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16. Abstract

The Right-of-Way (R/W) acquisition process involves the coordination of various entities including multiple Texas Department of Transportation (TxDOT) districts, divisions, local, state, federal agencies, and private companies. Delays in the acquisition process necessary for the successful delivery of R/W for construction have historically caused project delays and cost overruns. In order to overcome the negative effects and to identify the problems and causes of delay, this study includes a comprehensive process review and evaluation, a development of duration prediction data, an identification of various process durations and key drivers of durations, along with recommendations for strategic management. The goal is to provide efficient delivery of transportation systems for the traveling public through increased knowledge and better management efforts of the R/W procurement process.

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Durations for Acquiring Roadway Right-of-Way and Assorted Expediting Strategies

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1. Introduction

The Texas Department of Transportation (TxDOT) sponsored this University of Texas/Center for Transportation Research (UT/CTR) research project to identify delay factors in the Right-of-Way (R/W)[1] acquisition and utility adjustment process in an effort to reduce the time from planning to construction of highway projects. The research provides methods to more efficiently deliver transportation systems for the traveling public through increased knowledge and better management of R/W acquisition. This thesis includes a comprehensive process review and evaluation, a development of duration prediction data, an identification of various process durations and key drivers of durations, along with recommendations for strategic management of the R/W procurement process.

R/W acquisition and utility adjustment are processes integral to Project Development, which immediately precedes construction and utilization of the highway infrastructure. This causes increased pressure for the ROW Division and associated district personnel to acquire land and deliver projects as soon as possible for construction start-up.

The acquisition process requires the coordination and management of multiple entities including federal agencies, private companies, citizens, as well as TxDOT District-Divisions, local, and state public agencies. Delays in the sequencing of R/W acquisition and utility adjustment have the potential to cause project delays and cost overruns. Herein lies the importance of recognizing factors that can cause these delays and applying resource management schemes to mitigate the delays. This research makes an effort to identify critical tasks in the R/W and utility adjustment processes that have historically caused delays, to develop probabilistic prediction data for estimating the durations for R/W and utility adjustment, and to synthesize the data-driven findings into recommended strategies and tactics for expediting these processes. This research focuses specifically on the R/W acquisition of the research project.

1.1 Problem Statement

There is always a goal for public agencies to provide good and faithful service for the public. It is an ongoing challenge for R/W administrators and staff to answer the difficult question: "How long will R/W acquisition take?" There seems to be no direct answer to this question because of the many considerations and factors that complicate the matter. For example, there are title companies to manage, appraisers to assign, the publics' interests to consider, regulations to follow, courts to attend, and judges, environmental specialists, Office of the Attorney General (OAG), and commissioners to cooperate with. This, along with adjustment agencies and many other challenges, make the period for acquiring R/W difficult to predict and the answer to the question not so straightforward. However, this question is on the minds of many individuals including the ROW Division, district administrators, contractors, district engineers, and the public.

[1] The acronym "R/W" will be used to designate right-of-way when used as a common noun. "ROW" will be used when referring to the TxDOT Division or when used as a proper noun/adjective.

To begin with trying to address the question, it is important to recognize the driving forces that eventually determine how much time an R/W parcel acquisition takes. There needs to be an investigation into what causes delays in projects and why there is a seemingly long process for R/W acquisition and utility adjustment. This thesis uses probabilistic duration data based on experience and actual completed projects to address the question. Specifically, the research develops duration prediction curves for sequences of the R/W acquisition process and, through the synthesis of data-driven findings, recommends strategies and management tactics for expediting the processes.

1.2 Objectives

A summary of the literature review, data collection, synthesis, analysis, and evaluation of data will be provided in this thesis in order to answer the question of how long R/W acquisition is taking TxDOT.

The objectives of the overall research investigation were to:

- Develop a comprehensive process model for the TxDOT R/W acquisition and utility adjustment processes.
- Develop duration metrics and other methods to measure critical tasks and variability in the R/W acquisition and utility adjustment processes.
- Develop probabilistic duration prediction tools for both R/W acquisition and utility adjustment processes.
- Synthesize data-driven findings to provide recommendations on management tactics for a more accurate prediction of the process durations and recommend strategies for expediting these processes.

This thesis focused on the R/W acquisition process. The research team worked closely with TxDOT personnel to attain feedback on input along with ongoing assistance as the research progressed. Though the overall objectives have not changed, this thesis identifies many different opinions and strategies of TxDOT personnel expressed through the research process. These opinions combined with previous research and literature and allied with current experience of R/W staff, identifying limitations, pros and cons, and other ideas to produce a plan that can help expedite the overall R/W acquisition process.

1.3 Scope

The scope of this thesis includes development of comprehensive process models for the TxDOT R/W acquisition process, development of duration metrics for critical tasks and probabilistic duration prediction tools for R/W acquisition process, and synthesis of data-driven findings into recommended strategies and tactics for expediting the process.

The thesis identifies the components that comprise the highest percentage of delays and cost overruns in the R/W process, as well as the average project delay and cost overrun caused by each. It also investigates and identifies methods to alleviate those delays and cost overruns. The research aims to give insight into what current administrators and engineers see as difficulties and hindrances for the acquisition of parcels. The research also identifies typical periods for

some of the third party activities; the goal being to recognize where the delays are so that R/W teams can better manage R/W activities that are within their power to influence.

1.4 Structure of Thesis

Chapter 1 (Introduction) will be followed by background information (Chapter 2), including a Literature Review, Study Problem Statement, and Overview of the TxDOT R/W Acquisition Process. Chapter 3 (Study Methodology) will present an overview of all activities undertaken in this research project with an Overview Flowchart and Step-by-Step Discussion. Chapter 4 (R/W Interviews and Workshops) summarizes the extensive interviewing, training, meetings, and workshops that were conducted. Chapter 5 (R Sample Data) presents the data characterization, Sampling R/W Techniques and Methodology of steps taken for sampling. Chapter 6 (R/W Data Analysis) presents the Descriptive Statistics, the Detailed Analysis of the sample, and the Summary. Chapter 7 (Conclusions and Recommendations) concludes the research with recommendations.

