

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 JAMES ALEX BROWN

FILED: _____
CLERK OF COURT

PETITION FOR EXPROPRIATION

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 JAMES ALEX BROWN is the defendant herein (“Defendant”).

2.

The STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTATION & DEVELOPMENT, proposes to construct in the Parishes of West and East 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 Street to Essen Lane, State Route: LA I-10, 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.

The construction of said project will be greatly conducive to 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 said project is completed, and the width of 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, the ESTATE OF JAMES ALEX BROWN, required in full ownership, and described as follows, to-wit:

To the extent of an undivided fifty (50%) percent interest, 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, and in Section 94, Township 7 South, Range 1 East, Greensburg Land District, identified as Parcel No. 37-2, on a white print of a plat of survey consisting of Sheet No. 37, made by Carl A. Jeansonne, Registered Land Surveyor, dated August 8, 2022, 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.

REQUIRED IN FULL OWNERSHIP

PARCEL NO. 37-2:

From a point on the centerline of State Project No. H.004100, at Highway Survey Station 352+65.12, proceed N28°08'55"E a distance of 94.96 feet to the point of beginning; thence proceed N28°08'55"E a distance of 4.35 feet to a point and corner; thence proceed S83°11'33"E a distance of 53.68 feet to a point and corner; thence proceed S28°08'55"W a distance of 4.23 feet to a point and corner; thence proceed N83°18'37"W a distance of 53.72 feet to the point of beginning. All of which comprises Parcel 37-2 as shown on Sheet 37 of the Right of Way Plans of State Project No. H.004100, and contains an area of approximately 214.6 square feet or 0.005 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.

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

8.

There are no buildings situated wholly or partially upon the above-described property, and the only improvements situated wholly or partially upon the above-described property consist of eighty (80 sf) square feet of concrete pad for a dog pen slab, ten (10 LF) linear feet of three- (3') foot high chain link kennel fence, and five (5 LF) linear feet of three- (3') foot high chain link side fence.

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 as Parcel No. 37-2, 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 property described as Parcel No. 37-2, subject to the mineral reservation set forth below.

12.

The expropriation of the full ownership of the property described above as Parcel No. 37-2 shall be made subject to the reservation in favor of the owner, the ESTATE OF JAMES ALEX

BROWN, of all oil or gas located under the property described hereinabove 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.

13.

The just compensation to which Defendant is entitled, being the compensation for the full ownership of the property described as Parcel No. 37-2, subject to the mineral reservation set forth herein, has been estimated to be the sum of Five Hundred Eighty-Two and 00/100 (\$582.00) Dollars, as shown by the written Certificates of 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 property described as Parcel No. 37-2, 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.

18.

Petitioner believes that JAMES ALEX BROWN is deceased, that no succession representative has been appointed, that no heirs or legatees have been sent into possession judicially, and that it is necessary that an Attorney at Law be appointed to represent the ESTATE OF JAMES ALEX BROWN, 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 Five Hundred Eighty-Two and 00/100 (\$582.00) Dollars for payment to the person or persons entitled thereto, and declaring that the full ownership of the above-described property, subject to the mineral reservation set forth herein, be 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 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, the ESTATE OF JAMES ALEX BROWN.

WHEREFORE, Petitioner further prays that notice of this expropriation be issued and served upon Defendant, 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.

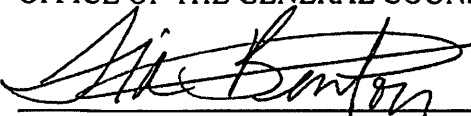
WHEREFORE, Petitioner further prays that this matter be tried by jury and that it be allowed to utilize the cash deposit authorized by La. C.C.P. art. 1734.1.

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 Five Hundred Eighty-Two and 00/100 (\$582.00) Dollars.

Respectfully Submitted:

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

By: 
Of Counsel

Tia C. Benton (La. Bar Roll No. 38476)
1201 Capitol Access Road (70802)
Post Office Box 94245
Baton Rouge, Louisiana 70804-9245
Phone: (225) 379-1226 | Fax: (225) 242-4691
Email: tia.benton2@la.gov
Attorney for LA DOTD

PLEASE SERVE:

ESTATE OF JAMES ALEX BROWN,
[LAST KNOWN ADDRESS:
4740 ALDRICH DR., BATON ROUGE, LA 70808],
Through its 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:

**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**

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.

