

NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

DOCKET NO.: \_\_\_\_\_

DIVISION " \_\_\_\_\_ "

STATE OF LOUISIANA, DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT

VERSUS

ESTATE OF CLARENCE PRESTLY

FILED: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF COURT

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PETITION FOR EXPROPRIATION

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The Petition of the STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT, ("Petitioner"), 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.

The ESTATE OF CLARENCE PRESTLY is the defendant herein ("Defendant").

2.

The STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT, proposes to construct in the Parishes of East Baton Rouge and West Baton Rouge a certain Project designated as State Project No. H.004100, I-10: LA 415 to Essen Lane on I-10 and I-12, Phase 1: West of Washington St. to Essen Lane, Final R/W and C of A, Route: LA I-10 ("Project"), which Project is more fully described by a Certificate of Authorization to Expropriate approved by the Secretary of the Department of Transportation & Development on March 17, 2023, 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.

As reflected in "Exhibit P-1," the construction of said Project "will be conducive to the public interest, convenience, and safety," and will be an important improvement to 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 it is completed, and the right of way has been fixed by the Chief Engineer of the Department of Transportation & Development, as shown by the Certificate of the Chief Engineer 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 Defendant, ESTATE OF CLARENCE PRESTLY, a portion of which is required in full ownership designated as Parcel No. 17-5, and a portion of which is required for a temporary construction servitude for a period of time not to exceed completion of the Project, designated as Parcel No. 17-5-C-1, a controlled-access facility with no right of access to, from or across said facility to or from abutting lands except at the designated points at which access is permitted upon the terms and conditions specified from time to time and upon the service, frontage or access roads provided, said property and line being designated as Parcel No. 17-5-C-1, and more particularly described as follows, to-wit:

Two (2) certain tracts or parcels of land, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parishes of East Baton Rouge and West Baton Rouge, State of Louisiana, and in Section 53, Township 7 South, Range 1 West, Greensburg Land District, identified as Parcel Nos. 17-5 and 17-5-C-1, on a white print of a plat of survey consisting of Sheet Nos. 17 and 18, made by Carl A. Jeansonne, Registered Land Surveyor, dated August 8, 2022, revised, annexed to the above numbered and entitled suit, said tracts or parcels being outlined in red and being more particularly described in accordance with said plat of survey.

**REQUIRED IN FULL OWNERSHIP**

**PARCEL NO. 17-5:**

From a point on the centerline of State Project No. H.004100, at Highway Survey Station 246+23.63, proceed N88°03'37"E a distance of 234.55 feet to the point of beginning; thence proceed S50°28'53"E a distance of 30.21 feet to a point and corner; thence proceed S88°03'37"W a distance of 22.66 feet to a point and corner; thence proceed N01°52'33"W a distance of 20.00 feet to the point of beginning. All of which comprises Parcel 17-5 as shown on Sheet 17 of the Right of Way Plans of State Project No. H.004100, and contains an area of approximately 226.6 square feet or 0.005 acres.

**REQUIRED FOR A TEMPORARY CONSTRUCTION  
SERVITUDE:**

**PARCEL NO. 17-5-C-1:**

From a point on the centerline of State Project No. H.004100, at Highway Survey Station 246+23.63, proceed N88°03'37"E a distance of 234.55 feet to the point of beginning; thence proceed N88°03'37"E a distance of 100.00 feet to a point and corner; thence proceed S01°52'33"E a distance of 20.00 feet to a point and corner; thence proceed S88°03'37"W a distance of 77.34 feet to a point and corner; thence proceed N50°28'53"W a distance of 30.21 feet to the point of beginning. All of which comprises Parcel 17-5-C-1 as shown on Sheet 17 of the Right of Way Plans of State Project No. H.004100, and contains an area of approximately 1,773.4 square feet or 0.041 acres.

6.

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

7.

The above-described property is a portion of a larger tract believed to be owned by Defendant, ESTATE OF CLARENCE PRESTLY.

8.

There are no buildings situated wholly or partially upon the above-described parcels, and there are no improvements situated wholly or partially upon the above-described parcels.

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 property described hereinabove as Parcel No. 17-5, subject to the mineral reservation set forth below, and a temporary construction servitude for a period of time not to exceed completion of the Project, designated as Parcel No. 17-5-C-1, a controlled-access facility with no right of access to, from or across said facility to or from abutting lands except at the designated points at which access is permitted upon the terms and conditions specified from time to time and upon the service, frontage or access roads provided, said property and line being designated as Parcel No. 17-5-C-1, 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 property described as Parcel No. 17-5, subject to the mineral reservation set forth below, and a temporary construction servitude for a period of time not to exceed completion of the Project, on, over and across the property described above and designated as Parcel No. 17-5-C-1.

12.

The expropriation of the full ownership of the property described as Parcel No. 17-5 shall be made subject to the reservation in favor of the owner, ESTATE OF CLARENCE PRESTLY, 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, such reservation of mineral rights being imprescriptible as authorized by LA R.S. Section 31:149.

