

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: June 21, 2023

SUBJECT: **NCDOT Right of Way Acquisition
US 191 Widening Project at Rugby Middle School**

PRESENTER: Marcus Jones, PE
County Engineer

ATTACHMENTS: Yes
1. Right of Way Maps for NCDOT
2. NCDOT Offer Letters for Parcel Numbers 84, 90, and 95
3. Proposed Deeds for NCDOT Parcel Numbers 84, 90, and 95

SUMMARY OF REQUEST:

To accommodate NCDOT’s project to widening US191 and in particular the portion adjacent to Rugby Middle School, NCDOT Right of Way is requesting the Board approve the attached, proposed Deeds. This will transfer County property to NCDOT for construction and maintenance of the road widening. Details of the proposed transaction are as follows:

- Table summarizing offers:

NCDOT Parcel #	Acquisition (acres)	Temporary Construction Easement (acres)	Drainage / Utility Easement, (acres)	Permanent Utility Easement (acres)	Offer to County (USD)
84	1.151	0.836	0.568	0.000	\$242,800.00
90	0.973	0.825	0.349	1.224	\$214,025.00
95	0.000	0.066	0.053	0.007	\$14,825.00
Totals	2.124	1.727	0.970	1.231	\$471,650.00

- The color codes for the ROW maps are located on maps for parcel 90 (sheet 2) and parcel 95.
- The proposed deeds correlate to the NCDOT parcel number (84, 90, and 95). These numbers are highlighted on the proposed deeds in yellow.

The proposals have been reviewed by School Administration, the Board of Education, and the County Attorney.

Subject: US 191 Widening Acquisition at Rugby Middle

June 21, 2023

Page 2

BOARD ACTION REQUESTED:

Approve the proposed Deeds for the North Carolina Department of Transportation's US 191 widening project at Rugby Middle School.

Suggested Motion:

I move the Board approve the proposed Deeds for the North Carolina Department of Transportation's US 191 widening project at Rugby Middle School.

**SUMMARY STATEMENT/CONTINGENT OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES**

TO: Henderson County Board of Education

DATE: 02-22-23
TO: Lessee, if Applicable

TIP/PARCEL NO.: R-2588B/084
COUNTY HENDERSON
DESCRIPTION: WIDEN NC191 FROM NC 280 TO SR1381

WBS ELEMENT: 34473.2.6

Dear Property Owner:

The following contingent offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The contingent offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. **Please retain this form as it contains pertinent income tax information.**

Value of Right of Way to be Acquired	\$ <u>69,050.00</u>
Value of Permanent Easements to be Acquired	\$ <u>67,225.00</u>
Value of Temporary Easement (Rental of Land) to be Acquired	\$ <u>20,075.00</u>
Value of Improvements to be Acquired	\$ <u>86,450.00</u>
Damages, if any, to Remainder	\$ <u>0.00</u>
Benefits, if any, to Remainder	minus \$ <u>0.00</u>
TOTAL CONTINGENT OFFER	\$ <u>242,800.00</u>

The total contingent offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition

Subject property described in Deed Book 824, page 213, Henderson County Registry, contains approximately 74.630 acres of which 1.151 acres is being acquired as right of way leaving 73.479 acres remaining on the left with access to NC191 Haywood Rd. Also being acquired is a temporary construction easement containing 0.836 acre, a Drainage/Utility Easement (DUE) containing approximately 0.568 acre, and permanent drainage easement containing approximately 0.677 acre.

(B) The TOTAL CONTINGENT OFFER includes payment for the improvements and appurtenances described below:
Portion of Misc. Landscaping, Portion of site improvements, shed, block wall, and 2 stone sign bases

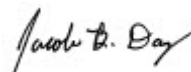
Provided there is sufficient time remaining in the project schedule, you may repurchase these improvements for a retention value, with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant or buildable lot, as explained to you by the Right of Way Agent, the total contingent offer would be: \$ 0.00. Please note that any contingent offer to purchase a remnant/buildable lot is conditioned upon the remnant/buildable lot being environmentally clean prior to the conveyance to the Department. You may be required to provide the Department with a release from the appropriate environmental agency stating that all contaminants have been remediated and/or removed to their standards.

The original of this form was handed/mailed, if out of state owner, to Mark Garrett
_____ on March 21, 20 23. Owner was furnished a copy of the Right of Way Brochure/Owner's Letter.

I will be available at your convenience to discuss this matter further with you. My telephone number is 828-586-4040

Please be advised that the agent signing this form is only authorized to recommend settlement to the North Carolina Department of Transportation, and any recommended settlement is not a binding contract unless and until accepted by the North Carolina Department of Transportation by its formal execution of documents for conveyance of Right of Way, Easements, and/or other interests.



(Signed)

Jacob B. Day - Right of Way Agent

**SUMMARY STATEMENT/CONTINGENT OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES**

TO: County of Henderson

DATE: 02-22-23
TO: Lessee, if Applicable

TIP/PARCEL NO.: R-2588B/090
COUNTY HENDERSON
DESCRIPTION: WIDEN NC191 FROM NC 280 TO SR1381

WBS ELEMENT: 34473.2.6

Dear Property Owner:

The following contingent offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The contingent offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. **Please retain this form as it contains pertinent income tax information.**

Value of Right of Way to be Acquired	\$ <u>53,525.00</u>
Value of Permanent Easements to be Acquired	\$ <u>77,850.00</u>
Value of Temporary Easement (Rental of Land) to be Acquired	\$ <u>18,150.00</u>
Value of Improvements to be Acquired	\$ <u>64,500.00</u>
Damages, if any, to Remainder	\$ <u>0.00</u>
Benefits, if any, to Remainder	minus \$ <u>0.00</u>
TOTAL CONTINGENT OFFER	\$ <u>214,025.00</u>

The total contingent offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition

Subject property described in Deed Book 1096, page 52, Henderson County Registry, contains approximately 99.130 acres of which 0.973 acre is being acquired as right of way leaving 98.157 acres remaining on the right with access to NC191 Haywood Rd. Also being acquired is a temporary construction easement containing 0.825 acre, a Drainage/Utility Easement (DUE) containing approximately 0.349 acre, and permanent utility easement containing approximately 1.224 acres.

(B) The TOTAL CONTINGENT OFFER includes payment for the improvements and appurtenances described below:
Portion of paved drive, portion of gravel parking area, sign, misc. landscaping

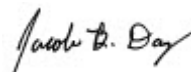
Provided there is sufficient time remaining in the project schedule, you may repurchase these improvements for a retention value, with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant or buildable lot, as explained to you by the Right of Way Agent, the total contingent offer would be: \$ 0.00. Please note that any contingent offer to purchase a remnant/buildable lot is conditioned upon the remnant/buildable lot being environmentally clean prior to the conveyance to the Department. You may be required to provide the Department with a release from the appropriate environmental agency stating that all contaminants have been remediated and/or removed to their standards.

