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Office of Conservation

SEP 20 2024

Environmental Division

APPENDIX H – PROPERTY AGREEMENT***Copy of title to property, lease or other agreement (Section 519.C.8)***

The property on which the proposed facility will be constructed, following approval by the Office of Conservation – Department of Energy and Natural Resources, is owned by Brickyard Trucking, LLC. Attached is a copy of the cash sale/deed documenting ownership.

Also attached is Plat of Survey by Goodwin Professional Services, LLC and stamped and certified by Benjamin C. Winn, LA REG. No. 4778.

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Environmental Division



Bienville Parish Clerk of Court
100 Courthouse Drive
Suite 1100
Arcadia, LA 71001
Phone (318) 263-2123



Clerk use only

William 'Eddie' Holmes
Clerk of Court
Parish of Bienville

Instrument Number: 304362

Book/Index: COB
Document Type: CASH SALE/DEED
Recording Date: 10/17/23 12:48:07 PM
Page Count: 5 not including this page
Intake Via: eRecording

COB: 304362

Grantor 1: SOUTH LAND INVESTMENTS, LLC
Grantee 1: BRICKYARD TRUCKING, LLC

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SHOULD BE RETAINED WITH ANY COPIES.

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Kaydee Johnson
Kaydee Johnson



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And Correct
Copy
eCertId: 000000646

William 'Eddie' Holmes
Bienville Parish Clerk of Court

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CASH SALE DEED

BE IT KNOWN, that on the dates set forth below, before the undersigned, Notaries Public, duly commissioned and qualified in and for their respective jurisdictions, and in the presence of the undersigned competent witnesses, personally came and appeared:

SOUTH LAND INVESTMENTS, LLC ("Vendor"), a Louisiana limited liability company, whose permanent mailing address is 333 Texas Street, Suite 1230, Shreveport, LA 71101;

who declared that it does, by these presents, GRANT, BARGAIN, SELL, CONVEY AND DELIVER, without any warranty of title except by through and under the acts of Vendor, but with complete transfer and subrogation of all rights and actions of warranty against all former proprietors and owners of the property herein conveyed, together with all rights of prescription, whether acquisitive or liberative, to which said Vendor may be entitled, unto

BRICKYARD TRUCKING, LLC ("Vendee"), a Louisiana limited liability company, whose permanent mailing address is 415 Texas Street Suite 400, Shreveport, LA 71101;

The following described tracts of land located in Section 17, Township 16 North, Range 8 West, Bienville Parish, Louisiana containing a total of 13.20 acres, more or less:

TRACT I:

A certain tract of land, with all buildings and improvements thereon, in Bienville Parish, Louisiana, located on the Northeasterly line of Louisiana Highway 792, and more particularly described as follows, to-wit:

Commencing at the center of the Southwest Quarter of Section 17, Township 16 North, Range 8 West, Bienville Parish, Louisiana; run thence East along the East and West center line of said Section 9.36 chains to Point "A" at the intersection of the said line with the Northeasterly line of Louisiana Highway 792 as the point of beginning, run thence North 48 degrees 05 minutes West along said highway line 2.55 chains to "B", run thence North 42 degrees 08 minutes East 6.70 chains to "E", run thence South 31 degrees 0 minutes East 7.50 chains to "F", run thence South 59 degrees 0 minutes West 4.77 chains to "G" on the Northeasterly line of Highway 792, run thence North 48 degrees 05 minutes West 3.25 chains to "A", the point of beginning, said tract containing 3.7 acres, more or less, all as shown on certificate of survey dated February 1, 1967; by R. L. Gunter, Registered Surveyor, attached to that certain deed from Reet T. Lawhon to Dixie Steel, Inc., said deed being dated March 22, 1967, and recorded under Original Instrument Number S-9640 of the Records of Bienville Parish, Louisiana.

TRACT II:

Begin at the center of the Southwest Quarter (SW/4) of Section 17, Township 16 North, Range 8 West, Bienville Parish, Louisiana, and run East 617.76 feet to North right-of-way La. Hwy #792 for the point of beginning; thence run North 48°05' West along said right-of-way 168.3 feet; thence run North 47°52' West along said right-of-way a distance of 300 feet; thence run North 42°08' East 746.43 feet; thence run South 31°00' East 1069.58 feet; thence run South 59°00' West 453.36 feet to North right-of-way La. Hwy. #792; thence North 48°05' West along said right-of-way 423.73 feet to the point of beginning;

Less and except from said Tract II the following described property:

Certified True and Correct Copy of the original instrument recorded in the Public Land Office of the State of Louisiana, at the center of the Southwest Quarter of Section 17, Township 16 North, Range 8 West, Bienville Parish, Louisiana; run thence East along the East and West center line of said Section 9.36 chains to Point "A" at the intersection of the said line with the Northeasterly line of Louisiana Highway 792 as the point of beginning.

