

FILED

FEB 26 2015

DANA BENSON

DEPUTY CLERK

4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

NUMBER

VS. **15-0514**

4TH JUDICIAL DISTRICT COURT

PARISH OF OUACHITA

ESTATE OF FRANK J. CICCIO, ET AL

STATE OF LOUISIANA

P E T I T I O N

The petition of the STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, legal successor to the Department of Highways, created and organized under the laws of the State of Louisiana, with its domicile in the City of Baton Rouge, Parish of East Baton Rouge, State of Louisiana, with respect, represents that:

1.

ESTATE OF FRANK J. CICCIO and DARLIN DENISE WILHITE CICCIO are the defendants herein.

2.

The Department of Transportation and Development, proposes to construct in the Parish of Ouachita, a certain project designated as State Project No. 324-02-0008 (H.002622), ARKANSAS ROAD (CALDWELL ROAD – LA 143), State Route LA 616, which project is more fully described by a Certificate of Authorization to Expropriate, approved by the Secretary, Department of Transportation and Development on April 11, 2013, 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

**CASE ASSIGNED TO:
CV. SECT. 2**

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 defendants, 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 Ouachita, State of Louisiana, and in Section 20, Township T18N, Range R3E, North of Red River Land District, identified as Parcel No. 8-6, on a white print of a plat of survey, consisting of Sheet Nos. 8 and 9, made by Paul D. Fryer, Registered Land Surveyor, dated April 24, 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. 8-6:

From a point on the centerline of State Project No. H.002622, at Highway Survey Station 48+98.91, proceed N00°06'14"W a distance of 47.47 feet to the point of beginning; thence proceed N00°06'14"W a distance of 7.59 feet to a point and corner; thence proceed along a curve to the left having a radius of 3045.00 feet, whose length is 87.31 feet and whose chord length is 87.31 feet and bears N86°17'04"E to a point and corner; thence proceed N37°34'53"E a distance of 40.06 feet to a point and corner; thence proceed N16°44'28"E a distance of 22.45 feet to a point and corner; thence proceed S10°52'08"E a distance of 61.87 feet to a point and corner; thence proceed S85°21'52"W a distance of 69.60 feet to a point and corner; thence proceed S89°53'46"W a distance of 60.30 feet to the point of beginning. All of which comprises Parcel 8-6 as shown on Sheets 8 and 9 of the Right of Way Plans of State Project No. H.002622, and contains an area of approximately 2177.1 square feet or 0.050 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 defendants.

8.

There are no buildings situated wholly or partially upon the above described property, and the only improvements situated wholly or partially thereon consist of chain link gate, and water, sewer and gas laterals.

9.

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

10.

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

11.

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

12.

The expropriation of the full ownership of the property described above shall be made subject to the reservation in favor of the owners of all oil or gas located under the property described above, or the royalties therefrom, in accordance with law, and subject to any existing oil or gas reservation or to any existing oil or gas lease.

13.

The just compensation to which the defendants are entitled, being the compensation for the full ownership of the above described property, together with all of the improvements situated wholly or partially thereon, subject to the mineral reservation set forth herein, has been estimated to

be the sum of Forty-Eight Thousand Six Hundred Ninety-One and No/100 Dollars (\$48,691.00), 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-Eight Thousand Six Hundred Ninety-One and No/100 Dollars (\$48,691.00) for payment to the person or persons entitled thereto, and declaring that the full ownership of the above described property, together with all of the improvements situated wholly or partially thereon, and subject to the mineral reservation set forth herein, has been taken for highway purposes as of the time such deposit is made.

Petitioner further prays that said order direct the defendants to surrender to petitioner possession of said property.

Petitioner further prays that the Order of Expropriation in this matter be recorded in the conveyance records of this Parish.

Petitioner further prays that notice of this expropriation be issued and served upon ESTATE OF FRANK J. CICCIO and DARLIN DENISE WILHITE CICCIO, 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.

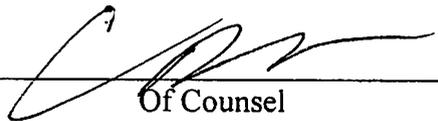
Petitioner further prays that this matter be tried by jury and that it be allowed to utilize the cash deposit authorized by LA C.C.P. Article 1734.1.

