

Scope of Services

The services required are generally as described in this Scope of this RFQ; however, Exhibit "I" includes, in the case of some of the tasks, more detailed descriptions of the processes associated with the services to be provided. Adherence thereto is to be considered to be required of the consultant's prosecution of a given task and these descriptions are supplementary to the descriptions in this Scope; provided however, that in the event of a conflict between this Scope of this RFQ and Exhibit "I", the requirements in this Scope shall govern. Note that it is Consultant's responsibility to keep apprised and follow any revisions to applicable rules, codes, and regulations pertaining to the services to be performed hereunder, regardless of whether or not a specific code section is referenced in this RFQ or its attachments.

- A. Generalized Duties. Projects may include Federal Highway Projects – requires Level 3 certification by Caltrans for Appraisal, Acquisition and Relocation Assistance.
 - 1. Provide Litigation Guarantees
 - 2. Prepare Right-Of-Way Cost Estimates
 - 3. Prepare Appraisals
 - 4. Prepare Review Appraisals
 - 5. Provide Acquisition Services
 - 6. Provide Residential And Business Relocation Services
- B. Provide Litigation Guarantees – See Exhibit I, requirements for Fresno County Litigation Guarantees.
- C. Prepare Right-of-Way cost estimates.
 - 1. Review right-of-way drawings and project plans prepared by County and communicate with County staff to ensure that Consultant is aware of all right-of-way needs, temporary construction permits and grade matches required for the Project.
 - 2. Based on right-of-way maps and survey data prepared by County, provide estimates of the cost of the right-of-way for a project.
- D. Perform Appraisals – Appraisal Consultants are required to possess:
 - 1. Appropriate Appraisal license as issued by the California Office of Real Estate Appraisers in accordance to the degree, complexity and value of the appraisal required:
 - a) Residential License for any noncomplex 1-4 family property with value of \$1 million and Nonresidential property with a transaction value up to \$250,000.
 - b) Certified Residential License for any 1-4 family property without regard to transaction value or complexity; and Nonresidential property with a transaction value up to \$250,000.

- c) Certified General License for all real estate without regard to transaction value or complexity.
 - d) Minimum two (2) years experience in appraisal of rights for eminent domain purposes.
 - e) Successful completion of a course in appraisal of partial acquisitions for public agencies.
 - f) Knowledge of the Uniform Relocation and Real Property Acquisition Policies Act and state eminent domain law.
 - g) Successful completion of a course in State Eminent Domain Law taught by a recognized organization.
 - h) Specific knowledge and experience appropriate for the proposed project.
2. Appraiser Responsibilities under the Uniform Act:
- a) Property owner must be notified in writing of Agency's decision to appraise.
 - b) Property owner or designee must be given opportunity to accompany appraiser during property inspection.
 - c) Sending Title VI information.
 - d) Diary entry of notifications and contacts.
 - e) Appraisal to contain minimum recognized standards public acquisition according to requirements outlined in 49 CFR 24.103, Criteria for Appraisals.
 - f) All appraisals must contain Appraiser and Review Appraiser Certificates.
- E. Perform Appraisal Reviews – Review Appraiser Consultant responsibilities:
- 1. Each appraisal must be reviewed by a qualified review appraiser and contain a Review Appraiser Certificate. The review appraiser is the person responsible for appraisal quality and completeness and accuracy of the value determination. The review appraiser must remain independent and must not be subject to undue influence or pressure from any source to arrive at a particular value or to accept inadequate appraisal reports. For this reason, it is recommended there be a distinct and separate association between the fee and review appraisers in order to maintain the integrity of the review process. It is essential the review appraiser understands his/her responsibility is to recommend an estimate of value for just compensation determination by the acquiring agency. The Uniform Act requires that an official of the acquiring agency (County) must make the final determination of just compensation.