The original of this form was handed/emailed, if out of state owner, to Marcus Jones on March 21, 20 23. Owner was furnished a copy of the Right of Way Brochure/Owner's Letter.

I will be available at your convenience to discuss this matter further with you. My telephone number is 828-586-4040

Please be advised that the agent signing this form is only authorized to recommend settlement to the North Carolina Department of Transportation, and any recommended settlement is not a binding contract unless and until accepted by the North Carolina Department of Transportation by its formal execution of documents for conveyance of Right of Way, Easements, and/or other interests.



(Signed)

Jacob B. Day - Right of Way Agent

**SUMMARY STATEMENT/CONTINGENT OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES**

TO: Henderson County Board of Education

DATE: 02-22-23
TO: Lessee, if Applicable

TIP/PARCEL NO.: R-2588B/095
COUNTY HENDERSON
DESCRIPTION: WIDEN NC191 FROM NC 280 TO SR1381

WBS ELEMENT: 34473.2.6

Dear Property Owner:

The following contingent offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The contingent offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. **Please retain this form as it contains pertinent income tax information.**

Value of Right of Way to be Acquired	\$ <u>0.00</u>
Value of Permanent Easements to be Acquired	\$ <u>3,250.00</u>
Value of Temporary Easement (Rental of Land) to be Acquired	\$ <u>1,575.00</u>
Value of Improvements to be Acquired	\$ <u>10,000.00</u>
Damages, if any, to Remainder	\$ <u>0.00</u>
Benefits, if any, to Remainder	minus \$ <u>0.00</u>
TOTAL CONTINGENT OFFER	\$ <u>14,825.00</u>

The total contingent offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition

Subject property described in Deed Book 599, page 627, Henderson County Registry, contains approximately 22.510 acres of which 0.000 is being acquired as right of way leaving 22.510 acres remaining on the left with access to NC191 Haywood Rd. Also being acquired is a temporary construction easement containing 0.066 acre, a Drainage/Utility Easement (DUE) containing approximately 0.053 acre, and permanent drainage easement containing approximately 0.007 acre.

(B) The TOTAL CONTINGENT OFFER includes payment for the improvements and appurtenances described below:
Portion of Misc. Landscaping

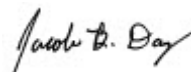
Provided there is sufficient time remaining in the project schedule, you may repurchase these improvements for a retention value, with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant or buildable lot, as explained to you by the Right of Way Agent, the total contingent offer would be: \$ 0.00. Please note that any contingent offer to purchase a remnant/buildable lot is conditioned upon the remnant/buildable lot being environmentally clean prior to the conveyance to the Department. You may be required to provide the Department with a release from the appropriate environmental agency stating that all contaminants have been remediated and/or removed to their standards.

The original of this form was handed/emailed, if out of state owner, to Mark Garrett on March 21, 20 23. Owner was furnished a copy of the Right of Way Brochure/Owner's Letter.

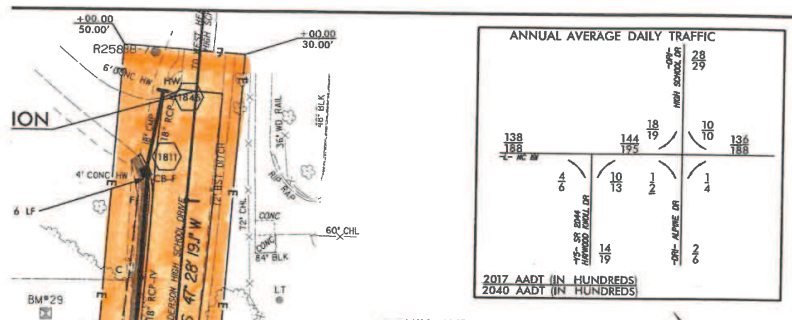
I will be available at your convenience to discuss this matter further with you. My telephone number is 828-586-4040

Please be advised that the agent signing this form is only authorized to recommend settlement to the North Carolina Department of Transportation, and any recommended settlement is not a binding contract unless and until accepted by the North Carolina Department of Transportation by its formal execution of documents for conveyance of Right of Way, Easements, and/or other interests.



(Signed)

Jacob B. Day - Right of Way Agent

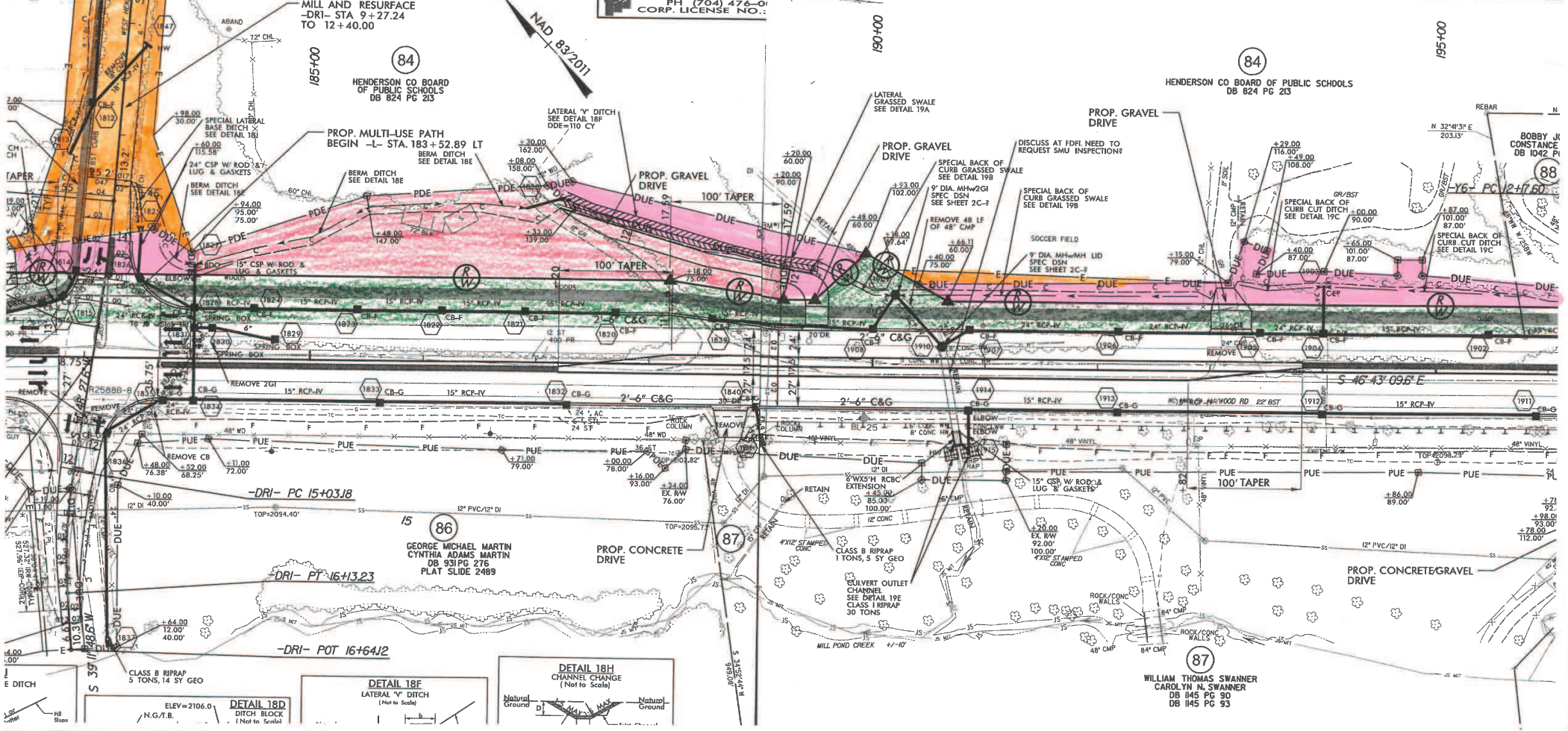
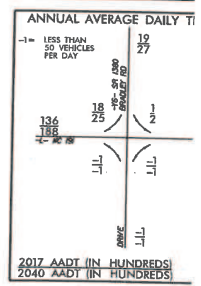


