



**Eagle Rail Water and Sewer  
Improvement Project**

**Informational Meeting**

**June 17, 2015**

**7:00 p.m.**

**Allen County Sanitary Engineering (ACSE) Department  
3230 North Cole Street**

# **Overview of Tonight's Meeting**

- I. Review Objective of Tonight's Meeting.**
- II. Review Project History**
- III. Review Property Owner Infrastructure Connection Options**
- IV. Review Proposed Sewer and Water Layout.**
- V. Easement Acquisition**
- VI. Review Cost to Connect to Infrastructure**
- VII. Review Post-Construction Connection Procedures**
- VIII. Review Tentative Schedule.**
- IX. Questions and Answers.**

# **I. Meeting Objective**

**Tonight's meeting is to be an informal presentation to discuss the extension of water and sewer facilities to the Eagle Rail site, and review the opportunities afforded to property owners for connection to the facilities.**

**The meeting will also review the need for acquisition of easements from property owners to construct and maintain the water and sewer lines, and review the process for acquisition of easements.**

## II. Project History

- **Negotiations for a waterline extension to Chemtrade has been ongoing with the Allen Water District (AWD) since August of 2013. Chemtrade agreed to design and construct a public waterline to their facilities and turn over ownership of the waterline to the AWD.**
- **Negotiations for acquisition of waterline easements with property owners by Chemtrade's legal started in November 2014.**
- **The need for a sanitary sewer and water extension to Eagle Rail was being discussed between Eagle Rail and the County at the time negotiations of the waterline project was taking place between the AWD and Chemtrade.**
- **During November 2014 parties involved with the waterline and sewerline projects collaborated together to have the County make application to the Ohio Development Services Agency for a CDBG Economic Development grant to assist with the cost of a combined water and sewer project. All waterline easement acquisition efforts by Chemtrade were suspended pending state review of the grant request.**
- **On 4-23-15 a Release of Funds notice was issued by the Ohio Development Services Agency to fund 50% of the project cost up to a maximum of \$600,000.**
- **The grant requires the County to administer the completion of the water and sewer improvements. Upon completion of the improvements the County will retain ownership of the sewer improvements and turn over ownership of the waterlines to the AWD.**

