

RECORDED IN THE ST. CHARLES PARISH  
CLERK OF COURT OFFICE

ON 11/7/18  
AS ENTRY NO. 436678  
IN MORTGAGE/CONVEYANCE BOOK  
NO. 870 FOLIO 376

STATE PROJECT NO. H.000320  
US 61 (RAILROAD OVERPASS TO LA 50)  
CULVERT INSTALLATION PROJECT  
ST. CHARLES PARISH  
PARCEL NO. 1-1

**DONATION OF TEMPORARY CONSTRUCTION SERVITUDE**

STATE OF LOUISIANA  
PARISH OF ST. CHARLES

BEFORE ME, the undersigned notaries public, and in the presence of the undersigned competent witnesses, personally came and appeared:

**B.E.G. REALTY, LLC (XX-XXX5311)**, Donor, a Louisiana Limited Liability Company, whose mailing address is 130 James Dr., East, Saint Rose, LA 70087, appearing herein by and through **BRIAN E. GROSCH** and **DIANNE VOLPE**, duly authorized pursuant to a Certificate of Authority by the members of said limited liability company, signed and executed on the 24th day of October, 2018, attached hereto and made part hereof; and **ST. CHARLES PARISH**, Donee, a political subdivision of the State of Louisiana, herein represented by Larry Cochran, its Parish President, whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057;

Donor declared that it does by these presents, donate, convey, assign, grant, transfer, set over and deliver, with all legal warranties and with full substitution and subrogation, to all rights and actions of warranty against all former owners and vendors, to Donee, accepting for itself and its successors and assigns, and acknowledging due delivery and possession thereof the following described temporary construction servitude, situated in St. Charles Parish, Louisiana:

**Parcel 1-1 Temporary Construction Servitude**

A certain tract or portion of ground being described as a temporary construction servitude for the installation of a culvert crossing US 61 near the town of St. Rose. More fully shown on a SURVEY SHOWING TEMPORARY CONSTRUCTION SERVITUDE FOR LaDOTD STATE PROJECT "US 61 RAILROAD OVERPASS TO La 50" PROJECT NO. H.000320 LOCATED ON LOT 4, SQUARE 2, JAMES BUSINESS PARK, SEC. 39, T12S – R9E ST. ROSE, ST. CHARLES PARISH, LOUISIANA NOW OR FORMERLY OWNED BY B.E.G. REALTY L.L.C. and the design plans entitled "US 61 Railroad Overpass to LA 50 DOTD project number H.000320" being located on the B.E.G. REALTY, L.L.C. property, Lot 4 of Square 2, in what is known as James Business Park, situated in the Parish of St. Charles, State of Louisiana, the Southeastern East of the Mississippi River Land District, more particularly described as follows:

The station and offsets are based on the referenced design Project and Adopted baseline. Commencing at station 100+38.79 thence an offset to the left a distance of 74.57 feet to the point of beginning (POB) common with this northern right of way of US 61; thence S72°46'00"W a distance of 45.82 feet to a point located at station 100+84.60, and offset 75.22 feet; thence N04°59'47.03"E a distance of 36.05 feet to a point located station 100+70.50, and offset 108.36 feet; thence N72°12'42.70"E a distance of 46.00 feet to a point located at station 100+24.50, and offset of 108.15 feet; thence S04°59'47.03"W a distance of 36.50 feet to the point of beginning common to the US 61 right of way, containing 0.035 acres or 1537.68 square feet, more or less, of said temporary construction servitude and more fully shown on a SURVEY SHOWING TEMPORARY CONSTRUCTION SERVITUDE FOR LaDOTD STATE PROJECT "US 61 RAILROAD OVERPASS TO La 50" PROJECT NO. H.000320 LOCATED ON LOT 4, SQUARE 2, JAMES BUSINESS PARK, SEC. 39, T12S – R9E ST. ROSE, ST. CHARLES PARISH, LOUISIANA NOW OR FORMERLY OWNED BY B.E.G. REALTY L.L.C., a copy attached hereto and made a part hereof, and the design plans entitled "US 61 Railroad Overpass to LA 50 DOTD project number H.000320", Located in Lot 4 of Square 2, James Business Park, situated in the Parish of St. Charles, State of Louisiana, the Southeastern East of the Mississippi River Land District, prepared for St. Charles Parish Department of Public Works and Wastewater by Shread- Kuyrkendall and Associates Inc., Baton Rouge, Louisiana, dated May 29, 2018.

