

Chapter 11 Project Management Exhibits

The following Exhibits are intended for reference purposes. Some of the Exhibits have been reduced in size in order to include them in this manual.

<u>Exhibit 11.01</u>	<u>Parcel Control Transmittal</u>
<u>Exhibit 11.02</u>	<u>Project/Parcel Inventory Sheet</u>
<u>Exhibit 11.03</u>	<u>Project Clearance</u>
<u>Exhibit 11.04</u>	<u>Certificate of Appraiser</u>
<u>Exhibit 11.05</u>	<u>Appraisal Review Summary & Evaluation Approval</u>
<u>Exhibit 11.06</u>	<u>Advance Acquisition Request Form</u>
<u>Exhibit 11.07</u>	<u>FHWA Market Analysis Waiver</u>
<u>Exhibit 11.08</u>	<u>Market Analysis & Proposed Offer Worksheet</u>
<u>Exhibit 11.09</u>	<u>Exterior View Appraisal Process Flow Chart</u>

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Exhibit 11.01 - Parcel Control Transmittal

(FOR ADOT INTERNAL COMMUNICATION USE ONLY)
RIGHT OF WAY PROJECT MANAGEMENT PARCEL TRANSMITTAL

R/W OPERATION FUNDS OK

BY: _____

DATE: _____

COORDINATOR NAME: _____

FILL IN THE DATE AND INITIAL WHEN RECEIVED BY YOUR SECTION -

RIGHT OF WAY ACQUISITION DATE: _____ BY _____

RIGHT OF WAY PROPERTY MANAGEMENT DATE: _____ BY _____

Water Rights and/ or Wells: NO. 55 _____

Yes No 58 _____

BID ADVERTISEMENT DATE: _____

DATE SENT FOR PARCEL ACQUISITION (Through Right Of Way Operations): _____

RE: Federal Id: _____

Tracs Number: _____

Section: _____

Parcel Number: _____

Owner: _____

Tenant(s) _____

Lease Provided Yes No

Amount: _____

Function Code: _____

Monitor/AGENT: _____

Target Date (Open Escrow or Submit for Condemnation) : _____

Comments: _____

ACQUISITION HOLDBACKS & E.O.A. DETERMINATION

DATE SENT TO PROPERTY MANAGEMENT: _____

Environmental remediation holdback _____
(As determined by ADOT Environmental Planning Group)

Based on appraisal dated: _____

E.O.A. DETERMINATION (LEASE): _____
(MONTHLY / ANNUALLY)

Cost to Cure Holdback: _____

Security Holdback: _____

Site Clearance Holdback: _____

Demolition: Yes No Demolition Easement: Yes No

Demolition Coordinator

Leasing Agent

Water Rights & Wells Coordinator

DATE RETURNED TO PROJECT MANAGEMENT

BY PROPERTY MANAGEMENT DATE: _____ BY: _____

BY ACQUISITION/ RELOCATION DATE: _____ BY: _____

G: Right Of Way/Project Management Parcel Transmittal/ February 02, 2017

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Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

November 4, 2008

Floyd Roehrich Jr.
State Engineer

Mr. Robert E. Hollis
Arizona Division Administrator
Federal Highway Administration
400 East Van Buren, Suite 410
Phoenix, Arizona 85004

RE: Construction Project: NH-010-D(AIW) / 010 PM 246 H583801C
 R/W Project: I 010-D-803 / 010 PM 245 H583801R
 Highway: CASA GRANDE - TUCSON
 Section: Twin Peaks – Linda Vista T.I.
 CPSID: VC1E
 Subject: Conditional R/W Clearance Letter

Dear Mr. Hollis:

In accordance with 23 CFR 635.309(c)(3), we report that all necessary rights of way or rights of occupancy and use required for this project have not been acquired. It will be in the best interests of the public to advertise for bids in advance of acquisition completion. This certification will be updated prior to the award date to reflect that the department has all necessary rights to construct, operate and maintain the project.