# III. Property Owner Infrastructure Connection Options

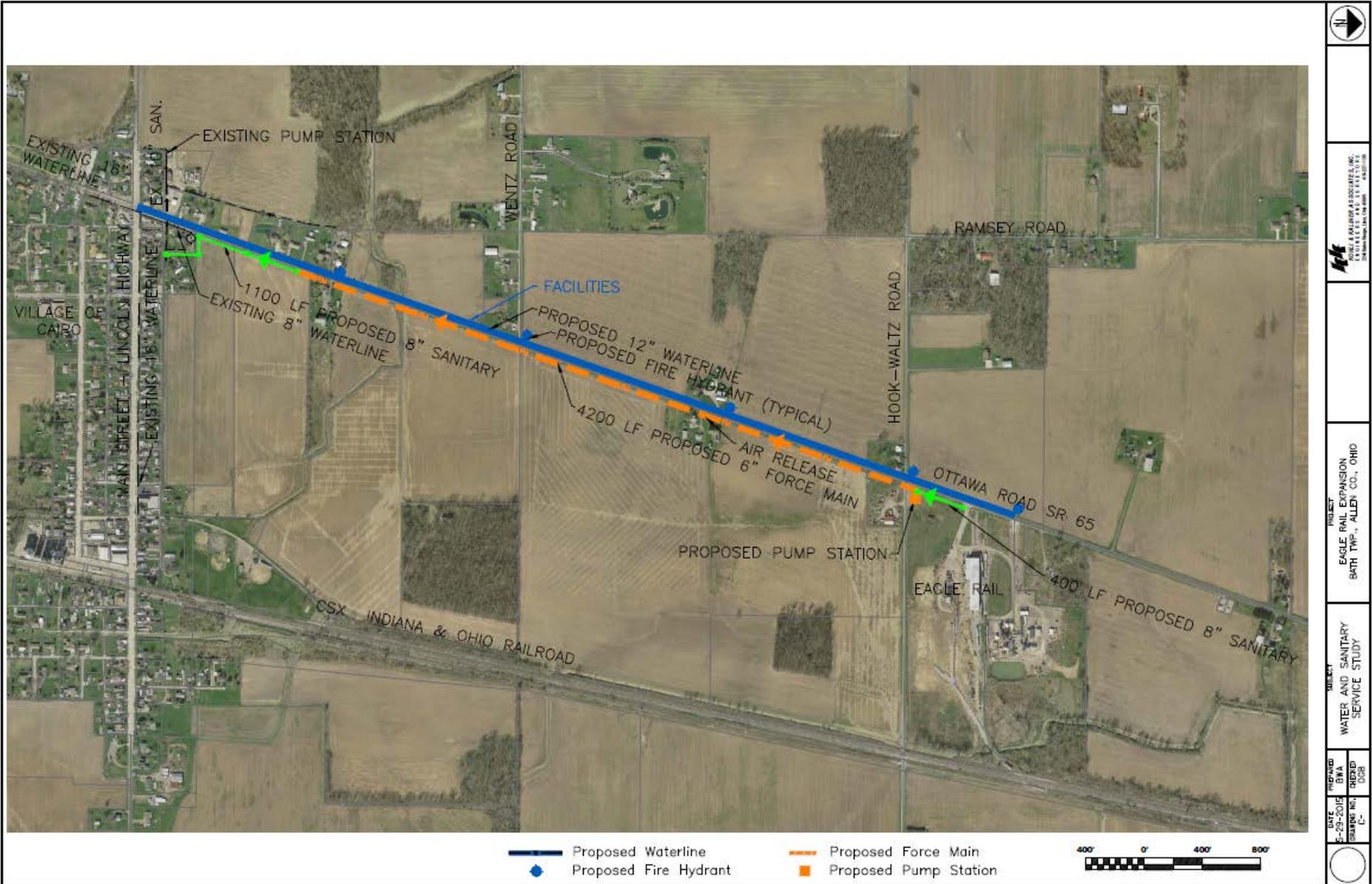
## **WATER**

- **Water connection by property owners is voluntary.**

## **SEWER**

- **Presently, the project is not designed to be constructed providing sanitary sewer access to properties other than Eagle Rail.**

# IV. Proposed Water & Sewer Layout



# V. Easement Acquisition

## **Uniform Relocation Act – Acquisition, Relocation, and Demolition**

Ohio Development Services Agency (ODSA) programs that include U.S. Department of Housing and Urban Development (HUD) funds are subject to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act. These requirements pertain specifically to the Agency's Office of Community Development (OCD) programs that distribute Community Development Block Grant (CDBG) funds.

The **Uniform Relocation Assistance and Real Property Acquisition Policies Act** (URA), passed by Congress in 1970, is a federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The Uniform Act's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects.

## V. Easement Acquisition (cont.)

The following steps represent the general process an agency must follow under the URA when acquiring property under threat of eminent domain:

- Notify owner of the agency's intentions to acquire the easements through purchase or donation, and their protections under the URA
- Appraise the easement and invite the owner to accompany the appraiser
- Review the appraisal
- Establish **just compensation** for the easement
- Provide owner with written offer and summary statement for easement to be acquired
- Negotiate with owner for the purchase or donation of easement
- If negotiations are successful, complete the sale and reimburse easement owner for related incidental expenses
- If negotiations are unsuccessful, consider an administrative settlement to complete the sale
- If negotiations are still unsuccessful, the agency should acquire the easement through use of eminent domain

## V. Easement Acquisition (cont.)

### What is "just compensation"?

Just compensation is derived from the appraisal process. Typically, the **approved appraisal's estimate of fair market value** is the basis for the amount of just compensation offered for the easement to be acquired. Just compensation **cannot be less** than the approved appraisal's estimate of fair market value of the easement being acquired.

### What is an administrative settlement?

When negotiations result in a purchase price exceeding the agency's estimate of just compensation, it is called an administrative settlement. Administrative settlements are made for administrative reasons that are considered to be in the best interest of the public. Authorized agency officials may approve administrative settlements if they are:

- Reasonable
- Prudent, and
- In the public interest

Agency files should include proper documentation to justify and support the decision for an administrative settlement.