2. Review Appraiser Consultants are required to possess:
 - a) Certified Residential License for any 1-4 family property without regard to transaction value or complexity; and Nonresidential property with a transaction value up to \$250,000 or
 - b) Certified General for all real estate without regard to transaction value or complexity.
 - c) Minimum two (2) years experience in reviewing appraisals for eminent domain purposes.
 - d) Successful completion of a course in appraisal of partial acquisitions for public agencies.
 - e) Successful completion of a course in the Uniform Relocation Assistance and Real Property Acquisition Policies Act taught by a recognized organization.
 - f) Specific knowledge and experience appropriate for the proposed project, including effects of State Eminent Domain Law on the appraisal process.
3. Review Appraiser Responsibilities under the Uniform Act:
 - a) Confirmation of Analysis of Highest and Best Use, and Cost to Cure Damages.
 - b) Confirmation of valuation.
 - c) Confirmation of Calculations and Report Integrity.
 - d) Preparation of signed statement certifying value of appraisal reviewed, including an explanation of the basis for recommendation.

F. Perform Acquisition

1. Acquisition Consultants are required to possess:
 - a) Real Estate Broker's or Salesperson's License (when under the direct supervision of a Real Estate Broker) as issued by the CA Department of Real Estate (required by law). All Right of Way Contracts must be approved for content and signed or initialed by the Real Estate Broker.
 - b) Minimum two (2) years experience in the acquisition of rights for eminent domain purposes.
 - c) Successful completion of courses in the Uniform Relocation Assistance and Real Property Acquisition Policies Act taught by recognized organizations.
 - d) Specific knowledge and experience appropriate for the proposed project, including knowledge of State Eminent Domain Law.

2. Acquisition Consultants Responsibilities under the Uniform Act:
 - a) Ensure establishment of just compensation by local agency prior to initiation of negotiations, including mailing offer letters.
 - b) Expeditious acquisition within 30-days of approved appraisal.
 - c) First Written Offer should be presented in person when possible.
 - d) Summary Statement (basis for the appraisal) to be included with the first written offer.
 - e) Owner to be given responsible time to consider offer and present material relevant to value determination (i.e. 30 days and a minimum of 3 contacts).
 - f) Payment is required before taking possession (49 CFR 24.102[j])
County is responsible for payment of all incidental expenses (title, escrow, surveys, prepayment penalties, etc.
 - g) Preparation of Administrative Settlements when it is reasonable and in the public interest (49 CFR 24.102[j]).
 - h) Diary entries including, but not limited to, confirmation of delivering Title VI information if project is federally funded.
 - i) • By signing the Right of Way Contract, the Broker or Principal of the Company acknowledges responsibility for maintaining a complete file on each parcel.
 - j) • Follow record keeping requirements per 49 CFR 24.9.
3. Additional Acquisition Consultants Responsibilities:
 - a) Review right-of-way drawings and project plans prepared by County and communicate with County staff to ensure that Consultant is aware of all right-of-way needs, temporary construction permits and grade matches required for the Project.
 - b) Meet with County staff to establish an understanding of the basic project design philosophy, scheduling, and purpose.
 - c) Order and review litigation guarantees and provide copy to the County.
 - d) Perform appraisals to determine costs of land, improvements, and cost to cure items.
 - e) Perform independent review of appraisals and have appraiser modify and correct as necessary.
 - f) Deliver reviewed and approved appraisal to County for County to determine just compensation.
 - g) Prepare a written offer of just compensation for review by County staff.

- h) Prepare revised documents due to title changes or appraisal revisions.
 - i) Prepare miscellaneous documents for property owner's signature such as right-of-way contracts, deeds, rights-of-entry, temporary construction permits, and grade matches.
 - j) Provide notary service and notarize deeds to convey title to acquired property.
 - k) Review owner submitted appraisals and take appropriate action as necessary.
 - l) Process and recommend for payment invoices for owner's appraisals.
 - m) Prepare and present Board of Supervisors items to approve Right-of-way contracts and accept deeds.
 - n) Prepare temporary construction permit and right of entry documents.
 - o) Process Board items for payments to owners.
 - p) Open required escrows and follow until closure and Title Policy is issued.
 - q) Prepare Resolution of Intention and Resolution of Necessity and take to Board all unsettled properties that require acquisition through Eminent Domain.
 - r) Assist County Counsel in the eminent Domain process including processing settlement payments.
- G. Provide Relocation Assistance – requires Level 3 certification by Caltrans for Acquisition and Relocation Assistance.
1. Relocation consultants are required to possess:
 - a) Minimum two (2) years experience at the working level providing public agency relocation assistance.
 - b) Successful completion of courses in the Uniform Relocation Assistance and Real Property Acquisition Policies Act taught by recognized organizations.
 - c) Specific knowledge and experience appropriate for the proposed project,
 2. including State Eminent Domain Law. Generally, identify for the County the applicable statutory schemes and regulations governing relocation assistance programs and plans applicable to the project in question.
 3. Prepare workable Relocation Assistance Plan that complies with all requirements of State Community Housing Guidelines, California Code of

