3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. SHOW HEREON TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.99994633

**BASE STATIONS:**  
 DORSSE MAP: 1709.6 CORP'S APP. ENCLISSE TOWN 6 CORP'S APP. HAMMOND CORP'S APP. LOWMEYER 106.043277 LOWMEYER 106.043277 LOWMEYER 106.043277 LOWMEYER 106.043277  
 ALTESS MAP: 1709.6 CORP'S APP. HAMMOND CORP'S APP. LOWMEYER 106.043277 LOWMEYER 106.043277 LOWMEYER 106.043277 LOWMEYER 106.043277



**GREENSBURG LAND DISTRICT**  
**TBS - R14E**  
**SECTION 13**

**ROMAN CATHOLIC CHURCH**

**MILITARY ROAD PARCEL E, LLC**

**UNITED ASSETS, L.L.C.**

**SIKA INVESTMENTS, LLC**

**CHARLES J. MCLEMORE JR. & MONA D. MCLEMORE**

**VILLAGE OF GUTHRIE**

**LEGEND**

EXISTING R/W	REQUIRED R/W	RIGHT OF WAY LINE
EXISTING C.O.A.	REQUIRED C.O.A.	CONTROL OF ACCESS
EXIST. R/W & EXIST. C.O.A.	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

PARCEL	OWNER	ACQUISITION	AREA
P-1	MILITARY ROAD PARCEL E, LLC	INST. NO. 162794	0.285 AC
P-2	SIKA INVESTMENT E, LLC	INST. NO. 170736	0.353 AC
P-3	CHARLES J. MCLEMORE JR. & MONA D. MCLEMORE	INST. NO. 166926	0.372 AC
P-4	UNITED ASSETS, L.L.C.	INST. NO. 167304	0.008 AC
P-5			0.012 AC



2016-12712J  
FILED

CERTIFICATE

ON

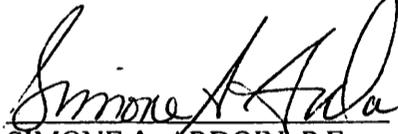
JUN 30 2016

LOCATION AND DESIGN

MALISE PRIETO-CLERK  
~~DEPUTY~~ ADDIE TROXCLAIR

We hereby certify that the location and design of the improvements proposed within STATE PROJECT NO. H.008369, US 11 @ CLEO ROAD, ROUTE US 11, ST. TAMMANY 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.      6-14-16  
DOTD CHIEF ENGINEER      DATE

  
\_\_\_\_\_  
SIMONE A. ARDOIN, P.E.      06/13/16  
ROAD DESIGN ENGINEER      DATE

JUN 30 2016

MALISE PRIETO-CLERK  
Deputy ADDIE TROXCLAIR

Appraisal Parcel 1-4 Military Road Parcel E, LLC St. Tammany Parish, LA

Page 54

**CERTIFICATE**

**EXHIBIT J**

Parcel No.1-4  
S. P. No. H.008369

CERTIFICATE  
OF  
ESTIMATE OF COMPENSATION

I, the undersigned, hereby certify that I have made a careful investigation of the property identified as Parcel Number 1-2-C-1, and its remainder 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	\$ 52,800.00 (R)
DAMAGES	\$ 0.00
OTHER CONSIDERATION	\$ 0.00
TOTAL ESTIMATE OF COMPENSATION	\$ 52,800.00 (R)

Methodology Used:

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

Gayle H. Boudousquie, MAI  
228 St. Charles Ave. Suite 1331  
New Orleans, LA 70130

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

New Orleans, Louisiana, February 16, 2016.

*Gayle H. Boudousquie*

GAYLE H. BOUDOUSQUIE, MAI  
LOUISIANA CERTIFIED GENERAL REAL ESTATE  
APPRAISER CERTIFICATE NO. G0125

Total Approved Amount of Compensation to the full extent of the owner's loss \$ 52,762.00

*Heather Corsetino* 6/20/2016  
HEATHER CORSENTINO Date

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

2016-12712 J  
**FILED**

Parcel No. 1-4  
S. P. No. H.008369

JUN 30 2016

MALISE PRIETO-CLERK  
Dep. ADDIE TROXCLAIR

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) 1-4, 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	<u>\$49,658</u>
DAMAGES	<u>N/A</u>
ADDITIONAL COMPENSATION	<u>N/A</u>
TOTAL ESTIMATE OF COMPENSATION	<u>\$49,658</u>

Methodology Used:

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

Neal Scott Meyer, R/W-AC  
Murphy Appraisal Services, L.L.C.  
19411 Helenberg Road, Suite 204  
Covington, Louisiana 70433

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

St. Tammany Parish, Louisiana, June, 2016.