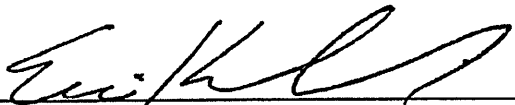
The construction of the above-described project will be conducive to the public interest, convenience and safety and will enable the Department of Transportation and Development to properly fulfill the functions imposed upon it by law.

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 17th 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.



CHAD WINCHESTER, P.E.
DOTD CHIEF ENGINEER

11/27/23
DATE

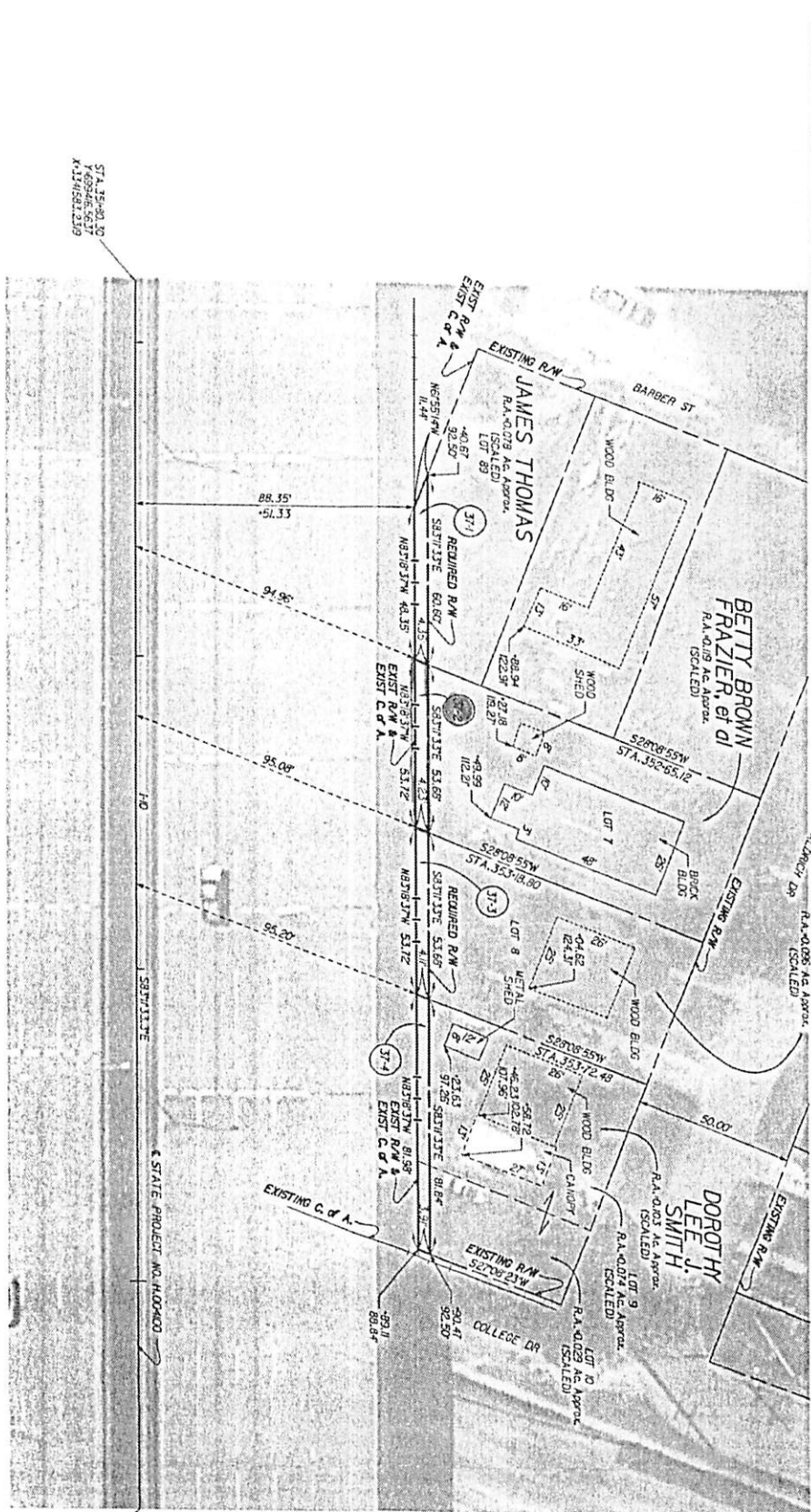
Final Right of Way Map

S:\survproj\Inroads Survey\31728 4 H.004100 1-10 LA 415 to Essen on 1-10 and 1-12 ROW Maps\Drawings\H004100 BASE ROW sheet 37.dgn