Regulations, Title 25, and the Federal Uniform Act, if applicable, as well as the Regulations for Implementation of the California Relocation Assistance Law and Property Acquisition Procedures; and review with the Project Manager. The Relocation Assistance Plan shall include but not be limited to the following:

- a) Analysis of the needs of the homeowners, business owners and tenants which would include the number of occupants residing in a dwelling, family size and ages, household income, and special needs.
 - b) Analysis of replacement housing resources and the determination as to whether sufficient housing is available to accommodate the number of those being displaced in a project.
 - c) Personal contact with as many of the residential owners as practicable in the project.
 - d) Analysis of the businesses and/or agencies being displaced and available resources.
4. Establish and maintain an accurate and complete working file for each owner and/or tenant to be displaced.
 5. Issue appropriate notices in a timely manner.
 6. Schedule meetings and negotiations with property owners as required.
 7. Present all relocation offers to owners and tenants.
 8. Review any relocation appeals and submit with response to Project Manager.
 9. Prepare required documentation for payment of claims within five (5) working days of signature of claimant, including properly executed W-9 and 590 tax forms.
 10. Notify Project Manager of needs for eviction notices.
 11. Advise the Project Manager of the amount the County should budget to accomplish the work effort.
 12. Calculate relocation assistance payments for affected entities and individuals.
 13. Propose workable solutions and assist the County in resolving, to the County's satisfaction, issues with affected entities and individuals.
 14. Develop a schedule of events for County's compliance with relocation assistance laws and regulations in relation to the specific project.
 15. Assist an eligible owner or tenant to plan its move from the premises and to claim the relocation benefits. The Relocation Consultant may:

- a) Consult with the business concern, homeowner, or tenant regarding the amount of space and other requirements needed at the new location.
 - b) Advise on cost and availability of suitable new premises and supply names of real estate brokers who may be able to assist the business concern homeowner, or tenant with referrals.
 - c) Inform the business concern, homeowner or tenant of the availability of other programs and agencies providing guidance and financial assistance.
 - d) Assist the business concern, homeowner or tenant with the documentation of its relocation claim.
16. Residential Relocation includes but is not limited to the following:
- a) Interview prospective displacees to ascertain relocation housing needs and verify income and rent/mortgage payments and determine if any special needs exist in the household.
 - b) Inform displacees of available relocation assistance services and benefits and explain relocation process.
 - c) Provide advisory assistance on an on-going basis including referrals to and coordination with social service agencies, housing authorities and any other services which may be required.
 - d) Prepare notices and personally deliver required notices which may include informational statements, Notices of Displacement, 90-Day Notices to Vacate and other notices.
 - e) Provide displacee, in writing, with referrals to comparable replacement housing.
 - f) Determine eligibility of each displacee and amount of relocation benefits, including moving payments, rental, down payment assistance and replacement housing payments and to the extent possible. Include at least three (3) comparables in the computation and prepare Entitlement Letter to each displacee.
 - g) Conduct “decent, safe and sanitary” inspections of comparable replacement dwellings and advise displacee of findings.
 - h) Prepare all necessary claim forms, secure displacee’s signatures on claim forms, and submit claim forms to County for processing. When checks are available, personally deliver checks to displacee whenever possible.
 - i) Obtain moving cost estimates as needed and monitor the move as required.
 - j) Maintain files on each displacee and submit completed files to County when displacee has received final payment.