PROJECT REFERENCE NO. R-2588B		SHEET NO. 18	
RW SHEET NO.		HYDRAULICS ENGINEER	
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			
TGS ENGINEERS 804-C N. LAFAYETTE ST SHELBY, NC 278 PH (704) 476-0 CORP. LICENSE NO.:			

-Y6- CURVE DATA
 PI Sta 13+08.32
 $\Delta = 6' 55'' 18.9'' (RT)$
 $D = 3' 49'' 11.0''$
 $L = 181.22'$
 $T = 90.72'$
 $R = 1,500.00'$

- NOTES:
- UNLESS OTHERWISE NOTED ALL DRIVES ARE ASPHALT DRIVES.
 - SEE SHEET 2B- FOR MEDIAN ISLAND LAYOUT.
 - SEE SHEET 2B-1 FOR INTERSECTION LAYOUT.

UNLESS OTHERWISE NOTED
 10' PROP MULTI-USE PATH PROP MONOLITHIC CONC. ISLAND



MILL AND RESURFACE
 -DRI- STA 9+27.24
 TO 12+40.00

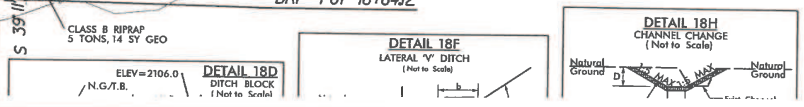
(84)
 HENDERSON CO BOARD
 OF PUBLIC SCHOOLS
 DB 824 PG 213

(84)
 HENDERSON CO BOARD OF PUBLIC SCHOOLS
 DB 824 PG 213

(88)
 BOBBY JI
 CONSTANCE
 DB 1042 PH

(86)
 GEORGE MICHAEL MARTIN
 CYNTHIA ADAMS MARTIN
 DB 931 PG 276
 PLAT SLIDE 2469

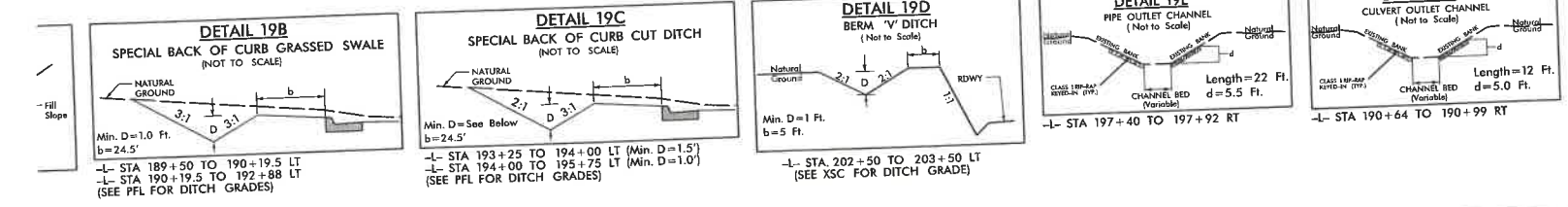
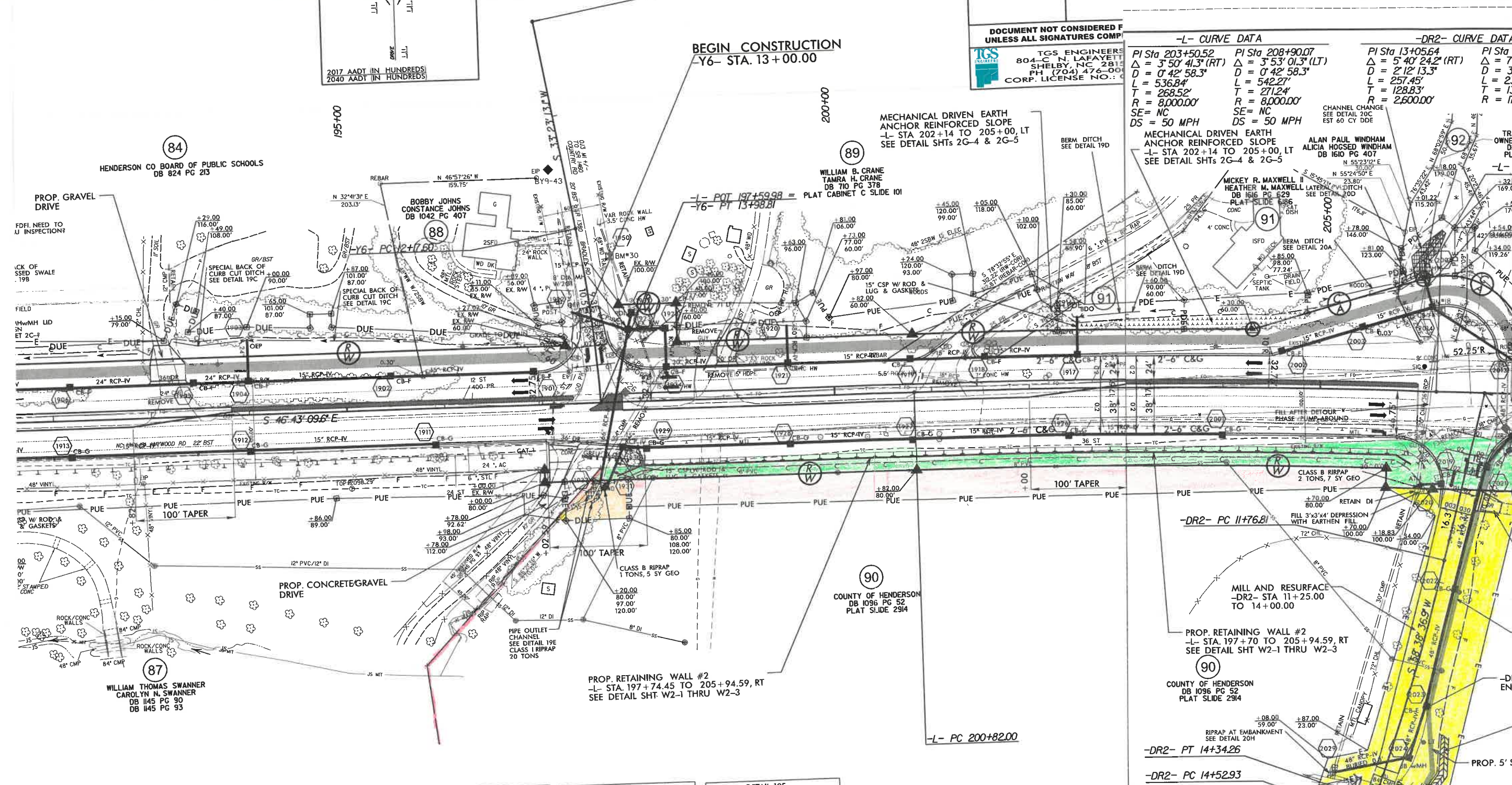
(87)
 WILLIAM THOMAS SWANNER
 CAROLYN N. SWANNER
 DB 1145 PG 90
 DB 1145 PG 93