This project requires the acquisition of 29 parcels. The following table shows the parcels, ownership and their respective acquisition status. An updated clearance will be issued when the two unacquired parcels, TM-36 and TM-37 have been acquired.

The bid advertisement date is to be established soon which will then allow for a reasonable estimation of the award and construction start dates. These dates will be provided to the FHWA when they are known.



Exhibit 11.03 - Project Clearance (Pages 2 of 3)

Mr. Robert E. Hollis
 November 4, 2008
 Page 2

ADOT/ Marana Parcel #	Owner	Type of Req	FWC	Est. FWC/ ESO/ OIP	Possession date	Relocation Required	Reloc. Complete	Available for Const.
10-1515 / TM-01	Continental Ranch Devel.	Partial	2-21-08	COE 5-23-08	5-23-08	No	N/A	Yes
10-1516 / TM-03	Clear Channel Outdoor	Total	8-03-07	OIP 1-22-08	1-25-08	No	N/A	No, Est. 11-7-08
10-1517 / TM-04	Yelwoc	Total	6-20-07	OIP 1-22-08	1-25-08	Yes	Yes	Yes
10-1518 / TM-05	Jarrell	Partial	9-13-07	COE 2-11-08	2-11-08	Yes	Yes	Yes
10-1534 / TM-06	Gaylon	Partial	9-02-07	COE 3-10-08	3-10-08	Yes	Yes	Yes
10-1519 / TM-07 & 08	L & C T-10 Properties	Partial	12-17-07	OIP 1-28-08	1-31-08	Yes	Yes	No, Est. 11-7-08
10-1520 / TM-09	White	Total	7-31-07	OIP 1-22-08	1-25-08	Yes	Yes	Yes
10-1521 / TM-14	Southwest Mining Development	Partial	12-20-07	OIP 1-22-08	1-25-08	Yes	Yes	Yes
10-1522 / TM-15	9555 Casa Grande Ave LLC	Total	5-03-07	COE 3-12-08	3-12-08	Yes	Yes	Yes
10-1523 / TM-16	Cortaro - Marana Irr. Dist.	Partial	9-05-07	COE 2-26-08	2-26-08	No	N/A	Yes
10-1524 / TM-17	S & T Company	Total	4-13-07	COE 1-25-08	1-25-08	Yes	Yes	Yes
10-1525 / TM-18	Dong	Total	7-20-07	OIP 1-28-08	1-31-08	Yes	Yes	Yes
10-1526 / TM-21	Felker	Partial	12-06-07	COE 9-22-08	9-22-08	Yes	Yes	No, Est. 11-7-08
10-1527 / TM-22	Cardi American	Total	6-19-07	OIP 1-28-08	1-31-08	Yes	Yes	No, Est. 11-7-08
10-1528 / TM-23	FATCO	Partial	7-25-07	COE 3-07-08	3-07-08	No	N/A	Yes
10-1529 / TM-25	Union Pacific RR	Partial	10-13-06	Grant 8-25-08	8-25-08	No	N/A	Yes
10-1530 / TM-26	Tucson Electric & Power	Partial	2-01-08	OIP 5-05-08	5-14-08	No	N/A	Yes
TM-11, 12 & 13	Pima County	Partial	12-20-07	OIP 5-15-08	5-19-08	No	N/A	Yes
TM-19	Barnes	Partial	7-19-07	OIP 8-18-08	9-10-08	Yes	Yes	Yes
TM-19C1	9555 Casa Grande Hwy	Partial	7-19-07	OIP 8-21-08	8-29-08	Yes	Yes	Yes
TM-20	Continental Ranch Devel.	Partial	2-21-08	COE 5-23-08	5-23-08	No	N/A	Yes
TM-24	City of Tucson	Total	10-24-07	OIP 4-10-08	4-29-08	No	N/A	Yes
TM-28	Fidelity Nat'l Title, Tr.	Partial	7-08-08	COE 10-28-08	10-28-08	No	N/A	No, Est. 11-7-08



