

State of Wisconsin

County of Racine

Village of Sturtevant

RESOLUTION 2008-89

11-12-08

**RESOLUTION BY THE PUBLIC WORKS AND CAPITAL
IMPROVEMENTS COMMITTEE AUTHORIZING THE HIRING OF AN
APPRAISER AND THE CONDUCTING OF APPRAISALS AND OTHER
RELATED WORK IN REGARD TO THE BROADWAY DRIVE
RECONSTRUCTION PROJECT**

WHEREAS, the Village of Sturtevant is proceeding with the reconstruction of Broadway Drive west of 90th Street; and

WHEREAS, there is a need to hire an appraiser to provide appraisal services for the acquisition of certain property rights in order to complete the project.

NOW THEREFORE, the Village Board of the Village of Sturtevant, Racine County, Wisconsin does hereby resolve:

1. That the hiring of Southern Wisconsin Appraisal to provide appraisal and other related services for the Broadway Drive reconstruction project pursuant to the proposal/agreement which is attached hereto as Exhibit A is authorized and approved; and
2. That the Village President and the Village Clerk are authorized to sign any agreements or other documents necessary to carry out the intent of this resolution.
3. That the funds for this expense shall be taken from account: 401-57331-820.

Adopted by the Village Board of the Village of Sturtevant, Racine County, Wisconsin, this 18th day of November , 2008.

Village of Sturtevant

By _____
Steven Jansen, President

Attest _____
Mary Hanstad, Village Clerk

Exhibit A

SOUTHERN WISCONSIN APPRAISAL

A DIVISION OF G.A. BOCK & ASSOCIATES



November 10, 2008

Hostak, Henzl & Bichler, S.C.
840 Lake Ave
Racine, WI 53403
Attn: Timothy J Pruitt

Re: Acquisition Proposal
Broadway Drive Reconstruction
Village of Sturtevant
Municipal Road Project

Dear Mr. Pruitt:

Thank you for choosing Southern Wisconsin Appraisal (Consultant) to provide appraisal and acquisition services for the above referenced project. Upon your approval and agreement of scope of work and payment terms, we can begin work immediately.

Our scope of services will be as follows:

- Appraisal preparation of Six (6) Parcels (Parcels No. V, W, X, Y, Z, AA) for the combined fee of \$5,700 (\$950/each). All Appraisals are to be completed by our Senior Appraiser (Gene A. Bock, SRA ASA CRA)
- Negotiation services for Seventeen (17) Parcels (Negotiations to Closings) for the combined fee of \$14,250. Negotiation services are to be completed by our negotiation staff (Mr. Steve Simpson and/or Ms. Sharon K. Krewson). Negotiation services conclude after Closing or issuance of Jurisdictional Offer
- If negotiations fail on any parcel not previously appraised and an appraisal is required or requested by property owner, an additional appraisal fee of \$500 per parcel will be assessed.
- Attendance at an initial Scoping and Operational Planning meeting, if required, by Mr. Bock.

Should the acquiring agency request that our firm appraise all seventeen (17) parcels and not perform negotiation services, the fee would be as follow:

Village of Sturtevant-Broadway Drive	
Parcel No	Appraisal Fee
T	\$1,000
U	\$500
V, W, X, Y, Z	\$950/each
AA, BB, CC, DD, EE	\$500/each
FF, GG, HH, II, JJ	\$500/each
TOTAL	\$11,250

1055 Prairie Drive, Ste C
Racine WI 53406
262-886-2450
gabock@wi.net

The stated cost is the full compensation to Southern Wisconsin Appraisal for services provided. It includes Southern Wisconsin Appraisal's payroll costs, taxes, insurance, overhead, vacation, holiday, subsistence pay, profit and all other indirect charges such as mileage, telephone calls, maps, plats, zoning regulations, film and development, project related office supplies and the project startup meeting. Should you require any additional meetings, they will be billed at the rate of \$150.00 per man-hour. Expert witness testimony or attendance at pre-trial conferences by our appraiser will be billed at the rate of \$175.00 per man-hour with a minimum charge of \$350.00. Otherwise all fees are inclusive. The above stated fee does not include filing and/or recording fees nor does it include fees for title work or title updates, should they be needed. It is mutually agreed that the acquiring agency will reimburse Southern Wisconsin Appraisal for the costs of any needed recording/filing fees and title updates, should they be needed.

