

SIXTEENTH JUDICIAL DISTRICT PARISH ST. MARY

STATE OF LOUISIANA

NO: 130-527

DIVISION "B"

LOUISIANA WETLANDS, LLC and NEW 90, LLC

VERSUS

ENERGEN RESOURCES CORPORATION, ET AL.

FILED: _____

**_____
DEPUTY CLERK**

FIRST AMENDED PETITION FOR DAMAGES

NOW INTO COURT, come Plaintiffs Louisiana Wetlands, LLC and New 90, LLC, through undersigned counsel, who respectfully file this First Amended Petition for Damages by incorporating their original Petition for Damages, and by amending Paragraph 3 of said petition as follows:

I.

3.

Plaintiffs own or have owned the following property located in St. Mary Parish, Louisiana in the Franklin Field:

- a) Parcel Number 2114604021.00, listed in the Tax Roll Records in the Assessor's Office in St. Mary Parish Louisiana, and described as: 97.05 AC POR BD KRAMER & D N FOSTER - PUBLIC RD - J W FOSTER - J W FOSTER SITUATED IN SEC 2 T14S R9E DESIGNATED AS HEIRS OF W P FOSTER TRACT PER PLAT 3N 42984 ACQ 184 303579.

The 2017 Assessment Listing is attached hereto as Exhibit 1.

- b) Parcel Number 2234604001.00, listed in the Tax Roll Records in the Assessor's Office in St. Mary Parish Louisiana, and described as: 89.24 AC POR BD ROAD - PUBLIC RD - ARLINGTON J W FOSTER SITUATED IN SEC 2 T14S R9E LYING WEST OF R R R/W ALSO DESIGNATED AS POR J W FOSTER TRACT PER PLAT 3N 42984 ACQ 184 303579.

The 2017 Assessment Listing is attached hereto as Exhibit 2.

- c) Parcel Number 2234604002.00, listed in the Tax Roll Records in the Assessor's Office in St. Mary Parish Louisiana, and described as: 12.64 AC POR BD ROAD - PUBLIC ROAD - ARLINGTON - J W FOSTER SITUATED SEC 38 T15S R9E LYING EAST OF U S 90 ALSO DESIGNATED AS POR OF J W FOSTER TRACT PER PLAT 3N 42984 ACQ 184 303579.

The 2017 Assessment Listing is attached hereto as Exhibit 3.

WHEREFORE, Plaintiffs pray that Defendants be cited to appear and answer this petition and that after due proceedings had, that there be judgment entered herein as follows:

1. Awarding Plaintiffs compensatory damages in an amount to be proven at trial, including payment of the costs to restore land loss and restore lands with identified pollution to its original unpolluted state, unjust enrichment damages for the unauthorized disposal of waste on Plaintiffs' property without landowners' consent, civil fruits resulting from Defendants' illegal and bad faith trespass on Plaintiffs' lands, and other property damages;
2. Awarding Plaintiffs punitive damages;
3. Ordering Defendants to pay Plaintiffs sufficient funds so that Plaintiffs may conduct a comprehensive and expedited environmental assessment of Plaintiffs' land to identify all hidden or not yet identified pollution on Plaintiffs' land;
4. Awarding Plaintiffs all costs of this suit and for legal interest therein for any amount awarded from the date of judicial demand until paid; and further awarding Plaintiffs judicial interest on all contract claims from the date of breach;
5. Awarding Plaintiffs stigma damages for diminution in property value before and after restoration;
6. Ordering a mandatory and prohibitory injunction to restore Plaintiffs' property to its pre-contaminated condition and to prevent the migration and spread of toxic and hazardous substances onto Plaintiffs' property;
8. For all costs and attorneys' fees pursuant to La. R.S. 30:29 and any other applicable provision of law;
9. For all just and equitable relief; and
10. For all damages as are reasonable in the premises.

Respectfully submitted,



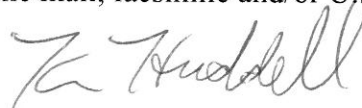
Gladstone N. Jones, III (#22221)
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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that I have, on this 12th day of June, 2017, served a copy of the foregoing upon all counsel of record by hand delivery, electronic mail, facsimile and/or U.S. Mail.



Kevin E. Huddell

St. Mary Parish Assessor 2017 Assessment Listing

Parcel#

2114604021.00

View on Map (<http://atlas.geoportalmaps.com/stmary/q/Parcel?PIN=2114604021.00>)

Primary Owner

NEW 90 LLC

Mailing Address

SHADY RETREAT NO 21
P O BOX 842
BATON ROUGE LA 70821-0000

Ward

12-Franklin

Type

REAL PROPERTY

Legal

97.05 AC POR BD KRAMER & D N FOSTER -
PUBLIC RD - J W FOSTER - J W FOSTER
SITUATED IN SEC 2 T14S R9E DESIGNATED AS
HEIRS OF W P FOSTER TRACT PER PLAT 3N 42984
ACQ 184 303579