- k) Provide County with monthly status reports or as required and a written report in a form pre-approved by County staff summarizing the status of the relocation for each displacee monthly.
 - l) Provide project management services to coordinate and meet with County staff to discuss progress and schedule as needed.
17. Business Relocation includes but is not limited to the following:
- a) Interview prospective displacees to ascertain relocation needs.
 - b) Inform displacees of available relocation assistance services and benefit and explain the relocation process.
 - c) Prepare notices under the direction of the County and deliver required notices, which may include Informational Statements, Notices of Displacement, 90-Day Notices to Vacate, and other notices.
 - d) Provide on-going advisory assistance to business owners.
 - e) Provide field surveillance and documentation of business relocations when required.
 - f) Provide displacee, in writing, with referrals to comparable business locations and assist in any planning and/or permitting issues.
 - g) Advise business owners of potential claim for loss of goodwill.
 - h) Negotiate with business owner for fixtures and equipment (F&E) as may be required.
 - i) Facilitate the Notice of Bulk Transfer, fees for same to be paid by County.
 - j) Prepare specifications for the move and inventory of personal property, coordinating with acquisition agent to assure that there is no dispute with property owner, if the owner is not business owner.
 - k) Obtain minimum of two bids from movers that are suited to the type of business being relocated.
 - l) Monitor the actual move to replacement site and re-establishment activities, as necessary.
 - m) Determine eligibility of each business and the proposed amount of relocation benefits, including actual and reasonable moving payments, re-establishment payments or the "in-lieu" payment and deliver Entitlement Letter.
 - n) Prepare all necessary claim forms, secure claimant's signature on claim forms, and submit claim forms to County for processing and payment. When checks are available. Personally deliver check to displacee, whenever possible.

- o) Maintain files on each displacee, provide County with monthly status report or as required and submit completed files to County when displacee has received final payment.
 - p) Provide project management services to coordinate and meet with County staff to discuss progress and schedule as needed.
- H. Maintain detailed records of all services performed in hardcopy, original editable electronic format (word, excel, etc.) and in scanned (.pdf) format, and provide such records to County upon completion of associated task. Such records shall be maintained in a fashion that they are readily accessible by County staff, and all .pdf files shall be searchable. Records shall be adequate to conform with the auditing requirements of the funding agency for the project in question. Review and purge current County Real Property records in accordance with adopted records retention plan.

Exhibit I

Requirements For Fresno County Litigation Guarantees

The Litigation Guarantees shall include, but not be limited to, the following:

1. Escrow Officer's Name
2. Escrow Officer's Phone Number
3. Escrow Officer's Fax Number
4. Escrow Officer's Email Address
5. Escrow Number
6. Property Owner's Name
7. Property Situs Address
8. Schedule A
 - a. Name of Assured: County of Fresno
 - b. Date of Guarantee:
 - c. "This Litigation Guarantee is furnished solely for the purpose of facilitating the filing of an action to: Eminent Domain
 - d. The estate or interest in the Land which is covered by this Guarantee is: Fee.
 - e. Title to the estate or interest in the land is vested in:
 - f. Legal Description:
9. Schedule B
 - a. Defects, liens (Deeds of Trust), encumbrances or other matters affecting title.
 - b. Part One
 - i. General and special taxes and assessments for the current fiscal year
 - ii. The lien of supplemental taxes, if any
 - iii. Water rights, claims or title to water
 - iv. Taxes and assessments, if any, of the property's water district
 - v. Easements
 - vi. Any declarations of homestead
 - c. Part Two

i. Plat Map

10. Schedule C

- a. Mailing Addresses, Recording Information, and their corresponding Paragraph Number

11. Any exclusions from coverage of the Litigation Guarantee

12. Any Guarantee conditions and stipulations

13. Attachments, if applicable:

- a. Exceptions
- b. Vesting (Deeds)
- c. Other Documents (including, but not limited to: Declaration of Homestead, etc)
- d. Plat Map

Updated Litigation Guarantees

Updated Litigation Guarantees should be submitted with the above information, with the most current information available, including but not limited to:

1. Taxes paid, if applicable
2. New Deeds, if applicable

Requirements for Fresno County Appraisals
(Includes F.H.W.A. and H.U.D. Appraisal Requirements)

The appraisal shall include, but not be limited to, the following:

1. Purpose of Appraisal:

- A. Statement of limiting conditions
- B. Value to be estimated
- C. Rights or interest to be appraised
- D. Date of value

2. Owner contacted:

- A. Owner or his representative given opportunity to accompany the appraiser - person and date contacted.
- B. An unconfirmed letter is not acceptable, some form of acknowledgement from owner is needed.

