

## Kentucky Transportation Cabinet – Division of Right of Way & Utilities Scoping Meeting Requirements – General Guidelines

1. **Project Overview** (Project Numbers, Project Report, Mobile Office (if required), and Toll Free Number) **All title reports completed prior to scoping meeting**
  - a. District RW Supervisor is to coordinate/confirm with the District Environmental Coordinator of the completed EA (Confirm status of any historic properties and denote them within the scoping meeting)
2. **Plans and etc.** (Project plans, Cross Sections, Pipe Sheets, Plan revisions, Maintenance of Traffic / Detour sheets, Utility concerns and ROW Status Reports) Copy of all Notice of Proposed Acquisition Letters (Effective 7-1-2017)
3. **Appraising**

Expectations of the Appraisal process:

  - Number of Appraisals submitted.
  - Appraiser shall provide advanced notice of date and time of the appraisal inspections to the ROW Supervisor and Project Manager to coordinate on parcels that require relocation assistance.
  - Prepare and conduct pre-appraisal contact with the owner for each parcel using KYTC forms.
    - Document in the report if the owner will not allow an interior inspection of the subject.
    - Document in the report if the owner will not allow interior photos of the subject.
      - Ask the property owner to supply interior photos if possible.
  - Conform each report to KYTC policy and procedures and USPAP.
  - Coordinate review activities with the Review Appraiser.
  - Comparable Sales Book deadline (actual date)
  - Drainage concerns from structures, buildings, etc. into ROW.
  - Priority parcels (relocation, special circumstance parcels, etc.)
  - Submission of Appraisal reports (actual date)
  - Review of Appraisals (Fee Reviewer)
    - a. Notifies KYTC-Central Office Reviewer when appraisal completed/reviewed
    - b. Central Office Reviewer notifies Appraisal Branch Manager

Detailed Expectations of Individual Reports:

### Photographs

- a) Partial acquisitions no improvements acquired-The appraiser shall take at least 10 photographs of the parcel. (Acquisition Areas, View from property corners along proposed or existing right of way, Front view center of property, any improvements within close proximity, signs, landscaping, driveway and special features)  
Photographs shall also document the remaining property not affected by the acquisition.

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- b) Photographs shall show all significant property features
- c) Photographs shall depict directional views of the acquisition including all fee, permanent easements, and temporary easements.
- d) All photographs shall be labeled, denote description and directional view.
- e) All improvements shall include photographs of front view, all side views, rear view, and any pertinent features
- f) All improvements shall include clear detailed photographs of the interior including every room and feature unique to the parcel and shall be labeled. Including basement finished or not.
- g) All photographs shall be numbered
- h) Shall include photographs of any billboards acquired for relocation purposes and address information about leasehold interest in the appraisal report (If applicable). Photographs of billboard shall be front view and rear view and photographs of any utility connections.
- i) The same standards required for item 8 are also mandatory for on premise signs.
- j) Photographs of tenant owned realty denoting same
- k) All photographs shall be best print quality showing
- l) The review appraiser can require more or fewer photographs in an appraisal on a case-by-case basis and based on the complexity of the appraisal problem.

### Property Sketch

- a) The sketch shall contain sufficient detail to provide the reader a meaningful visual of the appraisal problem. Google Earth or KMZ depictions cannot be the primary visual representation of the subject property.
- b) Front Dimensions
- c) Numbered Photographs with direction indicators
- d) North Arrow
- e) The entire property boundary shall be delineated and all significant property features shown
- f) Any ground lease lines shall be incorporated into the property sketch
- g) Copies of the plan sheets shall not be substituted for property sketches
- h) Shall show total area of tract, area acquired, area severed left and/or right
- i) Shall show proximity to the right of way and travel way to the principal buildings and grade along the frontage in both the before and after situations
- j) Shall be clearly detailed in print quality format
- k) The review appraiser may require additional or less information in the property sketch on a case by case basis depending on the complexity of the appraisal issues.

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### Sketches of Buildings

- a) Sketches shall include a detailed floor plan if a building is acquired or damaged.
- b) Portions of buildings that differ in construction class or design shall be delineated
- c) Significant floor plan features shall be shown with dimensions included, such as finished office in warehouse
- d) Leased areas in multitenant buildings shall be shown in the sketch, as well as areas by each lessee, and detailed in the “Remarks” section
- e) Shall be clearly detailed in print quality format
- f) The review appraiser may require additional or less information in the building sketch on a case by case basis depending on the complexity of the appraisal issues.