13.

The just compensation to which the Defendant is entitled, being the compensation for the full ownership of the property described as Parcel No. 17-5, subject to the mineral reservation set forth herein, and a temporary construction servitude for a period of time not to exceed completion of the Project on, over and across the property described above and designated as Parcel No. 17-5-C-1, has been estimated to be the sum of One Thousand Four Hundred Four and 00/100 (\$1,404.00) Dollars, as shown by the written Certificates of Estimates 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 property described as Parcel No. 17-5, subject to the mineral reservation set forth herein, and a temporary construction servitude for a period of time not to exceed completion of the Project on, over and across the property designated as Parcel No. 17-5-C-1, in the 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.

18.

Petitioner believes that Clarence Prestly is deceased, no succession representative has been appointed, no heirs or legatees have been sent into possession judicially, and it is necessary that an Attorney at Law be represented to represent ESTATE OF CLARENCE PRESTLY, as authorized in LA C.C.P. Article 5091, as amended.

**WHEREFORE**, Petitioner prays that an Order issue herein directing Petitioner to deposit in the Registry of this Court the sum of One Thousand Four Hundred Four and 00/100 (\$1,404.00) Dollars, for payment to the person or persons entitled thereto, and declaring that the full ownership of the property described as Parcel No. 17-5, subject to the mineral reservation set forth herein, and a temporary construction servitude for a period of time not to exceed completion of the Project on, over and across the property described above and designated as Parcel No. 17-5-C-1, has been taken for highway purposes as of the time such deposit is made.

**WHEREFORE**, Petitioner further prays that said Order direct Defendant to surrender to Petitioner possession of said property.

**WHEREFORE**, Petitioner further prays that the Order of Expropriation and Receipt in this matter be recorded in the conveyance records of East Baton Rouge Parish.

**WHEREFORE**, Petitioner further prays that an Attorney at Law be appointed to represent Defendant, ESATE OF CLARENCE PRESTLY.

**WHEREFORE**, Petitioner further prays that Notice of this expropriation be issued and served upon Defendant, ESTATE OF CLARENCE PRESTLY, together with a certified copy of this Petition for Expropriation, the Order of Expropriation of this Court, and the Receipt of the Clerk of Court for the deposit made, according to law.

**WHEREFORE**, 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. art. 1734.1.

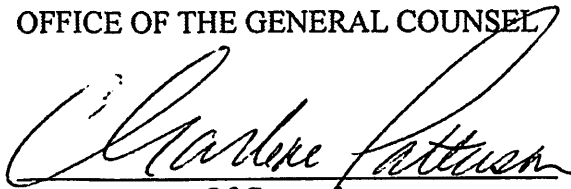
**WHEREFORE**, Petitioner further prays that it be served with written notice of any trial, motion or other proceeding scheduled before this Honorable Court in accordance with La. R.S. 48:451, and that it be served with notice of any interlocutory or final order, decree or judgment

rendered and signed as provided by the Louisiana Code of Civil Procedure.

**WHEREFORE**, Petitioner further prays that upon a final hearing there be judgment herein in favor of Petitioner fixing the amount of just compensation at a sum not to exceed One Thousand Four Hundred Four and 00/100 (\$1,404.00) Dollars.

Respectfully Submitted:

LOUISIANA DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT  
OFFICE OF THE GENERAL COUNSEL

By:   
Of Counsel

Charlene Patterson (La. Bar Roll No. 28716)  
1201 Capitol Access Road (70802)  
Post Office Box 94245  
Baton Rouge, Louisiana 70804-9245  
Ph.: (225) 242-4612 | Fax: (225) 242-4691  
Email: [charlene.patterson@la.gov](mailto:charlene.patterson@la.gov)  
*Attorney for LA DOTD*

**PLEASE SERVE:**

ESTATE OF CLARENCE PRESTLY,  
[Last Known Address: 7545 Percy Ave., Baton Rouge, LA 70812],  
*Through Court Appointed Attorney:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**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:

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**STATE PROJECT NO. H.004100  
I-10: LA 415 TO ESSEN LANE ON I-10 & I-12  
ROUTE LA I-10  
WEST AND EAST BATON ROUGE PARISH**

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State Project Number H.004100 provides for drainage structures, grading bridges, class II base course, portland cement concrete pavement, asphalt concrete pavement, roundabout, retaining walls, soundwalls, permanent signing and striping, lighting, and earthwork, on I-10 in East Baton Rouge Parish, as follows:

Beginning I-10 at approximate Highway Survey Station 427+31.00, then proceed in a southeasterly direction to end at approximate Highway Survey Station 437+63.65.

Beginning I-10 at approximate Highway Survey Station 201+14.71, then proceed in a southeasterly direction to end at approximate Highway Survey Station 430+00.00.

Beginning Acadian Thwy. at approximate Highway Survey Station 50+95.00, then proceed in a northerly direction to end at approximate Highway Survey Station 71+00.00.