1.5 Glossary of Terms

The following list contains definitions of common terminology used in this thesis:

- **Administrative Settlement**: process by which an R/W authority can negotiate a parcel value in excess of the approved value.
- **Control-section-job (CSJ) numbers**: a nine-digit number for projects assigned to all on-system public highways in Texas.
- **Condemnation**: process by which property interests are acquired for public purposes through legal proceedings under power of ED (with such legal proceedings providing the process and procedure for both the determination and the payment of just compensation to the property owner).
- **"Critical Path Parcel":** the one parcel in a project that is the final acquired property for the project before construction letting.
- **Eminent Domain (ED)**: the power of the federal or state government to take private property for a public purpose, even if the property owner objects upon the payment of adequate (just) compensation.
- **Full-Time Equivalent (FTE):** an employee who works the standard hours in a time period; FTE is used to quantify manpower in a district.
- **Local Public Agency (LPA)**: any political subdivision of the State of Texas (State), such as a city, county or other public agency with legal authority to acquire R/W for highways or public roads and to provide adjustment benefits.
- **Parcel:** all property that the State will take on a project. Any single project may contain one or a number of properties that the State needs to acquire; these properties are called parcels. A project will have a CSJ number and one or more parcels associated with the project.
- **Project Letting:** stage of highway development that is subsequent to R/W being acquired; it is a process of providing notice, issuing proposals, and awarding construction contracts.

- **Plans, Specifications and Estimates (PS&E):** the detailed plans, accompanying specifications and construction cost estimates, which serve as documents for construction, contract letting purposes.
- **Right-of-Way(R/W):** a general term denoting land, property, or interest therein, usually in a strip acquired for or devoted to transportation purposes.
- **Right-of-Way/ROW District**: one of the 25 geographical areas, managed by a district engineer, in which TxDOT conducts its primary work activities and includes all personnel handling R/W acquisition in these districts.
- **Right-of-Way/ROW Division:** the headquarters and administrative unit supporting the ROW District personnel and the owner of the R/W acquisition process.
- **Right-of-Way/R/W Release:** highway project release authorized by the ROW Division, which allows R/W acquired by the districts. This authorization communicated through memos, notifying them of R/W project release.

2. Background

The Texas Department of Transportation (TxDOT) develops highway transportation systems better served to the needs of the public. It is commissioned to "carry out a continuing, comprehensive, and intermodal statewide transportation planning process, including the development of a statewide transportation plan and transportation improvement program that facilitates the efficient, economic movement of people and goods in all areas of the state . . ." (TAC 2002). The annual budget for R/W acquisitions in the State of Texas, fiscal year 2004, was approximately $300,000,000 (TxDOT Pocket Facts 2004). In its August 2001 report, the Texas Transportation Commission set a goal to streamline project delivery from conception to ribbon cutting by 15 percent in five years (TxDOT 2001). Recommended actions were to anticipate R/W needs for future transportation expansion and streamline internal project delivery processes.

One method of accomplishing efficient and cost effective delivery of statewide highway projects is by reducing the period from the planning stage to construction of highways. The R/W acquisition process plays a key part in this scheme. In the overall Project Development Process, which includes Planning and Programming, Preliminary Design, Environmental, and Plans Specifications and Estimates (PS&E) and Letting, the R/W acquisition process has significant effects on the overall schedule. R/W acquisition comes immediately after Environmental and precedes PS&E development and Letting/Construction (TxDOT 2003).

One of the challenges of R/W acquisition is the constant pressure to deliver as soon as possible so construction can proceed; other challenges include protecting the public rights, due process and interface through statutory procedures, and many other relational and challenging management factors. These challenges can result in delays in the R/W acquisition. However, there can also be opportunities to identify periods that built into the process and to identify key activities and factors that influence the duration of activities within the process.

There are also outside influences and indeterminate factors that are unquantifiable and therefore not evaluated or incorporated in the scope of research. An example of this is a memorandum sent on March 6, 2002 to "Cease Acquisition of ROW Parcels until Further Notice." The memorandum was sent by the Director of ROW Division to the District Engineers, and all Districts were asked to "cease acquisition of ROW parcels for all transportation projects" until further notice, which was formally concluded on September 1, 2002. The memorandum may have affected projects that were part of the sample data in the report, but the extent of the impact was not determinable within the scope of this research.

In a recent report from TxDOT project 0-4386 entitled "Development of a Tool for Expediting Highway Construction While Retaining Quality," R/W acquisition mentioned as one the major causes of delay in highway construction, and called for improvements in the area (Simon et al. 2002). The significance of this is to take steps toward a better understanding of the R/W activity durations and to identify delay factors. The goal is the implementation and empowerment of R/W staff, resulting in cost savings, faster delivery of public transportation, increase flow of commerce, reduction of traffic problems and lost time, and, overall, the facilitation of transportation systems in the State of Texas.

2.1 Overview of Texas Department of Transportation Process

TxDOT is a large organization supervised and governed by the Texas Transportation Commission having primary responsibility of:

1. Establishing policy and rules necessary to carry out the duties and functions of the commission and TxDOT, including the planning, design, construction, maintenance and operation of the state transportation system, and
2. Developing a statewide transportation plan that contains all modes of transportation, including highways and turnpikes, aviation, mass transportation, railroads and high-speed railroads, and water traffic (TxDOT 2004).

The Project Development Process begins with planning and identifying the need for new highways or system improvements and ends with PS&E leading to construction. The Right-of-Way acquisition and utilities adjustment processes are contained within this overall system.

2.1.1 Right-of-Way

There are 21 divisions and 25 districts within TxDOT. Right-of-Way Division responsibilities include leasing activities, relocation assistance programs, and uniform policy for all utilities matters, scenic byways' outdoor advertising, and Right-of-Way (R/W) matters, conformity with the Litter Abatement Act, and acquisition for all department purposes. The acquisition responsibilities and utility processes are the focus of this research. R/W acquisition is part of the overall Project Development Process, illustrated in Figure 2.1 entitled "Simplified Project Development Process."