# V. Easement Acquisition (cont.)

## Sample Just Compensation Calculation

### SAMPLE EASEMENT FAIR MARKET VALUE CALCULATION WATERLINE IMPROVEMENT AREA

Parcel Number: \_\_\_\_\_  
Owner: \_\_\_\_\_  
Parcel Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Lot Size: 1.99 Acres (87.5 ft by 990.7 ft)  
Easement Size: 1,750 sq ft (20 ft by 87.5 ft)  
Land Value: \$19,400 (from Auditor's website)

Fair Market Value Calculations are as follows:

Land Value pe sq ft:  $1.99 \text{ Acres} \times 43,560 \text{ sq ft per acre} = 86,684.4 \text{ sq ft}$   
 $\$19,400 / 86,684.4 \text{ sq ft} = \$0.22380 \text{ sq ft}$

Easement Land Value:  $1,750 \text{ sq ft} \times \$0.22380 \text{ sq ft} = \$391.65$

Permanent Easement Value is determined to be 50% of the Easement Land Value

Permanent Easement Value =  $\$391.65 \times 0.50 = \underline{\$195.83}$

- Notes: 1) As part of the easement damages may be included in the value of the easement such as damages to crops, loss of business, etc.  
2) Temporary easements are reimbursed at half the value of a permanent easement.

# V. Easement Acquisition (cont.)

## Sample Donation Acknowledgement



### SANITARY ENGINEERING DEPARTMENT

Stephen M. Kayatin, P.E.  
Sanitary Engineer

•3230 N. Cole Street, Lima, Ohio 45801 •Phone: 419-331-6080 •Fax: 419-229-3297 •Website: allencountyohio.com/san/san.html •

### DONATION OF EASEMENT

The undersigned, being the owners of property located at , hereby acknowledge the following.

1. I have received a copy of the pamphlet "When a Public Agency Acquires Your Property" and understand the rights that are provided by the Uniform Relocation and Real Property Acquisition Policy Act of 1970, as amended (URA).
2. I have been informed that the estimated Fair Market Value (FMV) of this easement/parcel is

I (We) have been fully informed of my right to an appraisal of the property in question and the right to receive compensation for such property. I hereby waive my rights guaranteed under the URA and agree to donate the permanent/temporary easement across my property. I (We) understand the estimated fair market value of this easement and understand that I (We) will not receive financial compensation for this easement.

\_\_\_\_\_  
date

\_\_\_\_\_  
Owner of Property

\_\_\_\_\_  
date

\_\_\_\_\_  
Owner of Property

# V. Easement Acquisition (cont.)

## Waterline Easement Property List

EAGLE RAIL WATERLINE EASEMENT				
EASEMENT TYPE				
PERM	TEMP	PARCEL #	OWNER	PARCEL ADDRESS
1		27-3012-02-008.000	Linda Kahler	103 N. Perrysburg Road
2		27-3012-02-009.000	Steven & Pamela Robey	6555 Ottawa Road
3		27-3012-02-001.000	Wilbur & Kathleen Earl	6559 Ottawa Road
4		27-3000-04-004.000	Steven & Pamela Robey	6585 Ottawa Road
5		27-3000-04-004.002	Steven & Pamela Robey	Ottawa Road
6		27-3000-04-004.001	Teena & Ronald Ebbeskotte & Thomas Robey	Ottawa Road
7		27-2900-03-004.002	Timothy & Patricia Shockency	Ottawa Road
8		27-2900-03-004.000	Timothy & Patricia Shockency	6685 Ottawa Road
9		27-2900-03-004.003	Bethany Edwards	6687 Ottawa Road
10		27-2900-03-004.004	Dan Boedicker	6701 Ottawa Road
11N		27-3000-04-005.000	Jeffrey Robey	Ottawa Road
11S		27-3000-04-005.000	Jeffrey Robey	Ottawa Road
12		27-2900-03-003.001	Russell & Sharon Weaver	6749-6755 Ottawa Road
13		27-2900-03-002.000	Dackin Properties	Ottawa Road
14		27-2900-03-002.003	Richard & Jeannine Dackin	990 Wentz Road
15		27-2900-02-003.000	Richard & Dorothy Pohl, Trustees	7227 Ottawa Road
16		27-2900-02-002.000	Randy & Susan Morvay	7495 Ottawa Road
17		27-2000-03-011.000	Rosemary Langhals, Trustee	Ottawa Road