Beginning Nairn Dr. at approximate Highway Survey Station 40+00.00, then proceed in a northerly direction to end at approximate Highway Survey Station 60+00.00.

Bridge Site I-10, is between the following Highway Survey Stations: approximate Highway Survey Station 427+31.00 and Highway Survey Station 241+68.22.

Bridge Site I-10 over City Park Lake, is between the following Highway Survey Stations: approximate Highway Survey Station 261+63.19 and Highway Survey Station 270+00.38.

Bridge Site I-10 Perkins to Acadian, is between the following Highway Survey Stations: 289+38.66 and Highway Survey Station 320+75.66.

Bridge Site Acadian Thruway, is between the following Highway Survey Stations: approximate Highway Survey Station 59+06.10, and Highway Survey Station 60+05.63.

Bridge Site Nairn Dr. over I-10, is between the following Highway Survey Stations: approximate Highway Survey Station 47+06.00 and Highway Survey Station 52+94.00.

Bridge Site I-10 at College Dr., is between the following Highway Survey Stations: approximate Highway Survey Station 350+73.00 and Highway Survey Station 358+42.00.

Bridge Site I-10 EB at Ward Creek, is between the following Highway Survey Stations: approximate Highway Survey Station 403+31.31 and Highway Survey Station 405+04.74.



The total roadway length is approximately 3.263 miles, and the total bridge length is approximately 2.025 miles, for an overall project length of approximately 5.288 miles.

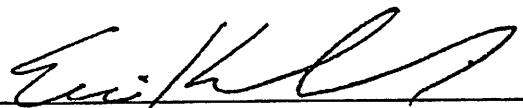
The construction of the above-described project will be conducive to the public interest, convenience and safety and will enable the Department of Transportation and Development to properly fulfill the functions imposed upon it by law.

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 La. R.S. 36:501 et seq., and La. 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 La. 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. H.004100, I-10: LA 415 to Essen Lane on I-10 & I-12, Parish of West and East Baton Rouge Parish.


Baton Rouge, Louisiana, this 17<sup>th</sup> day of March, 2023.

  
ERIC KALIVODA  
SECRETARY  
DEPARTMENT OF TRANSPORTATION  
AND DEVELOPMENT

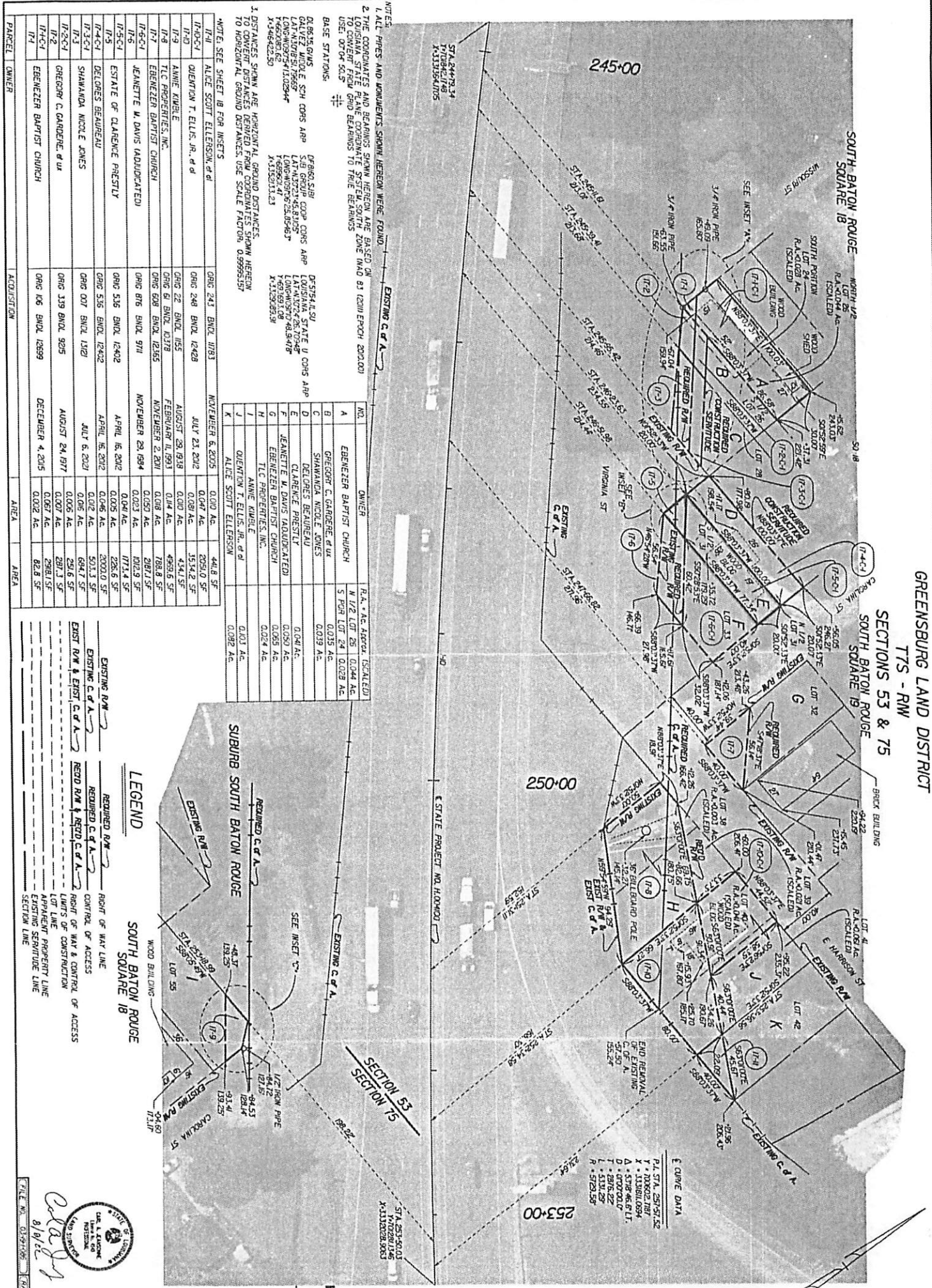
The custodian of official records of the Department of Transportation and Development of the State of Louisiana certifies under the provisions of R.S. 13:3712 and Chapter 9 of the Louisiana Code of Evidence that the attached 2 page(s) is(are) a true and correct copy (copies) of the original(s).

