

REAL ESTATE ACQUISITION MANAGEMENT PLAN (RAMP)

Revision 4

Transit Portion of the Columbia River Crossing Project

Grantee – Washington State Department of Transportation

October 2011



Title VI

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ACRONYMS

ADR	Alternative Dispute Resolution
AGO	Attorney General Office
CFR	Code of Federal Regulations
CRC	Columbia River Crossing Project
C-TRAN	Clark County Public Transit Benefit Area Authority
DEIS	Draft Environmental Impact Statement
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
LPA	Locally Preferred Alternative
LRT	Light Rail Transit
LRV	Light Rail Vehicle
MAX	Metropolitan Area Express
NEPA	National Environmental Policy Act
NTP	Notice to Proceed
ODOT	Oregon Department of Transportation
OMB	Office of Management and Budget
ORS	Oregon Revised Statutes
OTC	Oregon Transportation Commission
PFE	Project Funding Estimate
RAMP	Real Estate Acquisition Management Plan
RCW	Revised Code of Washington
ROW	Right of Way
SDEIS	Supplemental Draft Environmental Impact Statement
SFR	Single Family Residence
TriMet	Tri-County Metropolitan Transportation District
USC	United States Code
WAC	Washington Administrative Code
WSDOT	Washington State Department of Transportation

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Columbia River Crossing Project

Purpose

The Real Estate Acquisition Management Plan (RAMP) describes the property acquisition and management functions for the transit portion of the Columbia River Crossing (CRC) Project. The Columbia River Crossing Project is a bridge, transit, and highway construction project, linking the Portland-Vancouver metropolitan area across the Columbia River. This document provides particular emphasis on the light rail transit-related real estate activities to respond to requirements and review from the Federal Transit Administration (FTA). The CRC Real Estate Service team's approach will follow established best practices and all applicable federal, state, and local requirements. These regulations are further described in Section 1. The RAMP serves as a guide for implementing the real estate requirements of the CRC Project. The intent of the RAMP is to:

- Provide a description of the project and background.
- Define the roles of CRC Real Estate Services Team staff and their coordination with other staff and consultants, including, but not limited to, title reports, appraisal and appraisal review, acquisition, relocation, property management, environmental review, and demolition services.
- Outline acquisition priorities and strategies.
- Define property rights to be acquired for the transit portion of the project.
- Define tasks necessary to advance through the acquisition process.
- Describe the reports and tracking systems to monitor the progress of the acquisition schedule.
- Provide a framework to advance through the acquisition process and remain in compliance with applicable laws, regulations, and procedures.

The overall goal of the RAMP is to assist the CRC Real Estate Services Team, as well as other project personnel, in a common effort to secure real property needed for the transit portion of the project. The property to be acquired is necessary for the CRC Project, specifically construction and operation of a light rail system, including track way, stations, overhead power lines, substation sites, operator facilities, park-and-ride lots, utility relocations, and any other project needs.

The RAMP is presented in several sections, including the Project Description, Acquisition Program Approach, Acquisition and Relocation Process, and Scheduling, Reporting, and Record-Keeping.

Some acquisitions, especially those necessary for partial acquisitions, construction easements, and staging areas may not be identified until final design nears completion.

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1 Introduction

1.1 Background

The Columbia River Crossing (CRC) Project is a bridge, transit, and highway construction project, linking the Portland-Vancouver metropolitan area across the Columbia River. The area to be served is part of the South/North Transit Corridor, which proposed transit investments between Vancouver, Washington, downtown Portland, and Clackamas County. *The South/North Corridor Draft Environmental Impact Statement (DEIS)* was issued by the Federal Transit Administration (FTA) and Metro in February 1998. This identified a variety of alignments and length options for a light rail corridor connecting Milwaukie, downtown Portland, North Portland, and downtown Vancouver. Subsequent funding challenges didn't allow construction of the entire corridor assessed in the South/North project. However, several parts of the original South/North Corridor have moved forward since the 1998 South/North DEIS and the more recent South Corridor Project Supplemental Draft Environmental Impact Statement (SDEIS) (2002). The Interstate Metropolitan Area Express (MAX) Light Rail Project was advanced in 1999 with a Final Environmental Impact Statement (FEIS) and began operating in 2004. The I-205/Portland Mall Light Rail Transit (LRT) Project was advanced in 2004 and successfully completed in Fall 2009. *The Interstate 5 Columbia River Crossing Project DEIS* was published on May 2, 2008, and the Locally Preferred Alternative (LPA) was adopted into the two regional transportation plans governing the region on July 17 and July 22, 2008.

1.2 Legal Authority and Agreements

No enabling legislation is necessary for this project to move forward with real estate acquisition. Oregon Department of Transportation (ODOT), Washington State Department of Transportation (WSDOT), Tri-County Metropolitan Transportation District (TriMet), and Clark County Public Transit Benefit Area Authority (C-TRAN) already possess the necessary authority to acquire right-of-way.

TriMet is empowered to acquire property through authority conferred by the State of Oregon in Chapter 267 of the Oregon Revised Statutes (ORS). ODOT authority is contained in ORS Chapter 184. For both ODOT and TriMet, eminent domain procedures are set forth in ORS Chapter 35. WSDOT intends to acquire property through the authority of C-TRAN, which receives its authority through RCW 36.57.A.090. As the project progresses, control and intergovernmental agreements involving multiple stakeholders will be necessary. Solicitations will also be issued for design and construction contracts as the project proceeds. As the grantee, WSDOT will have ultimate authority and oversight over design and construction.

Following is a list of right-of-way (ROW) acquisition and coordination agreements that will be developed before 30 percent design is complete:

- ODOT and WSDOT Project Coordination and Management Agreement
- ODOT and WSDOT Right-of-Way Funding Agreement
- ODOT and WSDOT Acquisition Procedures and Task Agreement

- City of Vancouver and WSDOT Project Coordination and Management Agreement
- City of Vancouver and WSDOT Right-of-Way Funding Agreement
- City of Vancouver and WSDOT Acquisition Procedures and Task Agreement
- TriMet and WSDOT Project Coordination and Management Agreement
- TriMet and WSDOT Right-of-Way Funding Agreement
- TriMet and WSDOT Acquisition Procedures and Task Agreement
- C-TRAN and WSDOT Acquisition and Task Agreement

1.3 Legal Requirements

The CRC Real Estate Services Team will conduct all real estate acquisition, relocation activities, and transit joint development consistent with applicable federal regulations, contracting procedures, and Office of Management and Budget (OMB) Circulars. The following specific federal regulations apply to the CRC project property acquisition program:

- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Pub. L91-646, et.seq, as revised by the Surface Transportation and Uniform Relocation Assistance Act of 1987, Title IV of Pub. L 100-17 (Uniform Act).
- 49 Code of Federal Regulations (CFR) Part 24 (current version) titled Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs, Final Rule and Notice, et. seq.
- FTA Circular C 5010.1D dated Nov. 1, 2008, as revised, titled Grant Management Guidelines.
- FTA Policy on Joint Development, Federal Register, March 14, 1997 (Volume G2, Number 50).
- FTA Notice of Final Agency Guidance on the Eligibility of Joint Development Improvements Under Federal Transit Law, Federal Register, February 7, 2007, Volume 72, No. 25.

Applicable statutes regulating environmental aspects of acquisition, such as site inspection, survey of prior owners and uses, etc., include 42 United States Code (USC) Chapter 103, Subsections 9601-9675, Oregon Revised Statutes (ORS) Chapters 459, 465, 466, and 468 and Washington Administrative Code (WAC) 468-100-008.

The Real Estate Services Team will receive updates through the Federal Highway Administration's (FHWA's) Real Estate Exchange Website, and the Oregon and Washington State Departments of Transportation. State Departments of Transportation act as the lead agency on federal projects that require application of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. TriMet's Real Property Section maintains a library of relevant documents. TriMet's Grants Administrator checks the FTA website daily and forwards relevant updated information to the appropriate staff.

For the transit component, TriMet and WSDOT will follow the above FTA requirements. Final authority for all real estate actions involving purchase of property or property rights for transportation purposes for the project rests with the United States Department of Transportation.

The Federal Transit Administration will administer the funding for the transit portion of the project. After discussions regarding the administration of jointly funded projects have taken place, this document will be updated with relevant information.

1.4 Project Description

The project (see map in Appendix A) is a multimodal project that will include a 2.9-mile extension of the Yellow Line across the North Columbia Harbor, across Hayden Island in Oregon, across the Columbia River, through downtown Vancouver, Washington, ending near Clark College.

A double track LRT alignment including a northbound and southbound guideway will be constructed to extend northward from the existing Expo Center MAX station. The alignment will curve toward I-5 as it passes beneath a newly constructed Marine Drive. North of Marine Drive the profile will rise as the guideway transitions onto a bridge structure to cross the North Portland Harbor. A station will be constructed on Hayden Island and the alignment will extend northward on Hayden Island along the western edge of I-5 until it transitions onto the new Columbia River Bridge.

The LRT guideway transitions from its own alignment onto a new stacked highway transit bridge. The new Columbia River Crossing will consist of two parallel bridges. One bridge is designed for southbound highway traffic and both the northbound and southbound LRT. The other bridge will be designed to accommodate northbound highway traffic as well as bicycles and pedestrians, though the final location of bicycles and pedestrians may shift as design advances. The profile for the new bridges will be designed to provide enough vertical clearance above the river to permit barge and ship traffic to pass beneath without a lift or movable span.

After crossing the Columbia River on the joint highway/LRT bridge, the LRT alignment curves to the North out of the highway bridge and onto its own approach structure on the state of Washington side. The double guideway alignment will reach grade prior to the intersection with 5th Street, and continue north to 7th Street where the northbound guideway will curve away from Washington Street and run two blocks east to Broadway where it will turn north into the right-of-way for Broadway Street. The LRT alignment will then be aligned to form a couplet with the southbound guideway on Washington Street and the northbound guideway on Broadway Street.

The couplet will extend north from 7th Street running as a single-track guideway in the roadways of Broadway Street for northbound and Washington Street for the southbound LRT. The couplet arrangement will end after running 10 blocks north to 17th Street. There will be one station on Washington between 5th and 6th Streets, and two stations on the Washington-Broadway couplet: one pair of platforms between 9th and Evergreen on Washington and another between 8th and 9th on Broadway, and one pair of platforms between 15th and 16th Streets. In addition, there will be a structured park-and-ride near Mill Plain and 15th Street.

Once entering the right-of-way of 17th Street, both northbound and southbound alignments curve to the east with double track guideway running east of Broadway Street in the median of 17th Street. The double guideway alignment continues eastward approximately five blocks before cutting northeast at G Street to McLoughlin Boulevard crossing under I-5 and ending at a station in McLoughlin Boulevard and east of I-5. This station is on the western boundary of Clark College and will include a park-and-ride lot.

From the segments described above, the total length includes 0.7 miles of double track guideway in Oregon, 0.9 miles of bridge over the Columbia River, 0.8 miles of double track guideway and 0.6 miles of couplet (1.3 miles of single track guideway) in Vancouver. The total length of the alignment is approximately 2.9 miles.

1.4.1 Maintenance Facility

In addition to the project elements described above, the project will include an expansion to the existing Ruby Junction Operating and Maintenance Facility (in Gresham, Oregon) to accommodate the additional vehicles associated with the operations of the project. Improvements will include additional storage for Light Rail Vehicles (LRVs), and other maintenance material, an expansion of LRV maintenance bays, expanded parking for additional personnel, and a new operations command center at a more central TriMet location.

1.5 Real Property Activities

Transit needs will require full and partial acquisitions of properties in both Oregon and Washington. The majority of full acquisitions are located either near the existing Ruby Junction Maintenance Facility or on Hayden Island in north Portland. The majority of the partial acquisitions are along 17th Street in Vancouver. There will also be temporary construction easements required along the length of the project.

Acquisitions on or near Hayden Island include the displacement of businesses and residences. The affected residences consist of floating homes located on the southern bank of Hayden Island, where the LRT guideway would pass directly overhead and adjacent properties up to 100' from the dripline from the bridges for construction over water. The affected businesses include restaurants and retail on Hayden Island. Some of these properties may be acquired as part of the right-of-way acquisitions for the highway portion of the CRC project.

In downtown Vancouver, most impacts are temporary construction easements, typically along the back edges of proposed sidewalks. However, properties currently used as a gravel parking lot would need to be permanently acquired in order to construct the Mill Park-and-Ride. Along 17th Street, there are several permanent, partial acquisitions along each side of the street in order to gain an additional two feet of right-of-way along this corridor. At the terminus, the project will acquire frontage from baseball fields owned through the State of Washington by Clark College, and frontage from a community center. Also at the terminus, the project will acquire property from Clark College which is currently being used for storage, office space, and overflow parking. This will be used to construct the Clark Park-and-Ride. A summary of acquisitions and acquisition types is shown in Appendix F.

The expansion of Ruby Junction Maintenance Facility will require full and partial acquisitions. Single-family residences and businesses will be displaced as a result of the proposed expansion. Refer to Appendix F for a summary of acquisitions and acquisition types at the Ruby Junction facility.

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2 Organizational Structure

2.1 Real Estate Services Staff

The Real Estate Services team is comprised of ODOT, WSDOT, and TriMet's assigned staff and selected consultants. Staff with direct responsibilities for the RAMP includes the Specialty Services Director, Right-of-Way Manager, Property Acquisition Specialists, and Administrative Specialists, as well as support from Legal, Planning, Engineering and guidance from the Oregon and Washington State Attorney Generals Offices as needed.

Real Estate Services staff and selected consultants for the project have a thorough knowledge of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended (the Uniform Act) and its implementing regulations, FTA guidelines and procedures for acquisitions, and also Oregon and Washington state statutes and regulations, civil rights laws, and other applicable federal and state regulations.

The staff is responsible for organizing and managing the acquisition program; soliciting, evaluating, hiring, and managing the consultants; monitoring and directing progress on the acquisition program, including schedule and budget; and conducting the acquisition effort not assigned or appropriate for the consultant's scope of work. The staff will direct and manage the activities of consultants; monitor their progress; review invoices for payments; and coordinate activities among the various project disciplines.