Being the same property acquired by B.E.G. Realty, L.L.C. from JNO Industrial, Inc. by Act of Cash Sale dated June 4, 1998 and recorded in the St. Charles Parish Clerk of Court Conveyance Records on June 8, 1998 in COB 538, Folio 570, Instrument Number 221380.

This donation is made for and in consideration of the mutual benefits accruing to the parties hereto.

It is expressly agreed and understood that Donor has been afforded the right and opportunity to have the aforementioned servitude appraised and has been afforded the right and opportunity to receive just compensation for the aforementioned servitude, and that Donor has elected to forego, waive and extinguish such right and opportunity in favor of a donation to the Donee.

It is expressly and specifically agreed by and between all parties to this donation of this temporary construction servitude that, while Donee will attempt to secure donation of all needed temporary construction servitudes for the said Project, if it finds it necessary to buy any of the temporary construction servitudes, such fact will not be available to the Donor herein to revoke this donation or otherwise change the conditions hereof.

Donor retains the rights to fully use and enjoy the above-described property, except as to the rights herein above granted. Donee agrees to indemnify and hold harmless Donor and its owners, members, managers, employees, contractors, and guests from any and all damages, which Donor

may suffer, caused either wholly or in part, by reason of the installation, operation, and/or maintenance of this temporary construction servitude.

It is agreed and understood that prior to completion of the said Project, the property upon which the hereinabove described temporary construction servitude is located shall be left free of all construction scars and shall be returned to the same condition present on the date of execution of this Donation.

The temporary construction servitude hereby granted shall be for a term of one (1) year and shall commence upon the earlier of: (1) the date a work order is issued to the contractor, for construction of the respective construction project for which the servitude is required; or (2) six (6) months after the date of execution of this Donation.

Should the above recited term not be sufficient to complete the Project, the Donor grants to the Donee the option to extend the servitude for an additional one (1) year at the same terms and conditions as herein specified. This extension shall not be automatic, but shall be evidenced in writing.

It is further agreed and understood that the Donee's rights to the said temporary construction servitude shall terminate upon the date of Final Acceptance of the said Project by the Parish of St. Charles recorded in the mortgage records of the St. Charles Parish Clerk of Court. The fee simple title to the said Parcel 1-1 shall remain vested in the Donor.

This agreement shall be executed in quadruplicate, each of which shall constitute an original document which shall be binding upon any of the parties executing same. To facilitate recordation of this agreement, the parties hereto agree that individual signature and acknowledgement pages from the various counterparts may be merged and combined with signature and acknowledgement pages from other counterparts.

[Remainder of page intentionally left blank]

IN TESTIMONY WHEREOF, the parties hereto have signed, executed, and acknowledged this instrument as their free and voluntary act, in quadruplicate originals, in the presence of the two undersigned competent witnesses and notary, as of the 24 day of October, 2018, after a due reading of the whole.

WITNESSES:

DONOR: B.E.G. REALTY, LLC

[Signature]  
RANDOLPH DUFOUR  
Print Name

[Signature]  
By: **BRIAN E. GROSCH**  
Its. Member

[Signature]  
Jane Dufour  
Print Name

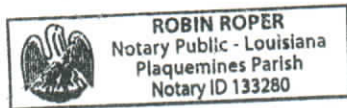
[Signature]  
RANDOLPH DUFOUR  
Print Name

[Signature]  
By: **DIANE VOLPE**  
Its: Member DIANNE DV

[Signature]  
Jane Dufour  
Print Name

[Signature]  
NOTARY PUBLIC

Printed Name: Robin Roper  
Notary Identification or Bar Roll No.: 133280  
My Commission expires: for life



IN TESTIMONY WHEREOF, the party hereto has signed, executed, and acknowledged this instrument as his free and voluntary act, in quadruplicate originals, in the presence of the two undersigned competent witnesses, as of the 25<sup>th</sup> day of October, 2018, after a due reading of the whole.