8/30/2022

11:32

- NOTES:
 1. ALL PIPES AND MONUMENTS SHOWN HEREON WERE FOUND.
 2. THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON LOUISIANA STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 83 (2011) EPOCH 2001.00) TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 0.0705 48.97"
 3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREON TO HORIZONTAL GROUND DISTANCES USE SCALE FACTOR: 0.99955282
- BASE STATIONS:
 048615.0415 073602.5181 075754.1410
 041422.4102 027403.8089 048615.0415
 048615.0415 048615.0415 048615.0415
 048615.0415 048615.0415 048615.0415
 048615.0415 048615.0415 048615.0415
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PARCEL	OWNER	ACQUISITION	AREA	AREA
37-4	DOROTHY LEE J. SMITH	ORIG 49 BNL 9918	MARCH 4, 1985	0.007 AC
37-3	HOUSE OF GOD OF BATON ROUGE, INC.	ORIG 892 BNL 12558	JUNE 8, 2015	0.005 AC
37-2	BETTY BROWN FRAZIER, et al	ORIG 793 BNL 12921	OCTOBER 25, 2018	204.6 SF
37-1	JAMES R. THOMAS	ORIG 207 BNL 10545	SEPTEMBER 30, 1994	0.005 AC

GREENSBURG LAND DISTRICT
 TTS - RILE
 SECTION 94

HOUSE OF GOD
 OF
 BATON ROUGE, INC.
 COLLEGE DRIVE PLACE



DATE	08/26/22	DESCRIPTION	REMOVED SQUARE FEET OF BUILDINGS	BY	CAJ	SCALE	1"=20'	DATE	08/08/2022	SCALE	1"=20'	STATE PROJECT	H.004100
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Final Right of Way Map