DOCUMENT NOT CONSIDERED F
UNLESS ALL SIGNATURES COMPI

TGS ENGINEERS
804-C N. LAFAYETTE
SHELBY, NC 28151
PH (704) 476-0000
CORP. LICENSE NO. 6

-L- CURVE DATA		-DR2- CURVE DATA	
PI Sta 203+50.52	$\Delta = 3^{\circ} 50' 41.3" (RT)$	PI Sta 208+90.07	$\Delta = 3^{\circ} 53' 01.3" (LT)$
D = 0' 42' 58.3"	L = 536.84'	D = 0' 42' 58.3"	L = 542.27'
T = 268.52'	R = 8,000.00'	T = 271.24'	R = 8,000.00'
SE = NC	DS = 50 MPH	SE = NC	DS = 50 MPH



FOR -L- PROFILE, SEE SHEET NO. 31
FOR -Y6- PROFILE, SEE SHEET NO. 36

END CONSTRUCTION
-DR2- STA. 14 + 87.53

-DR2- POT 17+50.00

-DR2- PT 16+87.72

-DR2- PT 14+52.93

-DR2- PT 14+34.26

-DR2- PC 11+76.81

MILL AND RESURFACE
-DR2- STA 11+25.00 TO 14+00.00

PROP. RETAINING WALL #2
-L- STA. 197+74.45 TO 205+94.59, RT
SEE DETAIL SHT W2-1 THRU W2-3

PROF. 5' SI

TIE TO EXIST. FC

TIE TO EXIST. FC

PLACE DETECTABLE WARNING DOMES

TO RUGBY MIDDLE SCHOOL

37' 28' 18.7' W

37' 28' 18.7' W



-L- CURVE DATA

PI Sta 203+50.52
 $\Delta = 3^\circ 50' 41.3"$ (RT)
 $D = 0' 42' 58.3"$
 $L = 536.84'$
 $T = 268.52'$
 $R = 8,000.00'$
 $SE = NC$
 $S = 50$ MPH

PI Sta 208+90.07
 $\Delta = 3^\circ 53' 01.3"$ (LT)
 $D = 0' 42' 58.3"$
 $L = 542.27'$
 $T = 271.24'$
 $R = 8,000.00'$
 $SE = NC$
 $S = 50$ MPH

-DR2- CURVE DATA

PI Sta 13+05.64
 $\Delta = 5^\circ 40' 24.2"$ (RT)
 $D = 2^\circ 12' 13.3"$
 $L = 257.45'$
 $T = 128.83'$
 $R = 2,600.00'$

PI Sta 15+92.74
 $\Delta = 7^\circ 12' 40.2"$ (RT)
 $D = 3^\circ 38' 41.4"$
 $L = 234.79'$
 $T = 139.83'$
 $R = 172.00'$

NOTES:

1. UNLESS OTHERWISE NOTED ALL DRIVES ARE ASPHALT DRIVES.
 2. SEE SHEET 2B-4 FOR INTERSECTION LAYOUT.

TGS ENGINEERS
 804-C N. LAFAYETTE ST
 SHELBY, NC 28150
 PH (704) 476-0003
 CORP. LICENSE NO.: C-0275

PROJECT REFERENCE NO.
R-2588B

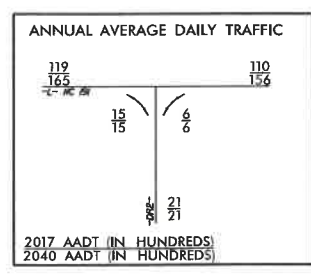
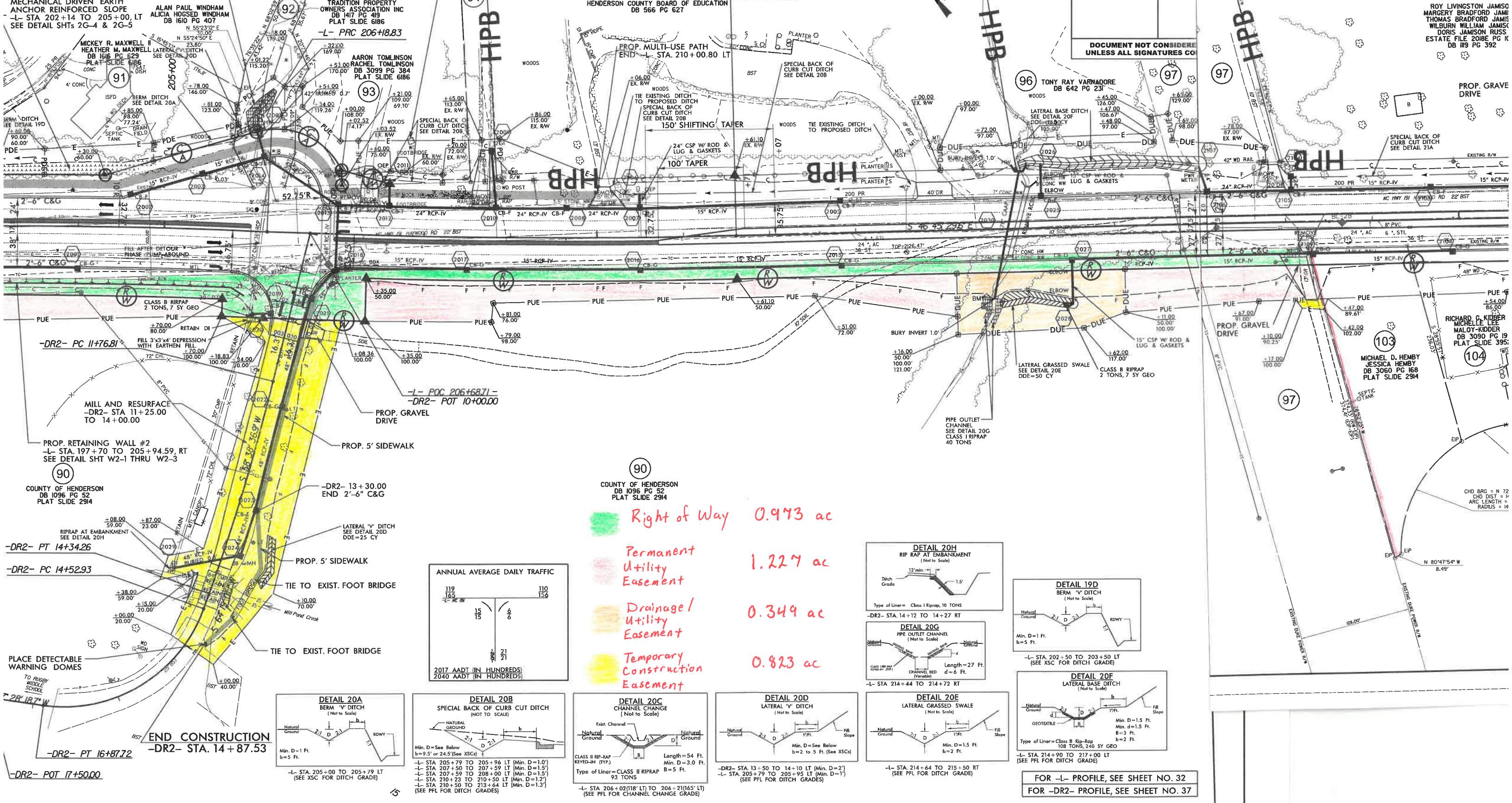
RW SHEET NO.

