

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

BEAU CHENE CONDOMINIUM
ASSOCIATION, INC.

NUMBER

19TH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

634 816
SEC. 24

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.

BEAU CHENE CONDOMINIUM ASSOCIATION, INC. is the defendant herein.

2.

The Department of Transportation and Development, proposes to construct in the Parish of East Baton Rouge, a certain project designated as State Project No. 414-01-0036 and 742-17-0130 (H.002822), NICHOLSON DRIVE AT BRIGHTSIDE LANE/WEST LEE DRIVE INTERSECTION IMPROVEMENTS, State Route LA 30, which project is more fully described by a Certificate of Authorization to Expropriate, approved by the Secretary, Department of Transportation and Development on October 29, 2012, which declares that it is necessary and useful to take immediately the hereinafter described property for highway purposes, a certified copy of said Certificate of Authorization to Expropriate being marked "Exhibit P-1," attached hereto and made a part hereof.

3.

The construction of said project will be greatly conducive to the public interest, convenience and safety, and will be an important improvement in the State Highway System.

4.

Petitioner has surveyed the right of way and laid out the centerline thereof for said project as the same will exist after said project is completed, and the width of the right of way has been fixed

by the Chief Engineer of the Department of Transportation and Development, as shown by his certificate marked "Exhibit P-2," annexed hereto and made a part hereof.

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 (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 East Baton Rouge, State of Louisiana, and in Section 65, Township 7 South, Range 1 West, Greensburg Land District, identified as Parcel No. 9-2, on a white print of a plat of survey, consisting of Sheet Nos. 9 and 10, made by Richard R. Shread, Registered Land Surveyor, dated March 21, 2012, 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. 9-2:

From a point on the centerline of State Project No. H.002822, C.S.00-00, at Highway Survey Station 116+74.44, proceed N24°56'17"W a distance of 40.1 feet to the point of beginning; thence proceed N24°56'17"W a distance of 9.9 feet to a point and corner; thence proceed along a curve to the right having a radius of 1959.86 feet, whose length is 226.21 feet and whose chord length is 226.09 feet and bears N67°41'58"E to a point and corner; thence proceed N71°0'22"E a distance of 132.15 feet to a point and corner; thence proceed S3°56'52"W a distance of 10.11 feet to a point and corner; thence proceed S70°58'15"W a distance of 125 feet to a point and corner; thence proceed along a curve to the left having a radius of 1949.88 feet, whose length is 228.43 feet and whose chord length is 228.3 feet and bears S67°36'55"W to point of beginning; All of which comprises Parcel 9-2 as shown on Sheets 9 and 10 of the Right of Way Plans of State Project No. H.002822, and contains an area of approximately 3393 square feet or 0.078 of an acre.

Being a portion of the same property acquired by defendant by Act recorded May 27, 1986, in ORIG. 203, BNDL 9837 of the conveyance records of East Baton Rouge Parish, State of Louisiana.

6.

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

7.

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

8.

There are no buildings situated wholly or partially upon the above described property, and the only improvements situated wholly or partially thereon consist of concrete paving, concrete curbing, 2 signs, sprinkler system, landscaping, water lateral and sewer lateral.

9.

The location and design of the improvements proposed by said project are in accordance with the best modern practices adopted in the interest of the safety and convenience of the traveling public, as shown by the Certificate on Location and Design, which is marked "Exhibit P-4," annexed hereto and made a part hereof.

10.

In order to construct said project in a manner and mode conducive to the public interest, convenience and safety, it is necessary that petitioner acquire in full ownership the described property, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below, which property petitioner has attempted to acquire amicably but has been unable to do so.

11.

Therefore, it is necessary for petitioner to expropriate in full ownership the above described property, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth below.

12.