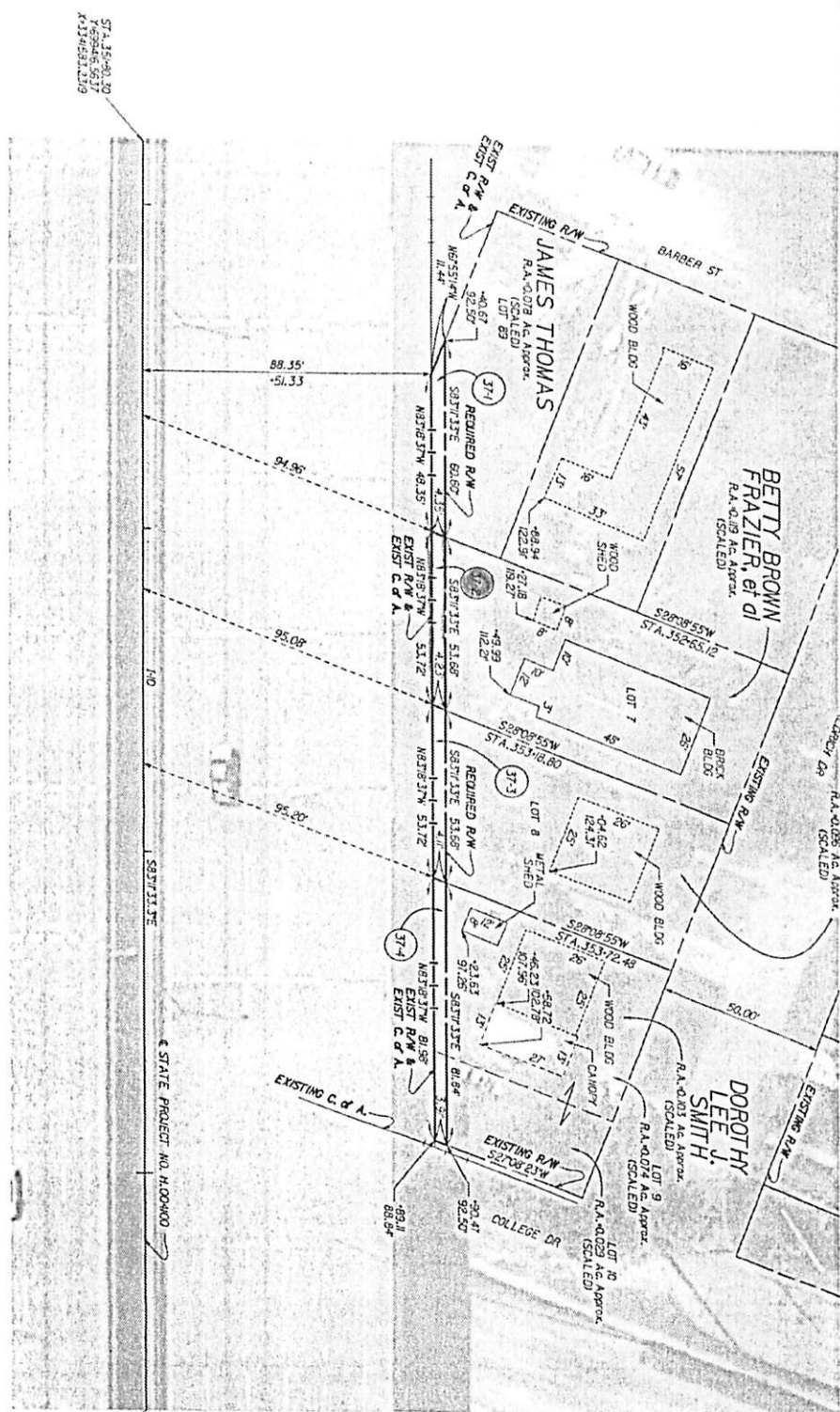
8/30/2022

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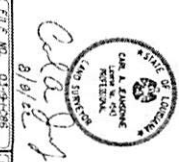
- NOTES:
 1. ALL FEES AND MONUMENTS SHOW HEREIN WERE FOUND.
 2. THE COORDINATES AND BEARINGS SHOW HEREIN ARE BASED ON LOUISIANA STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 83) (2011 EPOCH 2001.00) USE: 0705-46.9'

BASE STATIONS:
 DLR635 GUS
 DATE: 08/25/2022
 LONG: -90.7571102944
 Y: 460901.62
 X: 349422.50
 DFB02 SIB
 DATE: 08/25/2022
 LONG: -90.7571102944
 Y: 460901.62
 X: 349422.50
 DFB314 LSV
 DATE: 08/25/2022
 LONG: -90.7571102944
 Y: 460901.62
 X: 349422.50

PITCHER PLACE 353.00
 HOUSE OF GOD OF BATON ROUGE, INC. 355.00
 COLLEGE DRIVE PLACE 355.00



PARCEL	OWNER	ACQUISITION	AREA	AREA
37-4	DOROTHY LEE J. SMITH	08/29/99 BNCI 8918	0.007 AC.	306.9 SF
37-3	HOUSE OF GOD OF BATON ROUGE, INC.	08/29/99 BNCI 12659	0.009 AC.	208.6 SF
37-2	BETTY BROWN FRAZIER, et al	08/29/99 BNCI 12920	0.005 AC.	214.6 SF
37-1	JAMES R. THOMAS	08/29/99 BNCI 10545	0.005 AC.	231.7 SF



FILE NO. 02-2-088	DATE 08/26/22	PROJECT DESCRIPTION REMOVED SQUARE FEET OF BUILDINGS	BY CAJ	GROUP S.B. GROUP, LLC	DOTD	RIGHT OF WAY MAP STATE PROJECT NO. H.004100 1-10 LA 415 TO ESSEN ON 1-10 AND 1-12 PHASE 1: WEST OF WASHINGTON STREET TO ESSEN LANE EAST BATON ROUGE PARISH	COMPUTED CAJ CHECKED PCS IN FIELD TH CHECKED CAJ DATE 08/08/2022 SCALE 1"=20'	PARISH EAST BATON ROUGE	SECTION 450-10	STATE PROJECT H.004100
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Final Right of Way Map