Exhibit 11.03 - Project Clearance (Pages 3 of 3)

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TM-30	Kimco Barclay	Partial	7-21-08	COE 10-15-08	10-15-08	No	N/A	Yes
TM-31	Spectrum Vista	Partial	7-21-08	COE 10-28-08	10-28-08	No	N/A	Yes
TM-32	Fidelity Nat'l Title, Tr. 60299	Partial	7-08-08	COE 10-17-08	10-17-08	No	N/A	Yes
TM-36	Pima County FCD	Partial	2-21-08	Signed, in escrow. COE Anticipated 11-14-08	Est. 11-14-08	No	N/A	No
TM-37	Stewart Title & Trust	Partial	9-26-08	COE est. 12-15-08	Entry Agrmt 9-29-08	No	N/A	Yes
TM-38	Fidelity Nat'l Title, Tr. 60300	Partial	7-08-08	COE 10-17-08	10-17-08	No	N/A	Yes

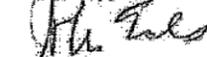
The Entry Agreement for parcel TM-37 is for an overhead power line easement. The owner is in agreement with the work, has signed the Entry Agreement and does not want to delay the construction project.

The contractor will need to refrain from entering unacquired parcel TM-36 until we have the legal right to do so and from entering the following parcels with some demolition remaining, 10-1516/TM-03, 10-1519/TM-07 & -08, 10-1526/TM-21, 10-1527/TM-22 and TM-24 until demolition is complete. The demolition is scheduled for completion by 11-07-08.

Acquisition was completed on this project as outlined in our Assurances covering Title III of the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 (Public Law 91-646). Relocation was accomplished in accordance with our Assurances covering Title II of said Act.

Noted below are individuals that will receive an attached set of R/W plans. If you have any questions, please call Pete Mayne, Right of Way Project Management Section at (602) 712-8738.

Sincerely,



John Eckhardt, Manager
R/W Project Management

C: Layne Patton, Federal Highway Administration, w/attach
Barry Crockett, Contracts & Specifications
Jim Shonhóvd, Contracts and Specifications
Hari Khanna, Program & Proj. Scheduling
Lee Makler, Program & Proj. Scheduling
Steve Wilson, Project Manager, w/attach
Greg Gentsch, District Engineer, w/attach
Esperanza Diaz

JE/pm



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Exhibit 11.04 - Certificate of Appraiser

CERTIFICATE OF APPRAISER

Project Number: _____
Parcel Number: _____

I hereby certify;

That I personally inspected, the property herein appraised, and that I have afforded the property owner the opportunity to accompany me at the time of inspection. I also made a personal field inspection of each comparable sale relied upon in making said appraisal. The subject and the comparable sales relied upon in making the appraisal were represented by the photographs contained in the appraisal.

That I have given consideration to the value of the property the damages and benefits to the remainder, if any; and accept no liability for matters of title or survey. That, to the best of my knowledge and belief, the statements contained in said appraisal are true and the opinions, as expresses therein, are based upon correct information; subject to the limiting conditions therein set forth.

That no hidden or unapparent conditions of the property, subsoil, or structures were found or-assumed to exist which would render the subject property more or less valuable; and I assume no responsibility for such conditions, or for engineering which might be required to discover such factors. That, unless otherwise stated in this report, the existence of hazardous material, which may or may not be present in the property, was not observed by myself or acknowledged by the owner. This appraiser, however, is not qualified to detect such substances, the presence of which may affect the value of the property. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.

That my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

That this appraisal has further been made in conformity with the appropriate State and Federal laws, regulations, policies and procedures applicable to appraisal of right of way for such purposes; and that, to the best of my knowledge, no portion of the value assigned to such property consists of items which are non-compensable under the established laws of said State.

That I understand this appraisal may be used in conjunction with the acquisition of right of way for a highway to be constructed by the State of Arizona with the assistance of Federal aid highway funds or other Federal funds.