WITNESSES:

Ren S. Delahoussaye

Robert S. Delahoussaye

Print Name

Billy Raymond

Billy Raymond

Print Name

ACCEPTED BY DONEE:  
ST. CHARLES PARISH

[Signature]  
LARRY COCHRAN, PRESIDENT

ACKNOWLEDGEMENT

STATE OF LOUISIANA  
PARISH OF ST. CHARLES

BEFORE ME, the undersigned authority, duly qualified in and for the aforesaid Parish/County and State, personally came and appeared BILLY RAYMOND a person of the full age of majority and personally known to me, Notary, who by me having been duly sworn, declared and acknowledged that **LARRY COCHRAN**, signed the above and foregoing instrument on the date thereof for the objects and purposes therein expressed and acknowledged said instrument to be his voluntary act and deed.

IN FAITH WHEREOF, Appearer executed this acknowledgment in the aforesaid Parish of ST. CHARLES State of Louisiana, on this 25<sup>th</sup> day of October, 2018, before me, the undersigned Notary Public, duly commissioned and qualified.

[Signature]  
NOTARY PUBLIC

Printed Name: Robert L. Raymond  
Notary Identification or Bar Roll No.: 11408  
My Commission expires: at death

Project Caption: State Project H.000320  
Parcel 1-1 Temporary Construction Servitude  
Owner: B.E.G. REALTY, LLC

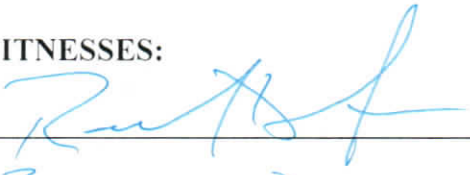
**DONATION CERTIFICATION**

I have been informed of the acquisition process and hereby certify I waive the following right(s) in connection with the acquisition of my property for the captioned project:

Check the boxes which apply:

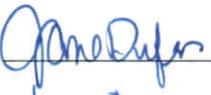
- To have the acquiring agency appraise my property.
- To receive payment of the established Just Compensation Amount for the acquisition of said property.

WITNESSES:


  
\_\_\_\_\_  
RANDOLPH DUFOUR  
Print Name

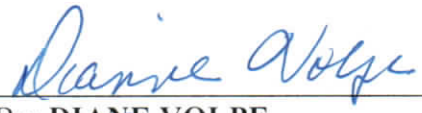
DONOR: B.E.G. REALTY, LLC

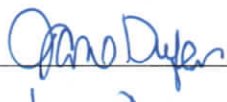
  
\_\_\_\_\_  
By: BRIAN E. GROSCH  
Its: Member

  
\_\_\_\_\_  
Jane Dufour  
Print Name

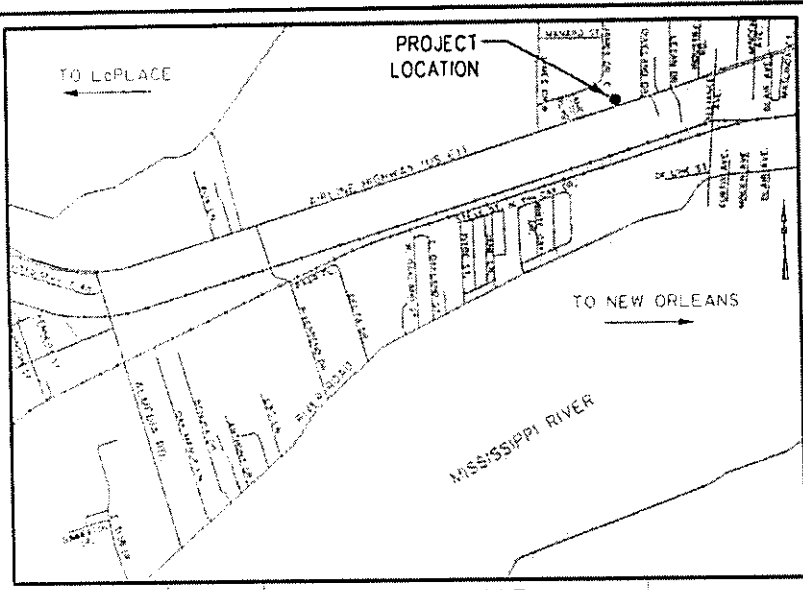
10/24/2018  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
RANDOLPH DUFOUR  
Print Name