Physical Address

11700 HWY 90 W FRONTAGE RD

Parcel Items

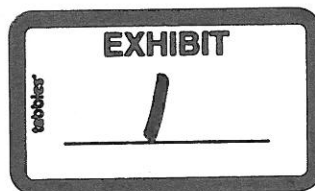
Property Class	Assessed Value	Units	Homestead
AGRICULTURAL LAND CLS II	808	31.07	0
AGRICULTURAL LAND CLS III	1,301	59.40	0
MISCELLANEOUS LAND	1,645	6.58	0
TOTAL	3,754	97.05	0

Deeds

Deed#	Type	Date	Amount	Book	Page
303579	Miscellaneous	3/20/2009	0	184	
234857	Miscellaneous	1/1/2000	0	34K	

Ownership History

Homestead?	Name	Primary?	% Ownership	% Tax	From	To	Address
NO	NEW 90 LLC	YES	100.0000	100.0000	3/20/2009		
NO	FOSTER WILLIE P SUCC	NO	15.4800	0.0000	1/1/1900	3/20/2009	
NO	BAILEY JAMES J III	NO	5.2700	0.0000	1/1/1900	3/20/2009	
NO	BAILEY P FOSTER	NO	5.2700	0.0000	1/1/1900	3/20/2009	
NO	NOLAND VIRGINIA B	NO	5.2700	0.0000	1/1/1900	3/20/2009	
NO	BAILEY FAIRFAX F SUCC OF	YES	68.7100	100.0000	1/1/1900	3/20/2009	



Locations

Subdivision	Block	Lot	Section	Township	Range	Tract
Ward Twelve Non-subdivision			2	14	9	

PARISH

Millage	Mills	Taxpayer Tax	Homestead Tax
Criminal Tax	3.6200	13.58	0.00
Assessment Dist.	2.8800	10.82	0.00
St. Mary Public Library Dist.	5.7200	21.47	0.00
St. Mary Public Library Bonds	0.3100	1.16	0.00
Consol. School Dist. #5	11.1700	41.93	0.00
Constitutional School Tax	8.3500	31.35	0.00
Consolidated School Dist. #1 Bonds	10.0000	37.54	0.00
Consolidated School Dist. #3 Maint.	12.0000	45.05	0.00
Consol. Gravity Drainage #1	7.8100	29.32	0.00
W. St. Mary Port Commission	3.7200	13.97	0.00
St Mary Levee District	5.0000	18.76	0.00
Law Enforcement Dist.	10.7100	40.20	0.00
Hospital Service Dist #1	12.9200	48.50	0.00
TOTALS	94.2100	353.65	0.00

CITY

Millage	Mills	Taxpayer Tax	Homestead Tax
City of Franklin General	13.8200	51.88	0.00
City of Franklin Special	5.8200	21.84	0.00
TOTALS	19.6400	73.72	0.00

St. Mary Parish Assessor 2017 Assessment Listing

Parcel#

2234604001.00

View on Map (<http://atlas.geoportalmaps.com/stmary/q/Parcel?PIN=2234604001.00>)

Primary Owner

NEW 90 LLC

Mailing Address

SHADY RETREAT NO 21

P O BOX 842

BATON ROUGE LA 70821-0000

Ward

12-Franklin

Type

REAL PROPERTY

Legal

89.24 AC POR BD ROAD - PUBLIC RD - ARLINGTON-

J W FOSTER SITUATED IN SEC 2 T14S R9E LYING

WEST OF R R R/W ALSO DESIGNATED AS POR J W

FOSTER TRACT PER PLAT 3N 42984

ACQ 184 303579

Physical Address

11664 HWY 90 W FRONTAGE RD

Parcel Items

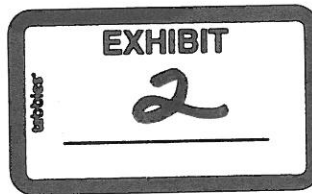
Property Class	Assessed Value	Units	Homestead
AGRICULTURAL LAND CLS II	596	22.92	0
AGRICULTURAL LAND CLS III	1,396	63.74	0
MISCELLANEOUS LAND	65	2.58	0
TOTAL	2,057	89.24	0

Deeds

Deed#	Type	Date	Amount	Book	Page
303579	Miscellaneous	3/20/2009	0	184	
234857	Miscellaneous	1/1/2000	0	34K	

Ownership History

Homestead?	Name	Primary?	% Ownership	% Tax	From	To	Address
NO	NEW 90 LLC	YES	100.0000	100.0000	3/20/2009		
NO	BAILEY FAIRFAX F SUCC OF	YES	68.7100	100.0000	1/1/1900	3/20/2009	
NO	FOSTER WILLIE P SUCC	NO	15.4800	0.0000	1/1/1900	3/20/2009	
NO	BAILEY JAMES J III	NO	5.2700	0.0000	1/1/1900	3/20/2009	
NO	BAILEY P FOSTER	NO	5.2700	0.0000	1/1/1900	3/20/2009	
NO	NOLAND VIRGINIA B	NO	5.2700	0.0000	1/1/1900	3/20/2009	



