

**ACT OF CONSERVATION SERVITUDE
FOR PUBLIC USE AND BENEFIT**

**UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. CHARLES**

**BY: WILLOWRIDGE ESTATES, L.L.C., and
RATHBORNE LAND COMPANY, INC., Grantors**

TO: STATE OF LOUISIANA, PARISH OF ST. CHARLES

BE IT KNOWN, that on this 28th day of December, 1999, before me the undersigned Notary Public, duly commissioned and qualified in and for the State and Parish aforesaid, and in the presence of the undersigned competent witnesses, personally came and appeared:

WILLOWRIDGE ESTATES, L.L.C., through its manager, RATHBORNE PROPERTIES, INC., by its Vice President, Greg C. Lier, AND RATHBORNE LAND COMPANY, INC., by its Vice President, Greg C. Lier, who after being duly sworn by me, Notary Public, did depose and state that he is a duly sworn representative of said corporations and that said corporations are businesses licensed in and located in the State of Louisiana with a mailing address of P.O. Box 157, Harvey, Louisiana 70059; hereafter called GRANTORS, who declared that GRANTORS, in consideration of the settlement reached in the matter of United States of America v. Willowridge Estates L.L.C., Rathborne Land Company, Inc. and pursuant to L.R.S. 9:1271 et seq., do by these presents grant, transfer, convey, and deliver unto GRANTEE, the State of Louisiana, Parish of St. Charles, with all legal warranties and with full subrogation and to all rights and actions in warranty which GRANTORS have or may have against all preceding owners and vendors, possession and delivery of a certain CONSERVATION SERVITUDE, over, under, upon and across the following described property owned by GRANTORS, to wit:

PARCEL 2B

A CERTAIN PIECE OR PORTION OF GROUND situated in Sections 10 & 15, Township 14 South, Range 21 East, St. Charles Parish, Louisiana, designated as Parcel 2B and more fully described as follows:

Commence at the southeasterly corner of a 30' Drainage Servitude at the southeasterly corner of Willowridge Estates Phase V-B and measure S74°47'30"E a distance of 253.92' to a point; Thence N25°16'51"E a distance of 316.19' to a point; Thence along the arc of a curve to the left, having a radius of 660.00', an arc length of 13.77', a chord bearing of N24°40'59"E and a chord distance of 13.77' to a point; Thence S61°47'50"E a distance of 258.03' to a point; Thence S51°21'50"E a distance of 506.83' to a point; Thence S56°55'32"E a distance of 701.77' to a point; Thence S51°00'35"E a distance of 675.65' to a point; Thence S42°16'57"E a distance of 577.21' to a point; Thence S33°54'48"E a distance of 575.24' to a point; Thence S35°23'56"E a distance of 615.69' to a point; Thence S39°55'17"E a distance of 911.65' to a point; Thence S21°54'40"E a distance of 627.01' to a point; Thence S80°57'38"W a distance of 2305.62' to a point; Thence S23°04'28"W a distance of 295.16' to a point, the Point of Beginning. Thence from the Point of Beginning measure N80°57'38"E a distance of 1395.16' to a point; Thence S20°46'20"E a distance of 249.06' to a point; Thence S79°12'57"W a distance of 160.61' to a point; Thence S45°00'00"W a distance of 138.05' to a point; Thence S07°07'30"W a distance of 113.40' to a point; Thence S15°51'07"E a distance of 761.15' to a point; Thence N81°28'09"W a distance of 74.76' to a point; Thence N21°48'05"W a distance of 299.79' to a point; Thence N42°42'34"W a distance of 193.79' to a point; Thence N53°44'46"W a distance of 186.10' to a point; Thence N42°52'44"W a distance of 200.68' to a point; Thence N71°33'54"W a distance of 232.39' to a point; Thence S23°11'22"W a distance of 599.47' to a point; Thence S37°45'16"W a distance of 792.27' to a point; Thence S22°41'14"W a distance of 705.12' to a point; Thence N32°30'54"W a distance of 196.31' to a point; Thence N30°01'30"E a distance of 525.97' to a point; Thence N06°48'51"E a distance of 767.42' to a point; Thence N13°44'42"E a distance of 688.43' to a point, the Point of Beginning.