The expropriation of the full ownership of the property described above shall be made subject to the reservation in favor of the 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, together with all of the improvements situated wholly or

partially thereon, subject to the mineral reservation set forth herein, has been estimated to be the sum of Forty-Six Thousand Four Hundred Ninety-Three and No/100 Dollars (\$46,493.00), as shown by the written estimate of compensation marked "Exhibit P-5A" and "Exhibit P-5B," annexed hereto and made a part hereof.

14.

Petitioner is entitled to expropriate the full ownership of the above described property, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth herein, in a manner authorized by Article 1, Section 4 of the Constitution of the State of Louisiana for the year 1974, and Title 48 of the Louisiana Revised Statutes of 1950, Sections 441 to 460, inclusive as amended and reenacted.

15.

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

16.

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

17.

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

WHEREFORE, petitioner prays that an order issue herein directing petitioner to deposit in the registry of this court the sum of Forty-Six Thousand Four Hundred Ninety-Three and No/100 Dollars (\$46,493.00) for payment to the person or persons entitled thereto, and declaring that the full ownership of the above described property, together with all of the improvements situated wholly or

partially thereon, and subject to the mineral reservation set forth herein, has been taken for highway purposes as of the time such deposit is made.

Petitioner further prays that said order direct the 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 BEAU CHENE CONDOMINIUM ASSOCIATION, 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 Forty-Six Thousand Four Hundred Ninety-Three and No/100 Dollars (\$46,493.00).