William Eddie Holmes

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beginning, run thence North 48 degrees 05 minutes West along said highway line 2.55 chains to "B", run thence North 42 degrees 08 minutes East 6.70 chains to "E", run thence South 31 degrees 0 minutes East 7.50 chains to "F", run thence South 59 degrees 0 minutes West 4.77 chains to "G" on the Northeasterly line of Highway 792, run thence North 48 degrees 05 minutes West 3.25 chains to "A", the point of beginning, said tract containing 3.7 acres, more or less, being Tract I described above.

Said Tract II containing 9.5 acres, more or less and being the same property acquired by Acme Brick Company from Lawhon Land Company in an act passed before Scott C. Sinclair, Notary Public, dated December 3, 1992, registered February 25, 1993 in COB 677, page 170, Reg. No. 93-600, Bienville Parish, Louisiana.

It is the intention of the Vendor herein to convey unto Vendee, all of the surface interest acquired by Vendor in that certain Cash Sale Deed, dated February 6, 2014 from Jamestown Investments, LLC, in favor of Southland Investments, LLC recorded under Registry No. 20140282 in the Conveyance Records of Bienville Parish, Louisiana whether said land is correctly described herein or not, together with all buildings and improvements located thereon. Vendor does hereby agree to execute any additional documentation reasonably necessary in order for Vendor to vest Vendee with title to the property described above and it is the intention of Vendor for this provision to be binding on its heirs, devisees, executors and all other legal representatives.

This sale is made subject to any restrictions, servitudes, rights-of-ways, mineral servitudes, and leases established by law or of record in the records of Bienville Parish, Louisiana, affecting the property hereby conveyed by Vendor to Vendee. It is agreed that the immovable property herein conveyed and all improvements and components parts, all plumbing, electrical systems, mechanical equipment, heating and air conditioning systems and all other property located thereon are conveyed by Vendor and accepted by Vendee "AS IS, WHERE IS," without any warranty of any kind whatsoever, even as to the metes and bounds, zoning, operation or suitability of such property for the use intended by Vendee, and without regard to the presence of apparent or hidden defects and with Vendee's full and complete waiver of any and all rights for the return of all or any part of the purchase price by the reason of any such defects. Vendee acknowledges and declares that neither Vendor nor any party, whomsoever, acting or purporting to act in any capacity whatsoever on behalf of Vendor, has made any direct, indirect, explicit or implicit statement, representation or declaration, whether by written or oral statement or otherwise, and upon which Vendee has relied, concerning the existence or non-existence of any quality, characteristic, or condition of the property herein conveyed. Vendee has had full, complete, and unlimited access to the property herein conveyed for all tests and inspections which Vendee, in its sole discretion, deems sufficiently diligent for the protection of Vendee's interests. Vendee expressly waives the warranty of fitness and the warranty against redhibitory vices and defects, whether apparent or latent, imposed by Louisiana Civil Code Article 2475, 2500, any other applicable state or federal law, and the jurisprudence thereunder. Vendee also waives any rights Vendee may have in redhibition or to a reduction of purchase price pursuant to Louisiana Civil Code Article 2520, *et seq.* in connection with the property hereby conveyed by Vendor. By its signature below, Vendee expressly acknowledges all such waivers and its exercise of Vendee's right to waive warranties pursuant to Louisiana Civil Code Article 2548.

Vendor hereby expressly reserves unto itself, and its heirs, successors, and assigns, all of the oil, gas, liquid hydrocarbons, and other like fugacious minerals in, on and under the above referenced property, including all executive rights related thereto. Vendor acknowledges that all hard minerals, including sand, gravel, clay, topsoil, coal (including lignite) and all heavy metals and metal salts are excepted from this reservation. Vendor, its heirs, successors, assigns and lessees, expressly renounces and waives its right to any use of the surface of the property, including its right to ingress and egress for access roads, drill site locations or pipeline rights of way as well as the right to explore for and produce minerals. Access to oil, gas, and minerals shall only be by directional drilling from adjacent property or by any other method, in which case the Vendor shall be responsible for the cost of the same. Vendor, its heirs, successors, assigns and lessees, expressly renounces and waives its right to any use of the surface of the property, including its right to ingress and egress for access roads, drill site locations or pipeline rights of way as well as the right to explore for and produce minerals. Access to oil, gas, and minerals shall only be by directional drilling from adjacent property or by any other method, in which case the Vendor shall be responsible for the cost of the same. Vendor, its heirs, successors, assigns and lessees, expressly renounces and waives its right to any use of the surface of the property, including its right to ingress and egress for access roads, drill site locations or pipeline rights of way as well as the right to explore for and produce minerals. Access to oil, gas, and minerals shall only be by directional drilling from adjacent property or by any other method, in which case the Vendor shall be responsible for the cost of the same.