Said portion of ground contains 1,214,291.80 square feet or 27.8763 acres, more or less. All as more fully shown on a plan of Parcels 2B, 3B, 5 & 6A by Krebs, LaSalle, LeMieux Consultants, Inc., dated June 8, 1999, revised July 19, 1999.

PARCEL 3B

A CERTAIN PIECE OR PORTION OF GROUND situated in Sections 10 & 15, Township 14 South, Range 21 East, St. Charles Parish, Louisiana, designated as Parcel 3B and more fully described as follows:

Commence at the southeasterly corner of a 30' Drainage Servitude at the southeasterly corner of Willowridge Estates Phase V-B and measure S74°47'30"E a distance of 253.92' to a point; Thence N25°16'51"E a distance of 316.19' to a point; Thence along the arc of a curve to the left, having a radius of 660.00', an arc length of 13.77', a chord bearing of N 24°40'59"E and a chord distance of 13.77' to a point; Thence S61°47'50"E a distance of 258.03' to a point; Thence S51°21'50"E a distance of 506.83' to a point; Thence S56°55'32"E a distance of 701.77' to a point; Thence S51°00'35"E a distance of 675.65' to a point; Thence S42°16'57"E a distance of 577.21' to a point; Thence S33°54'48"E a distance of 575.24' to a point; Thence S35°23'56"E a distance of 615.69' to a point; Thence S39°55'17"E a distance of 911.65' to a point; Thence S21°54'40"E a distance of 627.01' to a point; Thence S49°40'11"E a distance of 329.41' to a point, the Point of Beginning; Thence from the Point of Beginning measure S14°09'20"E a distance of 241.76' to a point; Thence S31°22'05"E a distance of 963.26' to a point; Thence S15°05'42"E a distance of 664.18' to a point; Thence S39°29'53"E a distance of 492.10' to a point; Thence S62°12'34"E a distance of 847.86' to a point; Thence S63°26'06"E a distance of 144.81' to a point; Thence S23°42'10"W a distance of 323.88' to a point; Thence N60°08'37"W a distance of 191.04' to a point; Thence N55°10'19"W a distance of 839.48' to a point; Thence N43°55'52"W a distance of 629.11' to a point; Thence N26°30'25"W a distance of 583.84' to a point; Thence N58°37'38"W a distance of 484.66' to a point; Thence N29°53'56"W a distance of 1062.25' to a point; Thence N80°57'38"E a distance of 708.04' to a point, the Point of Beginning.

Said parcel of ground contains 1,376,215.30 square feet or 31.5936 acres, more or less. All as more fully shown on a plan of Parcels 2B, 3B, 5 & 6A by Krebs, LaSalle, LeMieux Consultants, Inc., dated June 8, 1999, revised July 19, 1999.

PARCEL 5

A CERTAIN PIECE OR PORTION OF GROUND situated in Sections 3 & 4, Township 14 South, Range 21 East, St. Charles Parish, Louisiana, designated as Parcel 5 and more fully described as follows:

Commence at the southeasterly corner of a 30' Drainage Servitude at the southeasterly corner of Willowridge Estates Phase V-B and measure N12°40'15"E a distance of 1520.79' to a point, the Point of Beginning; Thence S85°12'47"E a distance of 188.50' to a point; Thence S79°03'38"E a distance of 222.83' to a point; Thence S61°32'56"E a distance of 222.15' to a point; Thence S73°09'54"E a distance of 307.39' to a point; Thence S68°19'06"E a distance of 357.90' to a point; Thence S51°50'34"E a distance of 266.50' to a point; Thence S52°52'59"E a distance of 474.15' to a point; Thence S63°26'06"E a distance of 276.59' to a point; Thence S53°10'13"E a distance of 453.55' to a point; Thence S57°46'21"E a distance of 338.23' to a point; Thence S46°16'23"W a distance of 122.12' to a point; Thence N59°44'37"W a distance of 59.81' to a point; Thence N55°24'28"W a distance of 345.98' to a point; Thence N52°31'26"W a distance of 376.57' to a point; Thence N53°44'46"W a distance of 374.19' to a point; Thence N55°00'29"W a distance of 131.42' to a point; Thence N64°26'24"W a distance of 270.59' to a point; Thence N72°53'50"W a distance of 411.34' to a point; Thence N68°11'55"W a distance of 269.26' to a point; Thence N72°53'50"W a distance of 281.19' to a point; Thence N78°41'24"W for a distance of 365.64' to a point; Thence N82°52'30"W a distance

of 115.25' to a point; Thence N11°39'00"E a distance of 242.49' to a point, the Point of Beginning.