That neither my employment nor my compensation for making the appraisal and report are in any way contingent upon the values reported herein.

That I have no direct or indirect present or contemplated future personal interest in the property that is the subject of this report, or any benefit from the acquisition of the property appraised herein.

That I have not revealed the findings and result of such appraisal to anyone other than the proper officials of the Arizona Department of Transportation or officials of the Federal Highway Administration, and I will not do so unless so authorized by proper State officials, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

That my opinion of the MARKET VALUE of the acquisition as of the _____ day of _____,
is _____, based upon my independent appraisal and the exercise of my professional judgment.

Date: _____ Signature: _____
Arizona Certified General Real Estate Appraiser # _____

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Exhibit 11.05 - Appraisal Review Summary & Evaluation Approval

FOR INTERNAL ADOT USE ONLY
ARIZONA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY GROUP
APPRAISAL REVIEW SUMMARY AND VALUATION RECOMMENDATION

Project: _____	Highway: _____	VALUATION RECOMMENDED FOR ACQUISITION		
Section: _____	Parcel (Owner): _____			
Appraiser: _____	_____			
Date of Value: _____	_____			
Date of Report: _____	_____			
Appraisal documented and acceptable as to ADOT Standards and Specifications.....	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Land.....	_____	_____	_____	
Improvements.....	_____	_____	_____	
Severance Damages.....	_____	_____	_____	
Cost to Cure.....	_____	_____	_____	
Special Benefits.....	_____	_____	_____	
Total.....	\$0.00	\$0.00	\$0.00	\$0.00

The scope of this review is: 1) to determine if the subject appraisal(s) are appropriately documented and acceptable as to ADOT Standards & Specifications; and 2) to recommend the compensation for use by the Arizona Department of Transportation Right of Way Group (Client) in negotiating the acquisition from the subject parcel. The review is based on information and data contained in the appraisal report(s) identified above.

REMARKS:

I certify that, to the best of my knowledge and belief:

- The facts and data used in the review process and reported herein are true and correct. I have not re-verified all of the data provided in the appraisal report(s) under review.
- The analyses, opinions and conclusions in this review are limited only by the assumptions and limiting conditions and are my personal and unbiased professional analyses, opinions and conclusions.
- I have no direct or indirect personal interest, present or contemplated, in the subject property, or in any benefit from the acquisition of this property.
- I have no bias with respect to the subject property or to the parties involved.
- My compensation is not contingent on an action or event resulting from the analyses, opinions or conclusions in, or the use of, this review report.
- My analyses, opinions and conclusions were developed and this review report was prepared in conformity with the U.S.P.A.P.
- I personally inspected (did not inspect) the subject property of the report under review.
- I personally inspected (did not inspect) the comparable sales included in the report under review.
- No one provided significant professional assistance in my development of this review report.

I understand that this recommendation of compensation may be used in connection with a public highway project. This recommendation has been reached independently based on the appraisal(s) or other factual data as set forth above, without collaboration or direction and the value estimation is of items compensable under State law and the non-eligible items for Federal reimbursement, if any, are set forth.

AGENCY APPROVAL:

 James C. Walcutt, Jr.
 Review Appraiser/Arizona Certified
 General Real Estate Appraiser #30012

 Assistant Chief Right of Way Agent Date

ACKNOWLEDGMENT (if over \$400,000):

Date: _____

 Deputy Chief Right of Way Agent Date

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Exhibit 11.06 - Advance Acquisition Request Form (Pages 1 of 2)

**ARIZONA DEPARTMENT OF TRANSPORTATION
INFRASTRUCTURE DELIVERY AND OPERATIONS DIVISION
RIGHT OF WAY GROUP
OWNER'S REQUEST FOR ADVANCE/EARLY ACQUISITION**