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 \$48,691.00.

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

PLEASE SERVE:

Estate of Frank J. Ciccio, through
court appointed Attorney
LAST KNOWN ADDRESS:
2432 Arkansas Road
West Monroe, LA 71291

Darlin Denise Wilhite Ciccio
2432 Arkansas Road
West Monroe, LA 71291

April 11, 2013

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.002622
STATE PROJECT NO(S). 324-02-0008
ARKANSAS ROAD (CALDWELL
ROAD – LA 143)
STATE ROUTE LA 616
PARISH OF OUACHITA

State Project Number H.002622 / 324-02-0008 provides for grading, base course, drainage structures, portland cement concrete pavement with integral concrete curb, and related work, on State Route LA 616 in Ouachita Parish, as follows: Begin at approximate Highway Survey Station 10+30.00, then proceed in an easterly then southeasterly direction, and end at approximate Highway Survey Station 189+97.42. The total roadway length and overall project length is approximately 3.402 miles.

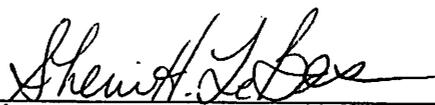
The construction of the above described project will be conducive to the public interest, convenience and safety and will enable the Department of Transportation and Development to properly fulfill the functions imposed upon it by law.

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.002622 / 324-02-0008, Arkansas Road (Caldwell Road – LA 143), State Route LA 616, Parish of Ouachita.

Baton Rouge, Louisiana, this 11 day of April, 2013.



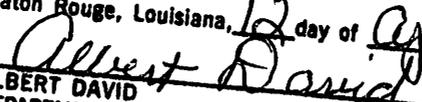
SHERRI H. LEBAS, P.E.

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, 12 day of April 2013



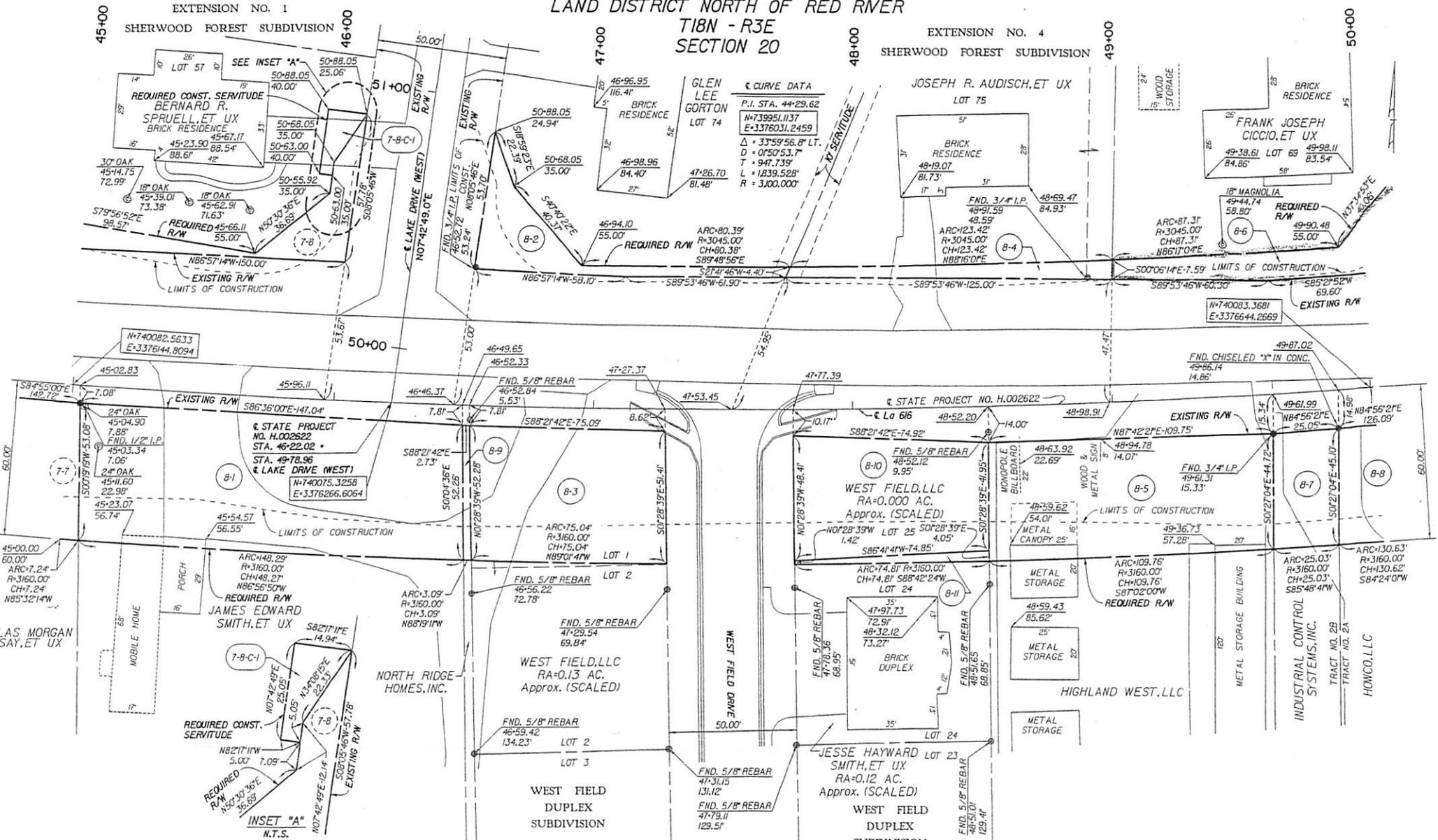
ALBERT DAVID
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
STATE OF LOUISIANA