Neal Scott Meyer, R/W-AC  
Louisiana State Certified  
General Real Estate Appraiser #G1589

Total Approved Amount of Compensation to the full extent of the owner's loss \$ 52,762.<sup>00</sup>

Heather Corsetino 6/20/2016  
HEATHER CORSENTINO Date

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

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

VS.

MILITARY ROAD PARCEL E, LLC

NUMBER 2016-12712 J

22<sup>ND</sup> JUDICIAL DISTRICT COURT

PARISH OF ST. TAMMANY

STATE OF LOUISIANA

**FILED**

JUN 30 2016

MALISE PRJETO - CLERK  
Deputy *Malise Prjeto*

**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 Fifty-Two Thousand Seven Hundred Sixty Two and NO/100 Dollars (\$52,762.00).

AND IT IS HEREBY FURTHER ORDERED that the full ownership of the property described below, subject to the reservation in favor of MILITARY ROAD PARCEL E, LLC 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:

One certain tract or parcel of land, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, and in Section 13, Township 8 South, Range 14 East, Greensburg Land District, identified as Parcel No. 1-4, on a white print of a plat of survey, consisting of Sheet Nos. 1 & 2, made by Max O. Usrey, III & Robert H. Brooks, III, Registered Land Surveyors, dated April 30, 2015, revised, annexed to the above numbered and entitled suit, said tract or parcel being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

**REQUIRED IN FULL OWNERSHIP**

**PARCEL NO. 1-4:**

From a point on the centerline of State Project No. H.008369 Highway Survey Station 103+70.00, proceed N47°18'10"E a distance of 40.00 feet to the point of beginning; thence proceed S67°11'40"E a distance of 188.80 feet to a point and corner; thence proceed S55°41'08"E a distance of 100.00 feet to a point and corner; thence proceed S20°46'04"E a distance of 91.47 feet to a point and corner;

2016 JUN 30 A 10:27  
TAMMANY PARISH  
**FILED**

546

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

VS.

MILITARY ROAD PARCEL E, LLC

NUMBER 2016-12712 J

22<sup>ND</sup> JUDICIAL DISTRICT COURT

PARISH OF ST. TAMMANY

STATE OF LOUISIANA

**ORDER OF EXPROPRIATION (Continued)**

thence proceed N55°10'57"W a distance of 249.89 feet to a point and corner; thence proceed along a curve to the right having a radius of 532.96 feet, whose length is 111.03 feet and whose chord length is 110.83 feet and bears N49°12'51"W to the point of beginning. All of which comprises Parcel No.1-4 as shown on Sheet Nos. 1 and 2 of the Right of Way Plans of State Project NO. H.008369 and contains approximately 12410.3 square feet or 0.285 of an acre.

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 defendant, MILITARY ROAD PARCEL E, LLC, vacate the above described property and surrender possession thereof unto the plaintiff immediately.

Covington, Louisiana, this 5<sup>th</sup> day of July, 2016.

  
\_\_\_\_\_  
JUDGE, TWENTY-SECOND JUDICIAL DISTRICT COURT

A TRUE COPY  
*Addie Susplan*  
BY, CLERK 22<sup>ND</sup> JUD. DIST. COURT  
ST. TAMMANY PARISH, LA

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

VS.

MILITARY ROAD PARCEL E, LLC

NUMBER 2016-12712 DIV J

22<sup>ND</sup> JUDICIAL DISTRICT COURT

PARISH OF ST. TAMMANY

STATE OF LOUISIANA

**RECEIPT**

**MELISSA R. HENRY, 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. MILITARY ROAD PARCEL E, LLC" No. 2016-12712 of the docket of said court, the State of Louisiana seeks the expropriation of the full ownership of the property described below, subject to the reservation in favor of the owner of all oil or gas located under the property described below, or the royalties therefrom, in accordance with law, and subject to any existing oil or gas reservation or to any existing oil or gas lease, for the project set forth in the petition, said property being described as follows, to-wit:

One certain tract or parcel of land, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, and in Section 13, Township 8 South, Range 14 East, Greensburg Land District, identified as Parcel No. 1-4, on a white print of a plat of survey, consisting of Sheet Nos. 1 & 2, made by Max O. Usrey, III & Robert H. Brooks, III, Registered Land Surveyors, dated April 30, 2015, revised, annexed to the above numbered and entitled suit, said tract or parcel being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

**REQUIRED IN FULL OWNERSHIP**

**PARCEL NO. 1-4:**

From a point on the centerline of State Project No. H.008369 at Highway Survey Station 103+70.00, proceed N47°18'10"E a distance of 40.00 feet to the point of beginning; thence proceed S67°11'40"E a distance of 188.80 feet to a point and corner; thence proceed S55°41'08"E a distance of 100.00 feet to a point and corner; thence proceed S20°46'04"E a distance of 91.47 feet to a point and corner; thence proceed N55°10'57"W a distance of 249.89 feet to a point and

corner; thence proceed along a curve to the right having a radius of 532.96 feet, whose length is 111.03 feet and whose chord length is 110.83 feet and bears N49°12'51"W to the point of beginning. All of which comprises Parcel No.1-4 as shown on Sheet Nos. 1 and 2 of the Right of Way Plans of State Project NO. H.008369 and contains approximately 12410.3 square feet or 0.285 of an acre.

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 Fifty-Two Thousand Seven Hundred Sixty Two and NO/100 Dollars (\$52,762.00) 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 Covington, Louisiana, this 5 day of July, 2016.

Melissa R. Denny

CLERK OF COURT, TWENTY-SECOND JUDICIAL DISTRICT COURT

WITNESSES:

[Signature]  
[Signature]

Addie Swalain  
DEPUTY CLERK OF COURT  
Ex officio Notary

A TRUE COPY  
Addie Swalain  
DY. CLERK 22ND JUD. DIST. COURT  
ST. TAMMANY PARISH, LA

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

NUMBER 2016-12712 J

22<sup>ND</sup> JUDICIAL DISTRICT COURT

VS.

PARISH OF ST. TAMMANY

MILITARY ROAD PARCEL E, LLC

STATE OF LOUISIANA

**FILED**

JUN 30 2016

**ORDER OF EXPROPRIATION**

MALISE PRIETO - CLERK  
Deputy *Malise Prieto*

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 Fifty-Two Thousand Seven Hundred Sixty Two and NO/100 Dollars (\$52,762.00).

AND IT IS HEREBY FURTHER ORDERED that the full ownership of the property described below, subject to the reservation in favor of MILITARY ROAD PARCEL E, LLC 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:

One certain tract or parcel of land, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, and in Section 13, Township 8 South, Range 14 East, Greensburg Land District, identified as Parcel No.1-4, on a white print of a plat of survey, consisting of Sheet Nos. 1 & 2, made by Max O. Usrey, III & Robert H. Brooks, III, Registered Land Surveyors, dated April 30, 2015, revised, annexed to the above numbered and entitled suit, said tract or parcel being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

REQUIRED IN FULL OWNERSHIP

PARCEL NO. 1-4:

From a point on the centerline of State Project No. H.008369 Highway Survey Station 103+70.00, proceed N47°18'10E" a distance of 40.00 feet to the point of beginning; thence proceed S67°11'40"E a distance of 188.80 feet to a point and corner; thence proceed S55°41'08"E a distance of 100.00 feet to a point and corner; thence proceed S20°46'04"E a distance of 91.47 feet to a point and corner;

2016 JUN 30 A 10:27  
TAMMANY PARISH  
**FILED**

St. Tammany Parish 2188  
Instrmnt #: 2027662  
Registry #: 2443791 cbi  
07/05/2016 2:36:00 PM  
MB CB X MI UCC

*5/6*

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

VS.

MILITARY ROAD PARCEL E, LLC

NUMBER 2016-12712 J

22<sup>ND</sup> JUDICIAL DISTRICT COURT

PARISH OF ST. TAMMANY

STATE OF LOUISIANA

**ORDER OF EXPROPRIATION (Continued)**

thence proceed N55°10'57"W a distance of 249.89 feet to a point and corner; thence proceed along a curve to the right having a radius of 532.96 feet, whose length is 111.03 feet and whose chord length is 110.83 feet and bears N49°12'51"W to the point of beginning. All of which comprises Parcel No.1-4 as shown on Sheet Nos. 1 and 2 of the Right of Way Plans of State Project NO. H.008369 and contains approximately 12410.3 square feet or 0.285 of an acre.

