

Kansas Department of Transportation

January 8, 1997

BLP MEMO 97-1

MEMORANDUM TO: COUNTY ENGINEERS/ROAD SUPERVISORS
HIGHWAY ADMINISTRATORS
CITY ENGINEERS (GREATER THAN 5,000)
CITY ENGINEERS (LESS THAN 5,000 WITH PROJECTS)
COUNTY COMMISSIONERS

SUBJECT: Acquisition of Right of Way Tracts Less than \$7500
(Rescinds BLP Memo 92-10 dated July 22, 1992)

Agencies have had the option of determining that an appraisal is not necessary if after a review of available data, there is not a complicated valuation problem and the fair market value is estimated at \$2500 or less.

This BLP Memo is to notify you that the \$2500 limit of not requiring an appraisal has been increased to \$7500. The County/City can utilize this right of way acquisition technique when applicable by completing the attached Estimate of Just Compensation Form for each tract estimated to cost \$7500 or less.

A written purchase offer and written statement of the basis for the offer of just compensation must still be given to the owner along with a copy of the KDOT brochure entitled "Real Property Acquisition for Kansas Highways, Roads, Streets and Bridges."

It is still necessary to document justification for settlements exceeding the original amount offered; document contacts made and the negotiation process; obtain releases from liens and encumbrances affecting the right of way prior to filing deeds and easements with the County Register of Deeds Office; and, make payment to the owner before taking possession of the property. When using this procedure, administrative settlements may exceed \$7500, as long as the original amount estimated as just compensation does not exceed the \$7500 limit.

The Bureau of Local Projects has endorsed this right of way acquisition technique and feels this increase from \$2500 to \$7500 will be of great benefit to cities and counties. If you have any questions please contact Vern Everhart in this office at (913) 296-3861.

Larry W. Emig, P.E.
Chief of Local Projects

Attachment

c: Mr. Warren L. Sick, Director of Engineering and Design
Mr. Joseph Krahn, Chief of Right of Way, KDOT
Mr. Patrick Arno, Right of Way Officer, FHWA
Mr. Mike Crow, Chief of Traffic Engineering

VALUATION "UNCOMPLICATED AND \$7500 OR LESS"

It is determined that an appraisal is unnecessary because the valuation problem is uncomplicated and the fair market value is estimated at \$7500 or less, based on review of available data.

City/County _____ Project No. _____

Owner _____ Tract No. _____

Estimate of Just Compensation

Area to be acquired:

Cost to cure:

Improvements:

Damage:

Total Value of Land, Improvement Taken and Damage _____

Comparable Sales

<u>Buyer/Seller</u>	<u>Date of Sale</u>	<u>Location</u>	<u>Sale Price</u>	<u>Area</u>	<u>Unit Value</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

NOTES: _____

I certify that a visual inspection of subject tract has been made and the above is the estimate of just compensation.

Date

Signature of Estimator

City/County Approval _____

Date _____