*Simply by attaching better graphics, the impact of the parcel becomes effective in communicating the appraisal problem.*

### Sheet 10 (Narrative Portion)

The appraiser shall use Sheet 10 to describe the acquisition and analyze its effect on the remainder

#### Item # 1 (Narrative Description of the Taking including total takes)

- a) Shall clearly show how the proposed acquisition is affecting the subject property
- b) Shall detail the direction of the acquisition including land area acquired, type, class, & area
- c) Shall denote cut and fills in detail to extend of amount and effect on the subject property
- d) Shall clearly denote any fencing and type along with other site improvements acquired including linear amount acquired or square footage acquired
- e) Shall clearly denote all building acquired detailing type, size, and any pertinent features
- f) Shall clearly denote proximity of the right of way to the buildings and effect of the take
- g) Shall clearly denote any/all utilities within the acquisition
- h) Shall clearly denote any leasehold interest effecting the subject within the acquisition including billboard interest
- i) Shall denote station numbers and depth and width of take in a measured area, denoting shape or any triangulation
- j) If acquisition involves relocation the appraiser shall denote this within the narrative along with what they believe to be the home site area and all improvements relating to the relocation
- k) Shall include tenant owned property or lease property owned by tenants for purposes of relocation

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This section should clearly state the acquisition (take) giving detailed information about the fee simple, permanent easement, and temporary easement needed for the project. Detailed information such as grade change, Station references, depth of take and so forth. The reader should be able to fully understand the acquisition and be aware of the effects on the subject.

### **Item # 2 (Narrative Description of the Remainder)**

- a) The appraiser shall describe each remainder separately
- b) Shall include the classes or types of the remaining land and the area of each
- c) The neighborhood analysis shall include the economic position of the remainder as it relates to the highway, street frontage, adjoining roads, distance to shopping and related areas. Cross roads, schools, churches, and public transportation
- d) The appraiser shall provide a highest and best use analysis consistent with the narrative
- e) The appraiser shall indicate whether the remainder shall be considered one economic unit or more than one when multiple remainders exist
- f) The appraiser shall provide a detailed description of the remainder as if it was new or different property than the one existed in the before situation
- g) The appraiser shall never reference the subject property in terms of its description before the acquisition
- h) The appraiser shall consider the property as it will exist after the proposed project has been completed
- i) The appraiser shall describe all building which are in the remainder in detailing type, size, and any pertinent features
- j) The appraiser shall describe all site improvements in detail which included type, amount, square footage or linear footage

The remainder is no longer part of the original property. It is a completely different property with altered characteristics than before.

### **Item # 3 (Narrative Discussion of Anticipated Damages and/or Special Benefits)**

- a) The appraiser shall discuss the factors referred to under item 1 and 2 that result in a loss of value to the remainders such as proximity, changes in highest and best use, grade changes, and loss of utility
- b) If the remainder accrues special benefits because of the acquisition the appraiser shall state how and why
- c) The appraiser shall clearly state any damages referencing estimates or how the appraiser arrived at the damaged amount

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- d) The appraiser shall fully described in detail the method of how the damages was derived (Do not simply refer to a study)
- e) The documentation and justification for damages shall satisfy current requirements
- f) The appraiser shall use a carefully developed and properly applied studies under acceptable appraisal practices when referencing damages

*Note-If any part or portion of the narrative does not contain the requirements set forth it shall be returned to the appraiser for corrections.*

### 4. Acquisition

- a. Priority parcels (District Sets Priority)
  - i. MAR-establish timeline for submission of each parcel to District
  - ii. Appraisal Parcel Acquisition-establish timeline after appraisal is approved for submission to District
- b. Project File Folders-Will be stored digitally
- c. Minimum Acquisition Review (MAR)- \$0 to \$15,000 requirements-Set Timeline for submission (District)
- d. Right of Way Deed (Verbiage, Acknowledgments, Statement Concerning Tax Bill)  
*Provide actual example*
- e. Revised MOU-05/2019 (Phone # & Drainage)
- f. Separate file folder for MOU's and CAPS file
- g. Pro Rata Taxes (Letter-provide example)
- h. Uneconomic Remnant purchased (separate file for each parcel)
- i. Closings by Closing Attorney/District Attorney to be completed within 60 days of receipt of assignment (Monitored by District)
- j. All recorded instruments (i.e., Deeds, Mortgage Releases, etc.) shall be sent to the District Right of Way Supervisor on a weekly basis.
- k. Right of Way Plan Sheets and Deed Descriptions-All temporary and permanent easements must have a specific purpose stated (slope construction, entrance construction, building removal, etc.) Permanent easement descriptions must state that they are to be perpetually maintained

### 5. Relocation

- a. Report on Conceptual Stage/Acquisition Stage Report (which includes all worksheets, Relocation Project Summary, mortgage interest rates, etc.) **Establish timeline for submittal (District Sets Priority)**
- b. Priority of parcels (District Sets Priority)-all owner occupied/tenant occupied and parcels with improvements completed first
- c. Property owner worksheets (Verify proof of income for low income persons)
- d. Relocation Packets-RHP owner/tenant (provide cheat sheet)
- e. On all relocation parcels involving owner/tenant occupants the relocation agent shall accompany the appraiser at the initial meeting