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

FILED

Signed

Certified True and Correct Copy

Deputy Clerk

Deputy Clerk

Deputy Clerk

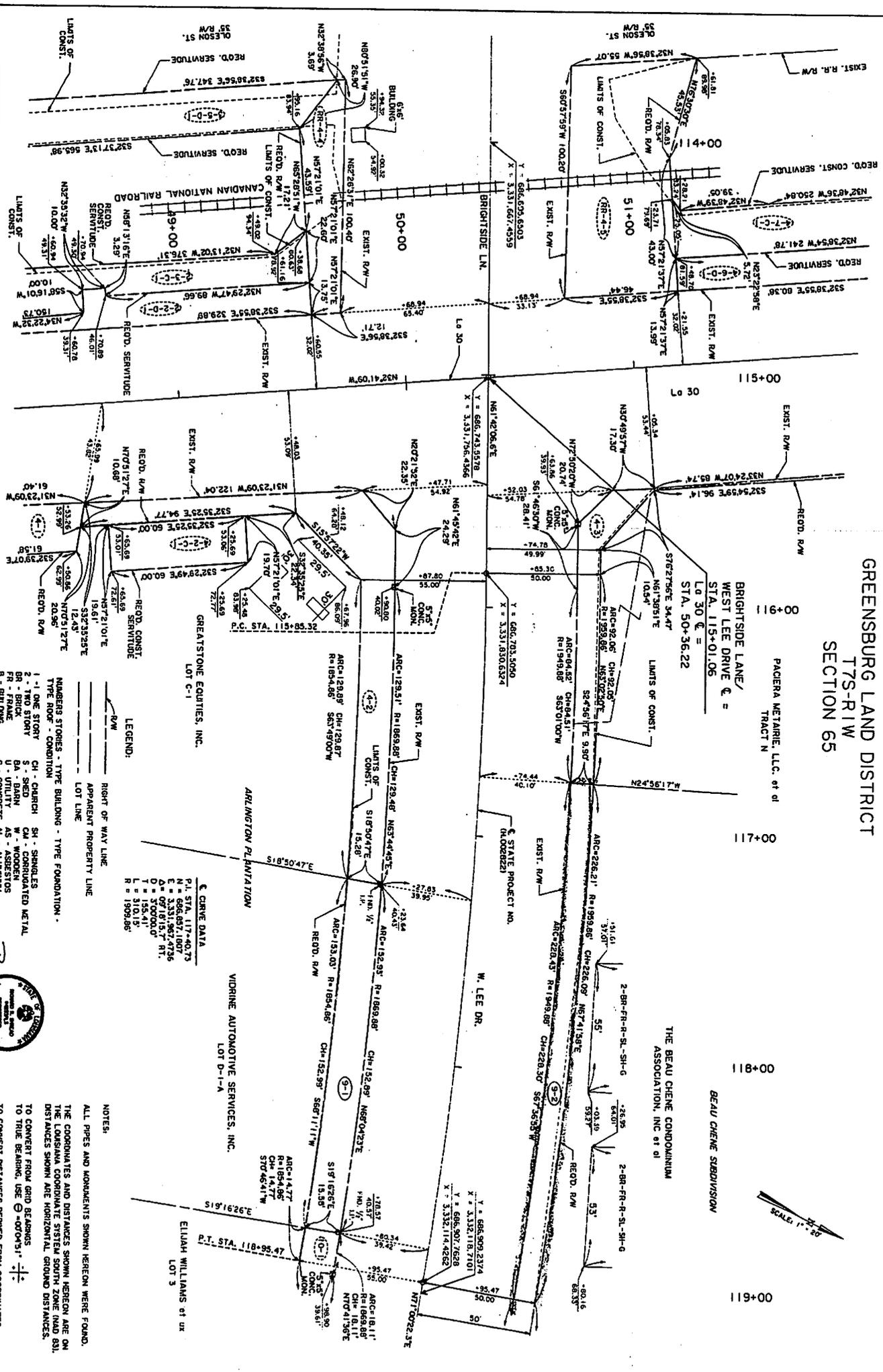
BY: Robert J. King
Of Counsel

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

PLEASE SERVE:

Beau Chene Condominium Association, Inc.
Through agent for service of process
Jeffery Jordan
1128 W. Lee Drive, #F
Baton Rouge, LA 70820

GREENSBURG LAND DISTRICT
T7S-R1W
SECTION 65



PARCEL	OWNER	ACQUISITION	AREA
9-2	THE BEAU CHIENE CONDOMINIUM ASSOCIATION, INC. et al	ORIG 203 BOND, 9837 MAY 27, 1986	0.079 AC.
9-1	VIRGINE AUTOMOTIVE SERVICES, INC.	ORIG 629 BOND, 10650 DECEMBER 20, 1995	0.074 AC.

- LEGEND:**
- R/W — RIGHT OF WAY LINE
 - APPARENT PROPERTY LINE
 - LOT LINE
- NUMBERS STORES - TYPE BUILDING - TYPE FOUNDATION -**
- 1 - ONE STORY
 - 2 - TWO STORY
 - FR - FRICK
 - BA - BARN
 - CH - CHURCH
 - SH - SHED
 - SM - SHINGLES
 - CM - CORRUGATED METAL
 - W - WOODEN
 - AS - ASPHALT
 - BL - BLOCK
 - PO - POOR
 - FA - FAIR
 - GO - GOOD
 - NEW - NEW
 - AS - ASPHALT

¢ CURVE DATA

PI	STA	117+40.73
R	117+40.73	117+40.73
E	117+40.73	117+40.73
A	0° 07' 15.7" RT	0° 07' 15.7" RT
O	3000.00'	3000.00'
T	155.41'	155.41'
L	310.81'	310.81'
B	159.28'	159.28'



NOTES:

ALL PIPES AND MONUMENTS SHOWN HEREON WERE FOUND.

THE COORDINATES AND DISTANCES SHOWN HEREON ARE ON THE LOUISIANA COORDINATE SYSTEM SOUTH ZONE (NAD 83). DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.

TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS, USE $\theta = 00^{\circ}04'31''$.

TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.99994884

ALL REMAINING AREAS ARE COMPUTED PER DEED INFORMATION UNLESS OTHERWISE NOTED.