8/30/2022

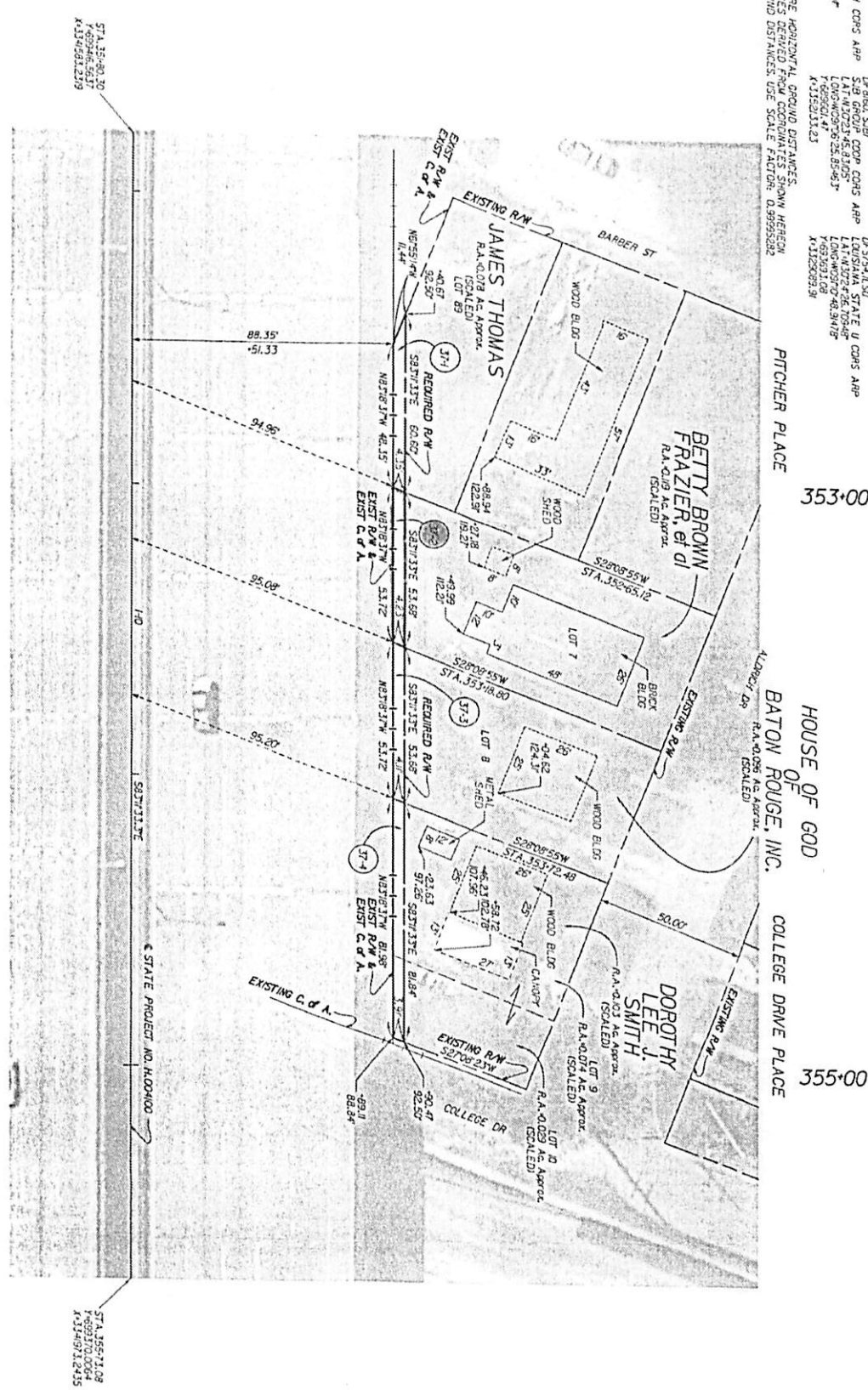
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- NOTES:
1. ALL PIPES AND MONUMENTS SHOWN HEREIN WERE FOUND.
 2. THE COORDINATES AND BEARINGS SHOWN HEREIN ARE BASED ON LOUISIANA STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 83) (GDA) EPOCH 2011.00 TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 00°05'48.9"

BASE STATIONS:

D73754.L519	D73754.L519	D73754.L519
DA 8635.016G	DA 8635.016G	DA 8635.016G
DA 8635.016G	DA 8635.016G	DA 8635.016G
LONG: 462975.11202244	LONG: 462975.11202244	LONG: 462975.11202244
Y: 666080.62	Y: 666080.62	Y: 666080.62
K: 349422.50	K: 349422.50	K: 349422.50
X: 315211.23	X: 315211.23	X: 315211.23

1. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOWN HEREIN TO HORIZONTAL GROUND DISTANCES USE SCALE FACTOR: 0.9995282



GREENSBURG LAND DISTRICT
T75 - RIE
SECTION 94

PARCEL	OWNER	ACQUISITION	AREA	AREA
31-4	DOROTHY LEE J. SMITH	ORIG 49 BNCL 9888	MARCH 4, 1986	0.007 AC
31-3	HOUSE OF GOD OF BATON ROUGE, INC.	ORIG 692 BNCL 12638	JUNE 8, 2015	0.005 AC
31-2	BETTY BROWN FRAZIER, et al	ORIG 793 BNCL 12921	OCTOBER 25, 2018	0.46 SF
31-1	JAMES R. THOMAS	ORIG 207 BNCL 0545	SEPTEMBER 30, 1994	0.005 AC