2.2 Contract Support

Many of the specific tasks involved in acquisition and relocation may be carried out by contracted forces under the direction of the Right-of-Way Manager. Examples of contracted services would include environmental studies, appraisal, appraisal review, acquisition and relocation, relocation review, demolition, title searches, drafting legal descriptions, and escrow services. In some cases specialized services or augmentation of existing staff functions may be required. See Organizational Chart, Appendix F.

For project consistency the team will work to utilize the same consultants in both Oregon and Washington when possible. Oregon has an existing contract in place for all ROW activities and will be amending the contract to include the need for the consultants to perform ROW activities in both states. This will ensure the consultant is licensed in both states as needed. WSDOT will look for availability of existing staff resources statewide to fill project positions and if none are available will use consultants for support.

2.3 Project Coordination

Successful implementation of this RAMP is dependent upon the coordination of the acquisition program with other simultaneous activities of the project as a whole. The Real Estate Services staff will continue to work with the project team through the design and construction phases,

primarily through the Right-of-Way Engineer, Design Managers, and Resident Engineers. Real Estate Services staff will regularly coordinate activities and decisions with the design and project teams to assist in the determination of right-of-way needs. Project teams meet on a regular basis to discuss the project progress. Real Estate Services staff attend project coordination meetings. In addition, Real Estate Services staff participate in a separate coordination meeting with project staff to discuss right-of-way issues and acquisition status.

Real Estate Services staff are working with Community Relations Staff, consultants, and the project team to address the issues, needs, and concerns of the individuals or businesses directly or indirectly impacted by the project. The Community Relations staff coordinate meetings with individuals or businesses requesting information on acquisition and/or the relocation process.

Project coordination by the Real Estate Services staff includes:

- Development and update of design criteria to assist consultant and project team.
- Coordination of the sequence of acquisition tasks to conform to state and federal regulations and the design and construction schedules.
- Regular review of project real estate requirements, including any required revisions to the acquisitions program as the final design proceeds.
- Linking project milestones, master schedule information, and project constraints to the acquisition tasks through scheduling software, spreadsheets, and other project tools.
- Reviewing various design submittals and any other submittals that may affect the acquisition program.
- Activity coordination with the Project Director through progress meetings, status reports, and other support meetings.
- Working with the Project's Community Relations staff to develop information and procedures for the acquisition program and advice about contact with property owners or other interested parties.
- Informing other project staff of changes in the acquisition program due to impacts from the discovery of environmental issues, tenant relocation, eminent domain, excess lands, mitigation requirements, demolition, or joint development opportunities.
- Working with the assigned Program Management Specialist to provide regular updates on schedule, budget requirements and cash flow, status of acquisitions, and contract status to the Project Director.
- Working with the Environmental Permits/National Environmental Policy Act (NEPA) Coordinator to ensure environmental compliance on all acquisitions.

2.4 Design Control

The Real Estate Services staff will review the preliminary plans with the project staff. The purpose of the review is to develop an understanding of the need for each parcel and to identify possible problems based on the nature of the individual acquisitions, property ownership, or land use.

As the project develops, the ROW Engineer will work with the Design Managers to verify the need for each parcel. WSDOT will perform right-of-way certification for all project parcels in Washington and review right-of-way certification of Oregon properties performed by either ODOT or TriMet. The WSDOT, ODOT, and TriMet engineering staff will review documents for technical accuracy. Parcels will be certified as needed for construction sequencing and only parcels that have been certified will be pursued for acquisition.

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3 Acquisition Schedule

3.1 Acquisition and Relocation Timeline

TriMet, ODOT, and WSDOT will acquire all property rights necessary for the implementation of the project, within schedule and budget constraints. The acquisition process will be in strict conformance with the laws, regulations, and guidelines for real property acquisition and individuals' property rights (see Section 1). The Project will give the utmost consideration to the needs of those directly impacted, the property owners and tenants.

The project schedule is being updated and includes the following components: right-of-way acquisition activities, property management, demolition, and construction sequencing (see Appendix C). Durations for each activity on the schedule will be updated as the project progresses and construction sequencing is determined. The Real Estate Services staff, in anticipation of project needs, will hire staff and/or consultants as necessary to complete appraisal, acquisition, relocation, environmental, and demolition activities.

Other local jurisdictions have control of streets or properties affected by the project. Agreements with ODOT, WSDOT, the City of Portland, and the City of Vancouver will help define TriMet, ODOT's and WSDOT's use and obligations of property under the ownership of other agencies.

No acquisition will proceed prior to the Record of Decision. Once TriMet, ODOT, or WSDOT receives approval to begin the acquisition process, descriptions will be ordered. Phase I and II Environmental Reports, and Preliminary Title Reports will follow. Appraisals will be ordered, and the property owners will be contacted. When the appraisals are reviewed and just compensation set, property owners will again be contacted, presented an offer, and the acquisition process will proceed.

Displaced occupants will be given a 90-day assurance notice and provided additional information about the potential for relocation benefits and assistance. Large industrial businesses frequently require extensive relocation planning and sufficient time to locate a replacement site. It is anticipated that several of the potential business relocations may take 18 – 24 months in order to relocate to a replacement site. Smaller businesses and residential properties typically do not require as much time, but must be allowed adequate time to meet their needs.

The schedule for acquisitions will be parcel specific. The schedule includes sufficient time, if necessary, to use eminent domain procedures or other legal procedures needed to obtain possession of a particular property. Project sequencing is under development and ROW activity will be coordinated on a parcel specific basis as sequencing is refined.

3.2 Relationship of Design to Acquisition

General requirements for right-of-way for all project facilities are determined during preliminary engineering. Boundaries of the proposed right-of-way are established and mapped based upon the engineering design including track placement, station platforms, park-and-ride lots,

maintenance facilities, access roads, etc. In addition, temporary or construction easements are identified and mapped. A review of alternative sites or locations is conducted, where appropriate, to identify parcels that could minimize the impact or cost of the project. The specific dimensions of parcels to be acquired are determined in final design.

In the preliminary engineering phase properties needed for operating right-of-way, permanent easements, and station sites will be identified. Final design engineering will further identify temporary construction easements and other acquisition needs, including, but not limited to, the location of access easements (if any), substation sites or other auxiliary buildings, staging areas, and temporary construction easements throughout the project.

During final design, engineering staff will survey the required right-of-way and certify the parcels through preparation of individual parcel descriptions that identify type of acquisition (entire, partial, easement), specific dimensions of the proposed acquisition, purpose, and other relevant information.

A legal description and right-of-way map will be prepared for every parcel certified as necessary to be acquired. The design office will prepare the right-of-way map, which will be approved by appropriate parties. For Washington, the WSDOT Right-of-Way Plans Manager in Olympia approves all right-of-way plans. Once the project team receives plan approval, the team's Survey Manager will prepare the legal descriptions. For ODOT, right-of-way maps and plans are prepared either by the Region Survey Group or by a consultant engineering firm. In either case the map and descriptions are reviewed and approved by a licensed Public Land Surveyor in that office. For TriMet, the Right-of-Way Engineer will certify right-of-way plans and provide legal descriptions.

Changes to the right-of-way needs are anticipated as the project proceeds through final design. The need for revisions could arise for many reasons, including, but not limited to, engineering requirements, hazardous materials contamination, and new information as construction needs become apparent, or from a desire to avoid schedule delays caused by litigation or relocation problems.

Any revisions will be reflected on the right-of-way map, descriptions of needed property rights will be adjusted and the parcel will be re-certified as needed.

3.3 Reporting Progress

There will be regular right-of-way status updates provided by the Right-of-Way Manager and the monthly Engineering Status Meetings. Below is a sample of some of the material that will be supplied as part of the status update:

- Description of right-of-way status, and budget and schedule changes.
- Revised estimated completion dates when original dates are not met.
- Plan for recovery of lost time due to delay of a particular task.

Data from the Right-of-Way Manager will be compiled in a status report and will be delivered to the PMOC on a monthly basis.

4 Cost Estimate

4.1 Estimate Background and Basis

The current right-of-way cost estimate for the Columbia River Crossing Project (highway and transit) is approximately \$200M. As right-of-way needs are further defined, the estimated costs will be adjusted accordingly. The Real Estate Services staff will continue to monitor the property needs and update the cost estimate, as the project is refined and also after approval for right-of-way purchases, and as the appraisals begin and appraised values are available.

Cost estimates will be compared with actual expenditures throughout the acquisition process through coordination with the assigned Program Management Specialist. Generally, once the acquisition process is initiated, costs will be updated on a monthly basis.

The project prepared a preliminary cost estimate based upon current designs (see below). The team used this estimate to establish a benchmark for potential real property acquisition costs. The team considered the preferred alignment and made general assumptions on impacts to specific properties. The team based the estimate cost on the sales price of typical transactions of comparable sold properties in the same or similar neighborhoods. Additionally, the team reviewed each parcel independently and attempted to quantify damages to the remainder. The team used these preliminary acquisition costs and potential damages to the remainder in the cost estimate.

The project team will solidify this preliminary cost estimate once design refinement occurs and right-of-way plans are produced. The team will use the updated right-of-way plans to prepare the Project Funding Estimate. This Project Funding Estimate (PFE) will include a parcel by parcel description of total expected right-of-way acquisition costs. The PFE will include a project data package which includes comparable sales, a sales map, neighborhood and project description, scope of sales search, damage studies (if applicable), and cost-to-cure documentation.

The project team will use the Project Funding Estimate as the property acquisition cost baseline. The team will compare actual expenditures to the PFE on a continuous basis.

The preliminary right-of-way cost estimate for the transit portion of the project is:

\$15.7 million for the transit portion of the project in Washington

\$21.5 million for the transit portion of the project in Oregon (includes 43% of Ruby Junction)

Total = \$37.2 million

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5 Acquisition Process

5.1 General Description of Process

Property acquisition and management includes all activities related to identification and purchase of properties, relocations, demolition, interim property management, and the disposition of excess property. The relocation function includes all services provided for residential and business displacements. The Acquisition Managers, with the support of other Project departments, are responsible for implementing the real estate acquisition and property management portion of this Plan.

The acquisition, management, and relocation functions of the Plan achieve three objectives:

1. The timely availability of property for project construction,
2. The appropriate handling of property after acquisition, and
3. The uniform and equitable treatment of those impacted by property acquisitions.

The project's acquisition process is subject to state and federal law and regulations. TriMet, ODOT, and WSDOT have established acquisition policies and procedures, in accordance with state and federal regulations and guidelines. The FHWA reviewed and approved both the WSDOT and ODOT Right-of-Way Manuals. Additionally, FHWA approves each Right-of-Way Manual update prior to the implementation of the procedures. TriMet right-of-way procedures have been reviewed and approved by FTA.

In the preliminary engineering phase properties needed for operating right-of-way, permanent easements, and station sites will be identified. Final design engineering will further identify temporary construction easements and other acquisition needs, including, but not limited to, the location of access easements (if any), substation sites or other auxiliary buildings, staging areas, and temporary construction easements throughout the Project.

The Real Estate Services staff will use the preliminary plans to develop an inventory of the affected properties and property owners. The acquisition program schedule is influenced by several priorities: construction schedule, relocation activities, potential for hazardous materials remediation, demolition, and potential for eminent domain proceedings.

Priority will be given to the full fee acquisitions where relocation is required or where condemnation may be required. Business relocations typically require more time than residences in both appraisal and relocation.

To evaluate individual acquisitions, the following questions and issues will be reviewed:

- Does the lead agency need full title to the property or only the need to control the right-of-way?

- Is relocation of the occupants or personal property required?
- Is the property owner occupied or tenant occupied?
- Can feasible adjustments in the project design eliminate or reduce potentially difficult acquisitions or avoid potential litigation?
- Does the project or the acquisition program avoid possible condemnation blight or inverse condemnation potential?
- Is there a need for early acquisition or relocation? Are any of the owners or tenants facing hardships such as foreclosure, health problems, job relocations, or other losses that may cause a delay in selling or difficulty in relocating?
- Discussions are underway with ODOT, WSDOT, and other local jurisdictions to use property under the control and ownership of other agencies.
- Will any of the parcels need a longer review and approval by funding authorities because we expect the appraised value might exceed the dollar value threshold?
- Is additional right-of-way needed for relocating public and private utilities?
- Will the demolition and removal of structures occur during right-of-way acquisition or during construction?

WSDOT will acquire all Project ROW in Washington either in the name of C-TRAN or the City of Vancouver, or will acquire in the name of WSDOT and then transfer appropriate right-of-way to C-TRAN and/or the City of Vancouver at the end of the project. TriMet will acquire LRT-only right-of-way in Oregon. ODOT will acquire right-of-way for highway and shared highway/LRT use in Oregon.

TriMet is empowered to acquire property through authority conferred by the State of Oregon in Chapter 267 of the Oregon Revised Statutes (ORS). ODOT authority is contained in ORS Chapter 184. For both ODOT and TriMet, eminent domain procedures are set forth in ORS Chapter 35. WSDOT intends to use the authority of C-TRAN to acquire and/or condemn property in Washington.

The CRC Specialty Services Manager is responsible for the implementation of the real estate acquisition and property management portion of this program in accordance with the RAMP and will work closely, and cooperate with the lead agencies in their efforts to acquire respective properties and performing duties described herein. CRC Real Estate Services staff will coordinate and ensure adherence to the RAMP through ongoing meetings and reports during the project. The reports shall track acquisitions, relocations, hazardous materials remediation, demolition, all types of payments, and compare actual costs with projected costs. It is assumed that the Full Funding Grant Agreement will only cover acquisition of transit property.

The staff will perform closure, certification, and acquisition closeout; review all right-of-way costs incurred for the project to determine the level of FTA and FHWA matching funds eligibility/recommendation; monitor the relocations and ensure that all claims, payments, and related assistance are performed in conformance with all applicable federal, state, and local regulations.

Following please find a link to both the ODOT and WSDOT Right-of-Way manuals, available online:

Oregon Department of Transportation Right-of-Way Manual

<http://www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml>

Washington State Department of Transportation Right-of-Way Manual

<http://www.wsdot.wa.gov/Publications/Manuals/M26-01.htm>

5.2 Acquisition Strategies

The major component in establishing acquisition priorities is the project schedule. In order to meet the construction schedule, it is prudent to assess the needs and concerns of individual properties and property owners in setting priorities.

Of the parcels affected, many businesses are full acquisitions involving relocations. Since the appraisal and relocation process can be lengthy, these businesses will be considered on the critical path to meeting the project schedule and will be the earliest on the acquisition schedule. Those properties with residential displacements represent another focus.

