

**ACT OF REVOCATION AND  
QUITCLAIM**

**BY**

**ST. CHARLES PARISH**

**UNTO**

**SEALY FRLA LAND, L.L.C.**

**BE IT KNOWN**, that on the dates indicated below, but effective as of the last date of execution of this instrument by the undersigned,

**BEFORE US**, the undersigned Notaries Public, duly commissioned and qualified, and in the presence of the undersigned witnesses,

**PERSONALLY CAME AND APPEARED:**

**ST. CHARLES PARISH** (the "Parish"), a political subdivision of the State of Louisiana represented herein by its President, Albert D. Laque, duly authorized by the St. Charles Parish Council pursuant to the ordinance attached hereto; and

**SEALY FRLA Land, L.L.C.** ("Sealy"), a Georgia limited liability company whose mailing address is c/o Sealy & Company, 333 Texas Street, Shreveport, Louisiana 71101, and Tax Identification Number is 58-2629975, represented by Mark P. Sealy, its duly authorized managing member, as set forth on the written consent of Sealy's members and managers attached hereto;

who did say, declare and agree as follows:

1. Sealy is the owner of a certain parcel of real property situated in the State of Louisiana, Parish of St. Charles, in that part thereof known as James Business Park Expansion, Extension No. 2, designated as **Lot 5-A of Square 7B**, in accordance with a plan of resubdivision of Krebs, LaSalle LeMieux Consultants, Inc., Job No. 400 0073, dated November 13, 2000, approved by St. Charles Parish Planning Commission on December 13, 2000, recorded December 18, 2000, COB 579, folio 600 (the "**Resubdivision Plat**"), a copy of which is attached hereto.

2. Sealy acquired said property (referred to herein as "**Lot 5-A**") by Act of Cash Sale by FI Development Services, L.P. unto Sealy, dated June 27, 2001 and recorded in the records of St. Charles Parish on June 29, 2001 at COB 587, folio 786.

3. As depicted on the Resubdivision Plat, a parcel of property in the vicinity of the southeastern corner of Lot 5-A is the former cul-de-sac of James Drive East, and said property (referred to herein as the "**Former Cul-de-Sac**") is marked as "**TO BE REVOKED**" on the Resubdivision Plat. The Former Cul-de-Sac is more particularly described as follows:

THAT CERTAIN PIECE OR PORTION OF GROUND, situated in Section 39, township 12 South, Range 9 East, Parish of St. Charles, State of Louisiana, in that part known as James Business Park Expansion, designated as a portion of Lot 5-A of Square 7B in accordance with a plan of resubdivision of Krebs, LaSalle LeMieux Consultants, Inc., Job No. 4000073, dated November 13, 2000, approved by St.

Charles Parish Planning Commission on December 13, 2000, recorded December 18, 2000, COB 579, folio 600 and in accordance with a survey of Dading, Marques & Associates, Inc., Job No.00-9915, dated January 18, 2001, last revised September 21, 2001, a copy of which is attached hereto, said portion of Lot 5-A is more particularly described as follows:

Commence at the northwesterly corner of Lot 2, Square 9, James Business Park Ext. No.2;

Thence along the easterly Right of Way line of James Drive East, N00°11'00"W, a distance of 36.10' to a point;

Thence S89°49'00"W a distance of 50.00' to a point on the westerly Right of Way line of James Drive East;

Thence along said westerly Right of Way, N00°11'00"W, a distance of 954.28' to the point of beginning;

Thence around the arc of a curve to the left, having a radius of 30.00' an arc length of 36.93', a chord bearing N35°26'52"W, and a chord distance of 34.64 to a point of reverse curve;

Thence along the arc of a curve to the right having a radius of 60.00', an arc length of 141.66'; a chord bearing of N03°04'22"W, a chord distance of 110.98' to a point of tangency;

Thence N64°34'00"E, a distance of 28.30 to a point of the westerly Right of Way line of James Drive East;

Thence along said westerly Right of Way line, S00°11'00"E, a distance of 158.51' to the point of beginning.