PROPERTY DATA: IMPROVED VACANT

ADDRESS: _____
DESCRIPTION: _____
APN: _____
OWNER: _____

PROJECT: _____
HIGHWAY: _____
SECTION: _____
ADOT PARCEL: _____

TYPE OF ACQUISITION REQUEST: TOTAL PARTIAL

NOTE: ALL REQUESTS ARE SUBJECT TO APPROVAL BY THE DEPARTMENT

Owner hereby requests that the Arizona Department of Transportation ("State") do an advance/early acquisition of the above-mentioned parcel. The Owner agrees to grant the State immediate permission to enter upon the property of the Owner solely for the purpose of inspection by its appraisers, engineers, surveyors and any other reasonable non ground disturbing inspections. If the State determines that an Environmental Phase II, soil testing or other invasive testing is required, the parties shall enter into a separate agreement for that purpose with typical protections and obligations for both the State and the Owner. It is understood that the approval and purchase of the subject property is contingent upon ADOT being satisfied with the results of its inspection/testing, as set forth above. If the request is approved for advance/early acquisition, the Owner shall provide all the applicable documents listed on the attached Exhibit A, thirty days or sooner from the date this agreement is approved by ADOT. If the Owner fails to supply all the documents listed within the thirty day timeframe, the State may elect to terminate this agreement without written notice.

If approved for advance/early acquisition, the State shall: (1) appraise the property (2) present a written offer to purchase the property, or a portion thereof, subject to available funding at that time. If the offer to purchase is rejected and refused by the Owner and there is no mutually agreeable resolution after good faith negotiations, the State at its sole discretion, may institute eminent domain proceedings to determine just compensation as authorized by A.R.S. 28-7096 and shall promptly obtain an Order of Immediate Possession from the Court and the Owner shall not contest the State's need for immediate possession and Owner knowingly waives any such arguments as part of this Agreement. Owner acknowledges the State's right to withdraw any and all offers to purchase up to the time of acceptance by the Director of the Arizona Department of Transportation. Owner further acknowledges advance/early acquisition is based upon anticipated future State transportation needs and contingent on available funding. Owner further waives the right of first refusal as set forth in A.R.S. 28-7099 if the State determines the property is not needed or used for Transportation purposes.

As Owner (s) of the property, advance/early acquisition by the Arizona Department of Transportation is hereby requested, subject to the conditions and understandings provided herein.

DATE: _____

PHONE: (WK) _____

SIGNATURE: _____

(CELL) _____

Exhibit 11.06 - Advance Acquisition Request Form (Pages 2 of 2)

FOR ADOT USE ONLY

Right of Way Coordinator _____ DATE

PROPERTY REQUIRED BY ADOT
 PROPERTY NOT REQUIRED BY ADOT
 ACQUIRE THE PROPERTY BY ADVANCE/EARLY ACQUISITION
 DO NOT ACQUIRE THE PROPERTY

AUTHORIZATION: REQUEST DENIED
 REQUEST APPROVED

APPROVAL: REQUEST DENIED
 REQUEST APPROVED

Richard Erickson, Manager
R/W Project Management Section _____ DATE

Paula Gibson
Chief Right of Way Agent _____ DATE

Form Revised 01/21/2016

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U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center-Suite 410
400 East Van Buren Street
Phoenix, Arizona 85004-2285
July 18, 2003

RECEIVED

JUL 22 2003

PROJ MGMT SECTION
RIGHT OF WAY GROUP

IN REPLY REFER TO
HRW-AZ
File Number: 411

Mr. William Higgins
State Highway Engineer
Arizona Department of Transportation
Phoenix, Arizona 85007

Dear Mr. Higgins:

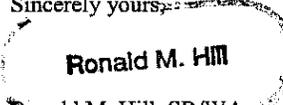
In response to Mr. Hansen's March 23, 2003 letter regarding waiver of appraisal process, the Federal Highway Administration has reviewed the request from the Arizona Department of Transportation (ADOT) to increase the appraisal waiver limit found in 49 CFR 24.102(c) (2), and as allowed under 49 CFR 24.7. The ADOT proposal to raise the appraisal waiver threshold to \$50,000 for uncomplicated valuations, using a comparative market analysis to determine value based upon Arizona Revised Statutes (ARS) is not being approved for use on Federal Highway funded projects to the full limit as allowed under State law. For purposes of Federal aid projects, we are however approving increasing the appraisal waiver threshold to \$25,000. Our review of the basis for ADOT's waiver request indicates that the majority of ADOT's low valuation acquisitions are less than \$10,000 and that almost all of the remaining properties are valued under \$25,000. Our recent on-site reviews conducted during a recent visit by our Headquarters office confirmed that ADOT's waiver procedures provide that full appraisals are prepared in the event acquisition complications occur. We also noted that sufficient objective market data is utilized before establishing a proposed offer under your "Market Analysis and Proposed Offer Worksheet." It is our conclusion that ADOT's proposed appraisal waiver limit, up to a maximum of \$25,000, as provided by 49 CFR 24.102 (c) (2) would not reduce assistance or protection provided a property owner.

We also understand that there are a small number of uncomplicated property acquisitions between \$25,000 and \$50,000 for which you would also like approval. In these cases, the ADOT Market Analysis Worksheet would, with slight modification, be able to meet the minimum Value Finding Appraisal Format contents listed on page 17 of The Appraisal Guide, published by the FHWA (copy attached), be considered an appraisal under 49 CFR Part 24. Further, we believe that as long as the Department continues to utilize staff managers for review and approval of these parcels prior to making offers, the Department is in compliance with 49 CFR Part 24. We suggest the proposed process be incorporated into procedures, as they relate to uncomplicated acquisitions between \$25,000 and \$50,000.

The FHWA is pleased that we are able to accommodate ADOT's request, subject to the conditions as identified above. May we please have copies of the revised documents and procedures when they have completed.

As discussed with Ms. Mousavi, the FHWA is requesting that all parcels identified for use of the waiver and modified value-finding process, be isolated/separated and identified for annual review to be conducted by the FHWA Division. This review activity is required of us by our Headquarters Office. To the extent possible, we also invite your personnel to be a part of the review and evaluation.

If there are any questions, or further developments, please contact us at (602) 379-3645, ext. 123.

Sincerely yours,

Ronald M. Hill, SR/WA
Realty Officer

Enclosure

cc: 410
Steve Hansen, Chief, Right of Way Group, ADOT,
Sabra Mousavi, Manager, Project Management, ADOT

RMH:cdm

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MARKET ANALYSIS & PROPOSED OFFER WORKSHEET

Project: _____ Parcel: _____ Date Prepared: _____
 Highway: _____ Owner: _____
 Section: _____ Agent: _____

COMPARABLE MARKET DATA						
Assessor Parcel #	Sale Date	Sales Price Per Unit	GENERAL ADJUSTMENT FEATURES			ADJUSTED UNIT VALUE
			Size	Zoning	Topography	
SUBJECT						
RECOMMENDED LAND UNIT VALUE:						

NOTE: The above sale/listing data was obtained from sources such as Comps of Arizona, TRW/REDI, Multiple Listing Service, etc. and may not have been independently confirmed. This document shall be accompanied by a delineation package prepared as define in the ADOT RW Manual, Plans-9340, Section 19.04: Preparation of Parcel Files