Every attempt will be made to acquire the needed right-of-way through negotiated settlements, or donation. Although every effort will be made to reach this goal, it must be tempered with consideration for budget, schedule, and litigation risk. No property owner will be required to surrender possession of real property without receiving fair market value and just compensation to which they may be entitled. In the event that an agreement cannot be reached through negotiation, the lead agency may initiate eminent domain proceedings in accordance with Oregon or Washington law, based on the location of the parcel. The planning and scheduling for the project allows for eminent domain, if necessary.

All property acquisitions required for construction activity will be completed prior to the Notice to Proceed (NTP) to the construction contractor. The lead agency intends to have control of the needed property before issuing a Notice to Proceed. However, if the lead agency has not acquired all required properties, the contractor will be informed. Current practice on timing of acquisition related to NTP varies somewhat between WSDOT, ODOT, and TriMet. Within the CRC Project, these three partners will develop a procedure to integrate these practices into a single, coherent strategy for CRC prior to the need for issuing NTP.

The initial steps for a successful negotiation or use of eminent domain are the same. Once negotiations have reached an impasse the Real Estate Services staff will recommend that the lead agency initiate eminent domain proceedings to acquire the necessary property rights. For planning and budgetary purposes, it is anticipated that approximately ten percent of the acquisitions will require the use of condemnation.

5.3 Property Interests to be Acquired

Properties required for the project would typically be acquired in fee simple, unless a lesser interest is in the lead agency's best interest. If a lesser interest is sought, there must be adequate control to assure the safe construction, operation, and maintenance of project facilities on an ongoing basis. A brief description of each type of property interest is discussed below.

WSDOT, as the grantee, will purchase any property required for the LRT project on the Washington side of the river either in the name of C-TRAN or the City of Vancouver, or will acquire in the name of WSDOT and then transfer appropriate right-of-way to C-TRAN or the City of Vancouver at the end of the project.

On the Oregon side of the project, ODOT will hold title for properties that have a joint transit/highway use. If property is acquired for TriMet and will be maintained by TriMet then the title will be vested in TriMet.

5.3.1 Fee Simple

In general, all land acquired for transit right-of-way, stations, park-and-rides, maintenance yards and related facilities will be purchased in fee simple by a deed or other appropriate document accurately describing the area being acquired. Properties acquired in fee simple may be partial or full acquisitions of parcels. Some partial acquisitions may become public street right-of-way and will be deeded or dedicated to the appropriate jurisdiction.

5.3.2 Permanent Easements

It may be necessary to purchase permanent easements for certain slopes, drainage ditches, utilities, irrigation ditches, or other facilities wherein the lead agency does not require the full rights, as with property acquired in fee simple. If the placement of the facility on the land within a permanent easement continues to provide the property owner a degree of utility in the land without jeopardizing the facility, then a permanent easement is warranted.

5.3.3 Temporary Construction Easements

A temporary easement may be required in cases where land is needed temporarily, usually for construction purposes. This type of easement will carry a time limit and specify the use for which the area is needed. Upon termination of the temporary easement right, the lead agency's right to use the area ceases with complete use restored to the fee owner. The instrument will specify the condition to which the property is to be restored at the termination of the easement. As a matter of practice, temporary easements are recorded only if the term exceeds one year. The temporary easement conditions become contractual obligations when a document is accepted, whether or not it is recorded. The design office will determine the temporary construction term. This typically includes construction staging considerations and need for the temporary use. The project will most likely tie the temporary easement to the estimated contract completion timeframe. Normally, a project will be more conservative with temporary easement timeframes to prevent multiple negotiations with the same property owner for the same temporary right.

5.3.4 Permits of Entry

A permit of entry allows the lead agency to enter upon a property owner's land for a specific purpose and period of time to facilitate preliminary engineering functions, such as geological testing, inspection, or construction in advance of completing acquisition negotiations. The lead agency contacts property owners and a permit of entry agreement is executed stating the purpose, duration and conditions for access to a particular property. Since the permit of entry is not a property right, the design office normally facilitates the permit signing. The Real Estate Services team will help determine the appropriate property owner and will help draft permits of entry.

5.3.5 Special Permits

Certain special permits may also be required, such as noise or parking mitigation permits. These permits are usually specific to the needs and habits of each property owner. Since the project is near some residential, commercial and industrial properties and because parking and/or loading patterns will be disrupted during construction, special permits may be required and will be addressed during property acquisition discussions. The design office or the acquisition agent will facilitate signing of the special permit, depending upon the timing of the permit. If the project requires this permit before negotiations occur, the design office will approach the property owner. If the project requires the special permit after the negotiations begin, the acquisition agent will facilitate the permit signing.

5.4 Plans

General requirements for right-of-way for all project facilities are determined during preliminary engineering. Boundaries of the proposed right-of-way are established and mapped based upon the engineering design including track placement, station platforms, park-and-ride lots, maintenance facilities, access roads, etc. In addition, temporary or construction easements are identified and mapped. A review of alternative sites or locations is conducted by the design office during Preliminary Engineering in order to identify parcels that could minimize the impact or cost of the project. The specific dimensions of parcels to be acquired are determined in final design as described above.

Property owners' requests for minor modifications will be considered. The acquisition agent will bring the owner's concerns to the Real Estate Services staff, which will then present the concerns to the design staff. If reasonably feasible, the request will be honored.

Changes to the right-of-way needs are anticipated as the project proceeds through final design, and will be administered as described above.

5.5 Certification Process

Prior to the onset of property acquisition, each agency will verify the need for each parcel.

All property acquisitions required for construction activity will be completed prior to the Notice to Proceed to the construction contractor. The lead agency intends to have control of all the needed property before issuing a Notice to Proceed. However, if the lead agency has not

acquired all required properties, the contractor will be informed and the lead agency will work with the contractor to mitigate potential delays.

5.6 Ownership & Title Information

Preliminary information on the ownership of properties proposed for acquisition is determined using assessor's rolls and through online services such as Portland Maps, Google Earth, and Metro Scan, as well as title reports. Title information is provided through a local title company. The title company will update title reports as changes occur or when requested by the Project.

During preliminary engineering, initial contacts are made with property owners to notify them of the intended acquisition and to obtain information on the configuration or use of the property that may be relevant to the engineering effort.

As property needs are determined, a preliminary title report may be ordered for each parcel. If changes occur in the ownership of the property, a supplemental title report is requested.

WSDOT and ODOT have very similar procedures for reviewing title reports. When the lead agency has a title report on file, they may or may not obtain an updated title report before closing. Getting an updated title report depends on necessity; however when the agency delivers the documents to the title company to be recorded they will include recording instructions which direct the title company to record and issue a title policy in accordance with a specific title report and exceptions. If the fee or condition of title has been affected subsequent to the issuance of the title report referenced in the instructions, the title company is obligated to not record. In this instance the title company would alert the agency about the change and the transaction would not close until the title is corrected.

5.7 Environmental Review

During preliminary engineering, a determination may be made that environmental contamination, wetland delineation, and/or geotechnical investigations are necessary to confirm certain conditions prior to proceeding with further engineering design. Specialized consultants, at the direction of lead agency staff, will carry out such work. Where possible, the Real Estate Services staff will manage environmental contamination investigations associated with property acquisition. This work will be conducted sufficiently early in the design process to provide information to be used in the appraisal process.

In addition, the Real Estate Services unit will work with the Environmental Permits/NEPA Coordinator to verify NEPA compliance on all property acquisitions.

5.8 Appraisals

Federal regulations require that most properties be appraised to determine the fair market value and establish the amount of just compensation to be offered to the property owner. When the estimated property value is less than \$25,000 in Washington and less than \$10,000 in Oregon, and the valuation problem is uncomplicated, an Approved appraisal waiver process may be used.

For these purposes “uncomplicated” is defined as:

- No change to Highest and Best Use
- No Damages other than “Cost to Cure”
- Cost or income approach to value not required to estimate value.

An appraisal assignment may require the appraisal of fee simple title or some partial property interest such as an easement, or a combination of these. One appraisal and an appraisal reviewer’s analysis are required for an acquisition. In the case of more complex properties, more than one appraisal may be prepared. If the estimated market value is high or the appraisal involves complex or controversial issues, the project may consider performing at least two appraisals. The reviewer’s analysis would then recommend just compensation based on one of the two appraisals. Appraisals and reviews will be conducted by contracted forces, using licensed appraisers, or by qualified staff appraisers.

When securing an appraisal, the WSDOT Appraisal Supervisor prepares an appraisal scope of work. The scope of work details the appraisal must follow guidelines established in WSDOT Right-of-Way Manual Appendix 4-1. The Appraisal Supervisor will also give special instruction and specific direction based upon conditions of the appraisal assignment. ODOT will prepare the appraisal scope of work for all Oregon properties in accordance with the ODOT Right-of-Way Manual.

The property owner is notified in writing of the lead agency’s interest in acquiring the property. The initial letter informs the owner of the rights and protections they are entitled to by law and advises them of the proposed schedule and process for conducting the appraisal. The owner or the owner’s designated representative is provided the opportunity to accompany the appraiser during the appraiser’s inspection of the property. Prior to the appraisal, an attempt will be made to inspect for any conditions (environmental, etc.) affecting the fair market value. The appraisal will take into account the impact of hazardous substances or wastes affecting the property and the cost of control, cleanup or treatment necessary to render the property usable for project purposes. The appraisal is submitted to a review appraiser who prepares a review appraisal form either concurring with the appraiser's estimate of value, or recommending adjustments.

The length of time required to prepare an appraisal is dependent upon the complexity of the appraisal assignment and the workload of the individual appraiser. A complex appraisal may take three months or more to complete, plus the additional time to solicit and award the bid, if staff appraisers are not available. Less complicated appraisals may take only one month, plus the time to solicit and award the bid, if staff appraisers are not available. Three original copies are returned for review. One copy is provided to the property owner with the offer. A second copy is provided to the acquisition agent and the final original stays with the Real Estate Services file.

5.8.1 Realty/Personalty Issues

For transit acquisitions in the state of Oregon, appraiser will confer with the owner and tenants to identify tenant or third party-owned improvements for which values must be segregated. A list of the improvements should be presented to owner and tenants for their signatures to identify which party owns the various improvements and equipment.

This requirement can be found in ODOT Right-of-Way Manual Chapter 4-4.250, Appraiser 3, page 9.

For transit acquisitions in the state of Washington if improvements are being acquired, the appraiser attaches a copy of the appropriate Realty/Personalty Checklist. If the property is residential, then checklist RES-217 is filled out and attached to the appraisal. If the property is industrial or commercial, then checklist RES-218 is attached. These forms are available on the WSDOT Real Estate Web site at www.wsdot.wa.gov/realestate.

This requirement can be found in WSDOT Right-of-Way Manual Chapter 3-4.1, A. 8, Appraisal, and Appendix 4-1, item 14, page 31.

5.9 Appraisal Review

The Appraisal Review function is conducted by a review appraiser. It is the responsibility of the review appraiser to assure that the appraisals meet applicable appraisal standards, and conformance with the Uniform Act. The Review Appraiser will follow procedures detailed in Section 5 – Appraisal Review in the WSDOT Right-of-Way Manual, as well as the ODOT and TriMet appraisal requirements. This process ensures the report contains sufficient information to support conclusions and that the appraisal is equitable and the property owner will receive fair value. Typical turnaround time is usually two to three weeks, in addition to the time required to award the bid. If the recommendation for Just Compensation exceeds \$500,000, the lead agency will seek concurrence from FTA as well as approval from their final authority on acquisitions (e.g., Board of Directors).

5.10 Offer of Just Compensation

Just compensation is the amount determined as the fair market value of a property plus any damages or other compensation required by law. The review appraiser recommends the amount of just compensation. The Offer of just compensation is established by the lead agency Right-of-Way Manager or his/her designee. FTA concurrence is required when the recommended offer of just compensation exceeds \$500,000 and when any administrative settlement is more than \$50,000 over the lead agency's offer.

Final authority for all real estate actions involving purchase of property or property rights rests with TriMet's Board of Directors or in the case of WSDOT the Headquarters Real Estate Program Administrator, and with the State Right-of-Way Manager for ODOT.

For property being acquired by WSDOT, the Real Estate Services Program Administrator has final authority for all property right acquisition and disposal. The Real Estate Services Program Administrator may delegate authority to sign acquisition documents to the CRC Specialty Services Manager or Right-of-Way Manager. The CRC Right-of-Way Manager ensures that all applicable federal and state laws are followed when acquiring property. The Real Estate Services Program Administrator must approve, or delegate approval authority, for all administrative settlements. The CRC Director must approve any condemnation action that is recommended by the ROW Manager.

For properties being acquired by ODOT, authority to approve real estate transactions and to authorize condemnation proceedings has been delegated to the ODOT Right-of-Way Manager. The ODOT CRC Right-of-Way Manager has full authority to approve acquisition settlements and condemnation actions. For property being acquired by TriMet, final authority for all real estate actions involving purchase of property or property rights rests with the TriMet Board of Directors. Contracting authority (which includes acquisition of real property) is delegated to the General Manager. Any transaction over \$500,000 must be submitted to the Board of Directors for approval. The Board must also approve any condemnation action, regardless of the property value in question. The TriMet Right-of-Way Manager will be responsible for establishing offers of Just Compensation.

When the acquisition is considered to be minimal (less than \$25,000 and not complicated in Washington and \$10,000 in Oregon), market value may be set using an approved appraisal waiver process, thereby saving the cost and time of a full appraisal.

Lead agencies will use staff or contracted staff to prepare documents for purchase of property.

5.11 Negotiations

The lead agency Right-of-Way Manager or a designated right-of-way agent is assigned to negotiate a purchase agreement with the property owner. If contracted agents are utilized, a letter outlining the acquisition and relocation is sent to the contractor, along with copies of the appraisal, review, title report, and any other pertinent information.

The acquisition agent makes a written offer to the property owner, including a statement of the basis for the offer of just compensation. At this point, the process will vary somewhat based on the location of the property and therefore the lead on the acquisition. All acquisitions require an offer and a copy of any lead agency appraisal or Administrative Offer Summary, used as a basis for the offer. All reasonable efforts will be made to meet with the owners or their representatives to discuss the offer and resolve any differences in the amount of the offer or terms of the purchase. The lead agency or its agents will not take coercive action in seeking an agreement on price or any other condition of the acquisition. Any owner who resides outside of the local area will receive the written offer by certified mail and will be contacted by telephone to discuss the offer.