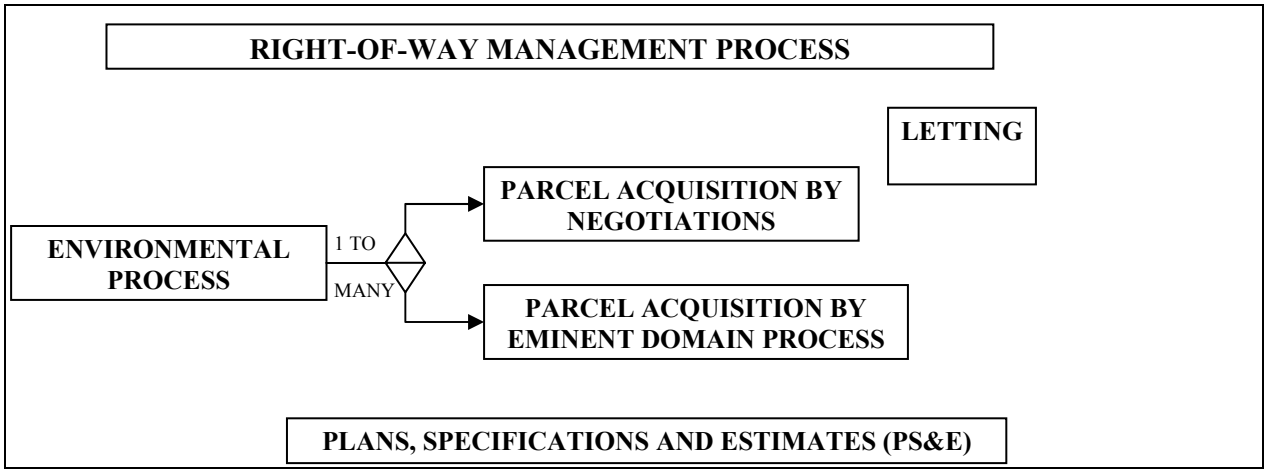


Figure 2.1. Simplified Project Development Process

The R/W acquisition process unofficially begins during preliminary data collection and coordination with local agencies to identify the staffing requirements and any unusual circumstances surrounding the project. It officially begins immediately after R/W Release when the districts are authorized to start acquiring parcels for the highway projects based on Control-

Section-Job (CSJ) numbers issued by the Programming and Scheduling Division via ROW Division. For each CSJ project, the parcels to acquire may vary from one parcel to hundreds of parcels. A detailed summary of activities for R/W acquisition in chart form is included in Appendix A.[2]

Specific R/W activities and/or milestones identified as important in regards to research needs and scope of work with the help of the project team. These specific activities were recorded gathering data for analysis and were the focus of data collection and analysis from the R/W acquisition process:

1. R/W Release
2. Parcel Appraisal date (Appendix B).
3. Parcel Appraisal Approval date (Appendix C).
4. Negotiations End date (Appendix D).
5. ED Begin date (Appendix E).
6. Prepare & Submit Request for ED.
7. Minute Order for ED Approved by Transportation Commission.
8. Possession of Parcel date (Appendix F).

2.2 Literature Review

As part of the research, an extensive literature review conducted to identify the comprehensive process model for the R/W acquisition process, describe methods for expediting R/W, develop duration metrics, identify critical tasks, and determine the best representation of variability by probabilistic duration prediction tools for R/W acquisition. The literature review included technical reports from previous research, journals, articles, research reports, industry journals, books on methodology and statistical analysis, internet sources, publications from research, and periodicals. Similarly, it included compilations from all areas of government, including Federal Highway Administration, American Association of Highway Transportation Official Highway Committee on ROW, TxDOT manuals, conference proceeding, internet sources, brochures, teleconferences, periodicals and other resources.

The purpose of the literature review was mainly for background information and to familiarize with different innovative techniques, streamlines potentials, and focuses the scope of work more directly address the problems that ROW Division administrators and staff are seeing.

The research literature review identified many sources for managing R/W activities. Most recently, the American Association of State and Highway Transportation Officials (AASHTO) developed a Right-of-Way and Utilities Guideline and Best Practices to "develop and advocate guidelines and best practices to assure timely procurement, clearance of rights of way and adjustment of utilities" (AASHTO, 2004). The publication divides R/W activities into eight categories as follows:

1. Project Development
2. Appraisal and Appraisal Review

[2] R/W Acquisition Flowchart was revised May 2004; data collection based on older (27-Jan-2000) version.

3. Acquisition
4. Adjustment
5. Property Management
6. Utilities
7. Management Practices
8. Training

These categories outline how the literature review is presented in this chapter (excluding utilities and property management). The regional representatives who took part in this AASHTO study included some of the TxDOT research committee members.

2.2.1 Project Development

Communication and coordination between disciplines during scoping, project development and design phases is one key to improving R/W acquisition. Some states have developed cross-functional teams to ensure the involvement of multiple disciplines; some Florida Districts have multi-functional teams that are responsible from the initial phases of project development through R/W acquisition and completion (National Cooperative Highway Research Program [NCHRP] 2000). The report from the NCHRP identified factors that would contribute to expediting R/W delivery like steering away from "hand-off" functions, incorporating concurrent R/W activities, and delegating authority to project level personnel rather than having the central authorities controlling the functions. R/W staff needs to be active in the scoping process by providing knowledge of social and economic impacts for the proposed highway system. The R/W team is well versed in parcel cost estimation and their input is valuable. For example, recent cost estimation studies indicate the statistical significance of improvement, land, and remainder sizes that affect R/W costs (Heiner and Kockelman 2003).

These multi-disciplinary teams should include acquisition agents or other R/W staff members to act as liaisons so an analysis of the project can be better performed (AASHTO 2004). An application of collaboration is the development of Context Sensitive Design and Context Sensitive Solutions, which aims to integrate design, construction, maintenance, and operations of a highway system; the principal is an application to any transportation project that aims to bring in the full range of stakeholders actively incorporates the entire project development process (Neuman et al. 2004).

A recent study of five different state departments of transportation show disparities in the approach to development of transportation solutions, including the integration of disciplines (planning, environmental, engineering and real estate). The same research shows that respondents from these states believe that identifying impacts on the environment, economy, community, and the cost of the project, funding, and complexity of the project are the most influential factors affecting the development of transportation solution (FHWA 2003).

Another recommended practice is to involve the property owners in advance of completion of project design; this involvement will acquaint the public with project proposals and begin a constructive dialogue (AASHTO 2004). Other countries such as Netherlands and Germany work with the basic idea that property owners given at least as good a position as they were before the project, or as the British principal states: "put individuals affected by a project in positions in

which they neither gain nor lose from the project" (FHWA 2002). The R/W agents or staff should attend all public meetings and hearings to answer questions for the affected property owners in resolving impacts. Utility coordination and identification of utility companies will mitigate the conflicts and encourage evaluation and alternative design proposals; multi-disciplinary teams including R/W should review milestones during the final design process (AASHTO 2004).

R/W acquisition and utilities adjustment treated as critical path elements by project management in the Netherlands and integrated into the project development process with better communication and coordination among disciplines. The result will be more realistic scheduling, better education of process, and identification of problems early that can shift employee loyalty from functional groups to the project as a whole (FHWA 2002).

2.2.2 Appraisal and Appraisal Review

A well-trained and technically qualified group of staff and appraisers will encourage and foster teamwork from the appraisal process all the way through to possession of property. One of the recommendations from research into European Best Practices involves using one person to serve as appraiser and negotiator for acquisition and adjustment activities. The California Department of Transportation has initiated pilot projects that use the Single Agent Appraise/Acquire or One Call Agent with good results and response from owners who appreciate dealing with one agency representative who has the ability to offer a complete acquisition package and the authority to commit, so multiple visits are minimized (NCHRP 2000).