CERTIFICATE  
OF THE  
CHIEF ENGINEER

I hereby certify that I have fixed the right of way required to construct STATE PROJECT NO.  
H.004100, F.A.P. NO. H004100, I-10: LA 415 TO ESSEN LANE ON I-10 AND I-12, PHASE 1:  
WEST OF WASHINGTON STREET TO ESSEN LANE, FINAL R/W AND C OF A, ROUTE LA  
I-10, WEST AND 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.

 10/2/2023  
CHRISTOPHER P. KNOTTS, P.E. DATE  
DOTD CHIEF ENGINEER

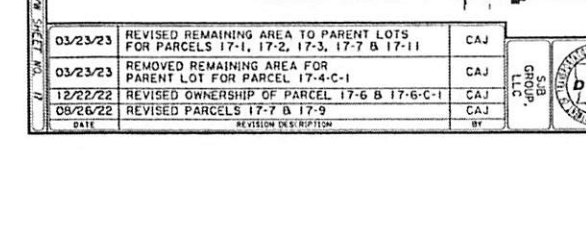
Final Right of Way Map



NOTES:  
 1. ALL PIPES AND MONUMENTS SHOWN HEREON WERE FOUND.  
 2. THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE LOUISIANA STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 83 (2011) EPOCH 2010.0) TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 0.0704 SOU.S.  
 BASE STATIONS:  
 D. 86.55.04.05  
 G. 16.5.0.0.0  
 L. 1.1.1.1.1  
 M. 1.1.1.1.1  
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NO.	OWNER	R.A. * AC. (SCALED)
A	EBENEZER BAPTIST CHURCH	0.044 AC.
B	GREGORY C. GARBERE, d.u.	0.035 AC.
C	SHAWANDA NICOLE JONES	0.039 AC.
D	DELORES BEAUREAU	0.04 AC.
E	CLARENCE PRESTLY	0.050 AC.
F	JEANNETTE W. DAVIS (ADJUDICATED)	0.065 AC.
G	EBENEZER BAPTIST CHURCH	0.064 AC.
H	TLC PROPERTIES, INC.	0.024 AC.
I	ANNIE KIBBLE	0.103 AC.
J	QUENTON T. ELLIS, JR. d.d	0.082 AC.
K	ALICE SCOTT ELLENSON, d.d	0.082 AC.