RICHARD R. SHREAD PROFESSIONAL LAND SURVEYOR		SHREAD KUTRKENDALL & ASSOC., INC ENGINEERS - SURVEYORS - PLANNERS BATON ROUGE, LOUISIANA	
RIGHT OF WAY MAPS STATE PROJECT NO. 16.0022821 MCDONALD DRIVE AT BRIGHTSIDE LANE/WEST LEE DRIVE INTERSECTION IMPROVEMENTS EAST BATON ROUGE PARISH Ld 30		DATE: MAR. 21, 2012 COMPUTED BY: J.A.D.S. DRAWN BY: G.R.M. SCALE: 1" = 20' FILE NO. 05-17-1-022 R/W SHEET NO. 9	
5/26/14 12/4/12 DATE	REVISED STATION/OFFSET, AND CURVE DATA REVISED ACQUISITION DATA FOR PARCEL 9-2	ADS AB/DOO BY	EAST BATON ROUGE 16.0022821

GREENSBURG LAND DISTRICT
T7S-R1W
SECTION 65

119+00

120+00

121+00

122+00

123+00

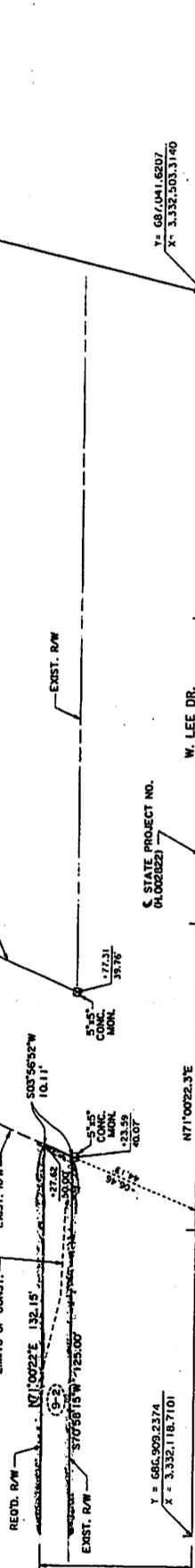
124+00

BEAU CHENE SUBDIVISION

THE BEAU CHENE CONDOMINIUM
ASSOCIATION, INC 61 d

ETA ST.
(R/W YAKES)

STA. 123+06.75
END STATE PROJECT NO. (H.002822)
BRIGHTSIDE LANE/WEST LEE DRIVE



STATE PROJECT NO.
(H.002822)

W. LEE DR.

ARLINGTON PLANTATION

ELIJAH WILLIAMS et ux

LOT 8-A

LOT 4

LOT 3

LOT 5A

LIMITS OF CONST.

LIMITS OF CONST.

LIMITS OF CONST.

EXIST. R/W

EXIST. R/W

EXIST. R/W

RECD. R/W

RECD. R/W

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EXIST. R/W

RECD. R/W

RECD. R/W

RECD. R/W



- LEGEND:**
- R/W- RIGHT OF WAY LINE
 - - - APPARENT PROPERTY LINE
 - - - LOT LINE
- NUMBERS STORIES - TYPE BUILDING - TYPE FOUNDATION - TYPE ROOF - CONDITION**
- 1 - ONE STORY CH - CHURCH SH - SHINGLES
 - 2 - TWO STORY S - SHED CM - CORRUGATED METAL
 - FR - FRAME W - WOODEN
 - FR - FRAME AS - ASBESTOS
 - B - BUILDING C - CONCRETE
 - R - RESIDENCE BL - BLOCK PD - POOR
 - O - OFFICE SL - SLAB F - FAIR
 - GA - GARAGE P - PIERS G - GOOD
 - CP - CARPORT D - DIRT
 - HM - MOBILE HOME A - ASPHALT

NOTES:

ALL PIPES AND MONUMENTS SHOWN HEREON WERE FOUND.

THE COORDINATES AND DISTANCES SHOWN HEREON ARE ON THE LOUISIANA COORDINATE SYSTEM SOUTH ZONE (NAD 83). DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.

TO CONVERT FROM GRID BEARINGS TO TRUE BEARING: USE $\Theta = 07^{\circ}04'34''$

TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES USE SCALE FACTOR: 0.99994860

ALL REMAINING AREAS ARE COMPUTED PER DEED INFORMATION UNLESS OTHERWISE NOTED.