# V. Easement Acquisition (cont.)

## Sewerline Easement Property List

### EAGLE RAIL SEWERLINE EASEMENTS

EASEMENT TYPE		PARCEL NO.	ADDRESS	OWNER
PERM	TEMP			
18		27291104004000	W Main St	Sisson, Wayne & Wanda
	18T	27291104004000	W Main St	Sisson, Wayne & Wanda
19		27290003006000	Ottawa Rd	Basinger, Michael R. & Miranda M. Detwiler, Trustees
	19T	27290003006000	Ottawa Rd	Basinger, Michael R. & Miranda M. Detwiler, Trustees
20		27290003001000	6850 Ottawa Rd	Langhals, Donald U. & Joanne A. Trustees
21		27290003001001	6750-6752 Ottawa Rd	Joseph Michael W. & Jill Aka Jill S. Joseph
22		27290003001003	6850 Ottawa Rd	Padinjarethala, Bijoy A. & Vickie L.
23		27290003001000	6850 Ottawa Rd	Langhals, Donald U. & Joanne A. Trustees
24		27290002004000	7230 Ottawa Rd	Oliver Farms, LLC
25		27290002001000	1230 E Hook Waltz Rd	Kelley, Wanda
26		27200004005000	7570 Ottawa Rd	Eagle Rail Car Services Cairo Ohio, LLC
27		27200004005000	7570 Ottawa Rd	Eagle Rail Car Services Cairo Ohio, LLC

# VI. Cost to Connect to Infrastructure

## Estimated Cost to Property Owners for Connection to Waterline

AWD Capital Permit <sup>1</sup>	City of Lima Permit <sup>2</sup>	On-Lot <sup>3</sup>	Monthly Water Bill <sup>4</sup>
\$6,000 to \$7,000	\$1,286	\$500 to \$1,000	75 gal/day-\$26.52 150 gal/day-\$36.52 300 gal/day-\$59.24

- <sup>1</sup> The AWD Capital Permit may be paid in cash or installments. Each property owner wishing to connect will be required to enter into a Connection Agreement declaring to pay the fee in cash or through installment payments with interest for a period up to twenty (20) years on the taxes.
- <sup>2</sup> The City of Lima permit fee is a cash payment to be made at the time of application.
- <sup>3</sup> The On-Lot cost will consist of constructing a water service line by the property owner's contractor from the house to the right-of-way on their side of the road where the City has installed a service tap. Abandonment of the well or separation of the well to be used for outdoor purposes.
- <sup>4</sup> The monthly water bill will be sent by the City of Lima on behalf of the AWD. Billing amount will vary based on usage. Billing will include water usage charge, AWD-City contract fee and AWD fee.

## **VII. Post-Construction Connection Procedures**

### **Water**

- **Notice will be mailed to each property owner for voluntary connection to the waterline upon completion of final waterline testing.**
- **Property owners who wish to connect will be required to enter into a Connection Agreement with the AWD by declaring to either pay the Capital Permit Fee in cash or agree to a Voluntary Installment Payment Plan by paying the fee through the properties tax billing for a period of up to twenty (20) years with interest.**
- **Property owners are required to obtain a permit from the City of Lima by paying the appropriate fee in cash, and schedule a service tap to be made by the City to the main waterline. Monthly water billing will be administered by the City of Lima on behalf of the AWD.**
- **Property owners are responsible to hire contractor to construct a service line from the house to the road right-of-way where City made service tap to main. Also, the contractor will either need to separate the well from the homes plumbing for well water use to water lawns, wash vehicles, etc., or abandon the well in accordance with Health Department guidelines.**

## **VIII. Tentative Schedule**

**Informational Meeting**

**June 17, 2015**

**Begin Construction**

**October 2015**

**Complete Construction**

**April 2016**

**Post-Construction**

**Wrap-up Meeting**

**May 2016**

# IX. Questions & Answers