One guideline from AASHTO Best Practices is to develop and use timely and effective contracting procedures for appraisal consultants, which include developing statewide appraisal contracts, implementing delivery incentives, enforcing penalties, maintaining the pool of qualified and experienced appraisers, and reducing paperwork with electronic reports and interaction. One way that TxDOT follows the recommended Best Practice is by the use of Right-of-Way Acquisition Providers (ROWAPS). These R/W acquisition services contracts "allows TxDOT to consider qualifications and capacity rather than accepting low bids" on outsourced work (TxDOT 2004). In testimony given to the Texas Senate Committee on Infrastructure by Amadeo Saenz Jr., Assistant Executive Director for Engineering Operations for TxDOT stated that ROWAPS allows for a two-part process. First, qualifying potential bidders, then negotiating the fees in which specific functions and tasks are determined; the result has shown that the R/W acquisition process for these services takes one third less time (TxDOT 2004).

2.2.3 Acquisition

An interesting development for landowners is the voluntary land consolidation practice used by European countries like Norway and Germany; the idea is to distribute the land acquired fairly to landowners "so they have more contiguous properties without roads going through them" (FHWA 2002). Some guidelines providing for land consolidation include taking into account funding, environmental mitigation, and legality in the U.S. (FHWA 2002). This process requires continuing collaboration and communication between landowners and acquisition staff. To build the owner confidence in the agency, one recommended practice voluntarily sharing copies of the complete appraisal reports; another is to provide a packet of information regarding the project;

this includes a brochure with guidelines similar to the 2004 ED information package provided by the OAG's Municipal Advisory Committee (Attorney General 2004).

TxDOT recently increased the Administrative Settlement cap from $10,000 to $50,000 to help facilitate the negotiations for property; this is a step toward AASHTO and European Best Practice, which promotes negotiations when "just compensation" is the issue halting the acquisition process (AASHTO 2004).

2.2.4 Relocation

Business relocation challenges identified by AASHTO and all over the U.S. for R/W acquisition. FHWA will consider a waiver of the maximum threshold dollar amount for items such as search and reestablishment expenses, which recent surveys show to be only $10,000 for 90 percent of the states (AASHTO 2004b). Successful applications seen in European countries and pilot programs are starting in some states. Other Best Practices include increasing threshold for monetary approval of relocation assistance payments at the field office level along with streamlining relocation appeals by assigning a designated staff member to make final decisions for the agency (AASHTO 2004).

2.2.5 Management Practices

The use of teams to share information and improve internal communication and output accomplished by meeting often to share lessons learned or by use of multi-disciplined teams with managers and specialists for training and increasing employee awareness. Utah implemented a system in which the R/W lead person is partnered with a team that self-directs the work, sets the schedule, coordinates and monitors the progress and delivers the completed project; the team consists of representatives from areas of Planning, Design, Environment, Eminent Domain, Public Relations, and Engineering (NCHRP 2000).

Other forms of risk management include pilot programs allowing R/W staff to waive appraisal requirements, pending liens, or mortgages releases of parcels that are valued below a specified amount; this allows a more streamlined acquisition process. An example of appraisal waivers illustrated in research conducted by the FHWA. The FHWA gave the states options to implement a minimum threshold value of $10,000 in which any property deemed to be worth less than this amount would use an abbreviated appraisal procedure. Florida, Louisiana, Oregon, and Pennsylvania saw large differences in expenditures ranging from $0.5 million to $6.7 million per year, and saved significant expense and person-hours per project (FHWA 1999).

In the survey taken by NCHRP on the effectiveness of existing practices in accelerating R/W delivery, there were eight practices that ranked as the most useful; these practices are the following (NCHRP 2000):

1. Staff Training
2. Expanded administrative settlements
3. Prequalification of consultants
4. Use of R/W consultants
5. Release waivers
6. Appraisal modifications

7. Public information programs
8. Mediation

2.2.6 Training

The formal training for R/W professionals is extremely important for the development of a competent and well-versed staff that meets the changing environment and challenges in the R/W field. Studies have shown that the most useful means of reducing R/W delivery time by longer than 6 months is staff training (NCHRP 2000). Developments in training have attempted to incorporate college programs leading to real estate certification, and FHWA is producing a web-based training course, Real Estate Acquisition and the Uniform Act (AASHTO). The education of engineering staff in order to fully implement project management principals from project inception through acquisition was emphasized along with identifying customer needs through surveys and other performance indicators that would help benchmark the process (AASHTO 2004). One method for benchmarking is an information clearinghouse on R/W databases for management, project development, and parcel tracking.

2.2.7 Additional Literature

The Texas Turnpike Authority used an Exclusive Development Agreement (EDA) on the SH 130 Project in Austin, Texas; this $1.37 billion project spans 49 miles, with frontage roads and interchanges. The land developer given the responsibility to acquire R/W for this project in addition to construction; this allows R/W acquisition to be flexible—with TxDOT overseeing the project—and benefits by foreknowledge of project completion date, staffing, and management of all stages of the process. Though this method is not typical of TxDOT projects, one of the largest projects, the Tran Texas Corridor, is using a similar method for R/W acquisition. The developer, Cintra SA, pledged $6 billion for the first phase of the Corridor from Oklahoma to Mexico and $710 million allocated for R/W and construction for a section south of Austin to I-10 ending ultimately at San Antonio (Powers 2004).

2.3 Right-of-Way Information Systems (ROWIS)

TxDOT uses a database developed to track R/W projects from beginning to end. Right-of-Way Information System (ROWIS) was developed and implemented in 1997 as a relational database that allows user interface with multi-level access from districts to divisions. The user builds a project and populates the system with information about the highway number, project name, environmental clearance, letting date, parcel quantities, maps, and minute orders, etc. Each parcel populated with fields of information so a history of appraisals made, acquisition interests, legal owners, CSJ numbers, district information, status dates, type of acquisition, ED proceedings, commissioner award date, deposit amounts, and many other fields recorded, tracked, and managed from personal accounts and shared with authorized personnel.

ROWIS can be a powerful tool to manage and access vast amounts of data; ROWIS can store forms, track documents, process payments, print reports, and much more. For example, many of the itemized costs and documentation abilities of ROWIS allowed TxDOT to manage approximately $300,000,000 that were allocated to R/W acquisition in fiscal year 2004 (TxDOT Pocket Facts 2004).