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- f. Relocation computations shall begin upon approved appraisal for all owner

- occupants. Establish timeline for submittal of RHP or Tenant Computations (District to monitor)
  - g. Relocation Status Report (Separate from Project Status-Relocation Status Report-when relocation offers are made updated frequently) Submitted electronically to District RW Supervisor, Project Manager or District Designee, and Relocation Branch Manager twice monthly
  - h. Property Vacated - notify RW Supervisor and Property Management Agent (electronically)
  - i. Separate Relocation files
- 6. Administrative**
- a. Submission of invoices
    - i. PDF of the signed TC 61-408 Pay Estimate
    - ii. PDF of the signed PSC Invoice Form
    - iii. Consultant Monthly Progress Report to be provided to C.O., D.O., and Closing Attorney/District Attorney
    - iv. Consultant Monthly Progress Report to include complete status of project and monthly progress changes highlighted in yellow
    - v. Scanned copy of the Letter Agreement (applicable only to statewide agreements)
    - vi. For Cost Plus a Fixed Fee Contracts include a breakdown of estimated costs
    - vii. For final pay request, include a copy of the last project chronology memo (final pay request are to be submitted electronically)
- 7. Property Management**
- a. Project Summary of Improvements (PSI) - Salvage Values (provide at meeting) **ALL SALVAGE VALUES ARE SET BY DISTRICT. THE REVIEW APPRAISER OR CONSULANT SHALL NOT ESTABLISH THESE VALUES**
  - b. Furnish Review Appraiser with salvage values of improvements to be acquired
  - c. Coordinate clearance of improvements from the right of way (District Sets Priority)
  - d. Vacated Property - consultant responsibility to collect keys and notify District
  - e. Security and boarding of improvements between vacation and demolition of improvements (District Responsibility)
  - f. Monitor and supervise maintenance of acquired improvements (District Responsibility)
  - g. Retention of Improvements - requirements, forms, performance bonds (Set by District) and other pertinent information
  - h. Manage rental and rent collection of leased improvements (Certified check made payable to State Treasurer)
  - i. Pictures of Improvements acquired submitted electronically (All improvements acquired for property management agent)
  - j. Maintain records reflecting current status of right of way clearance, rental collection, etc. and provide copies to the KYTC Project Manager in accordance with KYTC ROW Guidance Manual (District Responsibility)
  - k. Purchase excess property and maintain records in accordance with KYTC ROW Guidance Manual

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### 8. Public Meeting (If required)

- a. ROW Public Information Meeting-required attendees
- b. Consultant Responsibilities
- c. Location and Time of Meeting

### 9. Required Monthly Status Meeting (In Person or Virtual)

- a. ROW Supervisor requires a monthly in person meeting with the RW Consultant Manager each month (District Sets Meeting Date)
- b. ROW Consultant Manager shall provide a weekly ROW Status report to the RW Supervisor and make available to the Division of Right of Way & Utilities personnel as requested

### 10. Completion of Project

- a. Right of Way Clearance Date (Actual Date)-established by District (This is prior to the letting date and should be conveyed to the consultant at the scoping meeting)
- b. Establish milestone within the project for appraisals, acquisition, relocation, and property management
- c. Return all completed files to District Office (All files should contain project file checklist inside left folder with appropriate documents checked as complete) no later than 60 days after completion of project (Provide file checklist)
- d. Consultant Evaluations Forms to be completed by Supervisor and forwarded to Central Office

11. **Federal Compliance**-all right of way services/activities shall comply with FHWA regulations under the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, as amended and complies with the Civil Rights Act (Title IV).

**Note:** The scoping meeting is to provide a detailed process in which the Cabinet (District) wishes for the project to progress. It is recommended that **all** persons involved with a right of way project attend the scoping meeting.

Consultant attendees should include the Project Manager, Appraiser, Review Appraiser, all Negotiator's and Relocation Agents.

The District attendees should include the Right of Way Supervisor, Property Management Agent, Relocation Agent, Utility Agent, Design Project Manager, and Branch Manager of Project Development, District Environmental Coordinator, and Design Consultant if needed.

Central Office attendees should include the Division Director, Assistant Directors, Acquisition Branch Manager and staff, Relocation Branch Manager and staff, Appraisal Branch Manager, Staff Reviewer and Professional Services

**These are general guidelines which the Right of Way Project Manager should follow. The scoping meeting requirements should be adjusted by the Right of Way Project Manager to fit the project being scoped.**