

RECEIVED & FILED  
DESOTO PARISH, LA  
2016 JUN 10 PM 12 03

NUMBER 77460

42<sup>ND</sup> JUDICIAL DISTRICT COURT  
PARISH OF DESOTO  
STATE OF LOUISIANA

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

VS.

REGINA B. HALL, 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.

REGINA B. HALL and CONTEMPORARY FAMILY SERVICES, INC., a foreign

corporation, domiciled in Desoto Parish, authorized to do and doing business in the State of

Louisiana, are the defendants herein.

2.

The Department of Transportation and Development, proposes to construct in the Parish of

Desoto, a certain project designated as State Project No. H.010212, LA 175: Improvement Btwn US

84 & LA 509, State Route LA 175, which project is more fully described by a Certificate of

Authorization to Expropriate, approved by the Secretary, Department of Transportation and

Development on November 24, 2015, 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

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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 defendant, REGINA B. HALL, subject to a lease in favor of CONTEMPORARY FAMILY SERVICES, INC., required in full ownership, and described as follows, to-wit:

One (1) certain tract or parcel of land, together with all of the improvements situated wholly or partially thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of DeSoto, State of Louisiana, and in Section 10, Township 12 North, Range 13 West, Northwestern Land District, identified as Parcel No. 5-2, on a white print of a plat of survey, consisting of Sheet No. 5, made by Robert Keith Duck, Registered Land Surveyor, dated April 12, 2016, 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. 5-2:

From a point on the centerline of State Project No. H.010212, at Highway Survey Station 221+30.33, proceed S89°15'07"E a distance of 50.66 feet to the point of beginning; thence proceed N35°42'26"E a distance of 138.06 feet to a point and corner; thence proceed S54°51'50"E a distance of 10.00 feet to a point and corner; thence proceed S35°42'26"W a distance of 131.17 feet to a point and corner; thence proceed N89°15'07"W a distance of 12.20 feet to the point of beginning. All of which comprises Parcel 5-2 as shown on Sheet 5 of the Right of Way Plans of State Project No. H.010212, and contains an area of approximately 1346.2 square feet or 0.031 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.

6A.

The above described property is owned by REGINA B. HALL, subject to a lease in favor of CONTEMPORARY FAMILY SERVICES, INC.

7.

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

8.

There are no buildings situated wholly or partially upon the above described property, and the only improvements situated wholly or partially thereon consist of concrete driveway and maintained grass.

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, and 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.

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, and together with all the rights and interests of the lessee, 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, together with all of the improvements situated wholly or partially thereon, 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, and 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 Four Thousand Five Hundred Twenty-Four and No/100 Dollars (\$4,524.00), as shown by the written Estimate of Compensation marked "Exhibit P-5," 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, 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.

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 Four Thousand Five Hundred Twenty-Four and No/100 Dollars (\$4,524.00) 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 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.

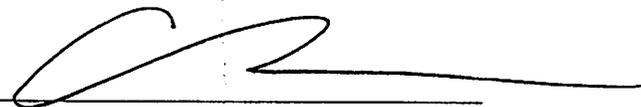
Petitioner further prays that notice of this expropriation be issued and served upon REGINA B. HALL and CONTEMPORARY FAMILY SERVICES, INC., together with a certified copy of this Petition, the Order of Expropriation of this court and the Receipt of the Clerk of Court for the deposit made, according to 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 Four Thousand Five Hundred Twenty-Four and No/100 Dollars (\$4,524.00).

LOUISIANA DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT  
OFFICE OF THE GENERAL COUNSEL

BY: 

Of Counsel

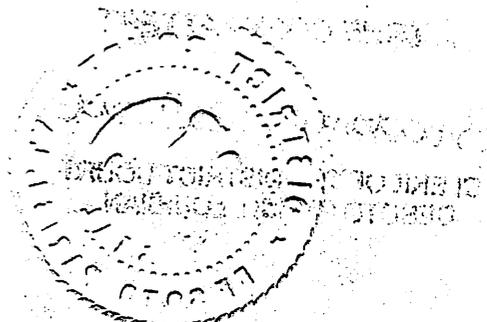
Charles D. McBride  
Bar Roll No. 23856  
1201 Capitol Access Road  
Baton Rouge, LA 70802  
P. O. Box 94245  
Baton Rouge, LA 70804-9245  
PH: (225) 242-4607  
FAX: (225) 242-4690  
Attorney for State, DOTD

**A TRUE COPY - ATTEST**

*Brittany Wilcox*  
**CLERK OF THE DISTRICT COURT  
DESOTO PARISH, LOUISIANA**

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4th Floor  
1111 14th Street, N.W.  
Washington, D.C. 20004



PLEASE SERVE:

Regina B. Hall  
4624 Fairfield Avenue  
Shreveport, LA 71106

Contemporary Family Services, Inc.  
Through agent for service of process  
Annie M. Monroe  
200 N. Thomas Drive, Ste. 1  
Shreveport, LA 71107

November 24, 2015

**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.010212  
LA 175: IMPROVEMENT BTWN  
US 84 & LA 509  
STATE ROUTE LA 175  
PARISH OF DESOTO

State Project Number H.010212 provides for excavation and embankment, superpave asphaltic pavement, roadway widening, driveways, incidental construction, pavement markings and related work, on State Route LA 175 in DeSoto Parish, as follows:

Beginning at approximate Highway Survey Station 201+32.26, then proceed in a northwesterly direction to end at approximate Highway Survey Station 228+26.50.

