



MEMORANDUM

March 3, 2010

TO: Board of Mayor and Aldermen

FROM: Ben Worley, Right-of-Way Agent/Project Manager
Eric J. Gardner, P.E., Director of Engineering
Eric S. Stuckey, City Administrator
David Parker, P.E., City Engineer

SUBJECT: Agreement for Dedication of Right-of-Way (ROW) and Easements with Carothers Land Company, LLC for the South Carothers Roadway Project.

Purpose

The purpose of this memo is to bring forward a recommendation to enter into an agreement with Carothers Land Company, LLC.

Background

The South Carothers Roadway project is currently #5 on the Board's CIP Priority List. On May 26, 2009, the Board unanimously approved funding for property acquisition for South Carothers in an amount not to exceed \$500,000. This amount was based on appraisals of the properties completed by Boozer and Company.

May 26, 2009 BOMA Approval	\$500,000
Spent to date	184,115
Carothers Land Company	<u>146,000</u>
Funding Remaining	\$169,885
Remaining tracts to be acquired (Estimated)	\$ 25,000

Staff sent offer letters to the property owners based on the appraised values on September 9, 2009. Staff has met with the partners of Carothers Land Company, LLC to negotiate and help answer questions that they had. Based on the meetings, an agreement was reached to settle on a cost of \$146,000 for the necessary ROW and easements from the Carothers Land Company, LLC. This number, if accepted, falls in line with the appraised amount. Approval of this amount will allow staff to stay within the \$500,000 budget.

Financial Impact

Approval of the agreement would require \$146,000 to be spent out of the \$500,000 budgeted for acquisition on the South Carothers Project. It is our understanding from the Finance Department that the funding source for property acquisition on this project is Build America Bonds, December 2009. The necessary budget amendment for this appropriation has been passed by the Budget and Finance Committee and is in process with BOMA (public hearing and second reading scheduled for March 9, 2010).

Recommendation

Staff recommends approving the agreement for dedication of Right-of-Way and Easements.

**BOOZER &
COMPANY, P.C.**

Professional Real Estate Appraisers & Consultants

March 30, 2009

Mr. Eric Gardner, P.E., CPESC
Director - Engineering Dept.
City of Franklin
109 3rd Avenue South
Franklin, TN 37065

RE: Appraisal Report
South Carothers Parkway-R.O.W. & Easement Acquisition
Tax Map 89, Parcel 49.0
4413 South Carothers Road
Franklin, Tennessee

Dear Mr. Gardner:

In accordance with your request, I have personally inspected and appraised the captioned property for the purpose of estimating the compensation for the rights being acquired by the City of Franklin. The intended use of this appraisal is to assist our client, Mr. Eric Gardner and the City of Franklin, in making financial decisions concerning the subject property. This report is for the exclusive use of the addressee. Boozer & Company, P.C. is not responsible for unauthorized use of this report.

The subject property consists of a ±206.858-acre tract of land situated on the south side of South Carothers Road, approximately 2.5 miles south of S.R. 96 and east of Interstate 65 in Franklin, Williamson County, Tennessee. The property is further identified as Parcel 49.0 on Williamson County Property Tax Map 89.

The City of Franklin is in the process of acquiring property rights from the subject property for the proposed southern extension of South Carothers Parkway. The acquisition includes new Right-of-Way containing 4.867 acres; Permanent Drainage Easement containing 2.19 acres; Slope Easement containing 0.193 acre; and Temporary Construction Easement containing 0.442 acre. The acquisition area crosses the northeastern corner of the property in a northwest to southeast direction. The acquisition also includes a connector road, which leads back to the original South Carothers Road. We have assumed the remaining triangular area in the northeast corner will be accessible via the connector road. The temporary easement will be abandoned after construction is complete, which is estimated to be twelve months after construction commences.

To the best of my knowledge, this report conforms to the current requirements prescribed by the Uniform Standards of Professional Appraisal Practice of the Appraisal Standards Board of the Appraisal Foundation (as required by the Financial Institutions Reform, Recovery and Enforcement Act - FIRREA). The person signing this report has the knowledge and experience to complete the assignment competently. The person signing this report is duly licensed by the appropriate state to perform this level of appraisal under certificate number CG-389.

Mr. Eric Gardner
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The market value estimate contained herein is based on my personal inspection and other pertinent information. This appraisal is based on the assumption that the furnished data is true and correct. The report, which follows, contains a summary of my investigation and analysis. The pertinent facts and data, which are applicable to the property, are summarized and the reasons leading to the estimate of value are included. The acceptance of this appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

Based upon my investigation, and subject to the general assumptions and limiting conditions as set forth in the report, the estimated amount due to the property owner, as of March 23, 2009, is shown below:

Summary of Amount Due Owner	
Right of Way:	\$97,350
Permanent Slope Easement:	3,900
Permanent Drainage Easement:	43,800
Temporary Construction Easement	<u>+ 900</u>
Total Amount Due Owner:	\$145,950
	Rounded: \$146,000

The amount due owner derived in this appraisal does not include any potential construction damage or loss to underground utility lines, septic systems, fences, gates, driveways, parking lots, parking spaces, landscaping, access, etc. Our assumption is that the City of Franklin, upon completion of construction, will restore the hereinabove described property to its original condition, or near thereto as is reasonably possible.

I would like to thank you for selecting our firm for this assignment and if we may be of further assistance, please advise.

Sincerely,

BOOZER & COMPANY, P.C.



Eric L. Boozer, MAI, CG-389
State Certified General Real Estate Appraiser