CERTIFICATE
OF THE
CHIEF ENGINEER

I hereby certify that I have fixed the right of way required to construct STATE PROJECT NO. H.002622.3, F.A.P. NO. 3707(509), CALDWELL ROAD-LA 143 (ARKANSAS ROAD), ROUTE LA 616 OUACHITA 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 1-29-15
JANICE P. WILLIAMS, P.E. DATE
DOTD CHIEF ENGINEER

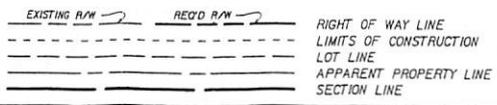
LAND DISTRICT NORTH OF RED RIVER
 T18N - R3E
 SECTION 20



PARCEL	OWNER	ACQUISITION	AREA
✓ B-11	JESSE HAYWARD SMITH, ET UX	C.O.B. 2314 PG. 777 01/08/2013	0.005 ACRE
✓ B-10	WEST FIELD, LLC	C.O.B. 2271 PG. 157 11/22/2011	0.078 ACRE
✓ B-9	NORTH RIDGE HOMES, INC.	C.O.B. 2269 PG. 46 10/28/2011	0.003 ACRE
✓ B-8	HONCO, LLC	C.O.B. 2133 PG. 249 05/21/2008	0.133 ACRE
✓ B-7	INDUSTRIAL CONTROL SYSTEMS, INC.	C.O.B. 1840 PG. 237 10/03/2001	0.026 ACRE
✓ B-6	FRANK JOSEPH CICCIO, ET UX	C.O.B. 1911 PG. 233 09/29/2003	0.050 ACRE
✓ B-5	HIGHLAND WEST, LLC	C.O.B. 2178 PG. 130 05/21/09	0.115 ACRE
✓ B-4	JOSEPH R. AUDISCH, ET UX	C.O.B. 943 PG. 140 12/01/1970	0.015 ACRE
✓ B-3	WEST FIELD, LLC	C.O.B. 2271 PG. 157 11/22/2011	0.089 ACRE
✓ B-2	GLEN LEE GORTON	C.O.B. 1637 PG. 509 01/26/1995	0.030 ACRE
✓ B-1	JAMES EDWARD SMITH, ET UX	C.O.B. 230 PG. 918 03/22/2006	0.180 ACRE

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, NORTH ZONE (NAD 83). TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: $\theta = 000950.4 \mp$
 3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.999972455.