Certified True
And Correct
Copy

William Edrie Holmes

Notary Public



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surface of the property without the express written consent of Vendee or its successors or assigns. Neither Wiener, Weiss & Madison, A.P.C, nor the undersigned Notary Public, warrant that a mineral examination has been performed upon the above referenced property.

VENDEE HEREBY ACKNOWLEDGES THAT: (I) THE FOREGOING WAIVERS AND DISCLAIMERS HAVE BEEN BROUGHT TO THE ATTENTION OF VENDEE; (II) THE FOREGOING WAIVERS AND DISCLAIMERS HAVE BEEN READ AND ARE UNDERSTOOD BY VENDEE; (III) THE AGREEMENT OF VENDEE WITH AND TO ALL OF THE TERMS AND CONDITIONS OF THESE WAIVERS AND DISCLAIMERS IS A MATERIAL AND INTEGRAL PART OF THIS SALE BETWEEN VENDOR AND VENDEE WITHOUT WHICH THIS SALE WOULD NOT HAVE BEEN ENTERED INTO BY VENDOR; AND (IV) THE PURCHASE PRICE REFLECTS AND TAKES INTO CONSIDERATION THE FOREGOING WAIVERS AND DISCLAIMERS.

TO HAVE AND TO HOLD said described property unto said BRICKYARD TRUCKING, LLC, its successors and assigns forever.

This sale is made for the consideration of the sum of SEVENTY-FIVE THOUSAND AND NO/100 and (\$75,000.00) DOLLARS, cash in hand paid, the receipt and sufficiency of which consideration is hereby acknowledged by Vendor.

The certificate of mortgage is hereby waived by the parties hereto, and evidence of the payment of taxes produced. Vendee takes cognizance of the current year's ad valorem taxes on the subject property and agrees to pay same before such 2023 ad valorem taxes become delinquent.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK. SIGNATURE PAGES FOLLOW.]

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William 'Eddie' Holmes
Bienville Parish Clerk of Court

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DONE AND PASSED, in _____ Pueblo, Colorado, in the presence of the undersigned competent witnesses, on this the 12th day of October, 2023.

WITNESSES:

[Signature]

Print Name: Douglas D. Pierse

[Signature]

Print Name: Shirley A. Torrez



VENDOR:

SOUTHLAND INVESTMENTS, LLC

By: [Signature]
Name: Charles W. Kessler
Title: Manager as Independent Executor of the Succession of Michael W. Cottingham

[Signature]

NOTARY PUBLIC

Print Name: MARIA DE LOS ANGELES KENIKSMAN

La. Bar Roll No. 7 Notary ID No. 20224048211
My Commission Expires 12/28/2026

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DONE AND PASSED, in Caddo Parish, Shreveport, Louisiana, in the presence of the undersigned competent witnesses, on this the 10th day of October, 2023.

WITNESSES:

Marcia Wallace
Print Name: MARCIA WALLACE
Frances Wooten
Print Name: Frances Wooten

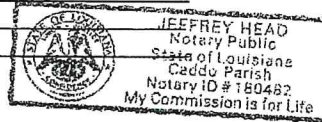
VENDEE:

BRICKYARD TRUCKING, LLC

By: [Signature]
Name: Scott Wooten
Title: Manager

[Signature]
NOTARY PUBLIC in and for Caddo Parish, Louisiana

Print Name: _____
La. Bar Roll No./Notary ID No. _____
My Commission Expires _____



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eCertId: 000000646 **William 'Eddie' Holmes**
Bienville Parish Clerk of Court

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T
16
N

R 8 W

13.22
ACRES

FOUND 1/2" REBAR AT
STEEL POST ON APPARENT
HIGHWAY RIGHT OF WAY
LINE (N 43°22'40" E, 3.51'
FROM SET 5/8" REBAR)