2.4 Summary of Background Review

The overall compilation of literature provides many recommended practices for different stages of the R/W acquisition process. These stages include project development, appraisal, acquisition, relocation, management, and training; some of the highlights summarized below:

- Multi-functional teams for project development
- Single person acting as appraiser, negotiator, and relocation specialist for the appraisal and review process
- Land consolidation and owner participation during the acquisition process
- Increase threshold for monetary approval of relocation assistance payments at the district level
- Risk management by allowing districts to waive the appraisal process for less significant acquisitions
- Benchmarking and development of an information clearinghouse for R/W

TxDOT has a structured, mature R/W acquisition process that helps it manage its process. Its Right-of-Way Information System (ROWIS) allows it to manage the data flow for parcel acquisition.

3. Study Methodology

3.1 Overview Flowchart

This chapter describes the methodology used to complete the objectives of this thesis. Figure 3.1, entitled Research Methodology Flowchart, provides a guideline for the steps taken for the research. The sections that follow are detailed explanations of the research process.

3.2 Step-by-Step Discussion

This section provides systematic discussion on how the research was conducted, starting with the Project Kickoff Meeting to submission of the report and deliverables. Research committee members from TxDOT listed in Appendix O.

3.2.1 Kickoff Meeting

The initial kickoff meeting on Friday, October 31, 2003, included introduction of team members, discussion of project purpose, scope, schedule, contact information, work plan, and tasks to be completed. Key information provided by TxDOT is included:

- ROW Division has completed a 5-year exhaustive study of R/W procedures and practices, and many ideas, recommendations, and streamlining techniques completed
- TxDOT desires a model incorporating R/W steps to compare the actual performance to the expected performance, in terms of duration

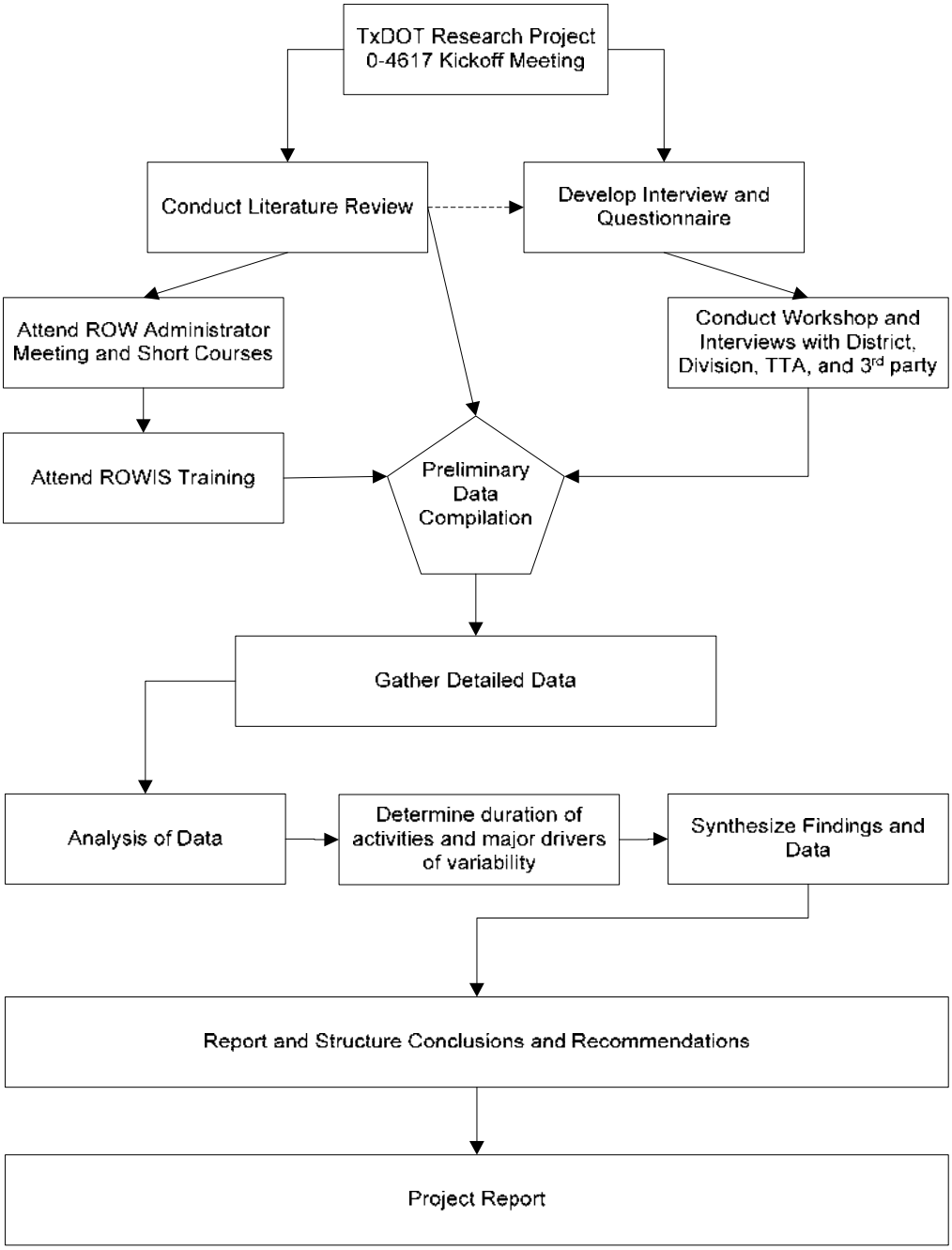


Figure 3.1. Research Methodology Flowchart

- Right-of-Way Information Systems (ROWIS) is the standard statewide database and one of the products from the re-tooling effort in place in all 25 R/W Districts.
- The ROW Acquisition Flowchart provided; R/W and utilities concurrently modeled into one diagram or otherwise modified.
- Division and district managers require better monitoring and training modules to help them assess the performance of the 25 TxDOT Districts in terms of R/W acquisition.
- Texas is a strong property rights state and, therefore, many "innovative strategies" and other states' strategies may not apply due to statutory differences.
- R/W acquisition has been difficult to collaborate with environmental issues.

3.2.2 Develop Literature Review

An extensive literature review conducted to help gain knowledge into current practices and help with developing the data collection strategy, and outlined in Chapter 2.

3.2.3 Develop Questionnaire for Interviews

The interview questionnaire developed to focus on problematic parcels, preliminary actions in parcel acquisition, and differences in R/W process, problematic parcels, reoccurring delay parcels, least predictable/most variable activities, and ROWIS feedback (Appendix G). It was drafted and refined by the CTR team in collaboration with the TxDOT Research Committee.

3.2.4 Training, Workshops, and Meetings

Right-of-Way administrators and staff face problems with resources, funding, and planning difficulties on every project. Management techniques developed through years of experience and interaction with the public, private companies, and other R/W personnel. To get an idea of R/W acquisition and the general practice, the authors attended various workshops, administrator meetings, and ROWIS Training and Short Courses as part of the research. More than 20 meetings attended during the research in regards to R/W. These meetings revealed internal workings of the acquisition process and provided additional insights into the challenges that districts face in terms of R/W acquisitioning. The summary of meetings, training, workshops, and interviews attended by members of the research committee is listed in Appendix P.