Payment for all services rendered shall be made within thirty (30) days of receipt of monthly invoices. Invoices not paid within forty-five (45) days will accrue interest at the rate of 1.0% per month (12% annually).

The following is a list of items or procedures that we will need from you to complete the appraisals and acquisitions:

- Current title reports with last deed of record, legal description of the parcel, outstanding mortgages, judgments and liens.
- Copy of introduction letter that was sent to the landowner with the State's Ownership Rights brochure by the Village of Sturtevant (Agency).
- Prior to the appraiser's viewing, the Agency will stake existing rights of way, proposed right of way and any temporary limited or highway easements to be acquired.
- Once the appraisal has been submitted to you we will need an Approved Offering Price Report for each parcel by the Agency which authorizes the negotiator to purchase the acquisition(s)
- Copy of the Design Study Report
- Copy of the filed Relocation Order (This should be filed with the State by Agency or your client)
- Legal description of acquisition areas
- Name and address list of parcel owners
- Two sets of construction plans, profiles and cross sections and two copies of the right of way plat

Consultant Responsibilities

- All work performed in the acquisition of these parcels shall follow procedures established under the State of Wisconsin Real Estate LPA Manual under Chapter 32 of the State Code for the acquisition of road right of way. This includes the preparation of appraisals as well as negotiation proceedings.
- Consultant will contact parcel owners and proceed with appraisals and negotiation steps as outlined in the Manual and maintain negotiation diaries.
- To maintain independence, the appraiser will not act as the negotiator. A staff member of the Consultant, not completing the appraisals, will negotiate all parcels.
- Consultant shall perform any necessary field activities in a professional manner
- Consultant shall present to the owners the approved offers in writing

Upon acceptance of an offer by the owner, the consultant shall:

- Review title and mortgage records and if needed, revise the project deed and mortgage documents and inform Agency of changes in title

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- Complete Statement to Construction Engineer form and provide a copy of the Statement to owner
- Have owner sign conveyance document
- Obtain releases of mortgages for fee acquisitions greater than \$5,000.00
- Submit a request for right of way payment to the Agency
- Complete closing
- After compensation is given or mailed to property owner, Consultant will record documents. The acquiring agency is responsible for recording costs and will reimburse Southern Wisconsin Appraisal for these direct costs
- Provide the Agency with W-9 Form and the completed acquisition file

Consultant shall assume responsibility for the final disposition of the acquisition including negotiation notes, required memos, letters, vouchers, payment, all closing or condemnation documents required, and shall deliver the acquisition documents to the Agency. The Agency shall assist with the various activities required, when needed and as identified.

As indicated above, we are prepared to begin work immediately upon your approval of our proposal. Inspections of the parcels would begin the week following completion of staking. It is our intent to complete the appraisals within 60-days of staking date. State and Federal Law requires an additional 60-days for the owner to get an appraisal plus an additional 30 to 45 days to take Title to the needed land should negotiations fail by Jurisdictional Offer. The time line to complete the appraisals, negotiations and acquisition by Jurisdictional Offer (if needed) would be roughly six months after staking has been completed. This timeline could be less should all owners agree to values, avoiding Jurisdictional Offers. It is our hope that Jurisdictional Offers would be avoided and that the process would move smoothly.

If our proposal is acceptable, please sign and date a copy of this letter in the space provided and return it to my attention. I have included resumes for myself, Mr. Simpson and Ms. Krewson. Please call with any questions.

Thank you for this opportunity to be of service.

Sincerely,



Gene A. Bock, SRA, ASA, CRA, CRP
Senior Appraiser, Project Manager
Southern Wisconsin Appraisal

Enc: Resumes

Agreed to and accepted this _____ day of _____, 2008.

Village of Sturtevant

By: _____

Print Name, Title