SET 5/8"
REBAR

(N 47°52' W)
N 47°23'31" W
300.00'

(EAST)
(617.76')

(N 48°05' W)
N 47°36'31" W
168.30'

CENTER OF THE SW 1/4
OF SECTION 17, T16N, R8W

(N 48°05' W)
N 47°36'31" W
423.73'

FOUND 6"
STEEL POST

(S 59°00' W)
S 59°28'29" W
453.36'

FOUND 6"
STEEL POST

FOUND 1/2"
REBAR AT
STEEL POST ON
APPARENT
HIGHWAY RIGHT
OF WAY LINE

SET 5/8"
REBAR

LA HWY 792
(RIGHT OF WAY)

SCALE: 1"=20'

OVERHEAD
ELECTRICAL
LINE

UTILITY
POLE

N 43°22'40" E
3.51'

LEGEND OF SYMBOLS, LINES AND ABBREVIATIONS:

- | | |
|----------|--|
| ○ | FOUND CORNER PIN (AS NOTED) |
| ● | SET CORNER PIN (5/8" REBAR) |
| — | PROPERTY BOUNDARY LINE PER THIS SURVEY |
| — NE 1/4 | SECTION SUBDIVISION LINE |
| — SW 1/4 | SECTION SUBDIVISION DESIGNATION |
| — | HIGHWAY CENTERLINE |
| --- | APPARENT HIGHWAY RIGHT OF WAY LINE |
| — E — | OVERHEAD ELECTRICAL LINE |
| ⊘ | UTILITY POLE |
| --- | APPARENT ELECTRICAL RIGHT OF WAY LINE |
| P.O.B. | POINT OF BEGINNING |
| () | DENOTES RECORD CALLS |

PROPERTY DESCRIPTION (OF RECORD):

Begin at the center of Southwest Quarter (SW/4) of Section 17, Township 16 North, Range 8 West, Bienville Parish, Louisiana, and run East 617.76 feet to North right-of-way La. Hwy. #792 for the point of beginning; thence run North 48°05' West along said right-of-way 168.3 feet; thence run North 47°52' West along said right-of-way a distance of 300 feet; thence run North 42°08' East 746.43 feet; thence run South 31°00' East 1069.58 feet; thence run South 59°00' West 453.36 feet to North right-of-way La. Hwy. #792; thence run North 48°05' West along said right-of-way 423.73 feet to the point of beginning.

BEARING BASIS:

BEARINGS ARE BASED ON GRID NORTH [SPCS83-LA-N-1701 LATEST VERSION NAD 83(2011) EPOCH 2010.00] DETERMINED BY GNSS OBSERVATIONS PERFORMED COINCIDENT WITH GROUND SURVEY UTILIZING LSU C4G RTN AND RTK NETWORK SERVICE.

THIS PLAT AND THE SURVEY UPON WHICH IT IS BASED DO NOT PURPORT TO REFLECT ALL MATTERS OF RECORD OR OF USE, INCLUDING BUT NOT LIMITED TO COVENANTS, RESTRICTIONS, SERVITUDES, EASEMENTS, RIGHTS-OF-WAY, ZONING/LAND USE REGULATIONS OR UTILITY LOCATIONS, NOR DO THEY REPRESENT A GUARANTEE OF TITLE.

CERTIFICATION:

This plat represents a property boundary survey performed under my direct supervision. Said plat and survey comply with the applicable standards of practice stipulated in LAC Title 46:LXI, Chapter 29, Standards of Practice for Boundary Surveys as currently adopted by the Louisiana Professional Engineering and Land Surveying Board. This survey complies with the accuracy standards for a Class "C" survey as stipulated in Section §2913 of said standards.

BENJAMIN C. WINN
LA REG. NO. 4778

DATE

PLAT OF SURVEY

Goodwin Professional Services, LLC
310 BUTLER ST.
SPRINGHILL, LA 71075

(318) 423-5325

SHT. NO.

1

1

DRAWN BY:	BCW	PREPARED FOR:	BRICKYARD TRUCKING, LLC
DATE:	11/02/2023	PROJ. NO.	23781
DWG. NO.:	23781	SCALE:	1"=200'
FIELD WORK:	COMPLETED 11/01/2023		

SURVEY OF A 13.22 ACRE TRACT
SITUATED IN
THE EAST 1/2 OF THE SW 1/4,
SECTION 17, T16N-R8W,
BIENVILLE PARISH, LOUISIANA