3.2.5 Interviews and Workshops

Interviews conducted in the following districts: Austin, Houston, Lubbock, San Antonio, and Fort Worth. Personnel interviewed came from many different backgrounds. They included R/W administrators, R/W acquisition specialists, district engineers, Transportation Planning and Development directors, Texas Turnpike Authority representatives, utility company representatives, ROW Division representatives, Utility Coordinators, Relocation Agents, ED Coordinators, agents, and specialists, among other professionals. The list of interviews and workshops attended for R/W given in Appendix Q.

3.2.6 Preliminary Data Compilation

The preliminary data collection gathered through the interviewing process and attendance at R/W meetings, seminars, and training classes helped establish a basis for the next phase of the research. The actual data collection and analysis in the following chapters will focus on the specific needs that districts and the ROW Division share and use to answer questions such as:

1. How much time needed to acquire R/W for a construction project.
2. What are the factors that delay the acquisition process and how can R/W management identify them?
3. How much control does the district or division have on the activities in the acquisition process; what are the activities that are integral to the R/W acquisition process but are not under direct supervision and control of the districts or division?
4. Historically, what have been the problematic parcels, the most time consuming processes (Administrative Settlement (AS), ED, or Negotiated), the most difficult takes, and what are the anticipated times for various parcel acquisition activities (e.g., appraisal or negotiation process).

3.2.7 Gathering Detailed Data

The samples for this study came from actual R/W project files gathered from ROW Division offices in Austin, Texas. The projects randomly selected according to criteria set out by the research committee, and included projects with fewer than 300 parcels and contained within ROWIS. A more detailed methodology, selection process, and characterization of samples provided in Section 5.1 of this report.

3.2.8 Analysis of Data

After the data acquired, durations for the R/W acquisition process were analyzed using descriptive statistics and Analysis of Variance techniques. Preliminary data analysis results shown to the research team and several additional analyses conducted based on their recommendations. These analyses shown in Chapter 5 of this report.

One method used in the analysis was to apply cumulative graphs to each category. This statistical analysis was to gain insight into the characteristic trends within the population by examining a representative subset of the population (Albright et al. 2003). The subsets of sampled parcels used to make inferences about the entire population. The synthesis of the sample means, medians, standard deviations, minimum, maximum, and range provide important information to the R/W personnel who want to predict how long current parcels or projects may take.

It should be noted that these values are not absolute values; they merely attempt to describe the population by using the statistically significant sample to make inferences and state trends representative of the population. A normal distribution can be approximated with a sample size (n) greater than or equal to 30; this rule of thumb for sample size ($n \geq 30$) is satisfied for all the comparisons made in this report. An Analysis of Variance (ANOVA) used on the sample; it is a test of the differences between the mean values of different samples (Albright et al. 2003).

For data analysis, the sample stratified into categories of data; an example of a stratification of categories was to compare all projects with fewer than 30 parcels per project to all projects with greater than 30 parcels per project.

The software used in the analysis was StatPro™ (2005), and the key to the interpretation of the ANOVA table—which is where the elements of the test presented from StatPro™—is in the p-value. A p-value of 0.05 used in the tests; if the ANOVA tests gave p-values of less than this threshold, the categories of sample means were different at a statistically significant level. A p-value of less than 0.05 means that there is a probability of less than 5 percent that the difference between the sub-samples explained by random occurrence. For instance, this allows interpretation of the data in such a way that one may state that projects that are in the urban areas are statistically slower for acquisition than rurally classified parcels if the p-value were 0.05. The ANOVA test was chosen because it is a robust method of analysis for sample sizes large and roughly the same, which is the case for the research data (Albright et al. 2003). Chapter 6 details the categories and provides the analysis.

3.2.9 Determining Duration and Drivers of Variability

During the analysis of the sample data, the drivers of parcel variability were conducted. The drivers of parcel variability were determined by examining the parcels in each project that took the longest time from R/W project release date to parcel acquisition. Records on each parcel were available in the project files in the form of negotiation reports, correspondence between districts and owners, private specialists, OAG, and specific documents like appraisal reports, court reports, and deposit notices. Chapter 6 develops the process more extensively and Section 6.3.1 summarizes the findings for these delay factors.

3.2.10 Synthesis of Data and Compilation of Findings for Final Report

The final stage of the research effort was to compile the interviews and workshops, sample data, evaluations, analysis, conclusions, and recommendations into a report for implementation by the ROW Division and TxDOT districts. This was done in conjunction with input from the research committee.

4. Right-of-Way Interviews and Workshops

As part of the initial research investigation, the author conducted several structural interviews. The interview questions were developed with the help of the TxDOT research team and are given in Appendix G. The districts that were interviewed are the following: Austin, Lubbock, San Antonio, Fort Worth, Houston, Texas Turnpike Authority, and ROW Division. Interviewees were asked to identify challenges, problems, characteristics, and situations that seem to reoccur from project to project. Along with identifying these delay factors and challenges, interviewees were asked to provide solutions, strategies, or suggestions as to how these problems could be addressed. These questions were framed in terms of how the research could help R/W staff in their day-to-day activities for parcel acquisitions.

The results of these interviews were categorized into nine types of delay factors, which the process of R/W acquisition seems to face most often; these categories are as follows:

1. Pricing, Compensation and Impact on Remainder Delays
2. Title Curative and Ownership Delays
3. Third Party Delays
4. Parcel Characteristic/Improvement Delays
5. Legal Activity and Litigation Delays
6. Utility Delays
7. Environmental Sensitivity and Expert Witness Delays
8. Design Change and Revision Delays
9. Resource and Manpower Delays

The following sections summarize the interviews, meetings, and workshops conducted for the research. Each category presents not only the problems and challenges that the ROW personnel would face, but also provides potential management strategies based on responses or found in the literature review. R/W challenges shown in these tables were identified during the interview process with district and division participants. A management triage was developed by the author and presented to the TxDOT research committee for evaluation and input; the strategies were compiled to assist R/W staff in managing the process. The following sections show the tabulated results.

4.1 Pricing Compensation and Impact on Remainder Delays

This section describes the challenges that face the R/W administrators and staff in regards to appraisal value of property or improvements that are disputed by the owner of parcels that TxDOT needs to acquire. Table 4.1, entitled *Table of R/W Interviews and Workshop Summary Category 1*, gives a summary.