LEGEND



4/24/2012

EXHIBIT P-3

PROJECT NUMBER	05-194-018
PARISH	OUACHITA
FEDERAL PROJECT	
STATE PROJECT	H.002622
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DETAILED BY	B.C.R.
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PARISH	OUACHITA
FEDERAL PROJECT	
STATE PROJECT	H.002622
DATE	04-24-2012
SCALE	1" = 20'
COMPILED BY	P.D.F.
CHECKED BY	K.E.C.
DETAILED BY	B.C.R.
DATE	04-24-2012
SCALE	1" = 20'
PROJECT	05-194-018
STATE PROJECT	H.002622
PARISH	OUACHITA
FEDERAL PROJECT	
STATE PROJECT	H.002622
DATE	04-24-2012
SCALE	1" = 20'
COMPILED BY	P.D.F.
CHECKED BY	K.E.C.
DETAILED BY	B.C.R.
DATE	04-24-2012
SCALE	1" = 20'
PROJECT	05-194-018
STATE PROJECT	H.002622
PARISH	OUACHITA
FEDERAL PROJECT	
STATE PROJECT	H.002622
DATE	04-24-2012
SCALE	1" = 20'
COMPILED BY	P.D.F.

LAND DISTRICT NORTH OF RED RIVER
T18N - R3E
SECTION 20

EXTENSION NO. 4
SHERWOOD FOREST SUBDIVISION

PARCEL	OWNER	ACQUISITION	AREA
9-3	JOHNNY LEON REEVES	C.O.B. 15-47 Pg. 315 12/27/1991	0.289 ACRE
9-2	INGLISIDE PROPERTIES, INC.	C.O.B. 1903 Pg. 166 07/30/2003	0.400 ACRE
9-1	JOHNNY L. REEVES, ET UX	C.O.B. 2043 Pg. 29 06/20/2005	0.070 ACRE