ROADWAY DESIGN ENGINEER

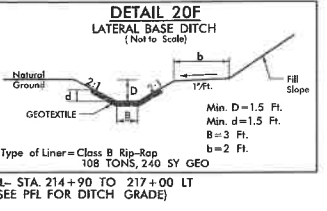
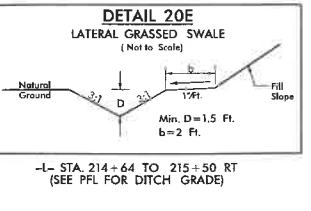
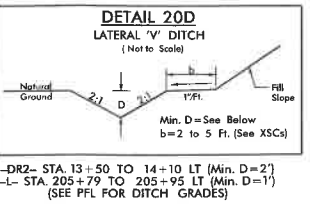
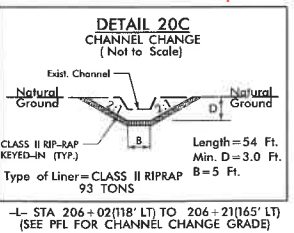
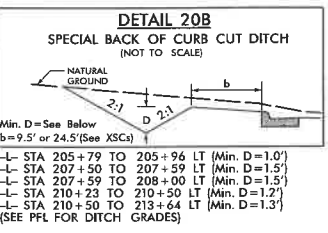
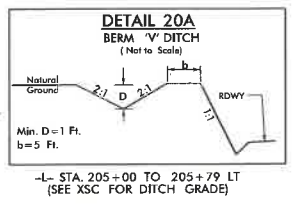
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REBAR

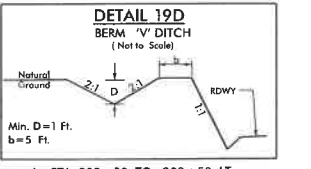
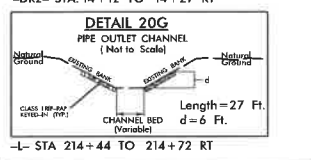
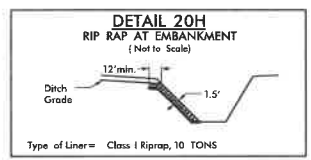
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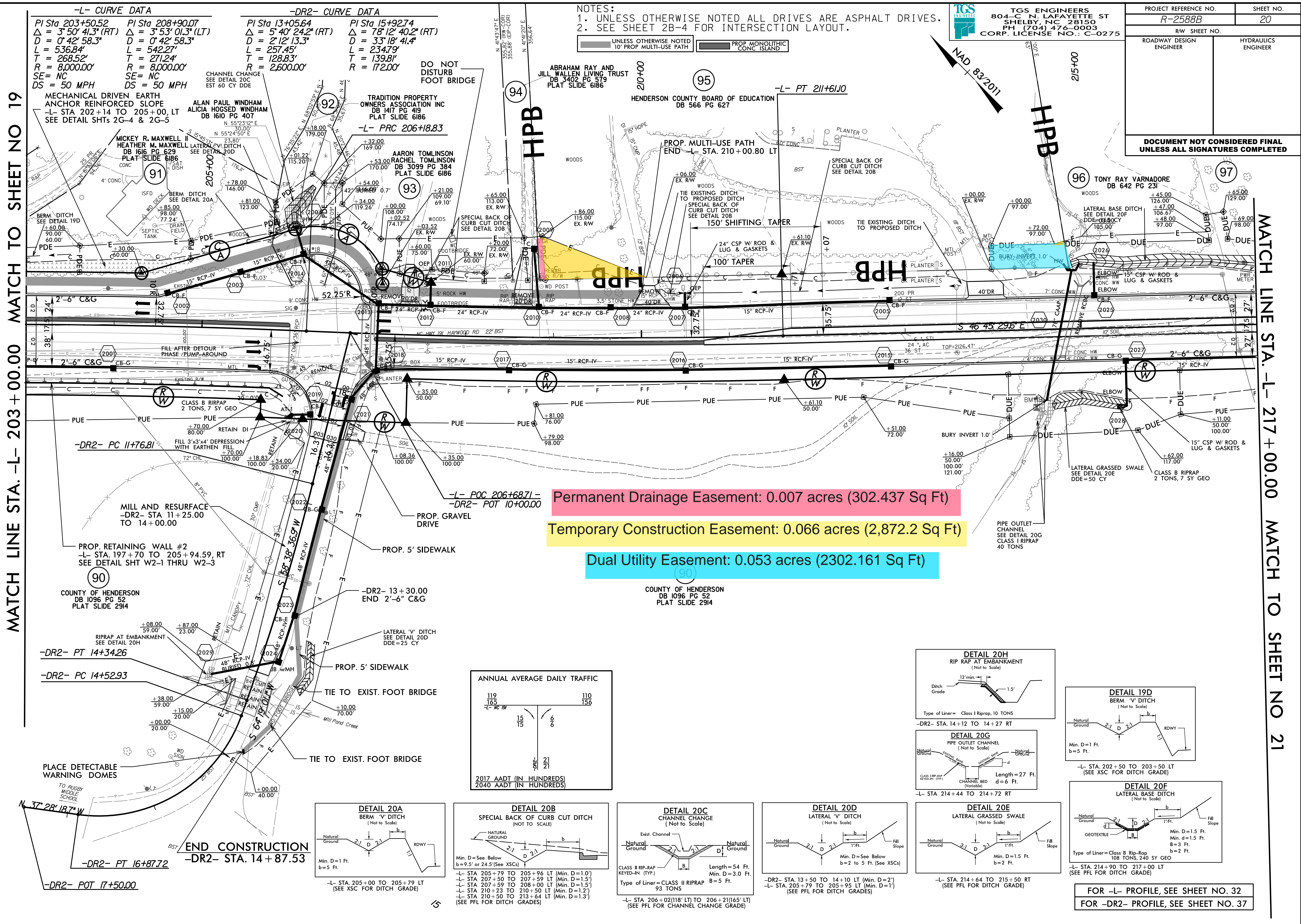
- Right of Way 0.973 ac
- Permanent Utility Easement 1.227 ac
- Drainage/Utility Easement 0.349 ac
- Temporary Construction Easement 0.823 ac