NO.	OWNER	AC.	DATE	AREA
17-1	ALICE SCOTT ELLENSON, d.d	0.000 AC.	NOVEMBER 6, 2005	441.8 SF
17-2	QUENTON T. ELLIS, JR. d.d	0.091 AC.	JULY 23, 2012	2091.0 SF
17-3	ANNIE KIBBLE	0.090 AC.	AUGUST 28, 1918	3534.2 SF
17-4	TLC PROPERTIES, INC.	0.104 AC.	FEBRUARY 11, 1993	4341.5 SF
17-5	EBENEZER BAPTIST CHURCH	0.098 AC.	NOVEMBER 2, 2001	4693.6 SF
17-6	JEANNETTE W. DAVIS (ADJUDICATED)	0.050 AC.	NOVEMBER 2, 2001	788.8 SF
17-7	ESTATE OF CLARENCE PRESTLY	0.023 AC.	NOVEMBER 23, 1894	2087.1 SF
17-8	DELORES BEAUREAU	0.004 AC.	APRIL 16, 2012	1012.9 SF
17-9	GREGORY C. GARBERE, d.u.	0.006 AC.	APRIL 16, 2012	777.4 SF
17-10	SHAWANDA NICOLE JONES	0.006 AC.	APRIL 16, 2012	228.6 SF
17-11	CLARENCE PRESTLY	0.006 AC.	APRIL 16, 2012	3000.0 SF
17-12	ANNIE KIBBLE	0.006 AC.	JULY 6, 2001	501.3 SF
17-13	EBENEZER BAPTIST CHURCH	0.006 AC.	JULY 6, 2001	694.7 SF
17-14	JEANNETTE W. DAVIS (ADJUDICATED)	0.006 AC.	AUGUST 24, 1917	291.6 SF
17-15	ESTATE OF CLARENCE PRESTLY	0.007 AC.	AUGUST 24, 1917	291.3 SF
17-16	DELORES BEAUREAU	0.007 AC.	DECEMBER 4, 2015	2981.5 SF
17-17	GREGORY C. GARBERE, d.u.	0.007 AC.	DECEMBER 4, 2015	82.8 SF
17-18	ANNIE KIBBLE	0.002 AC.	DECEMBER 4, 2015	82.8 SF
17-19	EBENEZER BAPTIST CHURCH	0.002 AC.	DECEMBER 4, 2015	82.8 SF



03/23/23	REVISED REMAINING AREA TO PARENT LOTS FOR PARCELS 17-1, 17-2, 17-3, 17-7 & 17-11	CAJ		COMPUTED	CAJ	PARISH: EAST BATON ROUGE CONTROL SECTION: 450-10 STATE PROJECT: H.004100
03/23/23	REMOVED REMAINING AREA FOR PARENT LOT FOR PARCEL 17-4-C-1	CAJ		UNERKED	CAJ	
12/22/22	REVISED OWNERSHIP OF PARCEL 17-6 B 17-6-C-1	CAJ		Detailed	CAJ	
08/26/22	REVISED PARCELS 17-7 & 17-9	CAJ		CHECKED	CAJ	
DATE	REVISION DESCRIPTION	BY	SCALE	DATE	SCALE	DATE
			1" = 30'	08/08/2022	1" = 30'	08/08/2022

Final Right of Way Map

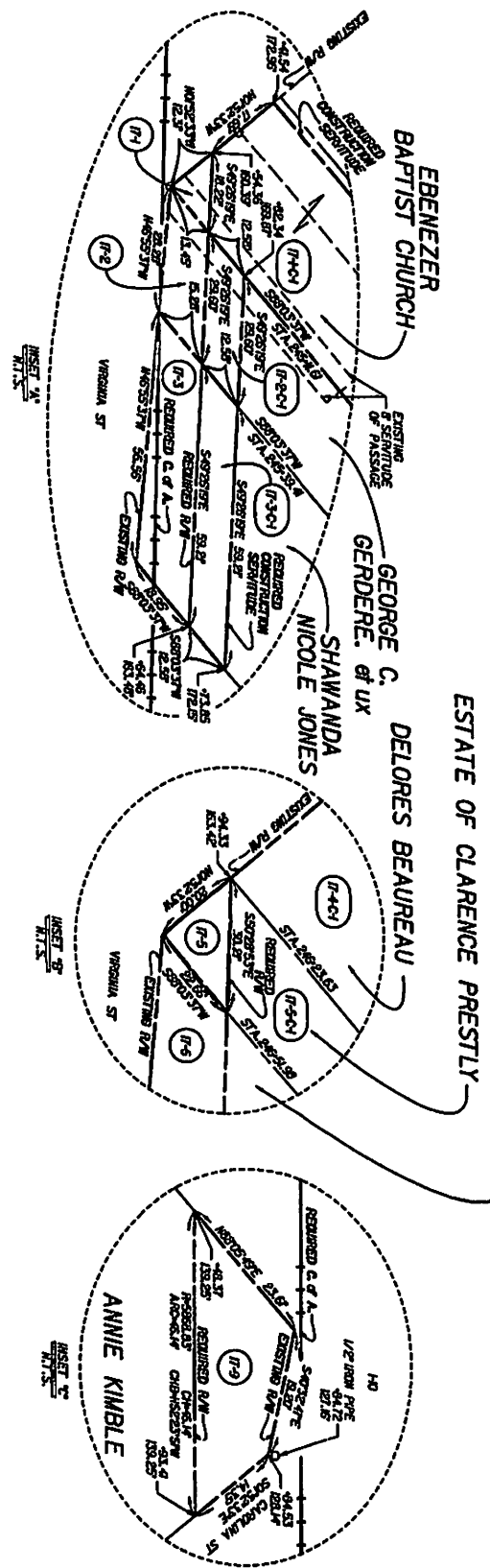
S:\survproj\Inroads Survey\31728\_4 H.004100 I-10 LA 415 to Essen on I-10 and I-12 ROW Maps\Drawings\H004100 BASE ROW Sheet 18.dgn