  
\_\_\_\_\_  
By: DIANE VOLPE  
Its: Member DANNE DV

  
\_\_\_\_\_  
Jane Dufour  
Print Name

10/24/2018  
\_\_\_\_\_  
Date

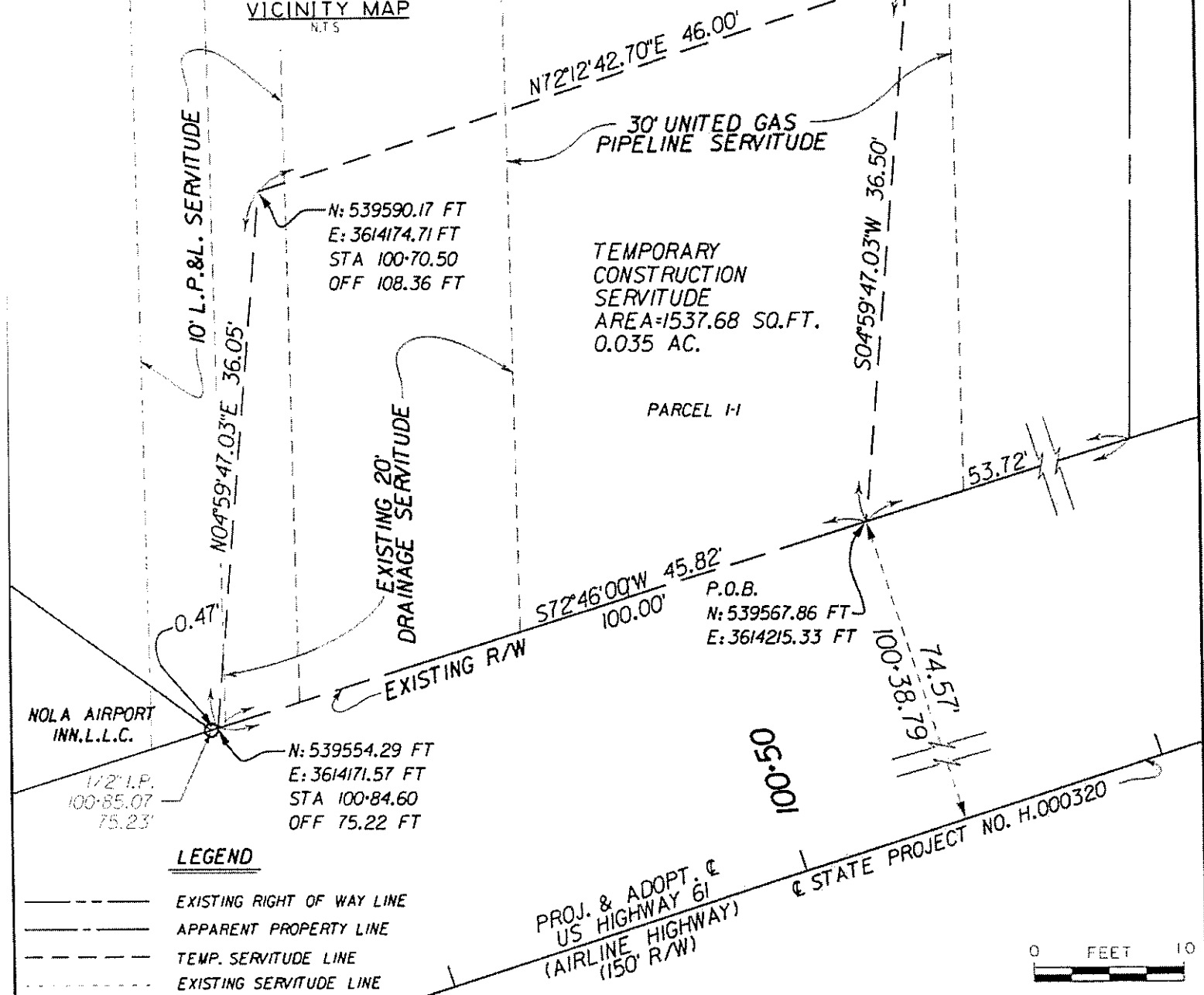


**B.E.G. REALTY,  
L.L.C.**  
R.A.: 3.66 AC.  
(PER DEED)

N: 539604.22 FT  
E: 3614218.50 FT  
STA 100+24.50  
OFF 108.15 FT

ST. CHARLES PARISH LINE  
JEFFERSON PARISH LINE

**VICINITY MAP**  
N.T.S.



**LEGEND**

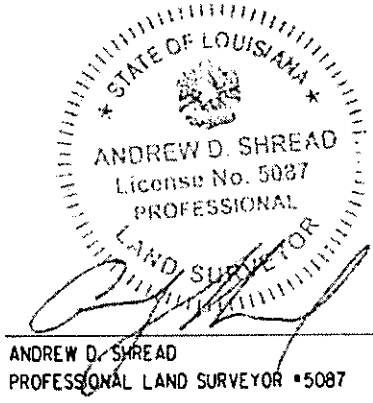
- EXISTING RIGHT OF WAY LINE
- APPARENT PROPERTY LINE
- - - TEMP. SERVITUDE LINE
- · - · - EXISTING SERVITUDE LINE

- NOTES**
1. REFERENCE MAP ENTITLED, "SQ 2, James Business Park, St. Charles Parish, La." BY EVERETT V. TREIGLE, JR. NO. 4355, GILBERT, KELLY & COUTURIE, INC. SURVEYING AND ENGINEERING, DATED MAY 3RD, 1988, RECORDED IN ENTRY NO. 221380, COB 538, FOLIO 576.
  2. US 61 HWY ROW TAKEN FROM MAPS ENTITLED PLAN AND PROFILE OF PROPOSED STATE HIGHWAY FEDERAL AID PROJECT E-173-B-REOP & EXT., FEDERAL AID PROJECT E-173-C-REVISED, STATE PROJECT NO. 3601-B-4, BONNET CARRE SPILLWAY - KENNER HWY., ST CHARLES AND JEFFERSON PARISH DATED MARCH 7, 1933