Beginning LA 509 at approximate Highway Survey Station 0+00.00, then proceed in a northerly direction to end at approximate Highway Survey Station 4+80.00.

The total roadway length is approximately 0.601 miles, for an overall project length of approximately 0.601 miles.

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

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

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

Pursuant to the authority vested in me by the provisions of L.R.S. 36:501 et seq., and L.R.S. 48:11 et seq., as Secretary of the Department of Transportation and Development, it is necessary and useful to take and, as required by L.R.S. 48:442(3)(a), I hereby approve and authorize the Department of Transportation and Development to take by expropriation for highway purposes and in the manner provided by law, in servitude or in full ownership, the property and property rights not otherwise acquired, and which are needed for the proper construction of State Project No(s). H.010212, LA 175: Improvement between US 84 & LA 509, State Route LA 175, Parish of Desoto.

Baton Rouge, Louisiana, this 24th day of November, 2015.

*Sherril H. LeBas*

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

I, Albert David, assistant custodian of official records of the Department of Transportation and Development of the State of Louisiana, do certify under the provisions of R.S. 13:3712 and Chapter 9 of the Louisiana Code of Evidence that the attached 2 page(s) is (are) a true and correct copy (copies) of the original(s) which is (are) in my custody and possession in my official capacity.

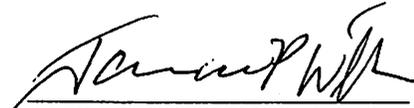
Baton Rouge, Louisiana, 4 day of December 2015

*Albert David*

ALBERT DAVID  
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
STATE OF LOUISIANA

CERTIFICATE  
ON  
CHIEF ENGINEER

I hereby certify that I have fixed the right of way required to construct STATE PROJECT NO. H.010212, LA 175 IMPROVEMENTS BETWEEN US 84 & LA 509, ROUTE 509, DESOTO 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.      5-12-16  
DOTD CHIEF ENGINEER      DATE



CERTIFICATE  
ON  
LOCATION AND DESIGN

We hereby certify that the location and design of the improvements proposed within STATE PROJECT NO. . H.010212, LA 175 IMPROVEMENTS BETWEEN US 84 & LA 509, ROUTE 509, DESOTO 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.      5-12-16  
DOTD CHIEF ENGINEER      DATE

  
SIMONE A. ARDOIN, P.E.      05/10/16  
ROAD DESIGN ENGINEER      DATE

Parcel No. 5-2  
S. P. No. H.010212

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) 5-2, 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 | \$4,524 |
| DAMAGES (NET COST TO CURE)     | \$0     |
| ADDITIONAL COMPENSATION        | \$0     |
| TOTAL ESTIMATE OF COMPENSATION | \$4,524 |

Methodology Used:

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

David W. Volentine, MAI  
2020 East 70<sup>th</sup> Street, Suite 203  
Shreveport, LA 71105

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

Shreveport, Louisiana, January 8, 2016.



David W. Volentine, MAI  
LOUISIANA CERTIFIED GENERAL REAL ESTATE APPRAISER  
CERTIFICATE NO. G0028

Total Approved Amount of Compensation to the full  
extent of the owner's loss \$ 4524.00  
Heather Corsetino 5/19/14  
HEATHER CORSENTINO Date  
Assistant R/E Administrator,  
Department of Transportation and  
Development, State of Louisiana

DeSoto Parish Recording Page

Jeremy Evans  
Clerk 42nd Jud. Dist.  
Post Office Box 1206  
Mansfield, LA 71052-1206  
(318) 872-3110

First VENDOR

HALL, REGINA B

First VENDEE

STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

Index Type : CONVEYANCES

File Number : 737290

Type of Document : ORDER OF EXPROPRIATION

Book : 1297 Page : 528

Recording Pages : 3

Recorded Information

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

*Jeremy Evans*  
Clerk of Court

On (Recorded Date) : 06/14/2016

At (Recorded Time) : 9:20:14AM



Doc ID - 004537200003

CLERK 42ND JUD. DIST.  
JEREMY EVANS  
Parish of Desoto

I certify that this is a true copy of the attached document that was filed for registry and Recorded 06/14/2016 at 9:20:14 Recorded in Book 1297 Page 528

*Brittany Wilcox*  
File Number 737290

Deputy Clerk



RECEIVED & FILED  
DESOTO PARISH, LA

2016 JUN 10 PM 12 03

NUMBER 77460

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

VS.

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

PARISH OF DESOTO

REGINA B. HALL, ET AL

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 Four Thousand Five Hundred Twenty-Four and No/100 Dollars (\$4,524.00).