Table 4.1. Table of R/W Interviews and Workshop Summary Category 1

Category of Delays in Process	**Right-of-Way Challenges**	**Potential Management Strategies**
1. Pricing, Compensation and impact on Remainder Delays	❖ Uneconomic Remainders can be a result of partial takings due to R/W mapping requirements. Owner must initiate request for district to act. The approval process can extend the acquisition process.	✓ Look at land consolidation or purchasing the uneconomic remainder properties.
	❖ Improvements. Parcels with improvements and damages to the remainders. More parcels with these characteristics mean more time will be required.	✓ Identify the parcels that have recent improvements and begin appraisal early.
	❖ Commercial Area. Car dealerships and gas stations were identified as problematic and can lead to condemnation and potential delay.	✓ Identify parking lots, small businesses, car dealers, anticipate condemnation, and prioritize accordingly.
	❖ Metropolitan. Projects in highly congested areas, small businesses, shopping centers, apartment buildings can also lead to ED and cause delay.	✓ Establish these parcels as high priority acquisition.
	❖ Re-establishment allowances were $10,000 for businesses (particularly small); this is inadequate for most situations and may lead to ED.	✓ Assess expected costs for re-establishment and evaluate the risk of condemnation.
	❖ Improvement clearance after possession can delay utility. Districts have done some improvement clearances such as clearing trees for the utility process.	✓ Interact with the business owners and find out their concerns are, try to inform them of what services can, and cannot be provided to them.

4.2 Title Curative and Ownership Delays

This section describes the challenges that face the R/W administrators and staff in regards to title curative work and ownership delays. This category can include title company limitations, bottlenecks, bankruptcy claims, and curative problems. Table 4.2 provides a summary of these issues.

Table 4.2. Table of R/W Interviews and Workshop Summary Category 2

Category of Delays in Process	Right-of-Way Challenges	Potential Management Strategies
2. Title Curative and Ownership Delays	❖ Title companies. Title work in counties that have no title companies, scattered companies, or limited companies can extend the length of R/W Acquisition process.	✓ Contact title companies early to do speculative work. Identify title companies that have worked in closest region for evaluation.
	❖ Title work capacity. Title commitment problems can result from title company's' lack of staff and resources.	✓ Evaluate the amount of title clearances needed. Plan and consider ordering title prior to release.
	❖ Title commitments are dependent on dates set by the differing title companies.	✓ Evaluate title companies' history, developing relationships to establish target completion dates.
	❖ Title Company's process can be a bottleneck—from identifying owners to surveying, title run, and title commitment is approximately 90 days or longer.	✓ Consider incentives and record keeping of past title company work to better anticipate process time.
	❖ TxDOT and state has seen delays because state contracts have "particulars" written in policy (e.g. 20% holding of funds on title companies). Title companies using their own policy may delay the R/W Acquisition process.	✓ Provide a work package and list of these particulars to the title companies beforehand to avoid delays due to company policy on either side.
	❖ Bankruptcy claims. Bankruptcy claims can halt the R/W process.	✓ Research the businesses, meet with the owners, and conduct credit checks. Develop strategy for potential bankruptcy claims.
	❖ Curative work. Deceased owners, multiple ownerships, publication, and other title curative work can cause delays.	✓ Begin curative work early, evaluate the area, and try to anticipate particular situations.

4.3 Third Party Delays

This section describes the challenges that face R/W administrators and staff in regards to third party delays. This category can include outside entities that are integral to the R/W process but are not directly under the supervision of the ROW Division or Districts. Examples are the OAG, city and county local parties, owner, judges, and commissioners. Table 4.3 gives a summary of these issues.

Table 4.3. Table of R/W Interviews and Workshop Summary Category 3

Category of Delays in Process	Right-of-Way Challenges	Potential Management Strategies
3. Third Party Delays	❖ OAG as an integral part of R/W acquisition process.	✓ Consider the OAG capabilities and plan for expected response time.
	❖ Public relations. R/W acquisition necessitates constant interaction with the public. Because of the unknown nature of public response and local personalities.	✓ Identify the nature of the project and attend public meetings to get a feel for the publics' support or hostility.
	❖ Local (City, County) 10% contributions. Waiting for 10% Local contributions can delay the acquisition if not provided in a timely manner.	✓ Identify new projects and get local City or County involved early in the planning stage.
	❖ Re-appraisals. Circumstances can initiate the need for re-appraisal such as delay in funding, Administrative Settlements, market inflation, or other delays.	✓ Identify how long an appraisal price will be valid before another one is necessary.
	❖ Right of Entry. Permission from landowners is required to conduct surveys and soil testing. If the parcel owners are not cooperative, it will delay the testing.	✓ Initiate conversation with the landowners and discuss the options or at least to identify difficult acquisitions.

4.4 Parcel Characteristic/Improvement Delays

This section describes the challenges that face R/W administrators and staff in regards to parcel characteristics and improvement delays. This category can include a variety of parcels like railroads, businesses, parking lots, homes, etc. Delays that can arise from the need for expert testimony or correlations to project size, number of relocations, and other challenges related to parcels are included in this summary. Table 4.4 provides a summary of these issues.

Table 4.4. Table of R/W Interviews and Workshop Summary Category 4

Category of Delays in Process	Right-of-Way Challenges	Potential Management Strategies
4. Parcel Characteristic / Improvement Delays	❖ Expert testimony. Appraisals may need experts such as land planners for manufacturing plants and extra time is required for this process.	✓ Evaluate the type of acquisition and history of experts used.
	❖ Business versus Private acquisition. Business relocation typically indicates a more difficult take. Commercial moves may take up to two years or longer.	✓ Identify businesses that will be affected by the new R/W and make contacts to begin relocations early.
	❖ Post Office. Federal Land Transfer—traffic circulation and staging areas for postal trucks require FHWA involvement and may take up to 18 months to negotiate.	✓ Identify Post Offices in the R/W regions and involve FHWA. Evaluate the circulation routes and consider alternate routes.
	❖ Existing alignments are more complicated; location of geometric design elements that define horizontal and vertical configuration of the roadway may not be exactly shown and revisions more likely.	✓ Assess the R/W map and identify the existing alignments and new locations.
	❖ Terrain. Flat terrain versus wetlands (with utilities or drainage considerations) can complicate the R/W acquisition.	✓ Conduct site visits; use Geographic Information Systems and regional topographic maps.
	❖ Project Size/No. of Parcels. Large projects tend to have more parcels (30+) and therefore have more complicated R/W acquisitions.	✓ Evaluate the potential project size and number of parcels to assess resources needed.
	❖ Partial takings are more difficult to predict because there is an impact on what is left behind. The more partial takings, the longer the expected acquisition time.	✓ Identify characteristic takings and partial takings early by working with the design and mapping division in the alignment process. Minimize partial takings if possible.
	❖ Railroads. Landowners who leased to Rail companies are difficult to locate; the process of public announcement and condemnation are expected and R/W typically take 2 years or longer.	✓ Begin early and evaluate the necessity of relocating railroads. These parcels are high priority.
	❖ Splitting of Parcels. Parcels are split for many reasons—growing or urban developments, change in property holding by selling the property or by a death in family and transfer of estates. These changes in deeds occur frequently and can delay the acquisition process.	✓ Identify and begin acquiring "critical" parcels affecting construction staging areas.