  3. THE SERVITUDES SHOWN ON THIS PLAN ARE LIMITED TO THOSE CONTAINED WITHIN THE LATEST DEED OF RECORD AND ARE SHOWN
  4. WETLAND DETERMINATION NOT A PART OF THIS SURVEY
  5. FLOOD ZONE DETERMINATION NOT A PART OF THIS SURVEY
  6. COORDINATES SHOWN ARE LA STATE PLANE SOUTH ZONE 1702 AND BASED OFF CONTROL AND BASELINE FOR L&DOTD STATE PROJECT NO. H.000320

**SURVEY SHOWING  
TEMPORARY CONSTRUCTION SERVITUDE  
FOR L&DOTD STATE PROJECT  
"US 61 RAILROAD OVERPASS TO L& 50"  
PROJECT NO. H.000320  
LOCATED ON LOT 4, SQUARE 2, JAMES BUSINESS PARK,  
SEC. 39, T12S R9E  
ST. ROSE, ST. CHARLES PARISH, LOUISIANA  
NOW OR FORMERLY OWNED  
BY B.E.G. REALTY L.L.C.**

I, HEREBY, CERTIFY THAT THIS PLAT REPRESENTS THE SURVEY PERFORMED BY ME, ON THE GROUND, IS CORRECT, AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AS OF THIS DATE, AS STIPULATED BY CLASSIFICATION C SURVEYS.