8/9/22

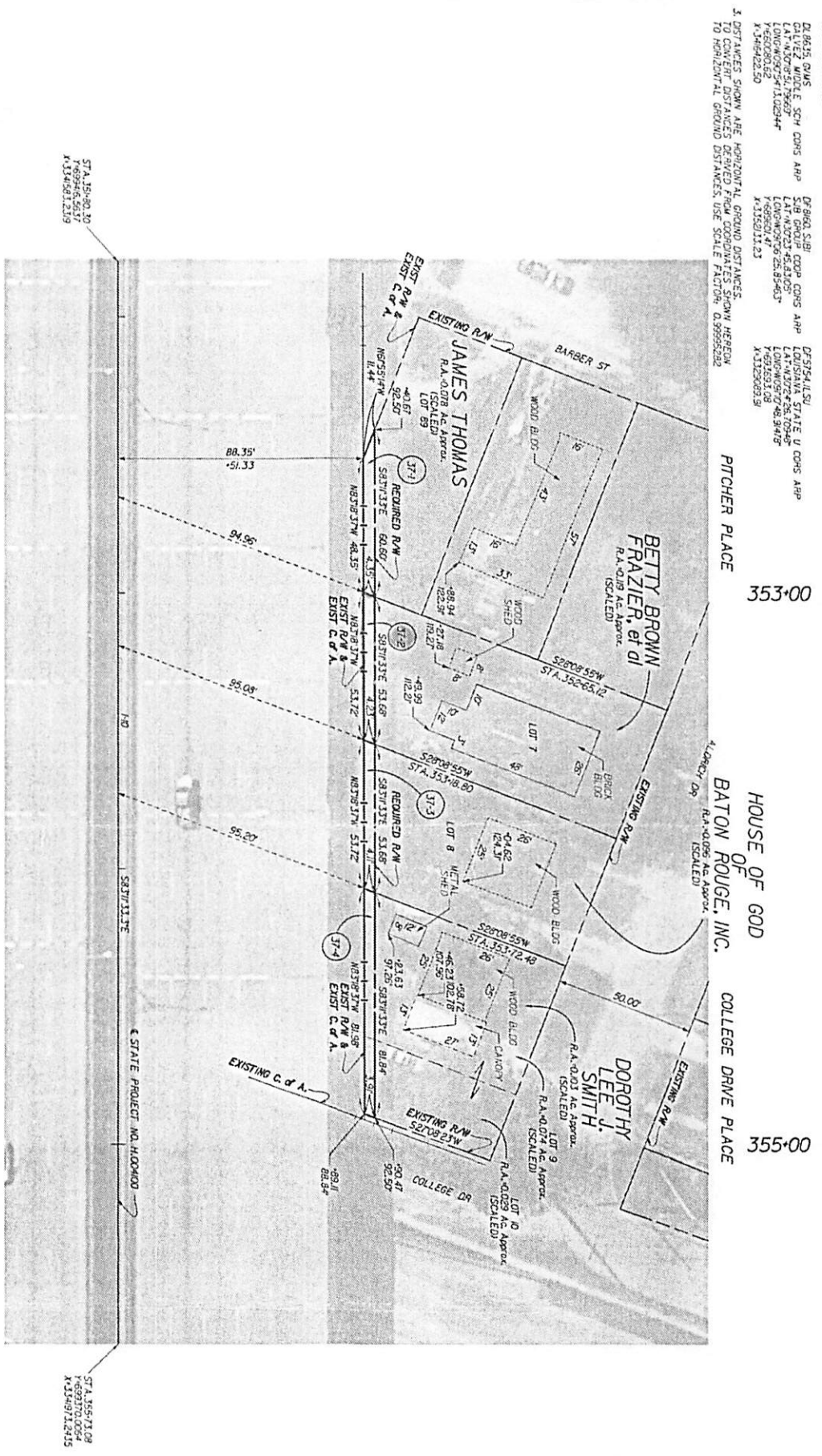
DATE	08/26/22	DESCRIPTION	REMOVED SQUARE FEET OF BUILDINGS	CAJ	DATE	08/08/2022	SCALE	1"=20'
STATE	LA	SECTION	450-10	PARISH	EAST BATON ROUGE	STATE PROJECT NO.	H.004100	

Final Right of Way Map

S:\survproj\Inroads Survey\31728 4 H.004100 1-10 LA 415 to Essen on I-10 and I-12 ROW Maps\Drawings\H004100 BASE ROW Sheet 37.dgn 8/30/2022 11:32