The contractor will work with lead agency staff to determine what documents are necessary to complete the transaction and any additional approvals that are necessary. The Title Examiner and Right-of-Way Manager will review the acquisition transmittal to ensure the entire file conforms to Federal Law and applicable Right-of-Way Manual provisions. When the acquisition transmittal is executed/reviewed, all required documents and funds may be deposited with an escrow company, if that service is used. Upon payment of funds to the property owner the change of title is recorded with the County Recorder's Office.

The Acquisition agent is expected to provide signed documents to the lead agency for final processing. If legal action is required, that agent will provide a Recommendation for Condemnation to the lead agency, outlining the property owner's demands or other reasons that the file cannot be resolved without legal action.

The Acquisition agent also submits a Diary of Personal Contact on each parcel with either the settlement documents or the request for legal action. This report outlines all contacts and discussions with the property owner and tenants. The agent may be requested to be available if the file cannot be settled and the lead agency determines that either Alternative Dispute Resolution (ADR) or Eminent Domain proceedings are required.

Administrative Settlements

Prior FTA concurrence for transit acquisitions may be required. The current threshold for TriMet is \$500,000. For acquisitions at or below the \$500,000 threshold, the lead agency may execute an administrative settlement for up to \$50,000 over the established just compensation; however, if the administrative settlement is more than \$50,000 over the established just compensation, FTA must approve the amount.

If an owner declines the offer of just compensation, the agent conducting the negotiations may recommend an administrative settlement. Lead agency staff will determine whether an administrative settlement is appropriate based on review of the facts concerning the acquisition. If they agree that an administrative settlement is warranted, they will obtain the required lead agency approvals, and FTA concurrence if the settlement is \$50,000 or more above the appraised value. The acquisition agent may then be requested to obtain the necessary signatures and provide a letter of justification documenting the need for the higher amount.

5.12 Closing and Taking Possession of Property

The lead agency will take possession of the property in accordance with the approved purchase agreements and initiate demolition, if required, in compliance with the Project construction schedule. If the property is not required immediately, the lead agency may elect to lease it or otherwise secure it until such time as construction commences (See following subsection on Property Management). If the property is required immediately, the lead agency may apply to the court for an order of immediate possession.

In Washington, if the property owner does not grant immediate use in the settlement agreement, WSDOT must submit the file to the court for a stipulated possession and use. This would occur after WSDOT fulfills the required negotiation process.

In the State of Oregon, a public agency must allow a property owner 40 days to consider the agency's offer. At the end of that time period, the agency may continue negotiations or initiate condemnation proceedings.

A title company is utilized in the closing process when a fee acquisition is indicated and when the lead agency deems their assistance advantageous. The title company makes adjustments for tax prorates, if necessary, and provides a title policy. It may also be necessary to obtain a release of an existing mortgage when required by the lender. Typically, a Warranty Deed is utilized to convey fee interest in a property. Documents are sent to the title company for final closing and payment, when escrow services are used.

Property taxes are prorated by the title company. When parcels are conveyed to the lead agency, the counties typically change the parcels to tax-exempt status as of July 1st in the year following

recording. If this does not occur, Real Estate Services staff contacts the county assessment office, and the matter can be quickly resolved.

5.13 Condemnation

Every effort will be made to acquire real property by negotiated purchase or by donation. No property owner will be required to surrender possession of real property without receiving just compensation to which they may be entitled. In the event that an agreement cannot be reached through negotiation, the lead agency may initiate eminent domain proceedings in accordance with Oregon or Washington law depending on the parcel location.

A discussion between the acquisition agent, Real Estate Services staff, legal staff, and the project manager will be held prior to initiating eminent domain proceedings, in order to determine if any other alternative solutions may bring about a resolution to the issues.

For WSDOT, if the acquisition agent cannot resolve the acquisition transaction through negotiations, the Right-of-Way Manager and Specialty Services Director will determine if a condemnation action is appropriate. They will communicate with the State Attorney General Office (AGO) to ensure the AGO will accept the file for condemnation proceedings. Upon agreement that the file could be processed for condemnation proceedings, a final action meeting is required (according to RCW 8.25.290) that gives the owner the opportunity to present any additional information. Upon conclusion of this final action meeting, condemnation proceedings may be authorized. The file will be sent to the WSDOT Headquarters Real Estate Office, who sends the file to the AGO with instructions to initiate condemnation proceedings.

For ODOT, at the beginning of the right-of-way acquisition phase of a transportation project, a condemnation resolution is submitted to the Oregon Transportation Commission (OTC) along with legal descriptions for all property needing to be acquired for a project. Adoption of the resolution by the OTC allows the Right-of-Way Section to subsequently file condemnation proceedings for any properties for which a negotiated acquisition is not possible.

The Oregon State Right-of-Way Manager has delegated authority from the Transportation Commission to approve the initiation of condemnation for the acquisition of a property. For properties being acquired by ODOT, authority to approve real estate transactions and to authorize condemnation proceedings has been delegated to the ODOT CRC Right-of-Way Manager. The CRC Right-of-Way Manager has full authority to approve acquisition settlements and condemnation actions

The ODOT CRC Right-of-Way Manager approves proceeding to condemnation for individual files when negotiations for a property reach an impasse. A recommendation for condemnation is sent to ODOT Right-of-Way Headquarters for review. If approved, the State Right-of-Way Manager signs a final letter of offer, which is sent to those holding interests in the property. If the final offer letter is rejected, the draft condemnation complaint is forwarded to the Department of Justice for filing.

For TriMet and C-TRAN, the Real Property group recommends to the General Counsel that condemnation proceedings be commenced on a specific property. The General Counsel seeks the adoption of a resolution authorizing condemnation by the Board of Directors. Such authorization

can be obtained on a case-by-case basis at the time of need or it could be obtained for all properties at the beginning of the project. In either case legal descriptions are necessary.

5.14 Alternative Dispute Resolution (ADR)

Alternative Dispute Resolution is focused on facilitating resolution through mediation. This approach to resolving acquisition issues is in place at ODOT and TriMet and has been used by WSDOT. When applicable the property owner will be encouraged to work together with the participating lead agency and its consultants to solve the issues and to reach a constructive agreement and to use mediation if it is appropriate. Through the mediation process, the lead agency and the property owner agree to utilize the services of an independent mediator to facilitate resolution. The mediator does not impose a decision but works with each party to create a settlement. It is a voluntary process that usually results in an agreement. A significant result of this type of resolution is the cooperative effort to reach an agreement. There is also no requirement for the property owner to bring an attorney to defend his or her position. If dispute resolution is unsuccessful, it may be necessary to initiate condemnation in accordance with state law.

5.15 Demolition

Some parcels acquired for Project construction may contain structures and other improvements that must be demolished and removed prior to the start of construction. Neither demolition nor construction activities may begin until occupant relocation has been completed. Demolition will be carried out in such a manner as to comply with all applicable regulations regarding environmental protection, and minimization of neighborhood and traffic disruption, etc. Some demolition may be carried out as work items within line segment construction contracts. Lead agency staff will bid and award demolition contracts separately as necessary to accommodate early acquisition or other needs. WSDOT has a long history of contracting with the Washington State Department of Corrections for demolition work and would plan on using them where appropriate.

6 Relocation Process

Any relocation that may be required will be conducted in compliance with the federal law and regulations cited previously, the Oregon and Washington statutes and TriMet, ODOT, and WSDOT's Relocation Policy. Planning for relocation will allow for specialized needs of businesses, hardship cases, and individual situations in order to provide the appropriate assistance to displacees. The team will begin this planning when the right-of-way plans have been approved, NEPA concurrence achieved, and the right-of-way phase is funded. Relocation activities will be conducted by either lead agency staff or by contracted agents. Relocation forms and documents are essentially the same as those used by the Oregon Department of Transportation Right-of-Way Section, modified to meet TriMet's needs. In Washington, the project will use relocation forms and documents developed by WSDOT.

Typically, two agents are needed to complete the relocation process, although one of the agents may also be the acquisition agent. On a residential relocation, one agent will prepare the relocation benefit study. The benefit study is reviewed and approved by the lead agency's Relocation Reviewer. Either a second relocation agent or the acquisition agent notifies the displacee of the benefits, and provides relocation advisory services. For TriMet and ODOT the acquisition agent notifies the displacee of their relocation benefits and provides relocation advisory services.

Residential displacees must be offered comparable replacement housing. The term "comparable replacement housing" means any dwelling that is:

- A. Decent, safe, and sanitary;
- B. Adequate in size to accommodate the occupants;
- C. Within the financial means of the displaced person;
- D. Functionally equivalent;
- E. In an area not subject to unreasonable adverse environmental conditions; and
- F. In a location generally not less desirable than the location of the displaced person's dwelling with respect to public utilities, facilities, services, and the displaced person's place of employment.

To assure that adequate replacement housing is available, a review of the *Oregonian* and The *Columbian* (Vancouver) classified advertisements will be conducted, as well as a review of the local Multiple Listing Service offerings and Craigslist. The results should indicate that adequate replacement housing would be available in the Portland-Vancouver area, or else additional steps must be taken to mitigate the impact. Based on the current number of homes available for rent and sale in the Portland-Vancouver region, there is substantial reason to expect that a number of replacement properties will continue to be available as the acquisition process progresses.

Assistance in locating replacement sites for businesses and using financial or technical assistance programs, which may require the cooperation of local agencies, will be coordinated through the lead agency's Relocation Agent.

Relocation work will be performed in accordance with procedures as established and set forth in the WSDOT/ODOT/TriMet Right-of-Way Manuals. It will also be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. All relocation work is carried out with the understanding that the State and Federal regulations will be followed.

Assurances: The Agency will inform the public of relocation payment and services which will be available and will provide such relocation payments and services.

No person or business will be required to move from any dwelling or business facility without being given a written notice at least 90 days prior to the date by which they will be required to vacate. No person to be displaced shall be required to move from his or her residential dwelling unless at least one comparable replacement dwelling has been made available to that person.

If no housing is available within the financial means of the displaced persons is available, Housing of Last Resort will be made available.

The major aspects of the relocation program are summarized below.

6.1 Notification to Property Owners and Tenants

Most of the affected property owners will be contacted during preliminary engineering of the Project. Concurrent with the initiation of appraisals on parcels, business and residential owners and tenants will be formally notified of the planned acquisition and will receive written information on the relocation benefits, eligibility criteria, and services offered. Relocation agents will meet with affected owners and tenants to ascertain specific needs and explain the relocation program as part of the acquisition procedure.

6.2 Appeals

All displacees have the right of appeal as to their eligibility for, or the amount of, payment for any relocation benefit. The right of appeal shall be described in information distributed at public meetings and to individual displacees as part of the information delivered at the initial relocation benefit meeting. If necessary the displaced party is provided with a copy of the Appeal of Relocation Assistance form. ODOT, TriMet, and WSDOT all have a formal process in place to address relocation appeals.

For WSDOT any person aggrieved by a determination as to eligibility for or the payment amount of relocation has the right to request an appeal through a Relocation Review Board. They may appeal a Relocation Review Board decision adjudicative hearing before an Administrative Law Judge at the Office of Administrative Hearings. WAC 468-100-010 establishes Washington State's rules regarding appeals and the hearing process. For ODOT and TriMet, procedures for contested case hearings are established by the Oregon Administrative Procedures Act, ORS 183.310 to 183.550.

6.3 Payment of Relocation Benefits

The lead agency Right-of-Way Manager or relocation agents will prepare relocation assistance claims, and process them according to existing federal guidelines. Payment of relocation benefits will be made directly by the lead agency. Relocation benefit payments typically occur within four to six weeks of the owner/tenant vacating the property.

6.3.1 Advanced Payments (Relocation)

For transit acquisitions in the State of Oregon, Displacees demonstrating the need for an advance relocation payment in order to avoid or reduce a hardship shall be issued such a payment, subject to the safeguards to ensure the objective of the payment is accomplished.

This requirement can be found in ODOT Right-of-Way Manual Chapter 6-6.165, page 11.

For transit acquisitions in the state of Washington, advance moving cost payments may be necessary in cases where a displaced person is entitled to a replacement housing payment for a replacement dwelling but does not have sufficient funds with which to gain the right of occupancy prior to receiving relocation payments. In addition, for businesses advanced payments may also be necessary when due to the limited financial capacity of the owners to start the move.

This requirement can be found in the WSDOT Right-of-Way Manual Chapter 12-6.6.2.1, b., page 78.

6.4 Notice to Vacate

WSDOT

Each displaced owner and tenant will be provided a Notice of Relocation Eligibility, Entitlements, and 90-day assurance in conjunction with the offer to purchase property or the offer of relocation benefits. No person lawfully occupying real property will be required to move from the acquired dwelling without being provided a written assurance at least 90 days prior to the earliest date by which they can be required to vacate the property. In addition, no person to be displaced from a residential dwelling shall be required to move unless at least one dwelling of comparable replacement housing is made available. This assurance also explains that all displaced persons have the right to appeal department determinations regarding relocation assistance or relocation payment amounts and as an option may seek a review by the department.

For properties acquired in Washington, the earliest the agency can occupy the property is 20 days after the agency obtains possession of the property. At the time the 30 day notice is delivered to residential occupants, comparable replacement housing unit must be available in the same price range that was used in the of Relocation Eligibility, Entitlements, and 90-day assurance letter.

These 20 days are included in the condemnation phase of the right-of-way schedule. During the personal meetings with the property owners the acquisition agent often attends owner meetings with the relocation agent to answer relocation questions and discuss timing and determination of relocation benefits. Some of the other items discussed are how administrative settlements can effect Price Differential payments, and how advance deposits held by a landlord are disbursed. The realty/personalty report will also be discussed with the owner and tenant.

ODOT

Each displaced owner and tenant will be provided a 90-day assurance notice which is included in the offer-benefit letter delivered to owners on the date of initiation of negotiations. No person lawfully occupying real property will be required to move from the acquired dwelling without being provided a written assurance at least 90 days prior to the earliest date by which they can be required to vacate the property. In addition, no person to be displaced from a residential dwelling shall be required to move unless at least one dwelling of comparable replacement housing is made available. This assurance also explains that all displaced persons have the right to appeal department determinations regarding relocation assistance or relocation payment amounts and as an option may seek a review by the department.

