

CECIL EUGENE GATES and  
JUDY BARDWELL GATES : NUMBER: 533,628-B

VS. : FIRST JUDICIAL DISTRICT COURT

CLARENCE ANDERSON, JR. and  
ERNESTINE P. ANDERSON : CADDO PARISH, LOUISIANA

PERMANENT ASSIGNMENT : SECTION: "B"

**J U D G M E N T**

This cause having come regularly for trial on April 3, 2013, the Plaintiffs, CECIL EUGENE GATES and JUDY BARDWELL GATES, being present and having been represented by their Attorney of Record, Robert M. Davis, III, the Defendants, CLARENCE ANDERSON, JR. and ERNESTINE P. ANDERSON, being present and having been represented by their Attorney of Record, Charles J. Neupert, Jr., evidence having been adduced, an inspection and tour of the subject and involved tracts of immovable property having been made by the undersigned Judge together with the respective counsel for the Plaintiffs and the Defendants, the various Pre-Trial and Post Hearing Memorandums filed by Plaintiffs' and Defendants' counsel having been considered, the law and evidence being in favor thereof, and for the written reasons assigned and published by the Court, the Court concludes that Judgment should be rendered in favor of the Plaintiffs and against the Defendants and makes the following Conclusions of Law:

1. The Plaintiffs, CECIL EUGENE GATES and JUDY BARDWELL GATES, and their ancestors in title have acquired by acquisitive prescription a servitude of passage and right of way across the Defendants', CLARENCE ANDERSON, JR.'S and ERNESTINE P. ANDERSON'S, property.
2. Irrespective of the acquisitive prescription finding, because the Plaintiffs' property is legally enclosed, the Plaintiffs are entitled to a legal servitude of passage across the entire existing road that runs from Jefferson Paige Road to the Plaintiff's property.
3. The fact that there is a conventional servitude of passage in favor of the Plaintiffs across the Hatcher Tract does not preclude the Plaintiffs from having a legal servitude of passage from their property across the Defendants' property because