Locations

Subdivision	Block	Lot	Section	Township	Range	Tract
Ward Twelve Non-subdivision			2	14	9	

PARISH

Millage	Mills	Taxpayer Tax	Homestead Tax
Criminal Tax	3.6200	7.45	0.00
Assessment Dist.	2.8800	5.93	0.00
St. Mary Public Library Dist.	5.7200	11.77	0.00
St. Mary Public Library Bonds	0.3100	0.63	0.00
Consol. School Dist. #5	11.1700	22.98	0.00
Constitutional School Tax	8.3500	17.18	0.00
Consolidated School Dist. #1 Bonds	10.0000	20.57	0.00
Consolidated School Dist. #3 Maint.	12.0000	24.68	0.00
Consol. Gravity Drainage #1	7.8100	16.06	0.00
W. St. Mary Port Commission	3.7200	7.65	0.00
St Mary Levee District	5.0000	10.28	0.00
Law Enforcement Dist.	10.7100	22.03	0.00
Hospital Service Dist #1	12.9200	26.58	0.00
TOTALS	94.2100	193.79	0.00

CITY

Millage	Mills	Taxpayer Tax	Homestead Tax
City of Franklin General	13.8200	28.43	0.00
City of Franklin Special	5.8200	11.97	0.00
TOTALS	19.6400	40.40	0.00

St. Mary Parish Assessor 2017 Assessment Listing

Parcel#

2234604002.00

View on Map (<http://atlas.geoportalmaps.com/stmary/q/Parcel?PIN=2234604002.00>)

Primary Owner

NEW 90 LLC

Mailing Address

SHADY RETREAT NO 21
P O BOX 842
BATON ROUGE LA 70821-0000

Ward

12-Franklin

Type

REAL PROPERTY

Legal

12.64 AC POR BD ROAD - PUBLIC ROAD -
ARLINGTON - J W FOSTER SITUATED SEC 38 T15S
R9E LYING EAST OF U S 90 ALSO DESIGNATED
AS POR OF J W FOSTER TRACT PER PLAT 3N 42984
ACQ 184 303579

Physical Address

11664 HWY 90 W FRONTAGE RD

Parcel Items

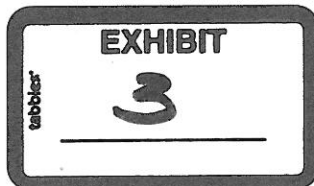
Property Class	Assessed Value	Units	Homestead
AGRICULTURAL LAND CLS III	277	12.64	0
TOTAL	277	12.64	0

Deeds

Deed#	Type	Date	Amount	Book	Page
303579	Miscellaneous	3/20/2009	0	184	
234857	Miscellaneous	1/1/2000	0	34K	

Ownership History

Homestead?	Name	Primary?	% Ownership	% Tax	From	To	Address
NO	NEW 90 LLC	YES	100.0000	100.0000	3/20/2009		
NO	BAILEY FAIRFAX F SUCC OF	YES	68.7100	100.0000	1/1/1900	3/20/2009	
NO	FOSTER WILLIE P SUCC	NO	15.4800	0.0000	1/1/1900	3/20/2009	
NO	BAILEY JAMES J III	NO	5.2700	0.0000	1/1/1900	3/20/2009	
NO	BAILEY P FOSTER	NO	5.2700	0.0000	1/1/1900	3/20/2009	
NO	NOLAND VIRGINIA B	NO	5.2700	0.0000	1/1/1900	3/20/2009	



Locations

Subdivision	Block	Lot	Section	Township	Range	Tract
Ward Twelve Non-subdivision			38	15	9	

PARISH

Millage	Mills	Taxpayer Tax	Homestead Tax
Criminal Tax	3.6200	1.00	0.00
Assessment Dist.	2.8800	0.80	0.00
St. Mary Public Library Dist.	5.7200	1.58	0.00
St. Mary Public Library Bonds	0.3100	0.09	0.00
Consol. School Dist. #5	11.1700	3.09	0.00
Constitutional School Tax	8.3500	2.31	0.00
Consolidated School Dist. #1 Bonds	10.0000	2.77	0.00
Consolidated School Dist. #3 Maint.	12.0000	3.32	0.00
Consol. Gravity Drainage #1	7.8100	2.16	0.00
W. St. Mary Port Commission	3.7200	1.03	0.00
St Mary Levee District	5.0000	1.38	0.00
Law Enforcement Dist.	10.7100	2.97	0.00
Hospital Service Dist #1	12.9200	3.58	0.00
TOTALS	94.2100	26.08	0.00

CITY

Millage	Mills	Taxpayer Tax	Homestead Tax
City of Franklin General	13.8200	3.83	0.00
City of Franklin Special	5.8200	1.61	0.00
TOTALS	19.6400	5.44	0.00