For properties acquired in Oregon all occupants required to relocate will be given a 30 day notice to vacate. Thus the earliest date the agency can occupy the property is 30 days after the agency obtains possession of the property. This notice will not be given prior to payment for the real property. At the time the 30-day notice is delivered to residential occupants, comparable replacement housing unit must be available in the same price range that was used in the above named offer combination 90-day assurance offer-benefit letter. These 30 days are included in the condemnation phase of the right-of-way schedule.

During the personal meetings with the property owners the acquisition agent often attends owner meetings with the relocation agent to answer relocation questions and discuss timing of relocation, and determination of relocation benefits.

7 Other Components

7.1 Property Owner Relations and Community Relations

The Project is a highly visible public works project and will generate ongoing interest among the public and the press. To ensure consistent information and to facilitate dependable lines of communication with the public, the lead agencies organized a focused Community Relations effort for the Project.

Property owners deserve special consideration in the public involvement effort. The Real Estate Services staff serves as the primary contact in providing information about the property needed for the Project, acquisition procedures in general, and specific information about their property, and their rights under applicable laws throughout the appraisal, acquisition, relocation, and construction phases of the Project. As part of the Draft Environmental Impact Statement process, all property owners with potential impacts have already been notified and many have had multiple contacts with CRC Project staff.

The Community Relations staff provides the citizens of the Portland-Vancouver region and the Columbia River Crossing Corridor with information about the Project's activities and assistance when coordinating with the Project staff. The Community Relations staff will ensure that the Project realizes the public's vision of its role in serving community needs and avoiding disruptive or harmful effects on the neighborhoods and businesses along the route.

This will be accomplished through a multitude of community relations activities designed to:

- Build broad public awareness of, and support for, the Project as an essential contributor to the region's economy and livability.
- Establish ongoing communications with organized neighborhood and commercial groups in the project area, leading to mutual trust.
- Work directly with residents, businesses, and property owners along the route to resolve problems.
- During construction, provide information to allow affected properties and transportation system users to perceive and experience as little inconvenience as possible.
- Direct specific questions regarding property acquisition to Real Estate Services staff.

Community Relations activities for the Project can be categorized into two main groups:

1. Activities that focus on individual residents, property owners, and businesses directly affected by the design of the Project, its location or the process of construction; and
2. Activities that build understanding of, and support for, the Project within broader, community-wide audiences.

Project information will be readily available to interested parties upon request. Information available may include details of the overall Columbia River Crossing Project, the real estate

process in general, and information about the rights of a property owner or displacee under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Acquisition and Relocation brochures will be provided to all affected parties.

7.2 Scheduling, Reporting, and Recordkeeping

7.2.1 Scheduling

The CRC Right-of-Way Coordinator is responsible for developing and maintaining a schedule of projected dates for various stages of property acquisitions as determined by construction management staff. The schedule will be updated regularly. This schedule information will also be coordinated with Legal, Fiscal, and Program Management staff to determine the timing of expenditures for financial control and reporting purposes.

7.2.2 Reporting

Periodic reports summarizing the status of real estate acquisition activities will be prepared for internal use. Summary reports for Board review or other management review will be prepared as required. The FTA quarterly reports will contain a section documenting the current acquisition and relocation program status.

7.2.3 Recordkeeping and Document Control

The Real Estate Services staff will maintain working files for each acquisition, including the recorded deed, title insurance, appraisal, appraisal review, owner contact records and other property records. The acquisition/condemnation files will include all documents associated with the acquisition. This will include the deed, payment vouchers, title clearance documents, and the appraisal and determination of value. Additionally, the project will maintain copies of the relocation documents including relocation plan and mitigation, occupancy surveys, and documentation of all other benefits available to the property owner. The acquiring agency shall maintain all records of its right-of-way actions for at least three years after payment of the final voucher to demonstrate compliance with 49 CFR Part 24. All files containing original documents will be maintained at either the WSDOT HQ office of Real Estate Services in Olympia, WA or City of Vancouver Real Property office or ODOT HQ, or TriMet Working files which contain copies of all documents are kept at the project office.

The CRC Project, WSDOT, ODOT and TriMet already have document control systems in place. Pertinent documents will be copied to Document Control for archiving and for entering in the project databases.

7.3 Property Management

The Real Estate Services staff, in coordination with engineering, construction management and legal staff will manage properties acquired for the Project. Upon acquisition, the lead agency's Right-of-Way Manager will ensure all properties are managed in accordance with FTA C 5010.1D, Property Management and Joint Development.

Property management may include:

- An interim or short-term lease for continued use of a building until it is needed for construction.
- Conducting public sale or auction of structures and fixtures that might have value or potential for recycling.
- Demolition of improvements prior to the construction contract.
- Fencing and securing of vacant parcels or structures.
- Maintenance of land or structures per health, safety and local code requirements.
- Coordination with contractors who might use acquired properties and structures as field offices or materials storage sites.
- Oversight of property disposition after completion of construction.

When each property is vacated, it will be inspected and arrangements will be made by the lead agency to disconnect utilities and secure the property. The lead agency may use contracted services for some property management functions. Some independent contracts for fencing, hauling, weed abatement, security patrols, and related services may also be required. Lead agency staff will be responsible for coordinating all aspects of property management until such time as it is turned over to the contractor for construction.

The security of any leased equipment, facilities, or any other leased structure on ODOT, TriMet or WSDOT property will be the sole responsibility of the Lessee until the lease termination becomes effective. Construction contractors will be responsible for security of all leased materials, equipment, supplies and construction sites.

7.4 Easement, Lease, and License Agreements

Existing utilities or other facilities that cross ODOT, TriMet, or WSDOT property will be documented in engineering drawings. Easements or other crossing rights will be identified during the appraisal and title search phase of acquisition. Any agencies or companies with facilities on property to be acquired by ODOT, TriMet, or WSDOT will be contacted to inform them of the change of ownership. Upon acquisition of non-railroad properties, any easement, lease, or license agreement specifying rights and responsibilities for those facilities will be executed and maintained as part of ODOT's, TriMet's, or WSDOT's permanent real estate records.

7.5 Disposal of Excess Property

When real property is no longer needed, it will be disposed of in accordance with FTA and ODOT, TriMet or WSDOT property disposition policies. Use and disposal of acquired properties will be examined in conjunction with the station area development and joint development efforts on the Project to determine whether there are opportunities for use of ODOT, TriMet or WSDOT property in a development project. Following are options for disposal of property:

- Acquire clear title by compensating FTA for its share in the property. FTA's share is calculated by applying the Federal Percentage of Participation in the cost of the approved project to the appraised fair market value of the property at the time of the disposal.
- Market and competitively sell the property and pay FTA its share of the fair market value of the property.
- Transfer the property to another grantee for use in a different FTA project without reimbursement of funds to FTA. This involves acquisition by the transferee of the transferor's proportional interest in the appraised fair market value of the property, and assumption of liability for any continuing FTA interest therein.
- Transfer of property for other public use, consistent with the provisions of 49 USC § 5334(g).

Recorded survey maps of ODOT, TriMet, and WSDOT owned properties would be maintained as part of the permanent project records. An inventory listing pertinent information on each property will be prepared and reviewed periodically to determine whether properties should be sold. All property will also be listed on the bi-annual FTA property inventory showing property acquired or disposed of during the reporting period. The Real Estate Services staff, in cooperation with Legal Services and the Land Development Manager of joint development, will coordinate transactions on the sale of ODOT, TriMet, and WSDOT property.

7.6 Transit-Oriented and Joint Development

FTA encourages transit systems to undertake joint development projects at and around transit stations where such projects are physically or functionally related to the provision of transit service, and where they increase transit revenues through proceeds from the joint development.

FTA has established a policy that encourages transit agencies to initiate joint development projects. This policy recognizes the benefit of higher density, transit-oriented development to the operation of the LRT system. TriMet and C-TRAN will work in partnership with the property owners and local jurisdictions to produce transit supportive development projects. Complementary efforts will include joint development funding, technical assistance, and community outreach.

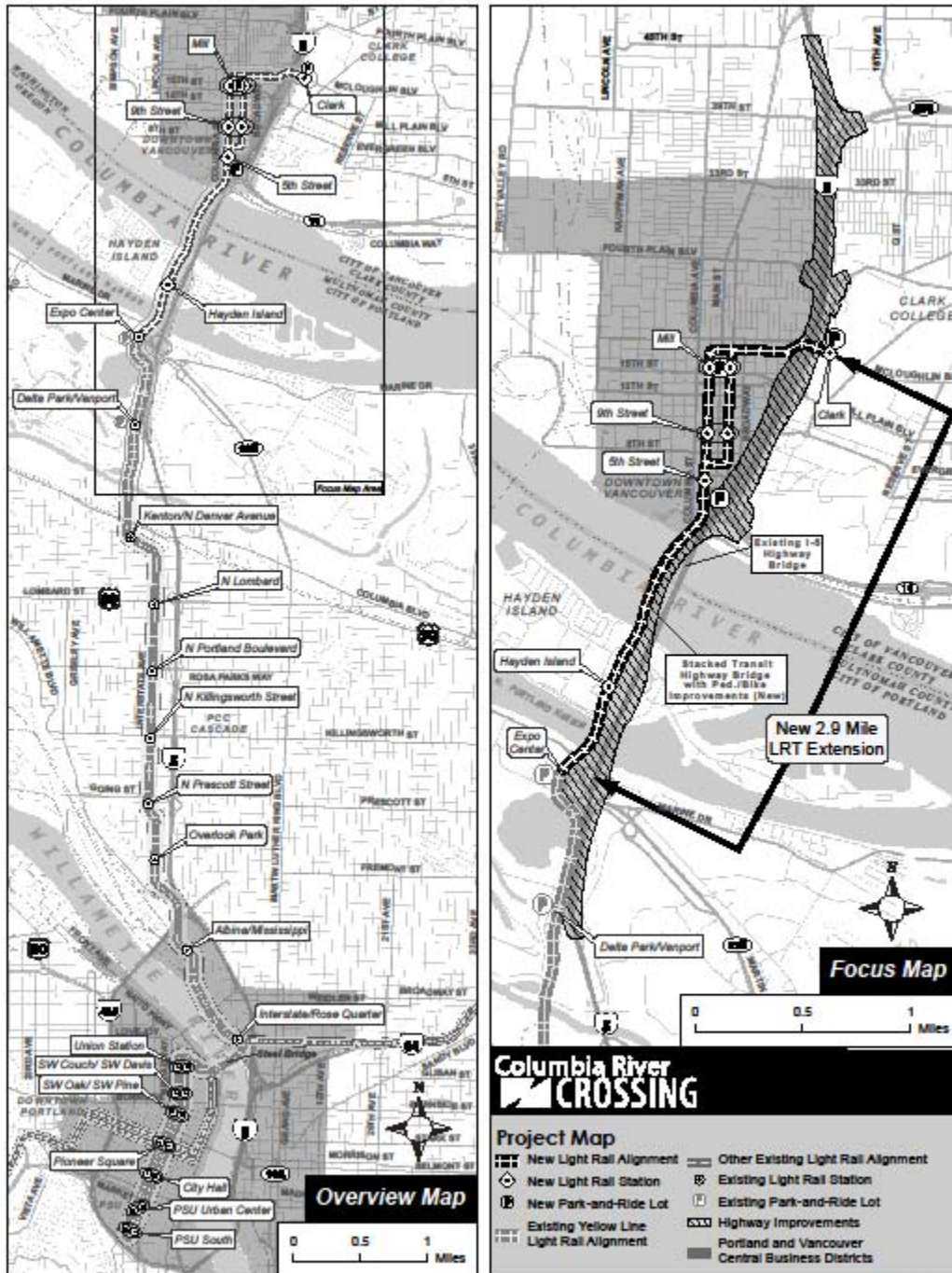
The CRC Project goal of station area planning is to promote “transit supportive” development near LRT stations. Transit supportive is defined as higher density, pedestrian-friendly development that encourages use of transit as an alternative to the automobile. Achieving transit supportive development along the Columbia River Crossing Corridor will involve partnerships with TriMet, C-TRAN, Cities of Portland and Vancouver, Multnomah County, Clackamas County, Clark County, Metro, RTC, neighborhood and business associations, developers, financial institutions, and other public and private interests.