4. The Parish hereby declares that the Former Cul-de-Sac is no longer needed for public purposes; the dedication of same is hereby revoked, rescinded and set aside; and the ownership thereof shall revert to the present owners of the land contiguous thereto in accordance with law, including without limitation La. R.S. 48:701.

5. As depicted on the Resubdivision Plat, the land contiguous to the Former Cul-de-Sac is Lot 5-A and a portion of James Drive East. As set forth above, Lot 5-A is owned by Sealy. The portion of James Drive East contiguous to the Former Cul-de-Sac was dedicated to the Parish for public use pursuant to an Act of Dedication by First Industrial Development Services, L.P. dated effective January 19, 2000 and recorded on January 24, 2000 at COB 563, folio 753, as corrected by an Act of Deposit and Correction dated July 6, 2000 and recorded on September 28, 2000 at COB 573, folio 488.

6. The Parish hereby declares that any reversionary interest it has in the Former Cul-de-Sac by operation of law as owner or dedicatee of the portion of James Drive East contiguous to the Former Cul-de-Sac is no longer needed for public purposes. The Parish further declares that in consideration of Sealy causing James Drive East to be extended in a northerly direction beyond the Former Cul-de-Sac as shown on the Resubdivision Plat, the sufficiency and receipt of which consideration is hereby acknowledged by the Parish, the Parish hereby transfers, assigns, quitclaims, abandons, delivers and relinquishes unto Sealy all of the right, title and interest which the Parish has or may have in and to the Former Cul-de-Sac by operation of law as owner or dedicatee of the portion of James Drive East contiguous to the Former Cul-de-Sac, and Sealy hereby accepts the foregoing transfer for itself, its successors and assigns, acknowledging due delivery and possession thereof.

7. The following described servitude has not been transferred or assigned by the Parish and is hereby declared to be no longer needed for public purposes and the dedication of same is hereby revoked, rescinded and set aside:

That certain servitude identified as "45' TEMPORARY DRAINAGE SERVITUDE TO BE REVOKED UPON INSTALLATION OF SUBSURFACE DRAINAGE SYSTEM" affecting pieces or portions of ground designated as **Lot 5-B and Lot 1-A of Square 7B** and situated in Section 39, Township 12 South, Range 9 East, Parish of St. Charles, State of Louisiana, in that part known as James Business Park Expansion, as depicted on a plan of resubdivision of Krebs, LaSalle LeMieux Consultants, Inc., Job No. 400 0073, dated November 13, 2000, approved by St. Charles Parish Planning Commission on December 13, 2000, recorded December 18, 2000, COB 579, folio 600.

**[SIGNATURE PAGES TO FOLLOW]**

THUS DONE AND PASSED by Sealy FRLA Land, L.L.C. on the 9<sup>th</sup> day of October, 2001, in the Parish/County of CADDO, State of LOUISIANA, before me, the undersigned Notary Public, duly commissioned and qualified in and for said Parish/County and State, and in the presence of the undersigned competent witnesses, who have signed after due reading of the whole.

Witnesses:

Sealy FRLA Land, L.L.C., a Georgia limited liability company

Pamela Wood

By: Mark P. Sealy  
Mark P. Sealy  
Its: Managing Member

Clare Gies

Christine Shifflett  
NOTARY PUBLIC

Seal

My Commission Expires:

CHRISTINE SHIFFLETT, NOTARY PUBLIC  
BOSSIER PARISH, LOUISIANA  
MY COMMISSION IS FOR LIFE

THUS DONE AND PASSED by St. Charles Parish on the 24 day of \_\_\_\_\_  
January, 2002 in the Parish of St. Charles, State of Louisiana, before me, the  
undersigned Notary Public, duly commissioned and qualified in and for said Parish and State, and  
in the presence of the undersigned competent witnesses, who have signed with St. Charles Parish  
after due reading of the whole.

WITNESSES:

Jelanie Berthelot

Sandra H. Miquet

PARISH OF ST. CHARLES

By: Albert D. Laque  
Albert D. Laque  
Parish President

Lisa Bouquie  
NOTARY PUBLIC