3/28/2023

12:30

NOTES:  
 1. ALL PASSES AND DIMENSIONS SHOWN HEREON WERE FOUND  
 2. THE CORNER MARKS AND BEARINGS SHOWN HEREON ARE BASED ON  
 TO CORNER FROM THE CORNER TO THE BEARINGS  
 USED ON THIS MAP  
 BASE STATION:  
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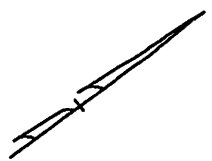
PARCEL IDENTIFIED BY	AREA	AREA
R-1	0.00 AC.	43.5 SF
R-2	0.00 AC.	84.9 SF
R-3	0.00 AC.	84.8 SF
R-4	0.00 AC.	50.3 SF



GREENSBURG LAND DISTRICT  
 TTS - ROW  
 SECTIONS 53 & 75

LEGEND

- EXISTING R/W
- RESERVED R/W
- RIGHT OF WAY LINE
- CONTROL OF ACCESS
- RIGHT OF WAY & CONTROL OF ACCESS
- LIMITS OF CONSTRUCTION
- UNLINED PROPERTY LINE
- EXISTING SEPARATOR LINE
- SECTION LINE




03/23/23	REVISOR TO CONFORM WITH SHEET 17	CAJ		RIGHT OF WAY MAP STATE PROJECT NO. H004100 I-10, LA 415 TO ESSEN ON I-10 AND I-12 PHASE 1: WEST OF WASHINGTON STREET TO ESEN LANE EAST BATON ROUGE PARISH		COMPUTED	CAJ	PARISH: EAST BATON ROUGE SECTION: 450-10 PROJECT: H.004100	
12/22/22	REVISOR TO CONFORM WITH SHEET 17	CAJ				DETAILED	TJC		
08/25/22	REVISOR TO CONFORM WITH SHEET 17	CAJ				CHECKED	CAJ		
DATE	SCALE	DATE	SCALE	DATE	SCALE	DATE	SCALE	DATE	SCALE

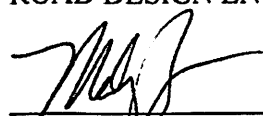
EXHIBIT P-3

CERTIFICATE  
ON  
LOCATION AND DESIGN

We hereby certify that the location and design of the improvements proposed within STATE PROJECT NO. H.004100, F.A.P. NO. H004100, I-10: LA 415 TO ESSEN LANE ON I-10 AND I-12, PHASE 1: WEST OF WASHINGTON STREET TO ESSEN LANE, FINAL R/W AND C OF A, ROUTE LA I-10, WEST AND 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.

  
CHRISTOPHER P. KNOTTS, P.E. 10/2/2023  
DOTD CHIEF ENGINEER DATE

  
ROBERT ISEMANN, P.E. 9/29/23  
ROAD DESIGN ENGINEER DATE

  
MARK BUCCI, P.E. 9/29/2023  
BRIDGE DESIGN ENGINEER DATE

Parcel No. 17-5  
S. P. No. H.004100

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) 17-5, 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>\$1,404</u>
DAMAGES	<u>\$0</u>
ADDITIONAL COMPENSATION	<u>\$0</u>
TOTAL ESTIMATE OF COMPENSATION	<u>\$1,404</u>

Methodology Used:


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

Woodrow C. Crochet III, MAI, CCIM  
1 Galleria Blvd., Suite 1900  
Metairie, LA 70001

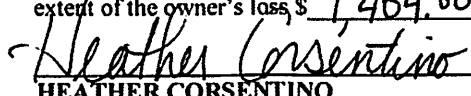
Qualifications:

- 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

Metairie, Louisiana, June 21, 2023.

  
\_\_\_\_\_  
LOUISIANA CERTIFIED GENERAL/RESIDENTIAL REAL ESTATE  
APPRAISER CERTIFICATE NO. (G/R) G2835

Total Approved Amount of Compensation to the full  
extent of the owner's loss \$ 1,404.00

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

10/11/23  
Date

Parcel No. 17-5, 17-5-C-1  
S. P. No. H.004100

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) 17-5, 17-5-C-1, 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	\$404
DAMAGES	\$0
ADDITIONAL COMPENSATION	\$0
TOTAL ESTIMATE OF COMPENSATION	\$404

Methodology Used:

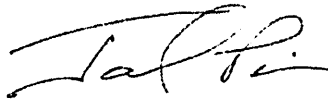
- 1. Sales Comparison Approach
- 2. Cost Approach
- 3. Income Capitalization Approach

Joel M. Picou  
4735 Perkins Rd  
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, 70817, June 21, 2023



JOEL M PICOU  
LOUISIANA CERTIFIED GENERAL REAL ESTATE APPRAISER  
CERTIFICATE NO. G1239

Total Approved Amount of Compensation to the full extent of the owner's loss \$ 1,404.00

Heather Corsetino 10/11/23  
HEATHER CORSENTINO Date

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

NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

DOCKET NO.: \_\_\_\_\_ DIVISION “ \_\_\_\_\_ ”

STATE OF LOUISIANA, DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT

VERSUS

ESTATE OF CLARENCE PRESTLY

NOTICE IN ACCORDANCE WITH LA R.S. 48:441, ET SEQ.