FOR -L- PROFILE, SEE SHEET NO. 32
 FOR -DR2- PROFILE, SEE SHEET NO. 37



CHD BRG = N 72
 CHD DIST = 14'
 ARC LENGTH =
 RADIUS = 14'



-L- CURVE DATA

PI Sta 203+50.52 Δ = 3° 50' 41.3" (RT) D = 0' 42' 58.3" L = 536.84' T = 268.52' R = 8,000.00' SE = NC DS = 50 MPH	PI Sta 208+90.07 Δ = 3° 53' 01.3" (LT) D = 0' 42' 58.3" L = 542.27' T = 271.24' R = 8,000.00' SE = NC DS = 50 MPH
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-DR2- CURVE DATA

PI Sta 13+05.64 Δ = 5° 40' 24.2" (RT) D = 2' 12' 13.3" L = 257.45' T = 128.83' R = 2,600.00'	PI Sta 15+92.74 Δ = 78° 12' 40.2" (RT) D = 33' 18' 41.4" L = 234.79' T = 139.81' R = 172.00'
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NOTES:
 1. UNLESS OTHERWISE NOTED ALL DRIVES ARE ASPHALT DRIVES.
 2. SEE SHEET 2B-4 FOR INTERSECTION LAYOUT.



TGS ENGINEERS
 804-C N. LAFAYETTE ST
 SHELBY, NC 28150
 PH (704) 476-0003
 CORP. LICENSE NO.: C-0275

PROJECT REFERENCE NO. R-2588B	SHEET NO. 20
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	