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, and together with all the rights and interests of the lessee, subject to the reservation in favor of REGINA B. HALL and CONTEMPORARY FAMILY SERVICES, INC., 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 (1) certain tract or parcel of land, together with all of the improvements situated wholly or partially thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of DeSoto, State of Louisiana, and in Section 10, Township 12 North, Range 13 West, Northwestern Land District, identified as Parcel No. 5-2, on a white print of a plat of survey, consisting of Sheet No. 5, made by Robert Keith Duck, Registered Land Surveyor, dated April 12, 2016, 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. 5-2:

From a point on the centerline of State Project No. H.010212, at Highway Survey Station 221+30.33, proceed S89°15'07"E a distance of 50.66 feet to the point of beginning; thence proceed N35°42'26"E a distance of 138.06 feet to a point and corner; thence proceed S54°51'50"E a distance of 10.00 feet to a point and corner; thence

proceed S35°42'26"W a distance of 131.17 feet to a point and corner; thence proceed N89°15'07"W a distance of 12.20 feet to the point of beginning. All of which comprises Parcel 5-2 as shown on Sheet 5 of the Right of Way Plans of State Project No. H.010212, and contains an area of approximately 1346.2 square feet or 0.031 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.

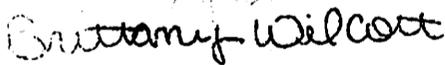
AND IT IS HEREBY FURTHER ORDERED that this Order of Expropriation be recorded in the conveyance records of this Parish.

AND IT IS HEREBY FURTHER ORDERED that the defendants, REGINA B. HALL and CONTEMPORARY FAMILY SERVICES, INC., vacate the above described property and surrender possession thereof unto the plaintiff immediately upon the deposit of the estimated compensation into the registry of this court.

Mansfield, Louisiana, this 13<sup>th</sup> day of June, 2016.

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

TRUE COPY - ATTEST



CLERK OF THE DISTRICT COURT  
DESO TO PARISH, LOUISIANA

DeSoto Parish Recording Page

Jeremy Evans  
Clerk 42nd Jud. Dist.  
Post Office Box 1206  
Mansfield, LA 71052-1206  
(318) 872-3110

First VENDOR

HALL, REGINA B

First VENDEE

STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

Index Type : CONVEYANCES

File Number : 737291

Type of Document : RECEIPT

Book : 1297 Page : 531

Recording Pages : 3

Recorded Information

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

  
Clerk of Court

On (Recorded Date) : 06/14/2016

At (Recorded Time) : 9:25:57AM

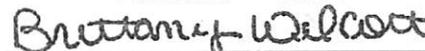


Doc ID - 004537210003

CLERK 42ND JUD. DIST.  
JEREMY EVANS  
Parish of Desoto

I certify that this is a true copy of the attached document that was filed for registry and  
Recorded 06/14/2016 at 9:25:57  
Recorded in Book 1297 Page 531  
File Number 737291



  
Deputy Clerk

RECEIVED & FILED  
DESOTO PARISH, LA

2016 JUN 10 PM 12 03

STATE OF LOUISIANA, DEPARTMENT  
OF TRANSPORTATION & DEVELOPMENT

NUMBER 77460

VS.

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

PARISH OF DESOTO

REGINA B. HALL, ET AL

STATE OF LOUISIANA

**RECEIPT**

REGINA B. HALL, 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. REGINA B. HALL, ET AL," No. 77460 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, and together with all the rights and interests of the lessees, 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 (1) certain tract or parcel of land, together with all of the improvements situated wholly or partially thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parish of DeSoto, State of Louisiana, and in Section 10, Township 12 North, Range 13 West, Northwestern Land District, identified as Parcel No. 5-2, on a white print of a plat of survey, consisting of Sheet No. 5, made by Robert Keith Duck, Registered Land Surveyor, dated April 12, 2016, 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. 5-2:**

From a point on the centerline of State Project No. H.010212, at Highway Survey Station 221+30.33, proceed S89°15'07"E a distance of 50.66 feet to the point of beginning; thence proceed N35°42'26"E a distance of 138.06 feet to a point and corner; thence proceed S54°51'50"E a distance of 10.00 feet to a point and corner; thence

proceed S35°42'26"W a distance of 131.17 feet to a point and corner; thence proceed N89°15'07"W a distance of 12.20 feet to the point of beginning. All of which comprises Parcel 5-2 as shown on Sheet 5 of the Right of Way Plans of State Project No. H.010212, and contains an area of approximately 1346.2 square feet or 0.031 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 Four Thousand Five Hundred Twenty-Four and No/100 Dollars (\$4,524.00) 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 Mansfield, Louisiana, this 14<sup>th</sup> day of June, 2016.

*Brittany Wilcott*

DEPUTY CLERK OF COURT, FORTY-SECOND JUDICIAL DISTRICT COURT

A TRUE COPY - ATTEST

*Brittany Wilcott*  
CLERK OF THE DISTRICT COURT  
DESOTO PARISH, LOUISIANA