Appendices

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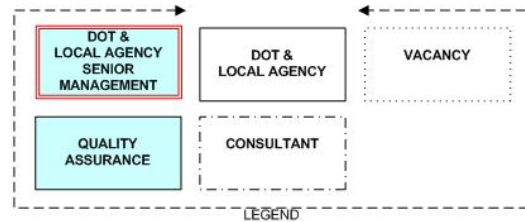
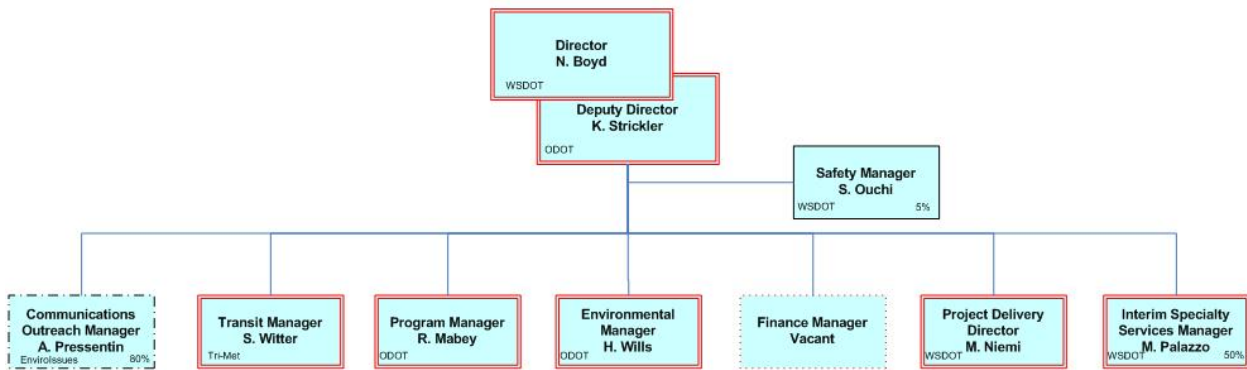
Appendix A. Columbia River Crossing LRT Map



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Appendix B. CRC Real Estate Services Organizational Chart

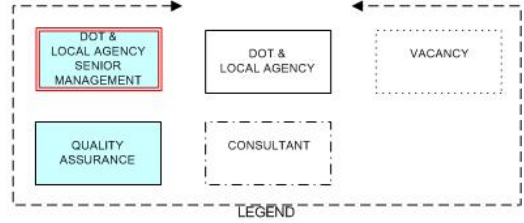
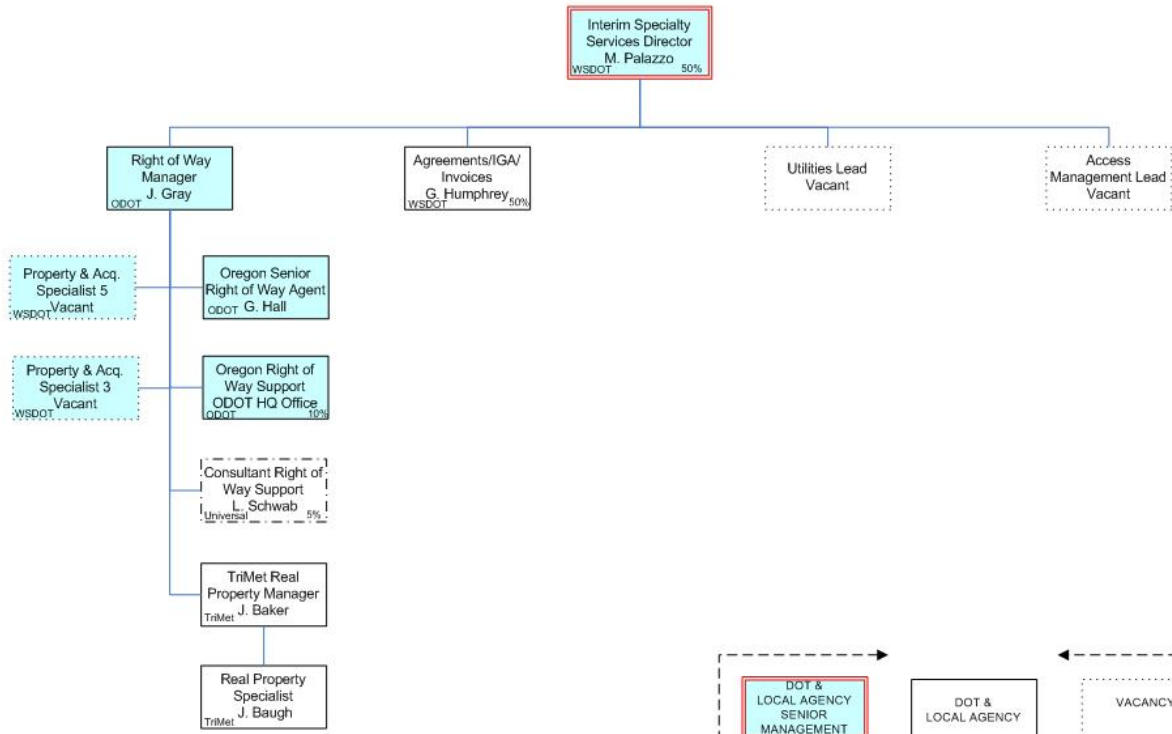
Columbia River Crossing Project Management Team



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Columbia River Crossing Specialty Services Team



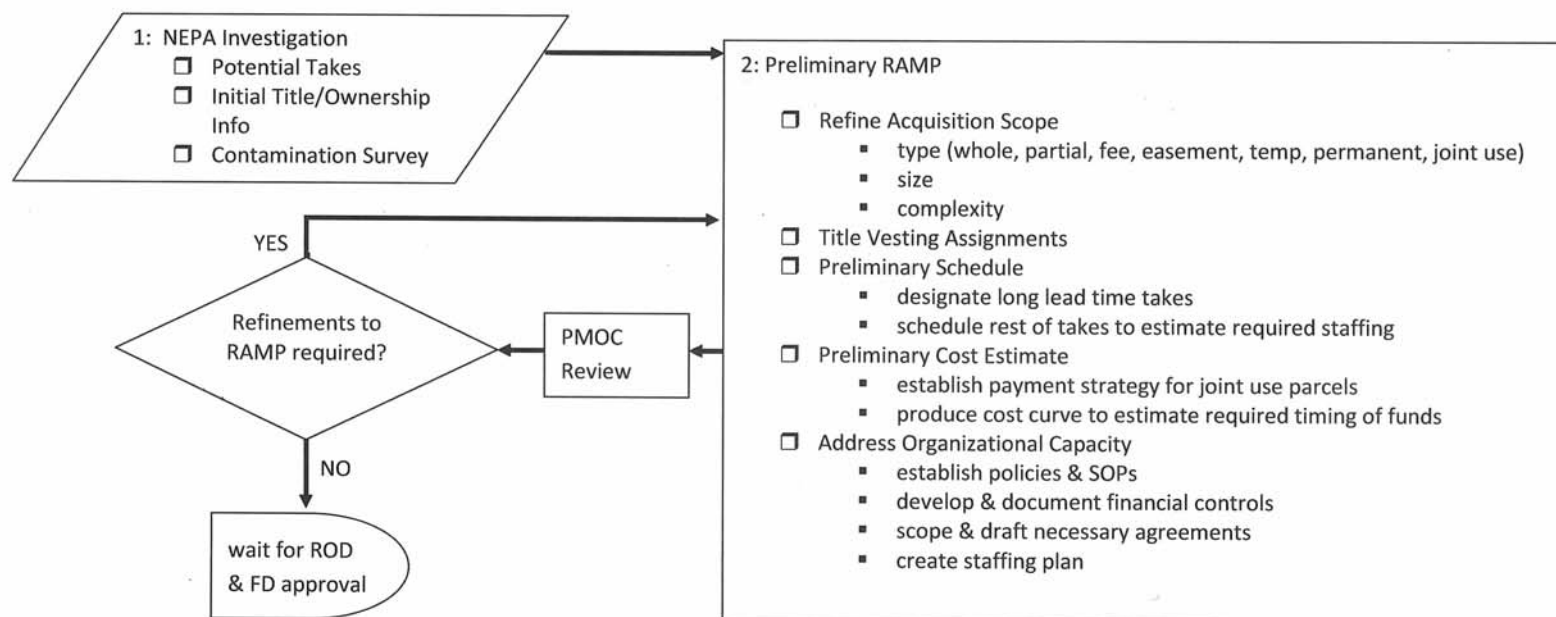
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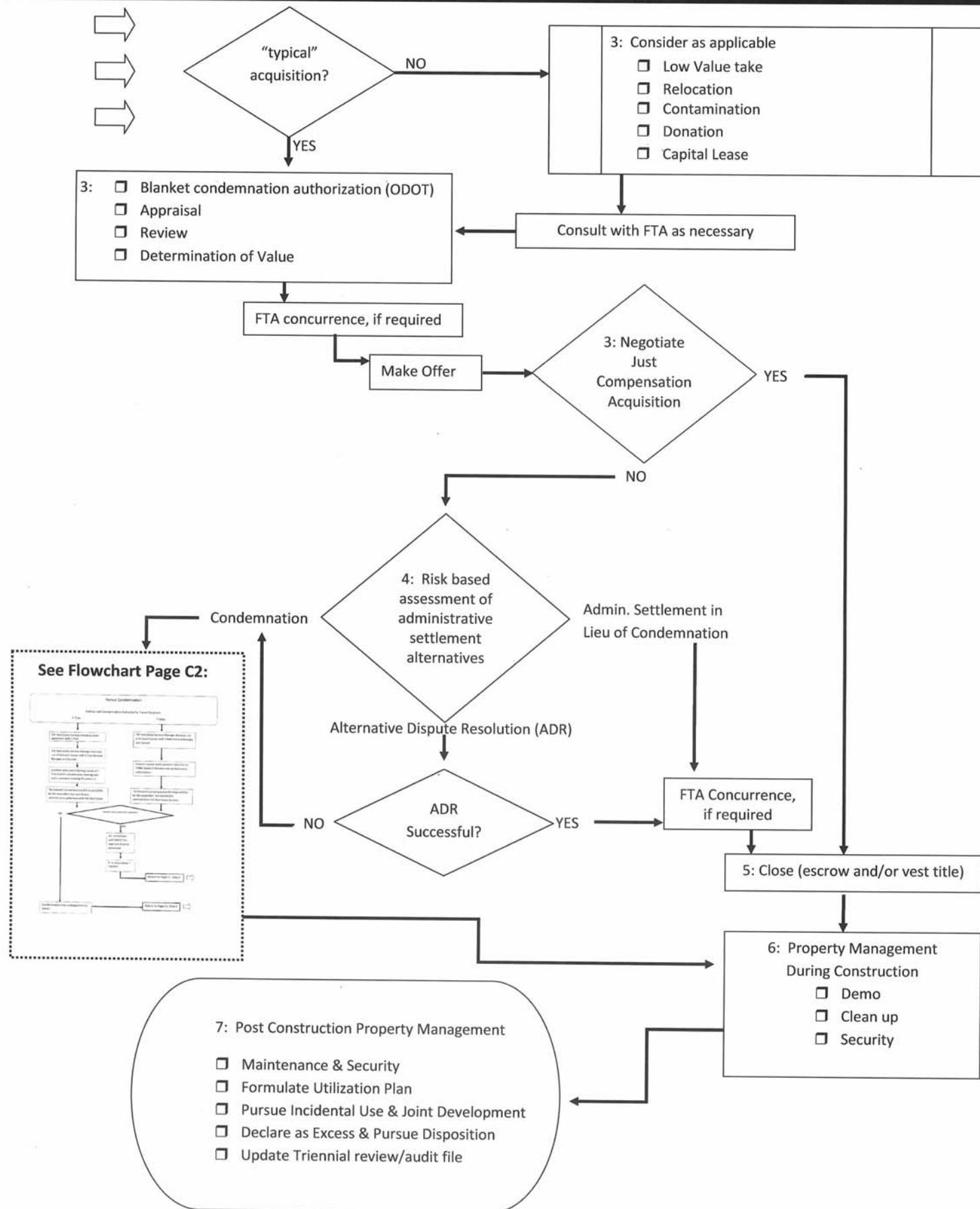
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Appendix C. Flow Chart – Real Property Acquisition

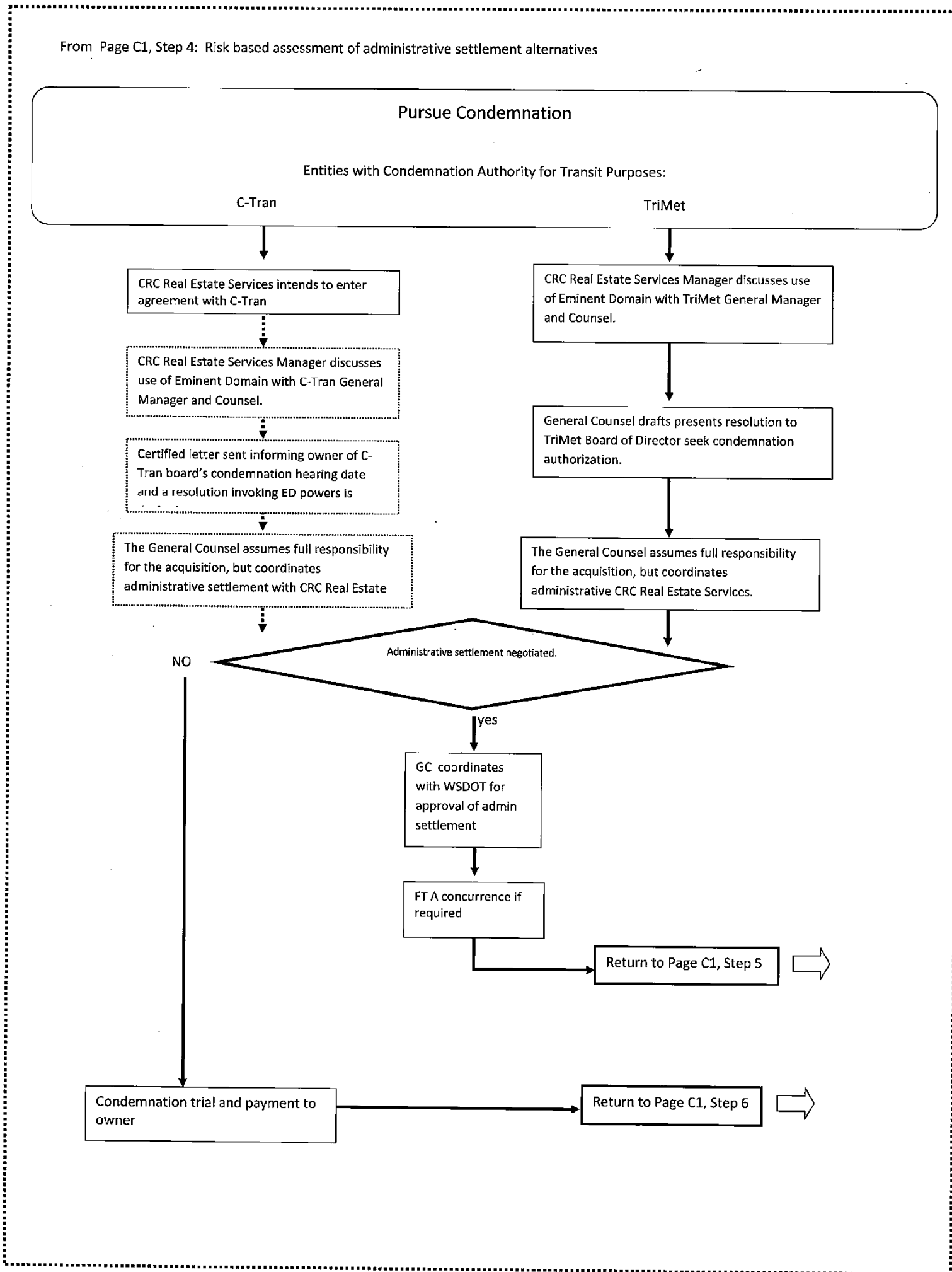
Page C1: Flow Chart for FTA Funded CRC Real Property Based on Circular 5010.1D



RAMP IMPLEMENTATION



Page C2: Flow Chart for FTA Funded CRC Real Property Based on Circular 5010.1D



Appendix D. Lead Agency by Property Type and Location

Property Location	Oregon		Washington	
Acquisition Needed for:	Highway/Bridge	Transit	Highway/Bridge	Transit
Lead Agency	ODOT*	TriMet	WSDOT	WSDOT
Acquisition generally follows standard practices of:	ODOT	TriMet	WSDOT	TriMet
Land ultimately in control of:	ODOT	TriMet	WSDOT	C-TRAN/City of Vancouver
In case of failure to reach acquisition agreement condemnation proceeds if approved by:	ODOT	TriMet Board of Directors	WSDOT	C-TRAN Board of Directors
Alternative Dispute Resolution available as an option?	Yes	Yes	Yes	Yes

* All parcels that include partial or full acquisition as a result of the highway component of the project will be acquired by the highway lead agency.