DATE: MAR. 21, 2012	PROJECT NO. (H.002822)	SCALE: 1" = 20'	FILE NO. 05-17-1-022	R/W SHEET NO. 10
DATE: MAR. 21, 2012	PROJECT NO. (H.002822)	SCALE: 1" = 20'	FILE NO. 05-17-1-022	R/W SHEET NO. 10
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DATE: MAR. 21, 2012	PROJECT NO. (H.002822)	SCALE: 1" = 20'	FILE NO. 05-17-1-022	R/W SHEET NO. 10

STATE PROJECT NO. (H.002822)
MOKA SON DRIVE AT BRIGHTSIDE LANE/WEST LEE DRIVE
INTERSECTION IMPROVEMENTS
EAST BATON ROUGE PARISH
LO 30

RECD. OF WAT. MAP
3/21/12

REVISIONS

DATE	DESCRIPTION
3/21/12	REVISED STATIONING/offset PARCEL 10-1

SHREAD KUYKENDALL & ASSOC., INC
ENGINEERS - SURVEYORS - PLANNERS
BATON ROUGE, LOUISIANA

RECD. OF WAT. MAP
3/21/12

REVISIONS

DATE	DESCRIPTION
3/21/12	REVISED STATIONING/offset PARCEL 10-1

SHREAD KUYKENDALL & ASSOC., INC
ENGINEERS - SURVEYORS - PLANNERS
BATON ROUGE, LOUISIANA

10-1	ELIJAH WILLIAMS et ux	COB 73 PAGE 1526 DECEMBER 2, 1942	0.015 AC.
PARCEL	OWNER	ACQUISITION	AREA

October 29, 2012

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 projects presently planned by the Department of Transportation and Development are hereinafter set forth:

STATE PROJECT NO(S). H.002822
STATE PROJECT NO(S). 414-01-0036 &
742-17-0130
NICHOLSON DRIVE AT BRIGHTSIDE
LANE/WEST LEE DRIVE INTERSECTION
IMPROVEMENTS
STATE ROUTE LA 30
PARISH OF EAST BATON ROUGE

State Project Numbers 414-01-0036 & 742-17-0130/ H.002822 provide for asphaltic concrete pavement, Portland cement concrete pavement, base course, drainage structures, grading, box culvert, traffic signalization, railroad crossing improvements, and related work, on Nicholson Drive at Brightside Lane/ West Lee Drive Intersection Improvements, on State Route LA 30 in East Baton Rouge Parish, as follows: For Nicholson Drive, begin at approximate Highway Survey Station 37+50.00, then proceed in a northwesterly direction, and end at approximate Highway Survey Station 61+99.98. For Brightside Lane, begin at approximate Highway Survey Station 105+04.59, then proceed in a north northwesterly direction, and end at approximate Highway Survey Station 114+68.49. For West Lee Drive, begin at approximate Highway Survey Station 115+34.68, then proceed in a southeasterly direction, and end at approximate Highway Survey Station 123+06.75. There is a railroad intersection between the following Highway Survey Stations: approximate Highway Survey Station 114+13.91 and approximate Highway Survey Station 114+23.91. The total roadway length is approximately 0.791 miles for an overall project length of approximately 0.791 miles.

The construction of the above described projects 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 projects is dependent upon the acquisition of the rights of way as fixed by the Chief Engineer, Office of Engineering, for the said projects 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 projects.

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.002822 / 414-01-0036 & 742-17-0130, Nicholson Drive at Brightside Lane/ West Lee Drive Intersection Improvements, State Route LA 30, Parish of East Baton Rouge.

Baton Rouge, Louisiana, this 29 day of October, 2012.



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.