DRAWN BY: D.B.S. CALC. BY: B.C.J.  
DATE: MAY 29, 2018 CHECKED BY: A.D.S.



**UNITED STATES OF AMERICA**

**STATE OF LOUISIANA**

**PARISH OF ST. CHARLES**

**CERTIFICATE OF AUTHORITY  
TO ACT FOR B.E.G. REALTY, LLC, A LIMITED LIABILITY COMPANY  
AND TO EXECUTE A DONATION OF TEMPORARY CONSTRUCTION SERVITUDE**

On the date hereinafter set forth, following members of B.E.G. REALTY, LLC, a Louisiana Limited Liability Company, authorized to and doing business in the State of Louisiana came and appeared:

Brian E. Grosch, 130 James Dr., East, St. Rose, Louisiana 70087

Dianne Volpe, 130 James Dr., East, St. Rose, Louisiana 70087

Who acknowledge and declare that BRIAN E. GROSCH and DIANE VOLPE are members of B.E.G. REALTY, LLC, a Louisiana Limited Liability Company, formed under the laws of the State of Louisiana and by its Articles of Organization, dated April 6, 1998, which is recorded in the office of the Secretary of State of the State of Louisiana, and hereby certify, agree and declare that BRIAN E. GROSCH and DIANNE VOLPE are authorized to act for and in the name of the said B.E.G. REALTY, LLC, to do the following:

1. Execute a Donation of Temporary Construction Servitude to donate, transfer, and convey a temporary construction servitude over the following described property, situated in the ST. CHARLES PARISH, Louisiana, hereinafter referred to as the "Property" which property more fully described as follows:

**Parcel 1-1 Temporary Construction Servitude**

A certain tract or portion of ground being described as a temporary construction servitude for the installation of a culvert crossing US 61 near the town of St. Rose. More fully shown on a SURVEY SHOWING TEMPORARY CONSTRUCTION SERVITUDE FOR LaDOTD STATE PROJECT "US 61 RAILROAD OVERPASS TO La 50" PROJECT NO. H.000320 LOCATED ON LOT 4, SQUARE 2, JAMES BUSINESS PARK, SEC. 39, T12S – R9E ST. ROSE, ST. CHARLES PARISH, LOUISIANA NOW OR FORMERLY OWNED BY B.E.G. REALTY L.L.C. and the design plans entitled "US 61 Railroad Overpass to LA 50 DOTD project number H.000320" being located on the B.E.G. REALTY, L.L.C. property, Lot 4 of Square 2, in what is known as James Business Park, situated in the Parish of St. Charles, State of Louisiana, the Southeastern East of the Mississippi River Land District, more particularly described as follows:

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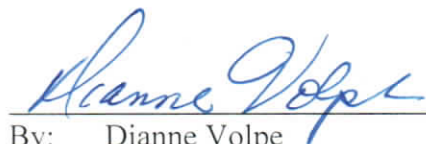
2. Execute and sign any and all documents and writings of any kind whatsoever as deemed necessary in connection with the donation of a temporary construction servitude of the Property.
3. Execute and deliver instruments, documents, agreements and other writings authorized in this certificate upon such terms, and in such form as we, in our sole, exclusive and absolute discretion deems necessary, advisable or proper.

The undersigned does further declare on behalf of B.E.G. REALTY, LLC, that any person dealing with BRIAN E. GROSCH and DIANE VOLPE, may assume that their authority is still in full force and effect unless there is recorded in the conveyance records of St. Charles Parish, Louisiana an express revocation of such authority.

THUS DONE AND SIGNED on the 24 day of October, 2018.

**B.E.G REALTY, LLC**

  
By: Brian E. Grosch  
Its: Member

  
By: Dianne Volpe  
Its: Member