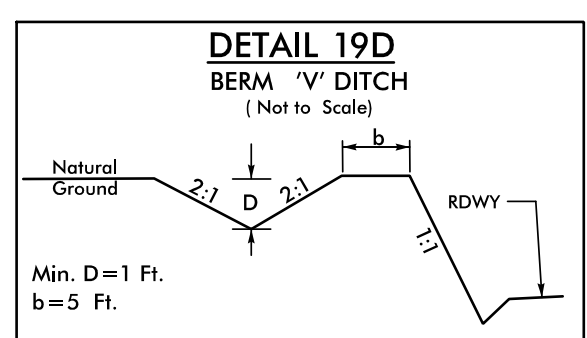
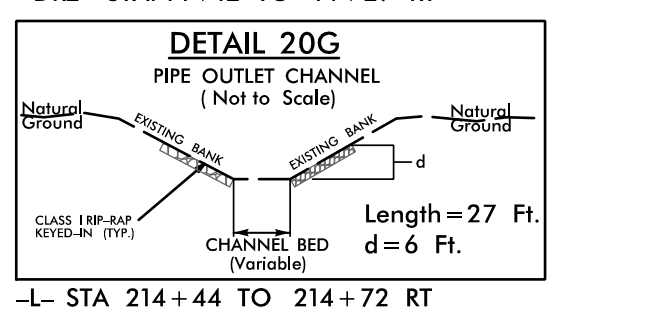
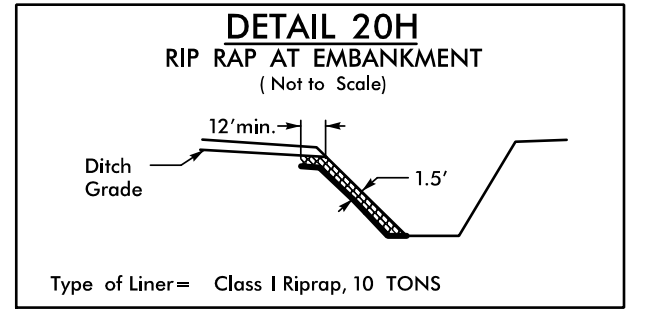
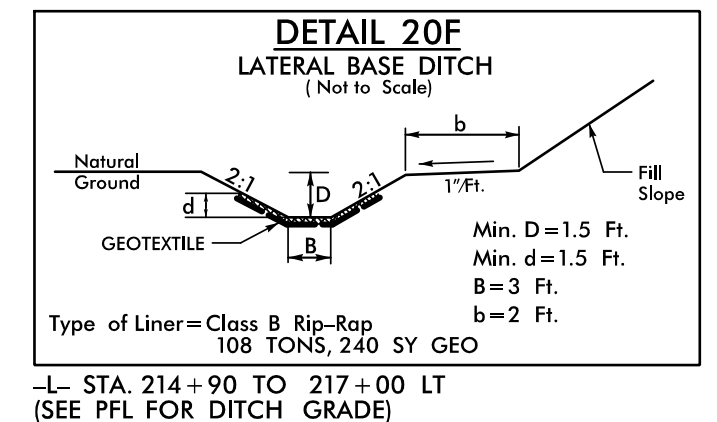
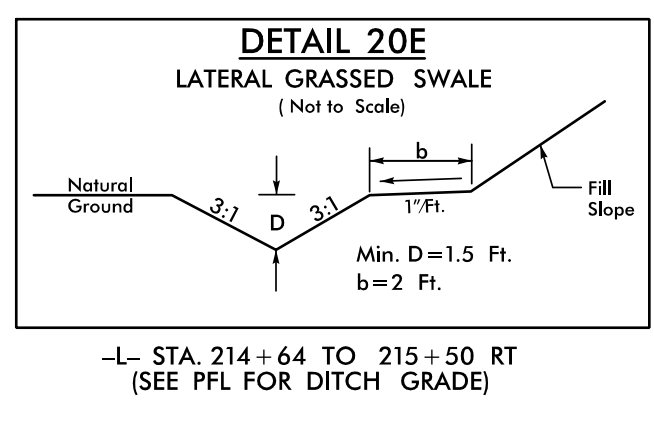
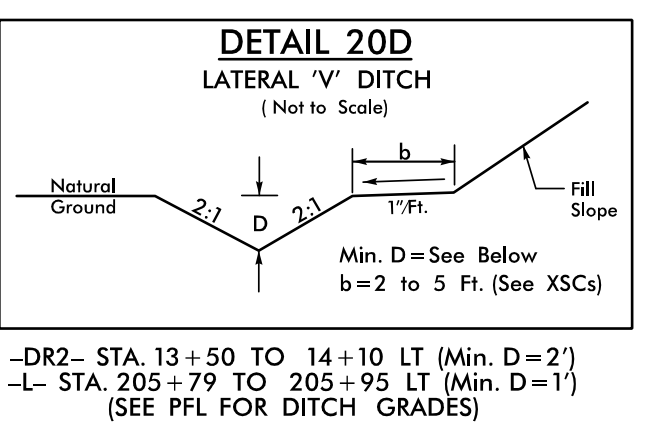
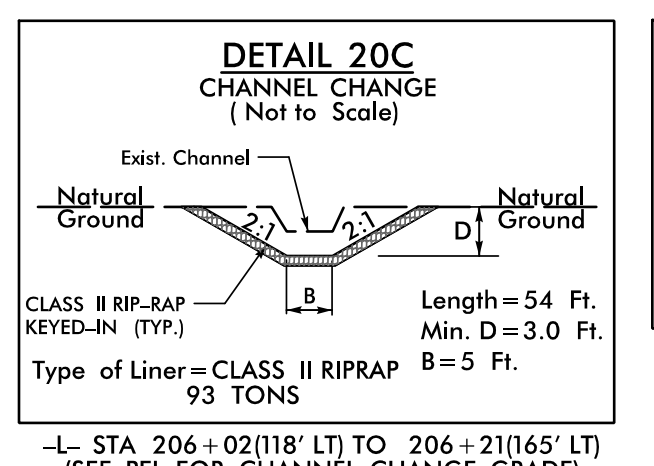
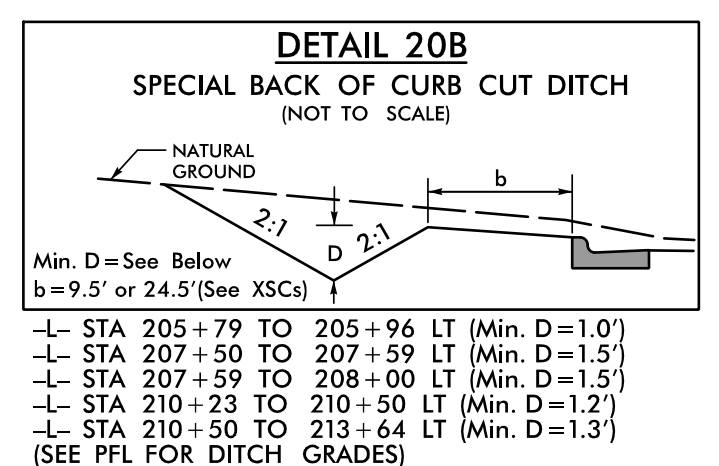
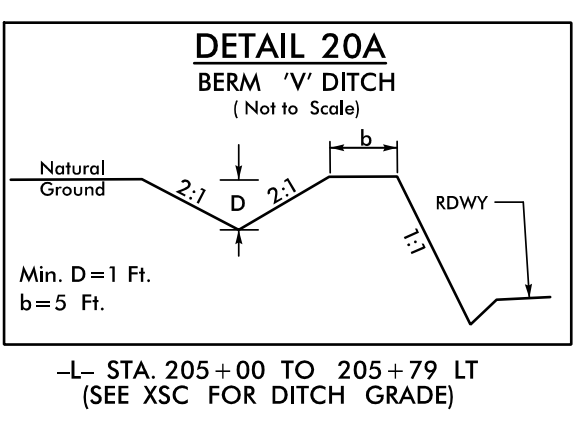
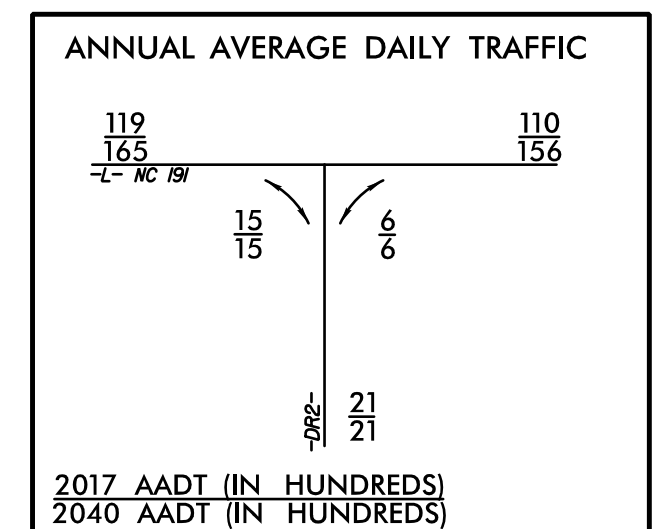
MATCH LINE STA. -L- 203 + 00.00 MATCH TO SHEET NO 19

MATCH LINE STA. -L- 217 + 00.00 MATCH TO SHEET NO 21

Permanent Drainage Easement: 0.007 acres (302.437 Sq Ft)

Temporary Construction Easement: 0.066 acres (2,872.2 Sq Ft)

Dual Utility Easement: 0.053 acres (2302.161 Sq Ft)



FOR -L- PROFILE, SEE SHEET NO. 32
FOR -DR2- PROFILE, SEE SHEET NO. 37

R/W REVISION #1 - NOVEMBER 27, 2019 - PROPERTY OWNER NAME, DB AND/OR PG UPDATED FOR PARCELS 91, 93, 94 AND 96.

8/17/19 R-2588B-Roadway\Proc\N\N-2588B-Rdw-ph-20.dgn

**SUMMARY STATEMENT/CONTINGENT OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES**

TO: Henderson County Board of Education

DATE: 02-22-23
TO: Lessee, if Applicable

TIP/PARCEL NO.: R-2588B/084
COUNTY HENDERSON
DESCRIPTION: WIDEN NC191 FROM NC 280 TO SR1381

WBS ELEMENT: 34473.2.6

Dear Property Owner:

The following contingent offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The contingent offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. **Please retain this form as it contains pertinent income tax information.**

Value of Right of Way to be Acquired	\$ <u>69,050.00</u>
Value of Permanent Easements to be Acquired	\$ <u>67,225.00</u>
Value of Temporary Easement (Rental of Land) to be Acquired	\$ <u>20,075.00</u>
Value of Improvements to be Acquired	\$ <u>86,450.00</u>
Damages, if any, to Remainder	\$ <u>0.00</u>
Benefits, if any, to Remainder	minus \$ <u>0.00</u>
TOTAL CONTINGENT OFFER	\$ <u>242,800.00</u>

The total contingent offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition

Subject property described in Deed Book 824, page 213, Henderson County Registry, contains approximately 74.630 acres of which 1.151 acres is being acquired as right of way leaving 73.479 acres remaining on the left with access to NC191 Haywood Rd. Also being acquired is a temporary construction easement containing 0.836 acre, a Drainage/Utility Easement (DUE) containing approximately 0.568 acre, and permanent drainage easement containing approximately 0.677 acre.