Said portion of ground contains 475,460.59 square feet or 10.9150 acres, more or less. All as more fully shown on a plan of Parcels 2B, 3B, 5, & 6A by Krebs, LaSalle, LeMieux Consultants, Inc., dated June 8, 1999, revised July 19, 1999.

PARCEL 6A

A CERTAIN PIECE OR PORTION OF GROUND situated in Sections 3, 4, 9 & 10, Township 14 South, Range 21 East, St. Charles Parish, Louisiana, designated as Parcel 6A and more fully described as follows:

Commence at the southeasterly corner of a 30' Drainage Servitude at the southeasterly corner of Willowridge Estates Phase V-B for the Point of Beginning; Thence S74°47'30"E a distance of 253.92' to a point; Thence N25°16'51"E a distance of 316.19' to a point; Thence along the arc of a curve to the left, having a radius of 660.00', an arc length of 13.77', a chord bearing of N24°40'59"E and a chord distance of 13.77' to a point; Thence S61°47'50"E a distance of 258.03' to a point; Thence S51°21'50"E a distance of 506.83' to a point; Thence S56°55'32"E a distance of 701.77' to a point; Thence S51°00'35"E a distance of 675.65' to a point; Thence S42°16'57"E a distance of 577.21' to a point; Thence S33°54'48"E a distance of 575.24' to a point; Thence S35°23'56"E a distance of 615.69' to a point; Thence S39°55'17"E a distance of 911.65' to a point; Thence S21°54'40"E a distance of 627.01' to a point; Thence S80°57'38"W a distance of 2305.62' to a point; Thence N26°41'05"W a distance of 806.90' to a point; Thence N45°03'48"W a distance of 774.16' to a point; Thence N43°18'08"W a distance of 328.83' to a point; Thence N62°40'07"W a distance of 1497.43' to a point; Thence N47°36'46"W a distance of 439.30' to a point; Thence N67°42'09"W a distance of 280.56' to a point; Thence N81°49'41"W a distance of 53.08' to a point; Thence N38°15'55"E a distance of 153.41' to a point; Thence N53°49'54"W a distance of 59.19' to a point; Thence N33°03'18"W a distance of 183.63' to a point; Thence along the arc of a curve to the right, having a radius of 1739.21', an arc length of 788.14', a chord bearing of N39°08'52"W and a chord distance of 781.41' to a point; Thence along the arc of a curve to the left, having a radius of 750.00' an arc length of 140.76', a chord bearing of N31°32'32"W and a chord distance of 140.55' to a point; Thence N36°55'08"W a distance of 220.85' to a point; Thence along the arc of a curve to the right, having a radius of 480.00' an arc length of 65.10', a chord bearing of N33°02'11"W and a chord distance of 65.05' to a point; Thence along the arc of a curve to the left, having a radius of 3750.00' an arc length of 267.05', a chord bearing of N31°11'18"W and a chord distance of 266.99' to a point; Thence N33°13'43"W a distance of 654.04' to a point; Thence N72°35'50"E a distance of 76.10' to a point; Thence along the arc of a curve to the left, having a radius of 395.00' an arc length of 271.67', a chord bearing of N52°53'38"E and a chord distance of 266.35' to a point; Thence S59°45'20"E a distance of 12.67' to a point; Thence N30°14'40"E a distance of 76.22' to a point; Thence S81°19'05"E a distance of 65.33' to a point; Thence S74°52'07"E a distance of 97.74' to a point; Thence S67°56'41"E a distance of 94.79' to a point; Thence S60°35'39"E a distance of 93.63' to a point; Thence S53°20'33"E a distance of 99.57' to a point; Thence S58°11'00"E a distance of 513.59' to a point; Thence S84°02'11"E a distance of 785.30' to a point; Thence S71°57'23"E a distance of 234.71' to a point; Thence S64°43'09"E a distance of 524.01' to a point, the Point of Beginning.

Said parcel of ground contains 13,216,441.30 square feet or 303.4077 acres, more or less. All as more fully shown on a plan of Parcels 2B, 3B, 5, & 6A by Krebs, LaSalle, LeMieux Consultants, Inc., dated June 8, 1999, revised July 19, 1999.