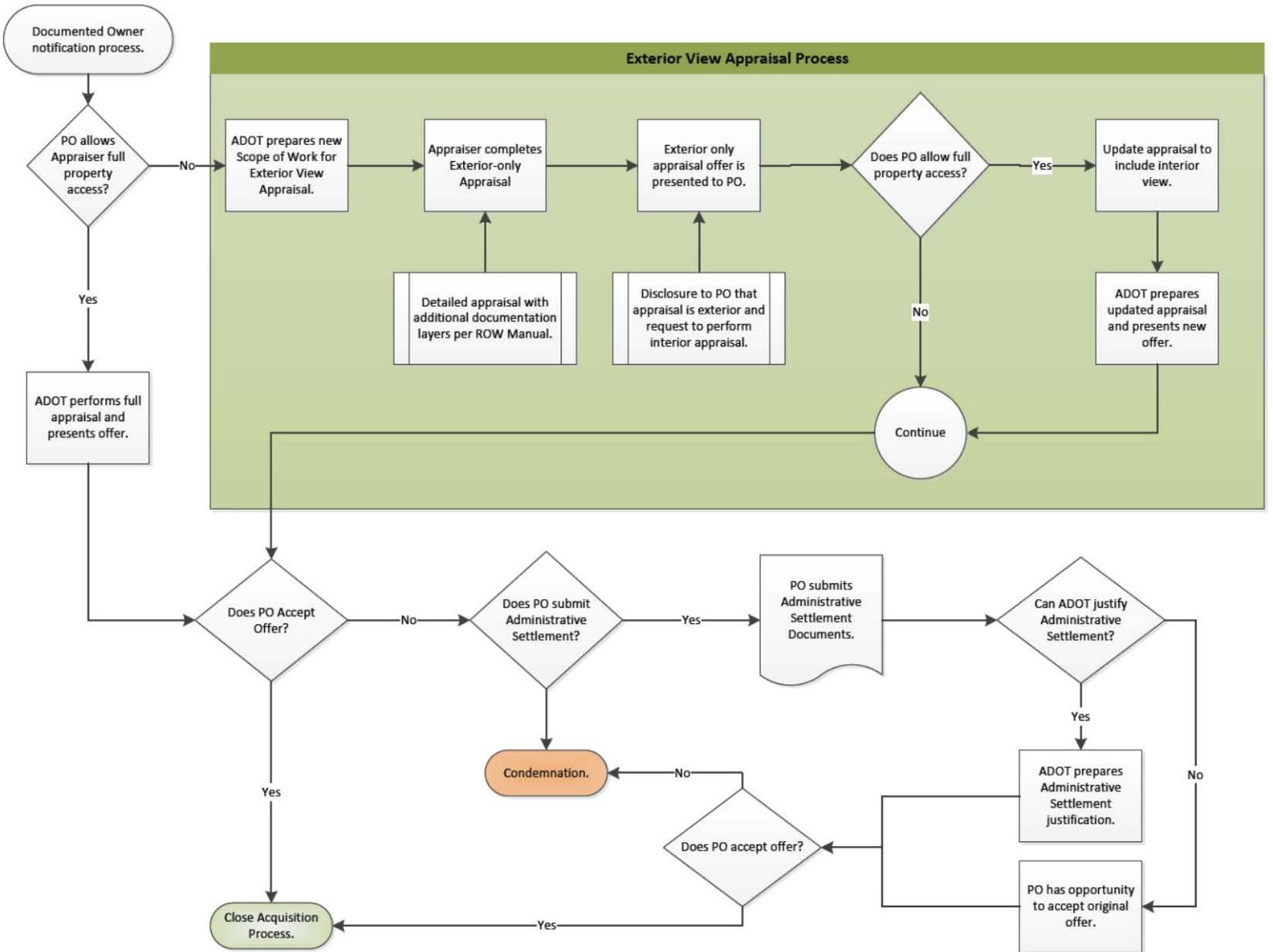
ACQUISITION FROM SUBJECT PROPERTY: Area: _____
 _____ Photograph of property attached for value \$25,000 - \$50,000 Type of Interest: _____
 Highest and best use: _____ unchanged _____ changed (see comments)

COMMENTS: (re: access, shape, location, topography, intensity of use for partial interests, minor improvements/cost-to-cure, etc.)

PROPOSED OFFER: \$ _____ CALCULATIONS: Unit Value _____ x Area _____ x % of Fee _____ = Total Land \$ _____
 Add for minor improvement value or Cost-to-Cure: \$ _____

CONCURRENCE: _____ ADOT Right of Way Manager _____ Date _____
 Project Management Manual Section 4.47 (d) Rev. 6/03

Exhibit 11.09 Exterior View Appraisal Process Flow Chart



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