LEGEND

EXISTING R/W

RIGHT OF WAY LINE

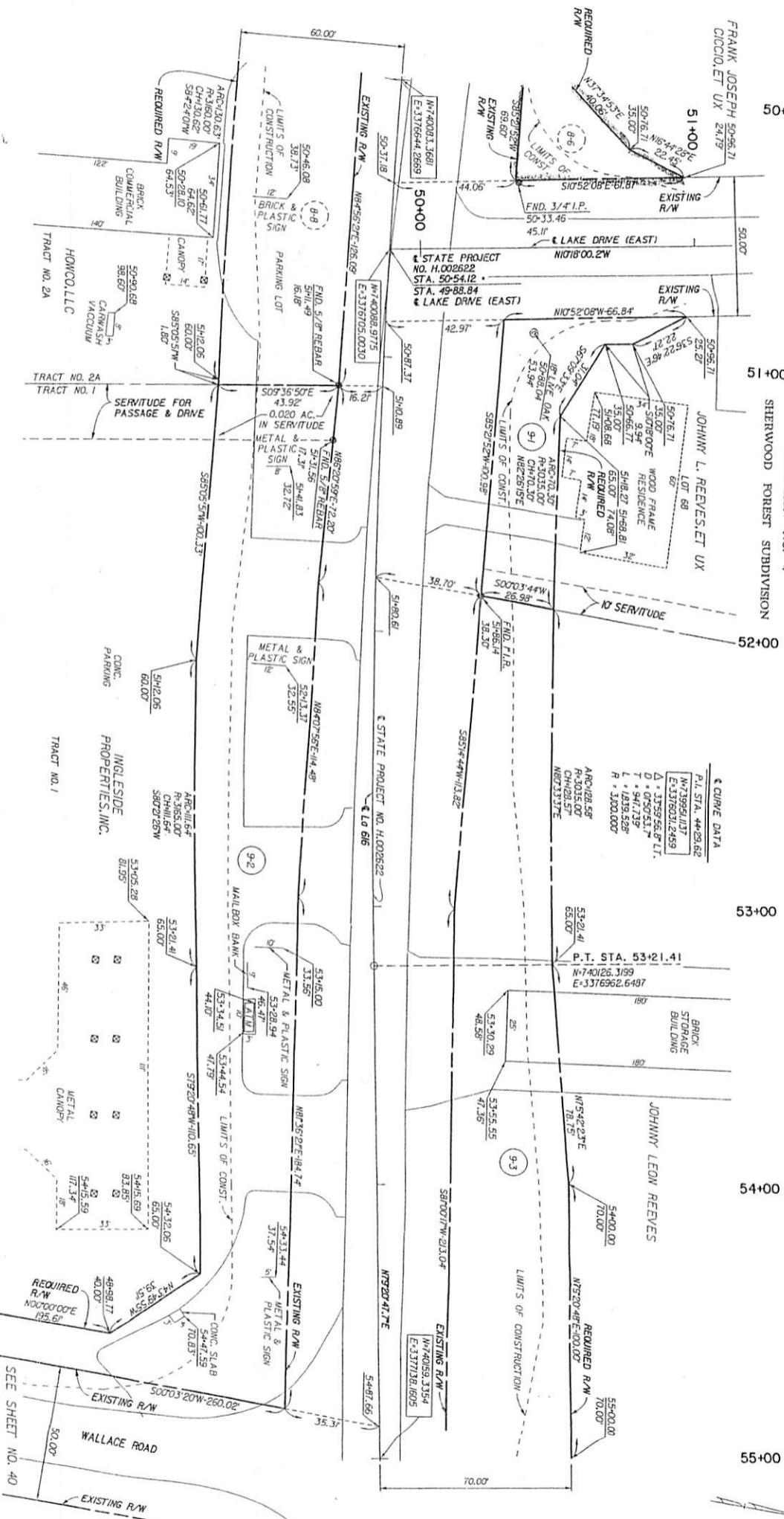
LIMITS OF CONSTRUCTION

LOT LINE

APPARENT PROPERTY LINE

SECTION LINE

- 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 NORTH ZONE (NAD 83). TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: $\theta + 007953.6''$
 3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES. TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.999972481.



FILE NO.	05-84-008	ROW SHEET NO.	9
DATE		REVISION DESCRIPTION	
BY			
RIGHT OF WAY MAP STATE PROJECT NO. H.002622 ARKANSAS ROAD (CALDWELL ROAD - LA 143) OUACHITA PARISH Lo 616			
COMPUTED	P.D.F.	PARISH	OUACHITA
CHECKED	K.E.C.	FEDERAL PROJECT	
DETAILED	B.C.R.	STATE PROJECT	H.002622
CHECKED	P.D.F.		
DATE	04/24/2012		
SCALE	1" = 20'		

CERTIFICATE
ON
LOCATION AND DESIGN

We hereby certify that the location and design of the improvements proposed within STATE PROJECT NO. H.002622.3, F.A.P. NO. 3707(509), CALDWELL ROAD-LA 143 (ARKANSAS ROAD), ROUTE LA 616 OUACHITA PARISH are in accordance with the best modern practices adopted in the interest of the safety and convenience of the traveling public.



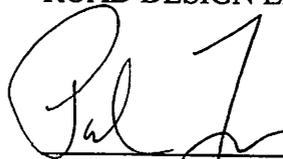
JANICE P. WILLIAMS, P.E.
DOTD CHIEF ENGINEER

1-29-15
DATE



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

01/29/15
DATE



PAUL FOSSIER, P.E.
BRIDGE DESIGN ENGINEER

1/29/15
DATE

Parcel No. 8-6
S. P. No. H.002622.3 324-02-0008

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) 8-6, 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	\$ 7,020.00
DAMAGES	\$ 41,980.00
ADDITIONAL COMPENSATION	\$ -0-
TOTAL ESTIMATE OF COMPENSATION	\$ 49,000.00

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, June 26, 2013.