Said portions of ground are designated as Parcels No. 2B, No. 3B, No. 5 and No. 6A on a survey by Krebs, LaSalle, LeMieux Consultants, Inc. containing a total area of 373.792 acres and which survey is made a part hereof. (Attachment 1).

The Property is henceforth set aside and reserved in its natural state, and GRANTOR will take no action or allow any action which diminishes the Property's natural state or convert it to another use, which includes, but is in no way limited to, the construction of any structure or structures on said Property; the cutting, removal or destruction of vegetation (including trees) on said Property; the placing of any material or objects on said Property; in any way pumping, draining or causing said Property to be drained; the building of roads on said Property; the grazing of animals on said Property; allowing commercial, industrial or agricultural activities on said Property; or any other activity inconsistent with preserving said Property's natural state, flora, fauna and/or wetlands character. GRANTOR is not, however, required to perform any affirmative action to maintain said Property in its natural state.

GRANTOR reserves the right to use said Property for hunting.

The dedication as a Conservation Servitude of the property described above shall be made subject to the reservation in favor of the GRANTORS of all oil, gas or other minerals located under the property described above or the royalties therefrom and the reservation of the right to access the minerals from the surface as described below, in accordance with R.S. 31:149, et seq., and subject to any existing oil, gas or mineral reservation or to any existing oil, gas or mineral lease.

GRANTOR further reserves the right to explore and develop subsurface minerals under said Property. In the exercise of this reservation, GRANTOR may (1) use the existing "jeep trail" to access the "drill pad road" (Attachment 2), and/or (2) use no more than 11 acres of the surface within said Property to develop minerals. In the exercise of this reservation, GRANTORS will (a) minimize any impacts to the natural condition of said Property and restore all impacted areas promptly, (b) obtain all required permits for such activities, and (c) comply with all applicable federal, state and local laws and regulations. GRANTORS will provide the persons listed in Section IX of the attached Consent Decree (Attachment 3) copies of all permit applications and all other correspondence from GRANTORS to any governmental entity with respect to any activity that would affect the natural condition of said Property. GRANTORS will also provide notice of any work within said Property to the persons listed in Section IX of the attached Consent Decree at least 60 days before the start of such work. Such notice shall include, at a minimum, (1) a full description of the work to be done, (2) a date or time frame for when the work will start and be concluded, and (3) a list of the permits or other governmental approvals or licenses that authorize the work or a statement that no such permits, approvals or licenses are required.

GRANTORS warrant that said property is owned by it in fee simple, and that there are no superior liens, mortgages or encumbrances on said property.

The U.S. Department of Justice, U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers are granted third party rights of enforcement.

This Conservation Servitude is binding in perpetuity on GRANTORS, their heirs and assigns, and all subsequent owners, purchasers, lessees, grantees, licensees.

Title to the above described property shall remain vested in GRANTORS.

It is agreed and understood that this Document may be accepted and executed in multiple counterparts.

IN TESTIMONY WHEREOF, the parties hereto and have signed, executed and acknowledged this instrument as their free and voluntary acts, in multiple originals in the presence of the undersigned competent witnesses, and me, Notary Public, as of this 28th day of December, 1999.

WITNESSES:

Barbara M. Miller
Deborah S. Lier

GRANTORS: Willowridge Estates, L.L.C.

BY: Rathborne Properties, Inc.
Manager of Willowridge Estates, L.L.C.

BY: Greg C. Lier
Greg C. Lier, Vice President
Rathborne Properties, Inc.

BY: Rathborne Land Company, Inc.

BY: Greg C. Lier
Greg C. Lier, Vice President
Rathborne Land Company, Inc.

[Signature]
NOTARY PUBLIC

WITNESSES:

Jerry M. Toupe
Timothy J. Vial

HOLDER:

STATE OF LOUISIANA
PARISH OF ST. CHARLES

BY: Charles R. Hugo

[Signature]
NOTARY PUBLIC

BY [Signature] I HOLD AN
OFFICE OF NOTARY PUBLIC IN
THE STATE OF LOUISIANA AND
HEREBY CERTIFY THAT THE SIGNER
AND FOREGOING IS A TRUE COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE.

[Signature]
NOTARY PUBLIC
ST. CHARLES PARISH

BOOK _____ FOLIO _____
MAR 22 AM 10:52
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CLERK OF COURT
ST. CHARLES PARISH, LA.
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