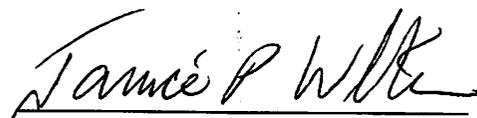
Baton Rouge, Louisiana, 5 day of November 2012



ALBERT DAVID
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
STATE OF LOUISIANA

CERTIFICATE
OF THE
CHIEF ENGINEER

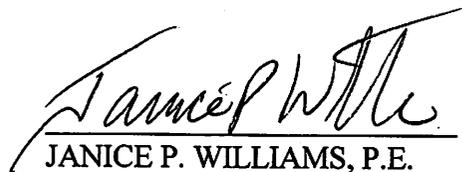
I hereby certify that I have fixed the right of way required to construct STATE PROJECT NOS. 414-01-0036 & 742-17-0130 / H.002822, NICHOLSON DRIVE @ BRIGHTSIDE LANE / WEST LEE DRIVE, INTERSECTION IMPROVEMENTS, ROUTE LA 30, EAST BATON ROUGE PARISH, in a manner sufficient in my judgment to provide presently and in the future for the public interest, safety and convenience.



JANICE P. WILLIAMS, P.E. 10'23-14
DOTD CHIEF ENGINEER DATE

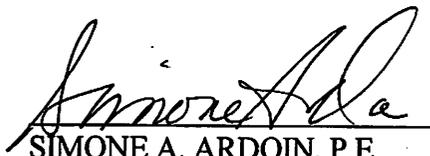
CERTIFICATE
ON
LOCATION AND DESIGN

We hereby certify that the location and design of the improvements proposed within STATE PROJECT NOS. 414-01-0036 & 742-17-0130 / H.002822, NICHOLSON DRIVE @ BRIGHTSIDE LANE / WEST LEE DRIVE, INTERSECTION IMPROVEMENTS, ROUTE LA 30, EAST BATON ROUGE PARISH, are in accordance with the best modern practices adopted in the interest of the safety and convenience of the traveling public.



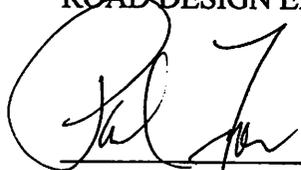
JANICE P. WILLIAMS, P.E.
DOTD CHIEF ENGINEER

10-23-14
DATE



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

10/17/14
DATE



PAUL FOSSIER, P.E.
BRIDGE DESIGN ENGINEER

10/17/14
DATE

Parcel No. 9-2
Sate Project Number: H.002822

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) 9-2, 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	\$46,493
DAMAGES (COST TO CURE)	\$0
ADDITIONAL COMPENSATION	<u>\$0</u>
TOTAL ESTIMATE OF COMPENSATION	\$46,493

Methodology Used:

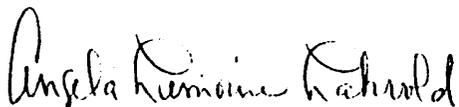
- 1. Sales Comparison Approach
- 2. Cost Approach
- 3. Income Capitalization Approach

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

Qualifications:

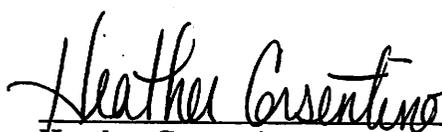
- 1. Designated Appraiser
- 2. Candidate for Designation
- 3. Louisiana Certified Residential Real Estate Appraiser
- 4. Louisiana Certified General Real Estate Appraiser
- 5. Right of Way Appraiser in the regular employ of the Department

Baton Rouge, Louisiana, May 7, 2014.



