

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

**22-521
consolidated with 22-406 and 22-432**

**LAFAYETTE CITY-PARISH
CONSOLIDATED GOVERNMENT**

VERSUS

**BENDEL PARTNERSHIP (A PARTNERSHIP
IN COMMENDAM), CIRCLE "A" FARM, INC.,
STACY ALBERT FARM, INC., AND
SOUTHERN ACRES, LLC**

**APPEAL FROM THE
FIFTEENTH JUDICIAL DISTRICT COURT
PARISH OF LAFAYETTE, NUMBER C-2021-16273 "B"
HONORABLE VALERIE GOTCH GARRETT, DISTRICT JUDGE**

**SHARON DARVILLE WILSON
JUDGE**

Court composed of Sylvia R. Cooks, Chief Judge, Billy Howard Ezell, and Sharon Darville Wilson, Judges.

**JUDGMENT VACATED; ORIGINAL JUDGMENT
REINSTATED AND AFFIRMED AS AMENDED;
AND REMANDED.**

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WILSON, Judge.

In this expropriation proceeding, both the landowner and the Lafayette City-Parish Consolidated Government (LCG) appeal multiple rulings from the trial court, which dismissed the expropriation petition, reserved the landowner's claims for attorney's fees and damages, and omitted an award of costs to the landowner, Bendel Partnership, A Partnership in Commendam (Bendel). For the reasons expressed in *Lafayette City-Parish Consolidated Government v. Bendel Partnership*, 22-432 (La.App. 3 Cir. ___/___/22), ___ So.3d ___, we find no manifest error in the trial court's granting the motion to dismiss. However, we vacate the trial court's May 26, 2022 judgment and reinstate the May 4, 2022 judgment and amend it to include the following language: "Bendel Partnership's rights regarding any claims for attorney's fees and/or damages are hereby reserved." The matter is remanded for further proceedings consistent with this opinion. The Lafayette City-Parish Government is cast with all costs of this appeal.

JUDGMENT VACATED; ORIGINAL JUDGMENT REINSTATED AND AFFIRMED AS AMENDED; AND REMANDED.