(B) The TOTAL CONTINGENT OFFER includes payment for the improvements and appurtenances described below:
Portion of Misc. Landscaping, Portion of site improvements, shed, block wall, and 2 stone sign bases

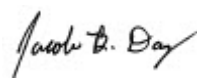
Provided there is sufficient time remaining in the project schedule, you may repurchase these improvements for a retention value, with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant or buildable lot, as explained to you by the Right of Way Agent, the total contingent offer would be: \$ 0.00. Please note that any contingent offer to purchase a remnant/buildable lot is conditioned upon the remnant/buildable lot being environmentally clean prior to the conveyance to the Department. You may be required to provide the Department with a release from the appropriate environmental agency stating that all contaminants have been remediated and/or removed to their standards.

The original of this form was handed/mailed, if out of state owner, to Mark Garrett
_____ on March 21, 20 23. Owner was furnished a copy of the Right of Way Brochure/Owner's Letter.

I will be available at your convenience to discuss this matter further with you. My telephone number is 828-586-4040

Please be advised that the agent signing this form is only authorized to recommend settlement to the North Carolina Department of Transportation, and any recommended settlement is not a binding contract unless and until accepted by the North Carolina Department of Transportation by its formal execution of documents for conveyance of Right of Way, Easements, and/or other interests.



(Signed) _____
Jacob B. Day - Right of Way Agent

**SUMMARY STATEMENT/CONTINGENT OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES**

TO: County of Henderson

DATE: 02-22-23
TO: Lessee, if Applicable

TIP/PARCEL NO.: R-2588B/090
COUNTY HENDERSON
DESCRIPTION: WIDEN NC191 FROM NC 280 TO SR1381

WBS ELEMENT: 34473.2.6

Dear Property Owner:

The following contingent offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The contingent offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. **Please retain this form as it contains pertinent income tax information.**

Value of Right of Way to be Acquired	\$ <u>53,525.00</u>
Value of Permanent Easements to be Acquired	\$ <u>77,850.00</u>
Value of Temporary Easement (Rental of Land) to be Acquired	\$ <u>18,150.00</u>
Value of Improvements to be Acquired	\$ <u>64,500.00</u>
Damages, if any, to Remainder	\$ <u>0.00</u>
Benefits, if any, to Remainder	minus \$ <u>0.00</u>
TOTAL CONTINGENT OFFER	\$ <u>214,025.00</u>

The total contingent offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition

Subject property described in Deed Book 1096, page 52, Henderson County Registry, contains approximately 99.130 acres of which 0.973 acre is being acquired as right of way leaving 98.157 acres remaining on the right with access to NC191 Haywood Rd. Also being acquired is a temporary construction easement containing 0.825 acre, a Drainage/Utility Easement (DUE) containing approximately 0.349 acre, and permanent utility easement containing approximately 1.224 acres.

(B) The TOTAL CONTINGENT OFFER includes payment for the improvements and appurtenances described below:
Portion of paved drive, portion of gravel parking area, sign, misc. landscaping

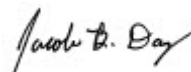
Provided there is sufficient time remaining in the project schedule, you may repurchase these improvements for a retention value, with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant or buildable lot, as explained to you by the Right of Way Agent, the total contingent offer would be: \$ 0.00. Please note that any contingent offer to purchase a remnant/buildable lot is conditioned upon the remnant/buildable lot being environmentally clean prior to the conveyance to the Department. You may be required to provide the Department with a release from the appropriate environmental agency stating that all contaminants have been remediated and/or removed to their standards.

The original of this form was handed/emailed, if out of state owner, to Marcus Jones on March 21, 20 23. Owner was furnished a copy of the Right of Way Brochure/Owner's Letter.

I will be available at your convenience to discuss this matter further with you. My telephone number is 828-586-4040

Please be advised that the agent signing this form is only authorized to recommend settlement to the North Carolina Department of Transportation, and any recommended settlement is not a binding contract unless and until accepted by the North Carolina Department of Transportation by its formal execution of documents for conveyance of Right of Way, Easements, and/or other interests.



(Signed)

Jacob B. Day - Right of Way Agent

**SUMMARY STATEMENT/CONTINGENT OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES**

TO: Henderson County Board of Education

DATE: 02-22-23
TO: Lessee, if Applicable

TIP/PARCEL NO.: R-2588B/095
COUNTY HENDERSON
DESCRIPTION: WIDEN NC191 FROM NC 280 TO SR1381

WBS ELEMENT: 34473.2.6

Dear Property Owner:

The following contingent offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The contingent offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. **Please retain this form as it contains pertinent income tax information.**

Value of Right of Way to be Acquired	\$ <u>0.00</u>
Value of Permanent Easements to be Acquired	\$ <u>3,250.00</u>
Value of Temporary Easement (Rental of Land) to be Acquired	\$ <u>1,575.00</u>
Value of Improvements to be Acquired	\$ <u>10,000.00</u>
Damages, if any, to Remainder	\$ <u>0.00</u>
Benefits, if any, to Remainder	minus \$ <u>0.00</u>
TOTAL CONTINGENT OFFER	\$ <u>14,825.00</u>

The total contingent offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition

Subject property described in Deed Book 599, page 627, Henderson County Registry, contains approximately 22.510 acres of which 0.000 is being acquired as right of way leaving 22.510 acres remaining on the left with access to NC191 Haywood Rd. Also being acquired is a temporary construction easement containing 0.066 acre, a Drainage/Utility Easement (DUE) containing approximately 0.053 acre, and permanent drainage easement containing approximately 0.007 acre.

(B) The TOTAL CONTINGENT OFFER includes payment for the improvements and appurtenances described below:
Portion of Misc. Landscaping

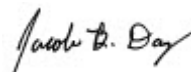
Provided there is sufficient time remaining in the project schedule, you may repurchase these improvements for a retention value, with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant or buildable lot, as explained to you by the Right of Way Agent, the total contingent offer would be: \$ 0.00. Please note that any contingent offer to purchase a remnant/buildable lot is conditioned upon the remnant/buildable lot being environmentally clean prior to the conveyance to the Department. You may be required to provide the Department with a release from the appropriate environmental agency stating that all contaminants have been remediated and/or removed to their standards.

The original of this form was handed/mailed, if out of state owner, to Mark Garrett on March 21, 20 23. Owner was furnished a copy of the Right of Way Brochure/Owner's Letter.

I will be available at your convenience to discuss this matter further with you. My telephone number is 828-586-4040

Please be advised that the agent signing this form is only authorized to recommend settlement to the North Carolina Department of Transportation, and any recommended settlement is not a binding contract unless and until accepted by the North Carolina Department of Transportation by its formal execution of documents for conveyance of Right of Way, Easements, and/or other interests.



(Signed)

Jacob B. Day - Right of Way Agent