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Appendix E. General Parcel Acquisition Timeline

Estimated Parcel Acquisition Timeline

Activity/Phase	Timeframe Oregon	Timeframe Washington
Preliminary		
General Information Notice	1 week	1 week
Title Reports	1 month	1 month
Phase1 Environmental	2 months	2 months
Total	3 months	3 months
Appraisal		
Review descriptions	1 week	1 week
Request appraisal bids	2-4 weeks	2-4 weeks
Award bid, contract, info sent	2-4 week	2-4 weeks
Appraisal (includes 15 day notice)	2 months	2 months
Review and send to reviewer	3 weeks	3 weeks
Send to acquisition contractor with information	1 week	1 week
Total	4-6 months	4-6 months
Acquisition		
Review file, contact owner	3 weeks	3 weeks
Negotiate	2 months (40 day minimum by Oregon law)	6 months (average)
Closing	1 month	Included above
Total	4 months	7 months
Relocation		
Notice Given (concurrent with offer)	3 months	3 months
Additional time to Move	6 months	6 months
Total	9 months	9 months
Possession through condemnation		
Board approval, file transfer		
Filing possession hearings		
Total	1-2 month	3-12 months
Demolition		
	2-3 months (if needed)	2-3 months (if needed)

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Appendix F. Acquisitions and Acquisition Type - Transit Component of the CRC Project and the Expansion of the Ruby Junction Facility

Parcel ID#	State	Property Type	Temporary Easement	Partial Acquisition	Full Acquisition	Transit Acquisition	Highway Acquisition	Lead Agency
283	OR	Single Family Residential		X		X	X	ODOT
4Gr	OR	Single Family Residential			X	X		TriMet
3Gr	OR	Single Family Residential			X	X		TriMet
2Gr	OR	Retail/Services			X	X		TriMet
15Gr	OR	Retail/Services			X	X		TriMet
14Gr	OR	Retail/Services			X	X		TriMet
13Gr	OR	Single Family Residential			X	X		TriMet
12Gr	OR	Retail/Services			X	X		TriMet
11Gr	OR	Single Family Residential			X	X		TriMet
10Gr	OR	Retail/Services			X	X		TriMet
9Gr	OR	Retail/Services			X	X		TriMet
7Gr	OR	Single Family Residential			X	X		TriMet
8Gr	OR	Single Family Residential			X	X		TriMet
6Gr	OR	Single Family Residential			X	X		TriMet
5Gr	OR	Retail/Services			X	X		TriMet
1Gr	OR	Single Family Residential		X		X		TriMet
284	OR	Single Family Residential			X	X	X	ODOT
297	OR	Retail/Services	X	X		X	X	ODOT
275	OR	Retail/Services			X	X	X	ODOT

Parcel ID#	State	Property Type	Temporary Easement	Partial Acquisition	Full Acquisition	Transit Acquisition	Highway Acquisition	Lead Agency
272	OR	Lodging			X	X	X	ODOT
296	OR	Retail/Services			X	X	X	ODOT
280	OR	Retail/Services			X	X	X	ODOT
278	OR	Retail/Services			X	X	X	ODOT
281	OR	Retail/Services			X	X	X	ODOT
277	OR	Parking			X	X	X	ODOT
60	WA	School	X	X		X		WSDOT
59	WA	Vacant			X	X		WSDOT
61	WA	Religious/Community Center	X	X		X	X	WSDOT
61a	WA	Park/Historic Site/Museum	X	X		X		WSDOT
232	WA	Retail/Services	X	X		X		WSDOT
233	WA	Parking	X	X		X		WSDOT
356	WA	Office/Professional/Health Care	X			X		WSDOT
355	WA	Office/Professional/Health Care	X			X		WSDOT
354a	WA	Parking	X			X		WSDOT
354b	WA	Parking	X			X		WSDOT
354	WA	Office/Professional/Health Care	X			X		WSDOT
353	WA	Parking	X			X		WSDOT
352a	WA	Office/Professional/Health Care	X			X		WSDOT
352	WA	Retail/Services	X			X		WSDOT
350	WA	Office/Professional/Health Care	X			X		WSDOT
351	WA	Retail/Services	X			X		WSDOT
349a	WA	Retail/Services	X			X		WSDOT

Parcel ID#	State	Property Type	Temporary Easement	Partial Acquisition	Full Acquisition	Transit Acquisition	Highway Acquisition	Lead Agency
349c	WA	Parking	X			X		WSDOT
349b	WA	Office/Professional/Health Care	X			X		WSDOT
348b	WA	Parking	X			X		WSDOT
348a	WA	Office/Professional/Health Care	X			X		WSDOT
348	WA	Retail/Services	X			X		WSDOT
349	WA	Office/Professional/Health Care	X			X		WSDOT
346	WA	Office/Professional/Health Care	X			X		WSDOT
346a	WA	Office/Professional/Health Care				X		WSDOT
347	WA	Parking	X			X		WSDOT
388	WA	Single Family Residential	X			X		WSDOT
387	WA	Single Family Residential	X			X		WSDOT
385	WA	Multi-Family Residential	X			X		WSDOT
386	WA	Single Family Residential	X			X		WSDOT
376	WA	Single Family Residential	X			X		WSDOT
375	WA	Vacant	X			X		WSDOT
374	WA	Vacant	X			X		WSDOT
374a	WA	Vacant	X			X		WSDOT
374b	WA	Vacant	X			X		WSDOT
374c	WA	Vacant	X			X		WSDOT
373	WA	Retail/Services	X			X		WSDOT
372	WA	Single Family Residential	X			X		WSDOT
371	WA	Vacant	X			X		WSDOT
371a	WA	Vacant	X			X		WSDOT

Parcel ID#	State	Property Type	Temporary Easement	Partial Acquisition	Full Acquisition	Transit Acquisition	Highway Acquisition	Lead Agency
364	WA	Single Family Residential	X			X		WSDOT
363	WA	Vacant	X			X		WSDOT
362	WA	Single Family Residential	X			X		WSDOT
361	WA	Office/Professional/Health Care	X			X		WSDOT
214a	WA	Parking	X	X		X		WSDOT
214	WA	Retail/Services	X	X		X		WSDOT
215	WA	Retail/Services	X			X		WSDOT
208	WA	Retail/Services	X	X		X		WSDOT
213	WA	Retail/Services	X			X		WSDOT
358	WA	Retail/Services	X			X		WSDOT
359	WA	Office/Professional/Health Care	X			X		WSDOT
365	WA	Office/Professional/Health Care	X			X		WSDOT
366	WA	Single Family Residential	X			X		WSDOT
367	WA	Office/Professional/Health Care	X			X		WSDOT
368	WA	Office/Professional/Health Care	X			X		WSDOT
369	WA	Multi-Family Residential	X			X		WSDOT
370	WA	Multi-Family Residential	X			X		WSDOT
377	WA	Single Family Residential	X			X		WSDOT
378	WA	Single Family Residential	X			X		WSDOT
379	WA	Vacant	X			X		WSDOT
380	WA	Vacant	X			X		WSDOT
381	WA	Single Family Residential	X			X		WSDOT
382	WA	Single Family Residential	X			X		WSDOT
383	WA	Multi-Family Residential	X			X		WSDOT
384	WA	Single Family Residential	X	X		X		WSDOT
321a	WA	Single Family Residential			X	X		WSDOT

Parcel ID#	State	Property Type	Temporary Easement	Partial Acquisition	Full Acquisition	Transit Acquisition	Highway Acquisition	Lead Agency
390	WA	Single Family Residential			X	X		WSDOT
391	WA	Single Family Residential			X	X		WSDOT
392	WA	Single Family Residential			X	X		WSDOT
393	WA	Single Family Residential			X	X		WSDOT
322	WA	Single Family Residential	X			X		WSDOT
216	WA	Parking			X	X		WSDOT
217	WA	Parking			X	X		WSDOT
328	WA	Retail/Services	X			X		WSDOT
327	WA	Retail/Services	X			X		WSDOT
334	WA	Parking	X			X		WSDOT
230	WA	Office/Professional/Health Care	X			X		WSDOT
231	WA	Office/Professional/Health Care	X			X		WSDOT
332	WA	Office/Professional/Health Care	X			X		WSDOT
221	WA	Parking			X	X		WSDOT
220	WA	Parking			X	X		WSDOT
219	WA	Parking			X	X		WSDOT
218	WA	Parking			X	X		WSDOT
333	WA	Parking	X			X		WSDOT
334a	WA	Retail/Services	X			X		WSDOT
222	WA	Retail/Services	X			X		WSDOT
330	WA	Retail/Services	X			X		WSDOT
331	WA	Parking	X			X		WSDOT
239a	WA	Multi-Family Residential				X		WSDOT

Parcel ID#	State	Property Type	Temporary Easement	Partial Acquisition	Full Acquisition	Transit Acquisition	Highway Acquisition	Lead Agency
344	WA	Parking			X	X		WSDOT
343a	WA	Retail/Services	X			X		WSDOT
343	WA	Park/Historic Site/ Museum			X	X		WSDOT
343b	WA	Park/Historic Site/ Museum			X	X		WSDOT
342	WA	Vacant	X			X		WSDOT
345	WA	Office/Professional/Health Care	X			X		WSDOT
240	WA	Retail/Services	X			X		WSDOT
240a	WA	Retail/Services				X		WSDOT
242	WA	Parking			X	X		WSDOT
243	WA	Parking			X	X		WSDOT
245	WA	Parking			X	X		WSDOT
246	WA	Parking			X	X		WSDOT
254	WA	Railroad Right-of-Way	X	X		X	X	WSDOT
335a	WA	Parking	X			X		WSDOT
335b	WA	Retail/Services	X			X		WSDOT
335	WA	Office/Professional/Health Care	X			X		WSDOT
231b	WA	Religious/Community Center	X			X		WSDOT
231a	WA	Retail/Services				X		WSDOT
339	WA	Parking	X			X		WSDOT
340	WA	Parking	X			X		WSDOT
341	WA	Retail/Services	X			X		WSDOT
337	WA	Retail/Services	X			X		WSDOT
338	WA	Parking	X			X		WSDOT
336a	WA	Office/Professional/Health Care	X			X		WSDOT
336	WA	Office/Professional/Health Care	X			X		WSDOT
325	WA	Parking	X			X		WSDOT

Parcel ID#	State	Property Type	Temporary Easement	Partial Acquisition	Full Acquisition	Transit Acquisition	Highway Acquisition	Lead Agency
326	WA	Parking	X	X		X		WSDOT
252	WA	Railroad Right-of-Way	X			X	X	WSDOT
323	WA	Office/Professional/Health Care	X			X		WSDOT
197a	WA	Retail/Services	X			X		WSDOT
198a	WA	Office/Professional/Health Care	X			X		WSDOT
239	WA	Parking			X	X		WSDOT
244	WA	Parking			X	X		WSDOT
244a	WA	Religious/Community Center			X	X		WSDOT
232a	WA	Office/Professional/Health Care	X			X		WSDOT
352c	WA	Office/Professional/Health Care	X			X		WSDOT
247	WA	Office/Professional/Health Care			X	X		WSDOT
344d	WA	Parking			X	X		WSDOT
327a	WA	Parking	X	X		X		WSDOT

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Appendix G. Position Descriptions

Right-of-Way Manager

The Right-of-Way Manager oversees the preparation and day-to-day implementation of the Real Estate Acquisition Management Plan. This will be accomplished through close collaboration with and by leveraging TriMet staff knowledgeable in FTA requirements. He manages the ROW function supported by ROW staff from WSDOT, ODOT, and qualified consulting staff with expertise in ROW negotiation, acquisition and relocation on large, complex multi-modal projects.

Oregon Senior Right-of-Way Agent

Plans and directs Right of Way acquisition activities, including the appraisal, acquisition, relocation and project related property management functions. Acts as Right of Way liaison to the Project Delivery Team, providing real estate cost estimates, monitoring timelines and other project requirements. Assures timely delivery of right of way while assuring conformance with State and Federal regulations.

Washington Property & Acquisition Specialist 5

Under the Uniform Relocation Act, positions supervise or lead employees in real estate activities such as property management, relocation, appraisal, negotiations, or title examination or positions may serve as a review appraiser for multi-regions. Typical work includes:

Advising and/or providing recommendations to agency administrators, county officials, and/or taxpayers regarding damage claims, audit findings and recovery of federal aid, assessment, settlements or condemnations, equalization and taxation of real and personal property, property tax exemptions or deferrals or in special valuation of property based on the current use of the property; assigning and/or conducting negotiations or relocation assistance; monitoring right-of-way activities of local agencies for state and federal policy compliance; defining tasks, soliciting bids, negotiating, drafting, awarding, and monitoring personal services contracts for appraisal-related activities. May supervise or lead other staff.

Washington Property & Acquisition Specialist 3

Typically performs complex duties relating to vacant, residential, commercial, agricultural, public utility, exempt, recreational, and/or industrial properties. Areas of responsibility include negotiations, acquisitions, relocation assistance, property management, title examination, leasing, appraisals, audits, disposal, inspections, and/or lands and access maintenance. At this level, complex assignments involve extensive title clearance, follow-up to negotiations which have reached an impasse; investigation and disposition of claims involving unconstitutional takings;

relocations involving more complex issues (i.e. retail businesses, farms, last resort housing); preparation or review of relocation plans, benefit computations; moving cost estimates; dual-premise appraisals, and/or appraisal of income producing properties

Consultant ROW Support

Performs typical and atypical ROW work as assigned by the CRC ROW Manager. Services may include: research and gathering information, developing cost estimates as required by the CRC, attendance at public meetings, review of ROW alignments for problems, serve as point of contact for property owners wanting information about the ROW process, and providing reports as required by the CRC.