3. Five-year Delineation of Title:

All sales of subject property in last five years shall be noted. If no sale has occurred, a statement to that effect shall suffice.

4. Description of Property:

- A. Location, present use, total area, zoning, special features, identification - condition of improvements (leased, amount, length, name of lessee, etc.) similar description for remainder where applicable.
- B. Personally inspected - date.

5. Highest and Best Use:

Stated and justified if different from present use. Similar information for remainder where applicable.

6. Photographs of Subject Property: Identify principal improvements and unusual features.

7. Cost Approach:

A. If not applicable - reason why not.

B. Cost data source.

C. All depreciation - reasoning.

8. Market Approach:

A. If not applicable - reason why not.

B. Direct comparison of sales to subject.

C. Adjustment - analysis and reasoning.

9. Income Approach:

If not applicable - reason why not (income, expenses, interest and capital rates, estimated economic life, difference in economic rent and contract rent supported).

10. Comparable Sales:

A. In Appraisal or referenced: date; type of improvement; consideration - amount paid.

B. Financing; zoning, verified and source, location, Seller and Buyer, total area.

C. Conditions of sale.

D. Highest and Best Use at time of sale.

- E. Sale personally inspected - date.
 - F. Photographs; identified and includes principal improvements and unusual features.
 - G. Map showing location of sale - APN map with picture attached - ok.
 - H. Schedule of sales - grouped by size and zoning use - oldest first. (Can be with exhibits.)
11. Benefits and Compensable Damages Considered in Accordance with State and Federal Laws:
12. Correlation and Conclusion of Value:
- A. Correlation of the separate indications of value derived of each approach when more than one approach is used.
 - B. Reasonable explanation for final conclusion of value.
13. Value Conclusion Allocated:
- A. Value of property to be acquired.
 - B. Damages to remainder.
14. Subject Property and Comparable Sales Personally Inspected.
15. Appraisals Must be Signed.
16. Affidavit of Non-Interest Must be Acceptable.
17. Exhibits Addenda
- Descriptive materials - area, maps, charges, plans, etc.
18. Specialty Items (if applicable):
- A. Legal Opinion.

B. Contractor's Bids.

C. Inspection Report, etc.

19. R.A.P. Information (if building is being acquired):

A. Number of tenants.

B. Owners.

C. Value of residence and lot (if on farm land).

D. Lease/rent payment or economic rent if owner occupied.

E. Date they moved in or bought property.

Appraisal Requirements continued:

- A. Federal Common Rule Requirements, including, but not limited to, Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60; Davis-Bacon Act as amended (40 U.S.C. 276a to a-7 and 29 CFR, Part 5); Copeland "Anti-Kick Back" Act (18 U.S.C. 874 and 29 CFR, Part 3); Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330 and 29 CFR, Part 5); Section 306 of the Clean Air Act (42 U.S.C. 1857 (h)); Section 506 of the Clean Water Act (33 U.S.C. 1368); Executive Order 11738; Environmental Protection Agency Regulations (40 CFR Part 15); and applicable sections of 24 CFR 85. Also in the common rule are mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with Energy Policy and Conservation Act (Pub L. 94-163).
- B. Office of Management and Budget Circulars No. A-21, A-102 revised, A-87, A-110, A-122 and A-128 as they relate to the acceptance and use of Federal funds under this program.
- C. Executive Order 11063, as amended by Executive Order 12259, and implementing regulations at 24 CFR Part 107, as they relate to non-discrimination in housing.
- D. The Architectural Barriers Act of 1968 (42 U.S.C. 4151).
- E. Clean Air Act of 1970 (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).
- F. Bidding requirements contained in the California Public Contracts Code.
- G. The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) and HUD implementing regulations, 24 CFR, Part 42 and 24 CFR 570.612.
- H. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352) and implementing regulations 24 CFR Part 1 as it relates to prohibiting discriminatory action under any activity receiving federal funds.
- J. Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended, and implementing regulations 24 CFR Part 107 as it relates to fair housing.
- K. Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112) as amended and implementing regulations when published for effect as they relate to non-discrimination against the handicapped.
- L. The Age Discrimination Act of 1975, (Pub. L. 94-135) as amended, and implementing regulations contained in 10 CFR Part 1040 and 45 CFR Part 90.
- M. The lead based paint requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.).
- N. Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.601) as it relates to prohibiting discriminatory actions in activities funded by Community Development Funds.
- O. Section 3 of the Housing and Urban Development Act of 1968, as amended and implementing regulations at 24 CFR Part 135.

