

BERNALILLO COUNTY
PUBLIC WORKS DEPARTMENT

INTER - DEPARTMENTAL CORRESPONDENCE

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SUBJECT: UPDATED ALAMEDA TRAIL ROW FEASIBILITY Date: April 23, 2009
TERMINI: 4th Street East to North Diversion Channel

COUNTY: Bernalillo NMSH DISTRICT 3 FHWA DISTRICT A
APPRAISER(s): County Review Appraiser, Todd Gross

To: Steve Miller & David Albright
IP&GR Director Senior Transportation
Planner

From: Raymond G. Orona - Right of Way Manager

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DISCUSSION

In keeping with typical project development schedule, County Right of Way and Technical Services Staff have reexamined possible right of way impacts and ramifications therein based on additional information from URS coupled with more and stronger detailed field examination for actual placement of subject trail facility. As such an updated right of way impact estimate pursuant to the most accurate location reflection given current trail placement maps is set forth herein. While the costs generated are minimal and preliminary based on current market values, they are necessarily subject to change based on final design plan and profile depiction of actual impacts through final right of way plans and of course adjustments for time of delivery. The estimate set forth herein reflects an approximate cost for the indicated additional right of way needed should the project be authorized presently and in consideration of the preferred alternative. Through our field and plat reviews it was clear that the study appropriately assumes the southern alignment for the proposed trail along Alameda Boulevard will present minimal challenges regarding property impacts and clearly optimizes opportunities for the trail within existing right of way. The scope of additional right of way is constrained by design directive to provide for and allow only trail cross sections compatible with existing right of way.

Whereas field conditions clearly reflect right of way sufficiency given the preferred alternative with minor exception for the scope of this project, the existing right of way assumptions will likely be supported or corroborated through this project's property and right of way surveys due to the public prescriptive nature and current use of the areas in question. These areas have been constructed and maintained by NMDOT for well over a quarter of a century establishing

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fee public ownership through normal acquisition practices and state statute. Succinctly, there is no apparent necessity for private takings in any environmentally sensitive property such as Shamrock at 2nd Street or Danlar Auto just east of said site and the planned trails installation is by in large expected to occupy only existing right of way. In fact, we have concluded that this project's additional right of way requirement will consist of only one partial taking located on the southeast corner of Alameda and Edith and one possible small temporary construction permit on the opposite corner west of there. As such, this project's right of way status is considered mostly ready for construction and benign to any serious concerns over either obstruction to project development or timely letting for actual construction.

Summary of Findings: After further consideration, we have observed that other than general benefits to the community from this project and assuming the preferred alternative no more than one (01) property will be impacted and possibly a second with only a temporary construction permit. These impacts are expected to consist of one (01) partial taking and one (01) temporary construction permit (TCP).

Given the project information to date, it appears that the existing permanent right of way throughout this project's termini is sufficient to accommodate any of the proposed trail cross sections.

While the various existing utilities at close proximity or in the right of way may either come into play during construction and/or cohabit minimally with new project improvements, County Engineering does not envision serious conflicts with the required adjustments therein or incompatibility such that available existing right of way would be compromised. County Right of Way would assist with facilitating the utility accommodations.

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There is no question that licenses and permits will be required from the New Mexico Department of Transportation, Mid Rio Grande Valley Conservancy and Mid-Region Council of Governments for the crossings at the railroad, the ditch west of Edith and NMDOT right of way throughout. Generally, the requests for subject licenses and permits occur upon reasonable completion status of construction plans but the Right of Way Section would assist with any and all preemptive services required to facilitate securing any and all rights of ways therefore. Preliminary contacts with these agencies indicate that we may expect interagency cooperation and support for this project.

Finally, there are no total takings anticipated at this time and none will be considered for this project. The project will proceed only under condition of utilizing existing rights of way with inconsequential/nominal support acquisitions as ascribed herein. Normal project development should be allowed to continue to bring this project to fruition.

1. Identification of the Properties Reviewed or Inspected: While most properties on both sides of Alameda were inspected regarding the various alternatives in this study, our efforts were concentrated mostly on the following properties in connection with the preferred alternative.

- 1) Diamond Shamrock at NE corner of 2nd Street and Alameda, tract A-1,
- 2) Five Star, Tracts B-1 and B-2,
- 3) Danlar, Tract B-3,
- 4) Tract 6B
- 5) Tract 46A
- 6) Tract 47A1
- 7) Alameda Business Park, Lot 1
- 8) Alameda Business Park, Lot 29
- 9) MT. Investment, Tract A
- 10) All other properties along the south side of the Alameda Corridor.

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2. **Identification of the Property Interests required:** Fee simple estate, temporary construction permits, access permits and licenses.
3. **Type of Report Format:** Revised ROW Feasibility Study.
4. **Effective Date of Analysis:** April 7, 2009
5. **Date of the Analysis:** April 23, 2009
6. **Possible Highest and Best Use for Properties Observed:** The Highest and Best use assumed for our analysis purposes included commercial, agricultural, and industrial comparable data consistent with the existing zoning for the properties observed. Different determinations would occur only upon actual appraisals and the highest potential determined therein for the properties involved at that time.
8. **Value Approaches Utilized:** The team used a market comparison approach to estimate the value of the anticipated takings.
9. **Scope of the Review Process:** We read the Alameda Trail Feasibility Study, field reviewed the project with County Engineering, reviewed subject properties and comparable sales and analyzed data to determine relevance to value estimates.

ROW COST ESTIMATES:

1) Required takings - 7,700 SF	\$104,335.00
2) Temporary Construction Permits - SF	\$2,710.00
3) Permits	\$2,000.00
Estimated Total:	\$109,045.00, say \$109,000.00

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PROVIDER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- (1) The facts and data reported and used in this feasibility analysis are true and correct.
- (2) The analysis, opinions and conclusions in this report are limited only by the assumptions and limiting conditions stated in the report and/or stated in the review and are my personal, unbiased professional analysis, opinions and conclusions.
- (3) I have no present nor prospective interest in the properties that are the subject of this report and I have no personal interest or bias with respect to the parties involved.
- (4) My compensation for preparing this appraisal review is not contingent on an action or event resulting from the analysis, opinions or conclusions in, or use of, this report.
- (5) I did inspect each subject property and the relevant comparable sales used in the appraisal report under review.
- (6) Todd Gross and Orlando Dow provided significant professional assistance to the person signing this analysis.

Raymond Orona, Right of Way Manager