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

Total Approved Amount of Compensation to the full
extent of the owner's less \$ 48,691.00

Heather Corsetino 2/2/2015
HEATHER CORSENTINO Date

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

Parcel No. 8-6
S. P. No. 324-02-0008 (H.002622.3)

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) 8-6, 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>6,910.00</u>
DAMAGES	<u>20,543.00</u>
ADDITIONAL COMPENSATION	<u> </u>
TOTAL ESTIMATE OF COMPENSATION	<u>27,453.00</u>

Methodology Used:

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

Gary Don Robinson
6624 Main Street
Winnsboro, LA 71295

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

Winnsboro, Louisiana, June 15, 2013.

Gary D. Robinson

GARY DON ROBINSON
LOUISIANA CERTIFIED GENERAL REAL ESTATE APPRAISER
CERTIFICATE NO. G0868

Total Approved Amount of Compensation to the full extent of the owner's loss \$ 48,691.00

Heather Corsetino 2/2/2015
HEATHER CORSENTINO Date

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

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS. **15-0514**

ESTATE OF FRANK J. CICCIO, ET AL

NUMBER

4TH JUDICIAL DISTRICT COURT

PARISH OF OUACHITA

STATE OF LOUISIANA

FILED

ORDER OF EXPROPRIATION

FEB 26 2015
DANA BENSON
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

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-Eight Thousand Six Hundred Ninety-One and No/100 Dollars (\$48,691.00).

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 Estate of Frank J. Ciccio and Darlin Denise Wilhite Ciccio 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 Ouachita, State of Louisiana, and in Section 20, Township T18N, Range R3E, North of Red River Land District, identified as Parcel No. 8-6, on a white print of a plat of survey, consisting of Sheet Nos. 8 and 9, made by Paul D. Fryer, Registered Land Surveyor, dated April 24, 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. 8-6:

From a point on the centerline of State Project No. H.002622, at Highway Survey Station 48+98.91, proceed N00°06'14"W a distance of 47.47 feet to the point of beginning; thence proceed N00°06'14"W a distance of 7.59 feet to a point and corner; thence proceed along a

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

NUMBER

VS. **15-0514**

4TH JUDICIAL DISTRICT COURT

PARISH OF OUACHITA

ESTATE OF FRANK J. CICCIO, ET AL

STATE OF LOUISIANA

FILED

ORDER

FEB 26 2015
Don Bonn
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

The foregoing considered:

IT IS ORDERED that Jessica Williams Attorney at Law, whose address is 400 St. John St., Monroe, LA 71201, and whose telephone number is 318.388.4720, be and is hereby appointed to represent the Estate of Frank J. Ciccio as

authorized in LA C.C.P. Article 5091, as amended.

Monroe, Louisiana, the 26th day of February, 2015.

JUDGE, FOURTH JUDICIAL DISTRICT COURT
CARL VAN SHARP

2015 FEB 27 A 9:21
CLERK OF COURT

CERTIFIED
TRUE COPY

MAR 04 2015
B. Abraham
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

Ouachita Parish Recording Page

LOUISE BOND
Clerk of Court
PO Box 1862
Monroe, LA 71210-1862
(318) 327-1444

Received From :
OP CLERK OF COURT; CIVIL 15-0514

First VENDOR
CICCIO, FRANK J-EST ET AL

First VENDEE
LOUISIANA STATE OF DEPT OF TRANS & DEV

Index Type : Conveyances

File Number : 1669581

Type of Document : Order Of Expropriation

Book : 2410 **Page :** 286

Recording Pages : 5

Recorded Information

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



Clerk of Court

On (Recorded Date) : 03/04/2015

At (Recorded Time) : 10:33:29AM



Doc ID - 010906380005

Return To :
OP CLERK OF COURT; CIVIL 15-0514

FILED

FEB 26 2015

DEPUTY CLERK

4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

NUMBER

VS. **15-0514**

4TH JUDICIAL DISTRICT COURT

PARISH OF OUACHITA

ESTATE OF FRANK J. CICCIO, 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 Forty-Eight Thousand Six Hundred Ninety-One and No/100 Dollars (\$48,691.00).