THE STATE OF LOUISIANA

**TO: ESTATE OF CLARENCE PRESTLY,**  
[Last Known Address: 7545 Percy Ave., Baton Rouge, LA 70812],  
*Through Court Appointed Attorney:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Pursuant to an Order issued by a Judge of the Nineteenth Judicial District Court of the State of Louisiana for the Parish of East Baton Rouge on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, in the above numbered and entitled cause on petition of the State of Louisiana, Department of Transportation & Development, a duly certified copy of which Petition and Order is hereunto annexed to be served on you herewith, notice is hereby given of the expropriation of the property described in said Petition and of the deposit into the Registry of this Honorable Court of the sum of One Thousand Four Hundred Four and 00/100 (\$1,404.00) Dollars on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, a certified copy of the Receipt for such deposit being annexed hereunto to be served on you herewith:

**YOU ARE HEREBY SUMMONED** to comply with the demand contained in that Petition or to deliver your answer to the Petition to the office of the Clerk of the Nineteenth Judicial District Court at the East Baton Rouge Parish Courthouse **within one (1) year** from the date you are notified by the Louisiana Department of Transportation & Development that it has finally accepted the construction of the highway project for which the property was expropriated, in accordance with LA R.S. 48:450.

If you desire to contest the validity of the taking on the ground that the property was not expropriated for a public use or on the ground that the Petition and exhibits do not satisfy the provisions contained in LA R.S. 48:442 through 444, you are required to file a Motion to Dismiss on that ground **within twenty (20) days** after the service hereof, in accordance with LA R.S. 48:447.

By order of an Honorable Judge of the Nineteenth Judicial District Court in and for the Parish of East Baton Rouge, State of Louisiana.

Signed and delivered to the Sheriff of East Baton Rouge Parish this \_\_\_\_\_ day of \_\_\_\_\_ in the year 2023.



NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

DOCKET NO.: \_\_\_\_\_ DIVISION “ \_\_\_\_\_ ”

STATE OF LOUISIANA, DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT

VERSUS

ESTATE OF CLARENCE PRESTLY

FILED: \_\_\_\_\_  
CLERK OF COURT

ORDER OF EXPROPRIATION

The Petition, exhibits and premises considered:

**IT IS HEREBY ORDERED** that the STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT (“Petitioner”), deposit in the Registry of the Court, for the use and benefit of the person or persons entitled thereto, the sum of One Thousand Four Hundred Four and 00/100 (\$1,404.00) Dollars.

**IT IS HEREBY FURTHER ORDERED** that the full ownership of the property described as Parcel No. 17-5, subject to the reservation in favor of Defendant, the ESTATE OF CLARENCE PRESTLY, 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, such reservation of mineral rights being imprescriptible as authorized by LA R.S. 31:149, and a temporary construction servitude for a period of time not to exceed completion of the Project, described as Parcel No. 17-5-C-1, a controlled-access facility with no right of access to, from or across said facility to or from abutting lands except at the designated points at which access is permitted upon the terms and conditions specified from time to time and upon the service, frontage or access roads provided, are expropriated and taken for highway purposes as of the time of such deposit, according to law. Parcels 17-5 and 17-5-C-1 are more particularly described as follows, to-wit:

Two (2) certain tracts or parcels of land, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in the Parishes of East Baton Rouge and West Baton Rouge, State of Louisiana, and in Section 53, Township 7 South, Range 1 West, Greensburg Land

*John Swearingen*



Certified True and  
Correct Copy  
CertID: 2023103100261

East Baton Rouge Parish  
Deputy Clerk Of Court

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District, identified as Parcel Nos. 17-5 and 17-5-C-1, on a white print of a plat of survey consisting of Sheet Nos. 17 and 18, made by Carl A. Jeansonne, Registered Land Surveyor, dated August 8, 2022, revised, annexed to the above numbered and entitled suit, said tracts or parcels being outlined in red and being more particularly described in accordance with said plat of survey.

**REQUIRED IN FULL OWNERSHIP**

**PARCEL NO. 17-5:**

From a point on the centerline of State Project No. H.004100, at Highway Survey Station 246+23.63, proceed N88°03'37"E a distance of 234.55 feet to the point of beginning; thence proceed S50°28'53"E a distance of 30.21 feet to a point and corner; thence proceed S88°03'37"W a distance of 22.66 feet to a point and corner; thence proceed N01°52'33"W a distance of 20.00 feet to the point of beginning. All of which comprises Parcel 17-5 as shown on Sheet 17 of the Right of Way Plans of State Project No. H.004100, and contains an area of approximately 226.6 square feet or 0.005 acres.