- P. Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 12888 relating to the prevention, control, and abatement of water pollution.
- Q. The flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234).
- R. No member, officer or employee of the Grantee, or its designees or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, and that it shall incorporate, or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purposes of this certification.
- S. Additionally, all conflict requirements noted in 24 CFR 570.611 shall be complied with by all parties.
- T. Title I Section 104(b)(5) of the Housing and Community Development Act as amended and implementing regulations at 24 CFR, 570.200 relating to Special Assessments.
- U. Section 106 of the National Historic Preservation Act and implementing regulations at 36 CFR Part 800.
- V. The Endangered Species Act of 1973, as amended, and implementing regulations at 50 CFR Part 402.
- W. Title I of the Housing and Community Development Act of 1974, as amended, and implementing regulations contained in 24 CFR, Part 570 and in 24 CFR, Part 85
- X. The use of CDBG funds by a religious organization shall be subject to those conditions as prescribed by HUD for the use of CDBG funds by religious organizations.
- Y. All contracts shall include a "Certification Regarding Debarment Suspension, Ineligibility and Voluntary Exclusion-Lower tier Covered Transactions" as required by 29 CFR, Part 98.

Acquisition Procedures for Projects

- 1) A request is received from the County to acquire property for a given project. The County sends Consultant a notice to proceed and authority to order Title Reports. The County provides maps and descriptions.
- 2) The acquisition agent studies the appraisal and related project information and reviews it with the appraiser, design and right-of-way engineer, etc., if necessary. This ensures that the agent can explain the acquisition in detail to the property owner.
- 3) The agent prepares the necessary documents, which may include a Right-of-Way Contract, Purchase Contract, Quitclaim Deed, Easement Deed, Grant Deed or other documents.
- 4) The agent makes contact with the property owner to acquire the necessary property rights. At the first meeting, the owner is provided with the Land Acquisition Brochure and Summary Statement covering the rights of the property owner. An appraisal summary also given the property owner, lists the property and improvements to be acquired, as well as any severance damage resulting from the acquisition. The agent works with the owner and the County to resolve any problems identified by the owner.
- 5) A Memorandum of Settlement in each parcel file sets out the details of the settlement. It must be approved by the Consultant and a written explanation of any difference from the appraised value noted on the Memorandum.
- 6) Upon recommendation by the County Representative, all non-County of Fresno acquisitions are submitted for approval to the appropriate representative or governing body of the agency or City for which the acquisition is made.
- 7) Upon completion of the acquisition, Consultant submits the signed documents to the Board of Supervisors for approval for County projects.
- 8) Following acceptance of the settlements, an escrow is opened for a majority of the acquisitions. The title company clears all encumbrances affecting title, including deeds of trust as requested, delinquent taxes and liens. At close of escrow, a title insurance policy is issued and the funds disbursed to the property owner. In the case of a minor acquisition, of little or no monetary consideration, no escrow is used and deeds are recorded directly after the Board of Supervisors acceptance.

If acquisition cannot be completed under the procedures outlined above, an eminent domain (condemnation) proceeding may be initiated, as follows:

- 1) Determine that the property owners have received sufficient information in time for consideration of the offer in order to make the decision to accept or not.
- 2) Owners are provided written notice of a hearing before the governing body of the County (Board of Supervisors, City Council, Board of Trustees, etc.). Owners are invited to discuss their concerns relating to the proposed Resolution of Necessity.

- 3) If the County's Board of Supervisors adopts the Resolution of Necessity, the County will authorize their County Counsel to institute Eminent Domain Proceedings. Consultant assists County Counsel with the condemnation cases and gives recommendations to County Counsel concerning settlements prior to submission to the County's Board of Supervisors or the filing of a Final Order in Condemnation by County Counsel.