- NOTES:
1. ALL PIPES AND MONUMENTS SHOWN HEREON WERE FOUND.
 2. THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON LOUISIANA STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 83) (2011 EPOCH 2002.00) TO CONVERT FROM GRID BEARINGS TO TRUE BEARINGS USE: 00°05'48.97"
 3. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES TO CONVERT DISTANCES DERIVED FROM COORDINATES SHOW HEREON TO HORIZONTAL GROUND DISTANCES, USE SCALE FACTOR: 0.99995232

GREENSBURG LAND DISTRICT
TTS - RIE
SECTION 94



PARCEL	OWNER	ACQUISITION	AREA	AREA
37-4	DOROTHY LEE J. SMITH	DRIG 49 BUID 9818	0.007 AC.	306.8 SF
37-3	HOUSE OF GOD OF BATON ROUGE, INC.	DRIG 592 BUID 12654	0.005 AC.	204.6 SF
37-2	BETTY BROWN FRAZIER, et al	DRIG 793 BUID 12927	0.005 AC.	214.6 SF
37-1	JAMES R. THOMAS	DRIG 207 BUID 0545	0.005 AC.	221.7 SF

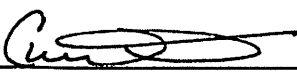
FILE NO. 03/04/008
NEW SHEET NO. 37

8/19/22

DATE	08/26/22	REMOVED SQUARE FEET OF BUILDINGS	CAJ	BY
COMPUTED	CAJ	PARISH	EAST BATON ROUGE	
DR CAD	PCS	SECTION	450-10	
CHECKED	THJ	STATE PROJECT	H.004100	
DATE	08/08/2022	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.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.



CHAD WINCHESTER, P.E.
DOTD CHIEF ENGINEER

11/21/23
DATE



ROBERT ISEMANN, P.E.
ROAD DESIGN ENGINEER

11/22/23
DATE



MARK BUCCI, P.E.
BRIDGE DESIGN ENGINEER

11/22/23
DATE

Parcel No. 37-2
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) 37-2, 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	<u>\$1,158</u>
DAMAGES	<u>\$0</u>
ADDITIONAL COMPENSATION	<u>\$0</u>
TOTAL ESTIMATE OF COMPENSATION	<u>\$1,158</u>

Methodology Used:

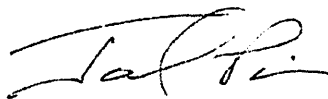
- | | | |
|---------------|----|--------------------------------|
| <u>X</u> | 1. | Sales Comparison Approach |
| <u>X</u> | 2. | Cost Approach |
| <u> </u> | 3. | Income Capitalization Approach |

Joel M. Picou
4735 Perkins Rd
Baton Rouge, LA 70808

Qualifications:

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

Baton Rouge, Louisiana, 70817, September 22, 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 \$ 582.00

Heather Corsetino 12/8/23
Date

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

50% ownership

Parcel No. 37-2
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) 37-2, 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	<u>\$ 1,164</u>
DAMAGES	<u>\$ 0</u>
ADDITIONAL COMPENSATION	<u>\$ 0</u>
TOTAL ESTIMATE OF COMPENSATION	<u>\$ 1,164</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, September 22, 2023.

W.C. Crochet III

Woodrow C. Crochet III, MAI, CCIM
LOUISIANA CERTIFIED GENERAL REAL ESTATE APPRAISER
CERTIFICATE NO. G2835

50% Ownership

Total Approved Amount of Compensation to the full extent of the owner's loss \$ 582.00

Heather Corsetino 12/8/23
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 JAMES ALEX BROWN

FILED: _____
CLERK OF COURT

NOTICE

THE STATE OF LOUISIANA

TO: ESTATE OF JAMES ALEX BROWN,
[LAST KNOWN ADDRESS:
4740 ALDRICH DR., BATON ROUGE, LA 70808],
Through its 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 Five Hundred Eighty-Two and 00/100 (\$582.00) 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 in the office of the Clerk of the Nineteenth Judicial District Court in and for the Parish of East Baton Rouge **within ninety (90) days** 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 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 JAMES ALEX BROWN

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 Five Hundred Eighty-Two and 00/100 (\$582.00) Dollars.