**REQUIRED FOR A TEMPORARY CONSTRUCTION  
SERVITUDE:**

**PARCEL NO. 17-5-C-1:**

From a point on the centerline of State Project No. H.004100, at Highway Survey Station 246+23.63, proceed N88°03'37"E a distance of 234.55 feet to the point of beginning; thence proceed N88°03'37"E a distance of 100.00 feet to a point and corner; thence proceed S01°52'33"E a distance of 20.00 feet to a point and corner; thence proceed S88°03'37"W a distance of 77.34 feet to a point and corner; thence proceed N50°28'53"W a distance of 30.21 feet to the point of beginning. All of which comprises Parcel 17-5-C-1 as shown on Sheet 17 of the Right of Way Plans of State Project No. H.004100, and contains an area of approximately 1,773.4 square feet or 0.041 acres.

**IT IS HEREBY FURTHER ORDERED** that this matter be tried by jury upon Petitioner 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.

**IT IS HEREBY FURTHER ORDERED** that this Order of Expropriation and the Receipt be recorded in the conveyance records of East Baton Rouge Parish.

**IT IS HEREBY FURTHER ORDERED** that Paolo Messina,  
Attorney at Law, whose address is 1354 Ashland Dr  
Baton Rouge, LA 70806 and whose  
telephone number is (225) 242-7449, be and is hereby appointed to represent Defendant,  
ESTATE OF CLARENCE PRESTLY, as authorized by La. C.C.P. Article 5091, as amended.

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*John Swearington*



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NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

DOCKET NO.: \_\_\_\_\_

DIVISION “ \_\_\_\_\_ ”

STATE OF LOUISIANA, DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT

VERSUS

ESTATE OF CLARENCE PRESTLY

FILED: \_\_\_\_\_

CLERK OF COURT


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ORDER OF EXPROPRIATION (continued)

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**IT IS HEREBY FURTHER ORDERED** that the Defendant vacate the above-described parcel(s), and right of access, egress and ingress, vehicular and pedestrian, to and from Defendant’s property, along and only along the line described hereinabove, and surrender possession thereof unto Petitioner immediately upon the deposit of the estimated compensation into the Registry of the Court.

Baton Rouge, Louisiana, this 19 day of October, 2023.

  
HONORABLE JUDGE  
19<sup>TH</sup> JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

Judge Kelly Balfour

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NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

DOCKET NO.: \_\_\_\_\_ DIVISION “ \_\_\_\_\_ ”

STATE OF LOUISIANA, DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT

VERSUS

ESTATE OF CLARENCE PRESTLY

FILED: \_\_\_\_\_ CLERK OF COURT

RECEIPT

HONORABLE DOUG WELBORN, CLERK OF COURT

TO

STATE OF LOUISIANA,  
DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

STATE OF LOUISIANA  
PARISH OF EAST BATON ROUGE

In the cause entitled "STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT VERSUS ESTATE OF CLARENCE PRESTLY," No. 739,492 of the docket of said Court, the State of Louisiana seeks the expropriation of the full ownership of the property described below as Parcel No. 17-5, subject to the reservation in favor of the owner, ESTATE OF CLARENCE PRESTLY, 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, and a portion of which is required for a temporary construction servitude for a period of time not to exceed completion of the Project, designated as Parcel No. 17-5-C-1, a controlled-access facility with no right of access to, from or across said facility to or from abutting lands except at the designated points at which access is permitted upon the terms and conditions specified from time to time and upon the service, frontage or access roads provided, said property and line being designated as Parcel No. 17-5-C-1, said property being described as follows, to-wit:

Two (2) certain tracts or parcels of land, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining,

*John Swearingen*



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situated in the Parishes of East Baton Rouge and West Baton Rouge, State of Louisiana, and in Section 53, Township 7 South, Range 1 West, Greensburg Land District, identified as Parcel Nos. 17-5 and 17-5-C-1, on a white print of a plat of survey consisting of Sheet Nos. 17 and 18, made by Carl A. Jeansonne, Registered Land Surveyor, dated August 8, 2022, revised, annexed to the above numbered and entitled suit, said tracts or parcels being outlined in red and being more particularly described in accordance with said plat of survey.

**REQUIRED IN FULL OWNERSHIP**

**PARCEL NO. 17-5:**

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SERVITUDE:**

**PARCEL NO. 17-5-C-1:**

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In accordance with an Order of the Court signed herein, the Department of Transportation & Development, on behalf of the State of Louisiana and of itself, has this day paid into the Registry of the Court the sum of One Thousand Four Hundred Four and 00/100 (\$1,404.00) Dollars, 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 same has been placed in the Registry of the Court.

Signed at Baton Rouge, Louisiana, this 23rd day of October, 2023.

*Brandi Hill*

DEPUTY CLERK OF COURT | 19<sup>TH</sup> JUDICIAL DISTRICT COURT

Page 2 of 2 Pages

*John Swearingen*



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