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 Estate of Frank J. Ciccio and Darlin Denise Wilhite Ciccio 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 Ouachita, State of Louisiana, and in Section 20, Township T18N, Range R3E, North of Red River Land District, identified as Parcel No. 8-6, on a white print of a plat of survey, consisting of Sheet Nos. 8 and 9, made by Paul D. Fryer, Registered Land Surveyor, dated April 24, 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. 8-6:

From a point on the centerline of State Project No. H.002622, at Highway Survey Station 48+98.91, proceed N00°06'14"W a distance of 47.47 feet to the point of beginning; thence proceed N00°06'14"W a distance of 7.59 feet to a point and corner; thence proceed along a

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT
VS.
ESTATE OF FRANK J. CICCIO, ET AL

NUMBER
4TH JUDICIAL DISTRICT COURT
PARISH OF OUACHITA
STATE OF LOUISIANA

ORDER OF EXPROPRIATION (Continued)

curve to the left having a radius of 3045.00 feet, whose length is 87.31 feet and whose chord length is 87.31 feet and bears N86°17'04"E to a point and corner; thence proceed N37°34'53"E a distance of 40.06 feet to a point and corner; thence proceed N16°44'28"E a distance of 22.45 feet to a point and corner; thence proceed S10°52'08"E a distance of 61.87 feet to a point and corner; thence proceed S85°21'52"W a distance of 69.60 feet to a point and corner; thence proceed S89°53'46"W a distance of 60.30 feet to the point of beginning. All of which comprises Parcel 8-6 as shown on Sheets 8 and 9 of the Right of Way Plans of State Project No. H.002622, and contains an area of approximately 2177.1 square feet or 0.050 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, ESTATE OF FRANK J. CICCIO and DARLIN DENISE WILHITE CICCIO, 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.

Monroe, Louisiana, this 24 day of February, 2015.

JUDGE, FOURTH JUDICIAL DISTRICT COURT

CARL VAN SHARP

CERTIFIED
TRUE COPY

MAR 04 2015
B. Graham
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

STATE OF LOUISIANA, DEPARTMENT
OF TRANSPORTATION & DEVELOPMENT

VS.

ESTATE OF FRANK J. CICCIO, ET AL

NUMBER

4TH JUDICIAL DISTRICT COURT

PARISH OF OUACHITA

STATE OF LOUISIANA

RECEIPT

LOUISE BOND, 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. FRANK J. CICCIO, ET AL No. 15-0514 of the docket of said court, the State of Louisiana seeks the expropriation of the full ownership of the property described below, together with all of the improvements situated wholly or partially thereon, subject to the reservation in favor of the owners of all oil or gas located under the property described below, or the royalties therefrom, in accordance with law, and subject to any existing oil or gas reservation or to any existing oil or gas lease, for the project set forth in the petition, said property being described as follows, to-wit:

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 Ouachita, State of Louisiana, and in Section 20, Township T18N, Range R3E, North of Red River Land District, identified as Parcel No. 8-6, on a white print of a plat of survey, consisting of Sheet Nos. 8 and 9, made by Paul D. Fryer, Registered Land Surveyor, dated April 24, 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. 8-6:

From a point on the centerline of State Project No. H.002622, at Highway Survey Station 48+98.91, proceed N00°06'14"W a distance of 47.47 feet to the point of beginning; thence proceed N00°06'14"W a distance of 7.59 feet to a point and corner; thence proceed along a curve to the left having a radius of 3045.00 feet, whose length is 87.31 feet and whose chord length is 87.31 feet and bears

N86°17'04"E to a point and corner; thence proceed N37°34'53"E a distance of 40.06 feet to a point and corner; thence proceed N16°44'28"E a distance of 22.45 feet to a point and corner; thence proceed S10°52'08"E a distance of 61.87 feet to a point and corner; thence proceed S85°21'52"W a distance of 69.60 feet to a point and corner; thence proceed S89°53'46"W a distance of 60.30 feet to the point of beginning. All of which comprises Parcel 8-6 as shown on Sheets 8 and 9 of the Right of Way Plans of State Project No. H.002622, and contains an area of approximately 2177.1 square feet or 0.050 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 Forty-Eight Thousand Six Hundred Ninety-One and No/100 Dollars (\$48,691.00) 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 Monroe, Louisiana, this 26 day of February, 2015.



DEPUTY CLERK OF COURT, FOURTH JUDICIAL DISTRICT COURT