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 defendant, MILITARY ROAD PARCEL E, LLC, vacate the above described property and surrender possession thereof unto the plaintiff immediately.

Covington, Louisiana, this 5<sup>th</sup> day of July, 2016.

  
\_\_\_\_\_  
JUDGE, TWENTY-SECOND JUDICIAL DISTRICT COURT

STATE OF LOUISIANA PARISH OF ST. TAMMANY  
MELISSA R. HENRY CLERK OF COURT  
I certify that this instrument was filed and recorded  
July 5 2016 at 2:36P M  
INST. # 2027663 of the official records.  
MOB \_\_\_\_\_ COB X MISC \_\_\_\_\_  
Staddie Jexlan  
DEPUTY CLERK

A TRUE COPY  
Staddie Jexlan  
DY. CLERK 22nd JUD. DIST. COURT  
ST. TAMMANY PARISH, LA

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

VS.

MILITARY ROAD PARCEL E, LLC

NUMBER 2016-12712 DIV J

22<sup>ND</sup> JUDICIAL DISTRICT COURT

PARISH OF ST. TAMMANY

STATE OF LOUISIANA

RECEIPT

MELISSA R. HENRY, CLERK OF COURT

TO

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

St. Tammany Parish 2188  
Instrmnt #: 2027666  
Registry #: 2443795 cbj  
07/05/2016 2:36:00 PM  
MB CB X MI UCC

In the cause entitled "STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, VS. MILITARY ROAD PARCEL E, LLC" No. 2016-12712 of the docket of said court, the State of Louisiana seeks the expropriation of the full ownership of the property described below, subject to the reservation in favor of the owner of all oil or gas located under the property described below, or the royalties therefrom, in accordance with law, and subject to any existing oil or gas reservation or to any existing oil or gas lease, for the project set forth in the petition, said property being described as follows, to-wit:

One certain tract or parcel of land, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, and in Section 13, Township 8 South, Range 14 East, Greensburg Land District, identified as Parcel No. 1-4, on a white print of a plat of survey, consisting of Sheet Nos. 1 & 2, made by Max O. Usrey, III & Robert H. Brooks, III, Registered Land Surveyors, dated April 30, 2015, revised, annexed to the above numbered and entitled suit, said tract or parcel being outlined in red and being more particularly described in accordance with said plat of survey, as follows:

REQUIRED IN FULL OWNERSHIP

PARCEL NO. 1-4:

From a point on the centerline of State Project No. H.008369 at Highway Survey Station 103+70.00, proceed N47°18'10"E a distance of 40.00 feet to the point of beginning; thence proceed S67°11'40"E a distance of 188.80 feet to a point and corner; thence proceed S55°41'08"E a distance of 100.00 feet to a point and corner; thence proceed S20°46'04"E a distance of 91.47 feet to a point and corner; thence proceed N55°10'57"W a distance of 249.89 feet to a point and

corner; thence proceed along a curve to the right having a radius of 532.96 feet, whose length is 111.03 feet and whose chord length is 110.83 feet and bears N49°12'51"W to the point of beginning. All of which comprises Parcel No.1-4 as shown on Sheet Nos. 1 and 2 of the Right of Way Plans of State Project NO. H.008369 and contains approximately 12410.3 square feet or 0.285 of an acre.

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 Fifty-Two Thousand Seven Hundred Sixty Two and NO/100 Dollars (\$52,762.00) 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 Covington, Louisiana, this 5 day of July, 2016.

*Melissa R. Henry*

CLERK OF COURT, TWENTY-SECOND JUDICIAL DISTRICT COURT

WITNESSES:

*[Signature]*  
*[Signature]*

*Addie Swealain*  
DEPUTY CLERK OF COURT  
Ex officio Notary

A TRUE COPY  
*Addie Swealain*  
DY. CLERK 2nd JUD. DIST. COURT  
ST. TAMMANY PARISH, LA

STATE OF LOUISIANA PARISH OF ST. TAMMANY  
MELISSA R. HENRY CLERK OF COURT  
I certify that this instrument was filed and recorded  
July 5 20 16 at 2:36 PM  
INST. # 2027666 of the official records.  
MOB \_\_\_\_\_ COB X MISC \_\_\_\_\_  
*S Addie Swealain*  
DEPUTY CLERK