TriMet Real Property Manager

Manages the real property acquisition and disposition for CRC facilities at Ruby Junction. Facilitate right-of-way and real property location design, project costing, budget development, appraisal, negotiation, relocation, condemnation and settlement, and property management. Ensure a commitment to safety through effective leadership, role modeling and implementing practices that demonstrate safety is a fundamental value and a priority in all aspects of work. Perform related duties as required.

TriMet Real Property Specialist

Negotiate acquisition and disposal of real property for CRC facilities at Ruby Junction. Provide liaison, appraisal, relocation, property management, and demolition services. Ensure a commitment to safety through consistent and professional behaviors in performance of job requirements that demonstrate safety is a fundamental value that guides all aspects of our work. Perform related duties as required.

Appendix H. Staff Resumes

Mike Palazzo

Interim Specialty Services Manager

2011-present

The Specialty Services Manager, supported by functional managers from WSDOT and ODOT, is responsible for Right of Way, Agreements/IGA/Invoices, Utilities, and Access Management services. This position also oversees the implementation of the Real Estate Acquisition Management Plan.

Professional Experience:

WSDOT Headquarters, Olympia, WA

12/08 to Present

Director, Real Estate Services

WSDOT is designated as the lead agency for all federally funded projects. These positions jointly establish statewide policy and procedures for real estate related activities, not only for WSDOT, but for all other state agencies and local governments using federal funds. I assure the policies and procedures are efficient, consistent, and in compliance with state and federal laws, regulations, and guidelines, as well as providing technical guidance for all WSDOT right of way programs statewide.

WSDOT Headquarters, Olympia, WA

09/08 to 12/08

Acting Director, Real Estate Services

WSDOT Headquarters, Olympia, WA

2005 to 2008

Deputy Director, Real Estate Services

The Deputy Director plans, directs and administers all programs of the Real Estate Services Office in the absence of the Director, Real Estate Services.

WSDOT, Southwest Region, Vancouver, WA

2001 to 2005

Real Estate Services Manager

Hired in August of 2001, I spent the first several months absorbing policies and practices, getting up to speed with past, present and future projects, and meeting the employees in the region, at headquarters, and across the state. From January 2002 through 2005, based on parcels acquired per agent per month, SW region RES productivity was the highest in the state while delivering all right of way certifications in time to meet all project scheduled advertising dates.

SELF EMPLOYED

1978 to 2001

Real Estate Broker and Property Manager

Residential and commercial real estate sales, acquisitions, and property management. Started a property management program in 1979 and managed all aspects of multiple projects on a daily basis. This involved hundreds of properties worth millions of dollars, working with owners and tenants. I wrote and/or reviewed sales/purchase/lease documents, while analyzing and satisfying the varying and demanding needs of buyers, sellers, tenants, and owners in residential and commercial projects. I marketed properties for sale or lease, assessed and projected the physical needs of managed properties, and hired and supervised electricians, plumbers, roofers, general contractors, landscapers, and other personnel. No complaints and no lawsuits.

Education:

Aloha High School; Aloha OR

Graduated 1973

Information Technology Institute; Portland, OR

Post-Graduate Applied Information Technology (AIT) Program, 2001

Joseph A. Gray
Right-of-Way Manager
August 2011 – present

The Right-of -Way Manager oversees the preparation and day-to-day implementation of the Real Estate Acquisition Management Plan. This will be accomplished through close collaboration with and by leveraging TriMet staff knowledgeable in FTA requirements. He manages the ROW function supported by ROW staff from WSDOT, ODOT, and qualified consulting staff with expertise in ROW negotiation, acquisition and relocation on large, complex multi-modal projects.

Professional Experience:

Served as the Unit Manager for Region 2 Technical Center, Managing project delivery for both disciplines with a budget of 110+ million and 50+ projects.

Full Management and responsibility for delivery of Right of Way and Utilities for project delivery within Region 2. This responsibility included management of 12 Right of Way staff and 2 Utilities staff. Managing two different disciplines provided me an opportunity to enhance my skills as a manager and allow me to learn a broader vision of project delivery and problem solving skills that came with managing more than one discipline. Managing a much larger program has given me the opportunity to grow my management skills and have a perspective of how the project delivery is accomplished in other Regions.

Oregon DOT, LaGrande, Oregon **2001 to 2009**
Region Right of Way / Survey Manager

Job Description: Manage 2 units for Region project delivery. Managed 5 Right of Way employees and 7 Survey employees in the Region Tech Center.

Oregon DOT, LaGrande, Oregon **1999 to 2001**
Senior Right of Way Project Manager

Job Description: Serve as Project Manager and Team Leader of Right of Way Projects for project delivery of the Regions program.

Oregon DOT, LaGrande, Oregon **1994 to 1999**
Right of Way Agent

Job Description: Perform Appraisals, Negotiations and Relocation activities on projects in Region 5. Responsible for Right of Way field work.

Oregon DOT, LaGrande, Oregon **1985 to 1994**
Traffic Anyalist and Construction Specialist.

Job Description: Worked in Traffic operations, Construction Inspection & Survey and Bridge inspection for Region 5.

Education:

Eastern Oregon State, LaGrande, Oregon: 1981- 1982 No degree

Geri Hall
Columbia River Crossing
Right of Way Project Manager
2011-present

Plans and directs Right of Way acquisition activities, including the appraisal, acquisition, relocation and project related property management functions. Acts as Right of Way liaison to the Project Delivery Team, providing real estate cost estimates, monitoring timelines and other project requirements. Assures timely delivery of right of way while assuring conformance with State and Federal regulations.

Professional Experience:

Oregon Department of Transportation **08/01 to Present**
Senior Right of Way Agent
Relocation Reviewer

Reviews and approves relocation claims, relocation plans and replacement housing studies and benefit determinations submitted statewide by region Right of Way agents. Assures that relocation activities comply with Federal and State laws and regulations. Advises region Right of Way agents of changes in relocation policies and procedures. Responsible for evaluating the overall relocation program and formulating process improvements and policy. Develops and conducts relocation training.

Career at ODOT also included serving as Quality Assurance Reviewer, field Right of Way Agent, and Title Section Document Specialist.

Candy Bouquet of Salem, Oregon **10/94 to 01/01**
Owner/Manager

Established the first Candy Bouquet franchise in Oregon. Responsible for all phases of operations including sales and marketing; budgeting; purchasing; bookkeeping and fiscal management; human resources; product research and development; retail and corporate sales operations. Supervised staff of five.

The Lutz Snyder Co., Realtors, Salem, Oregon **06/87 to 10/94**
Associate Broker/Assistant Manager

Managed all phases of marketing residential real estate including market analysis, packaging, promotion and sales management. As Assistant Manager, recruited and trained new agents; assisted with budgeting, planning and supervision.

Salem Hospital, Salem, Oregon **08/84 to 03/87**
Director of News and Publications

Wrote, edited and produced all hospital periodicals and publications, including newsletters, brochures and informational packages. Managed communications plan and budget. As hospital spokesperson, promoted hospital events and services through local media contacts.

Newsletters Unlimited, Salem, Oregon **02/81 to 08/84**
Owner

Freelance writing and newsletter production for non-profit organizations. Clients included Santiam Girl Scout Council, United Methodist Retirement Center and Catholic Community Services Foundation.

Education:

St. Cloud State University, St. Cloud, Minnesota
Bachelor of Arts
Major: Mass Communications

Accreditations:

Candidate for the International Right of Way Association Relocation Assistance Certification designation.
Candidate for the International Right of Way Association SR/WA Senior Member designation.

Lou Schwab

Right of Way Project Manager

2002-present

Manages and supervises project teams for r/w acquisition projects. Tasks include the following:

- Manage schedules to meet project deadlines.
- Assigning acquisition and relocation tasks to project staff.
- Reviewing and approving completed relocation studies, relocation claims, and purchase agreements.
- Instructing and mentoring acquisition staff in r/w practices and procedures.
- Serving as the primary r/w contact for the client and other members of the project team.
- Handles difficult and complex r/w acquisitions and relocations.
- Serves as a member of multidisciplinary project teams as a right of way subject matter expert, producing right of way cost estimates and technical documents as needed.

Professional Experience:

ODOT, Portland, OR 1998-2001

Technical Support Manager

Job Description: Supervise and manage an organizational unit which included engineering specialists in Utilities Relocation, Local Agency Program, Bicycle/Pedestrian program, and Quality Assurance Program.

ODOT, Salem, OR 1996 to 1998

Right of Way Engineering Manager

Job Description: Manage R/W Engineering Unit responsible for creating right of way descriptions, maps and exhibits for ODOT projects.

ODOT, Salem, OR 1988-1996

Assistant Right of Way Manager

Job Description: Manage and direct the r/w field acquisition activities. Supervise five region r/w Supervisors. Approve all real estate agreements and legal settlements.

ODOT, Salem, OR 1986-1987

Region 1 R/W Supervisor

Job Description: Manage ODOT Region 1 Right of Way office including all acquisition and property management activities in the region.

ODOT, Salem, OR 1978-1984

Senior R/W Agent

Job Description: Serve as a lead technical specialist in property management, relocation, and appraisal review.

ODOT, Roseburg, OR 1971-1977

Right of Way Agent

Job Description: Provide appraisal, acquisition, relocation, and property management functions in the Region 3 right of way office.

Education:

Oregon State University

Bachelor of Science, Forest Management

Accreditations: Senior Right of Way Agent, International Right of Way Association

John Baker
Real Property Acquisition Manager
Capital Projects & Facilities Division
1996 – Present

Manages the right of way acquisition process for TriMet and most real estate activities. Department grants licenses and manages those licenses generally from utilities who cross over or under TriMet's light rail lines. Department manages properties which TriMet leases from others and TriMet properties which are leased to others.

Department provides a full range of right of way acquisition services; liaison, appraisal, acquisition, relocation, property management and demolition. Contracts for Phase I and II environmental reports for properties the agency buys in fee. Manages the remediation process for properties not found to be clean. Manages a large number of contractors. Currently manages 14 real estate appraisers, three review appraisers and several special appraisers, all under contract. Manages two companies that provide survey and legal description services. Manages two contract companies that provide acquisition and relocation services. Currently manages three companies that provide demolition services.

Manages a department that is currently completing three projects for which right of way acquisition was needed; South Corridor, I-205; South Corridor, Portland Mall and the Washington County Commuter Rail. These projects contained 300 files for a total value of approximately \$30,000,000 of land and improvements.

PROFESSIONAL EXPERIENCE

TRIMET

Title Real Property Specialist
See above

1996 - 1997

OREGON DEPARTMENT OF TRANSPORTATION

Title Right of Way Agent

1971 - 1996

Duties: Worked in many of the right of way activities in almost 25 years at ODOT. Worked on many projects in Liaison, the first right of way/engineering contacts of property owners affected by a project. Appraised properties needed for highway projects. Primary experience was in acquisition and relocation.

EDUCATION

OREGON STATE UNIVERSITY

Bachelor of Arts, Political Science

Janni Baugh
Real Property Specialist
Capital Projects & Facilities Division
2006-Present

A Real Property Specialist is responsible for the acquisition of real property needed for TriMet facilities. Primary responsibilities begin in the preliminary design stage of a project and may include the preparation of cost estimates, preparation of the Real Estate Acquisition Management Plan (RAMP), and meeting with the public and with impacted property owners. As the project moves through the acquisition process, the Real Property Specialist manages the appraisal, acquisition, relocation, and property management of the required properties. All of these functions must comply with state policy and federal regulations, such as the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as well as the Uniform Standards of Professional Appraisal Practice (USPAP) guidelines.

My primary function for the Milwaukie project will involve the coordination of the acquisition and relocation activities of TriMet real estate consultants. This includes the preparation of a packet of information to be sent to our consultants with the assignment to acquire a piece of property, and serving as a liaison between the consultant and property owners and our engineering and construction staff throughout project life. Other duties will include work with other agents to solve complicated relocation issues, review relocation claims for payment, and maintaining up-to-date cost to complete reports on projects.

PROFESSIONAL EXPERIENCE

Oregon Department of Transportation

Right of Way Agent **2004 - 2006**

Collect and analyzing right of way maps, liaison reports and construction plans to become familiar with properties to be acquired for highway projects. Review title reports for liens, contracts, mortgages, easements, or judgments on properties to be acquired for highway projects. Inspect properties for the purpose of determining the market value of area to be acquired. Discuss the appraisal and appraisal process with property owners affected by highway projects. Negotiate the purchase of property needed for highway projects owners and/or owner's representative/attorney. Recommend settlement on properties that cannot be obtained upon initial offer. Recognize the need to recommend property for condemnation proceedings when negotiations fail and reasonable attempts were made to compromise with property owners. Provide relocation assistance to individuals and businesses displaced by highway projects

Perform all of the above in accordance with state rules, procedures, and ethical standards.

Marion County, Oregon

Property Specialist **2004**

Planned and executed a public auction of surplus property. Researched and organized Marion County tax foreclosed real property for public auction. Interfaced with customers regarding Marion County tax foreclosed property. Produced and managed a pre-auction Web page, announcements, mailings, and brochures.

Portland Real Estate Appraisal Company

Assistant Appraiser/Office Manager **2002 - 2003**

Performed duties as a Licensed Assistant Appraiser

Oregon Strawberry Commission and Oregon Raspberry and Blackberry Commission & Pacific Northwest Administration/Berry Works Inc

Rules Coordinator & Administrative Specialist **1999 - 2002**

Served as coordinator for all rule changes instituted by the commissions.

EDUCATION

Oregon State University, 2002

Bachelor of Science in Human Development and Family Science

American College of Real Estate & Appraisal, 2002-2003: Assistant Real Estate Appraiser's License (expired)

International Right of Way Association, Education Section, 2004-2006: Partial Acquisition, Negotiation, and Business/Residential Relocation classes

National Highway Institute, 2005-2006: classes in Basic, Advanced and Business Relocation