IT IS HEREBY FURTHER ORDERED that the full ownership of the property described below, subject to the reservation in favor of Defendant, the ESTATE OF JAMES ALEX BROWN, 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, is expropriated and taken for highway purposes as of the time of such deposit, according to law, said being described as follows, to-wit:

To the extent of an undivided fifty (50%) percent interest, 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, and in Section 94, Township 7 South, Range 1 East, Greensburg Land District, identified as Parcel No. 37-2, on a white print of a plat of survey consisting of Sheet No. 37, made by Carl A. Jeansonne, Registered Land Surveyor, dated August 8, 2022, 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.

RECEIVED

December 13, 2023

DIVISION 0
JUDGE FIELDS

Page 1 | 2

John Swearingen



Certified True and
Correct Copy
CertID: 2023121900931

East Baton Rouge Parish
Deputy Clerk Of Court

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REQUIRED IN FULL OWNERSHIP

PARCEL NO. 37-2:

From a point on the centerline of State Project No. H.004100, at Highway Survey Station 352+65.12, proceed N28°08'55"E a distance of 94.96 feet to the point of beginning; thence proceed N28°08'55"E a distance of 4.35 feet to a point and corner; thence proceed S83°11'33"E a distance of 53.68 feet to a point and corner; thence proceed S28°08'55"W a distance of 4.23 feet to a point and corner; thence proceed N83°18'37"W a distance of 53.72 feet to the point of beginning. All of which comprises Parcel 37-2 as shown on Sheet 37 of the Right of Way Plans of State Project No. H.004100, and contains an area of approximately 214.6 square feet or 0.005 acres.

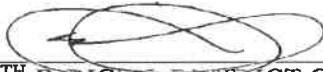
IT IS HEREBY FURTHER ORDERED that this matter be tried by jury upon Petitioner making a cash deposit in accordance with LA C.C.P. Article 1734.1. Upon the setting of this matter for trial, the Court shall fix the amount due and the time of said deposit, which time shall be no later than thirty (30) days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

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

IT IS HEREBY FURTHER ORDERED that **JARVIS ANTWINE**, Attorney at Law, whose address is _____ and whose telephone number is _____, be and is hereby appointed to represent the ESTATE OF JAMES ALEX BROWN, as authorized by La. C.C.P. Article 5091, as amended.

IT IS HEREBY FURTHER ORDERED that Defendant, the ESTATE OF JAMES ALEX BROWN, vacate the above-described property and surrender possession thereof unto Petitioner, immediately upon the deposit of the estimated compensation into the Registry of the Court.

Baton Rouge, Louisiana, this 14 day of December, 2023.



JUDGE | 19TH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

WILSON E. FIELDS, JUDGE
C-741768

Jarvis Antwine
637 St. Ferdinand St.
Baton Rouge, LA 70802

****Attorney address provided after
the Judge signature by:
K. Williams (JA)**

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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 JAMES ALEX BROWN

FILED: _____
CLERK OF COURT

RECEIPT

HONORABLE DOUGLAS “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 JAMES ALEX BROWN,"
No. **741768** of the docket of said Court, the State of Louisiana seeks the
expropriation of the full ownership of the property described below, subject to the reservation in
favor of the owner, the ESTATE OF JAMES ALEX BROWN, 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:

To the extent of an undivided fifty (50%) percent interest, 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, and in Section 94, Township 7 South, Range 1 East, Greensburg
Land District, identified as Parcel No. 37-2, on a white print of a plat of survey
consisting of Sheet No. 37, made by Carl A. Jeansonne, Registered Land
Surveyor, dated August 8, 2022, 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.

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December 13, 2023
DIVISION O
JUDGE FIELDS

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East Baton Rouge Parish
Deputy Clerk Of Court

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REQUIRED IN FULL OWNERSHIP

PARCEL NO. 37-2:

From a point on the centerline of State Project No. H.004100, at Highway Survey Station 352+65.12, proceed N28°08'55"E a distance of 94.96 feet to the point of beginning; thence proceed N28°08'55"E a distance of 4.35 feet to a point and corner; thence proceed S83°11'33"E a distance of 53.68 feet to a point and corner; thence proceed S28°08'55"W a distance of 4.23 feet to a point and corner; thence proceed N83°18'37"W a distance of 53.72 feet to the point of beginning. All of which comprises Parcel 37-2 as shown on Sheet 37 of the Right of Way Plans of State Project No. H.004100, and contains an area of approximately 214.6 square feet or 0.005 acres.

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 Five Hundred Eighty-Two and 00/100 (\$582.00) 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 19th day of December, 2023.

Brandi Hill

DEPUTY CLERK OF COURT | 19TH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE | STATE OF LOUISIANA

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December 13, 2023

DIVISION O
JUDGE FIELDS

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