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
\$ 46,493.00

 10/22/2014
Heather Corsentino Date
Assistant Real Estate Administrator,
Department of Transportation and Development, State of Louisiana

Parcel No. 9-2
S. P. No. H.002822

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) 9-2 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	\$ 29,420.00
VALUE OF TEMPORARY CONSTRUCTION SERVITUDE	\$ 0.00
DAMAGES	\$ 0.00
ADDITIONAL COMPENSATION	\$ <u>0.00</u>
TOTAL ESTIMATE OF COMPENSATION	\$ 29,420.00

Methodology Used:

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

Thompson Bradford Core, ASA
P. O. Drawer 368,
Crowley, LA 70527-0368

Qualifications:

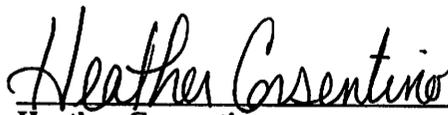
- 1. Designated Appraiser
- 2. Candidate for Designation
- 3. Louisiana Certified Residential Real Estate Appraiser
- 4. Louisiana Certified General Real Estate Appraiser
- 5. Right of Way Appraiser in the regular employ of the Department

Crowley, Louisiana, October 20, 2014



Thompson Bradford Core, ASA
LOUISIANA CERTIFIED GENERAL REAL ESTATE APPRAISER
CERTIFICATE NO. G-0204

Total Approved Amount of Compensation to the full extent of the owner's loss
\$ 46,493.00.

 10/22/2014
Heather Corsentino Date

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

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

BEAU CHENE CONDOMINIUM
ASSOCIATION, INC.

NUMBER

19TH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

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 Forty-Six Thousand Four Hundred Ninety-Three and No/100 Dollars (\$46,493.00).

AND IT IS HEREBY FURTHER ORDERED that the full ownership of the property described below, together with all of the improvements situated wholly or partially thereon, subject to the reservation in favor of BEAU CHENE CONDOMINIUM ASSOCIATION, 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 East Baton Rouge, State of Louisiana, and in Section 65, Township 7 South, Range 1 West, Greensburg Land District, identified as Parcel No. 9-2, on a white print of a plat of survey, consisting of Sheet Nos. 9 and 10, made by Richard R. Shread, Registered Land Surveyor, dated March 21, 2012, 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. 9-2:

From a point on the centerline of State Project No. H.002822, C.S.00-00, at Highway Survey Station 116+74.44, proceed N24°56'17"W a distance of 40.1 feet to the

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT
VS.
BEAU CHENE CONDOMINIUM
ASSOCIATION, INC.

NUMBER
19TH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

ORDER OF EXPROPRIATION (Continued)

point of beginning; thence proceed N24°56'17"W a distance of 9.9 feet to a point and corner; thence proceed along a curve to the right having a radius of 1959.86 feet, whose length is 226.21 feet and whose chord length is 226.09 feet and bears N67°41'58"E to a point and corner; thence proceed N71°0'22"E a distance of 132.15 feet to a point and corner; thence proceed S3°56'52"W a distance of 10.11 feet to a point and corner; thence proceed S70°58'15"W a distance of 125 feet to a point and corner; thence proceed along a curve to the left having a radius of 1949.88 feet, whose length is 228.43 feet and whose chord length is 228.3 feet and bears S67°36'55"W to point of beginning; All of which comprises Parcel 9-2 as shown on Sheets 9 and 10 of the Right of Way Plans of State Project No. H.002822, and contains an area of approximately 3393 square feet or 0.078 of an acre.

Being a portion of the same property acquired by defendant by Act recorded May 27, 1986, in ORIG. 203, BNDL 9837 of the conveyance records of East Baton Rouge Parish, State of Louisiana.

AND IT IS HEREBY FURTHER ORDERED that this matter be tried by jury upon the plaintiff making a cash deposit in accordance with LA C.C.P. Article 1734.1. Upon the setting of this matter for trial, the court shall fix the amount due and the time of said deposit, which time shall be no later than thirty (30) days prior to trial.

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

AND IT IS HEREBY FURTHER ORDERED that the defendant, BEAU CHENE CONDOMINIUM ASSOCIATION, 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.

Baton Rouge, Louisiana, this 10th day of November, 2014.

R. Michael Caldwell
JUDGE, NINETEENTH JUDICIAL DISTRICT COURT