Table 4.4 Table of R/W Interviews and Workshop Summary Category 4 (continued)

Category of Delays in Process	Right-of-Way Challenges	Potential Management Strategies
4. Parcel Characteristic / Improvement Delays	❖ Building bisections. Category 2 building bisections are a reoccurring problem in urban areas; these parcels cause delay because of façade considerations or remediation.	✓ Meet with Engineering and Design Divisions to identify potential problems and redesign considerations.
	❖ Office buildings will typically have more residents and more time needed to relocate them. A limit of relocation personnel and resources can delay the process. Apartment buildings are the same.	✓ Identify the different residents and businesses early on and begin searching for relocations alternatives.
	❖ More relocations mean longer projects and acquisition time. The process will be a minimum of 90 days for relocation is needed.	✓ Conduct field visit and make contacts to anticipate the number of relocations that will be required.
	❖ Shopping centers, small businesses, and tenants not wanting to lease out can be problematic because the rent and overhead will be greater, the re-establishment does not consider loss of income due or down time.	✓ Provide a comprehensive list of benefits and resources that TxDOT can provide the building owner. Anticipate the reestablishment costs and communicate with owners.
	❖ Controlled access or when the landowners or occupants of abutting land are denied access to the highway can make it more difficult for negotiations.	✓ Identify and assess all parcels that will require controlled access.

4.5 Legal Activity and Litigation Delays

This section describes the challenges that face the R/W administrators and staff in regards to legal activities and litigation delays. This category may include legal actions, condemnations, administrative settlement, lawyers, and hearings. R/W administrators and staff need to be aware of how legal processes affect schedule and impact R/W acquisition. These delays are sometimes necessary to fulfill statutory requirements. Table 4.5 provides a summary of these issues.

Table 4.5. Table of R/W Interviews and Workshop Summary Category 5

Category of Delays in Process	Right-of-Way Challenges	Potential Management Strategies
5. Legal Activity and Litigation Delays	❖ Non-profit organizations (e.g. churches) may have limited funds or require a board of directors to make decisions. Situation either takes more time or could prolong the acquisition process.	✓ Work with organizations and donors on alternate location for the buildings to reduce costs and minimize impacts.
	❖ Billboard issues—legal locations. The City has control on the legal location.	✓ Identify billboards on R/W mapping and make appropriate contacts.
	❖ Evictions that occur in the relocation process can complicate the R/W process because they are not within TxDOT's power to control.	✓ Eviction process can be very difficult to address; assess the history of the area, rental property, rates, management, and other leads.
	❖ Administrative Settlement (AS) could take 60 days or longer if there is an extension; AS also requires more time and resources from the Districts.	✓ Evaluate situations in conjunction with legal activity of the area, negotiator's input, and experience.
	❖ Court System. Court systems can seem biased and unfair; condemnation authorities and legislation limit some Districts the number of courts.	✓ Develop professional relationships with all personnel and evaluate the Districts, judges, the rulings, and experiences.
	❖ Law Firms involvement and solicitations. Areas with a history of legal activity from a particular Law Firm will be an indication of more ED and more time.	✓ Identify these high profile areas, reoccurring parcels and regions of interest.
	❖ Hearings require coordinating attorneys, witnesses, meeting places, judges, court reporters, and R/W personnel. This can be difficult to predict period.	✓ Plan early for hearings and proactively keep communication lines open.

4.6 Utility Delays

This section describes the challenges that face the R/W administrators and staff in regards utility company coordination, administrative process, design, and funding for utilities in the R/W acquisition process. Table 4.6 provides a summary of these issues.

Table 4.6. Table of R/W Interviews and Workshop Summary Category 6

Category of Delays in Process	Right-of-Way Challenges	Potential Management Strategies
6. Utility Delays	❖ The utility companies' reimbursement process has no instructions, no forms, descriptions, and unit cost breakdowns. The more companies that are involved, the more time is needed.	✓ Provide an example package or spreadsheet instructions for utility companies to limit confusion and delays due to correspondence.
	❖ Utility adjustments. Utility companies have to complete the work before they are reimbursed; they may lack the resources or funding upfront and this will cause delays.	✓ Look at alternative reimbursement methods to assist local utility companies. Provide coordination and schedules early.
	❖ Utilities Design. The utility companies can delay the time to letting because they wait until R/W provides 60% complete design before work begins.	✓ Coordinate R/W staff and PS&E early and consider joint bids (utility company designs and contractor installs) to expedite relocation process.
	❖ Parcels with many utility adjustments can cause delays. The utility tie-in needs to be sequenced, so R/W acquisition is concurrent R/W land is acquired for utility work and adjustments. At 30% complete drawing, the utility companies can start getting their funding aligned; at 60% complete, start business upgrading and new facilities.	✓ Conduct coordination meetings at the beginning of R/W acquisition and as often as possible to keep utility companies informed of the project status.
	❖ Reimbursable utilities require more time for coordinating with Federal highway agencies because it involves utility companies that have property interests in the R/W acquisition.	✓ A small number of utility companies cause the majority of the delays. Focus coordination efforts and meet regularly with these companies to build relationships and try to establish a mutually beneficial state where they help each other.
	❖ Problematic parcels can occur in urban areas because of issues with utility stacking and coordination. Buried utilities and cities that have this trend or small corridors, require more coordination.	✓ Anticipate urban utilities and identify potential delay problems by bringing in utility company supervisors.

4.7 Environmental Sensitivity and Expert Witness Delays

This section describes the challenges that face R/W administrators and staff when it comes to environmental sensitivity concerns and expert witness delays. This category may include environmental concerns; variables and appropriate identification of sensitive areas that require R/W awareness. Table 4.7 provides a summary of these categories.

Table 4.7. Table of R/W Interviews and Workshop Summary Category 7

Category of Delays in Process	Right-of-Way Challenges	Potential Management Strategies
7. Environmental Sensitivity and Expert Witness Delays	❖ Environmental wetlands. This sensitive issue can delay acquisition even after project is let.	✓ Work with environmental groups. Review history and environmental mitigation lessons learned.
	❖ Archeologically sensitive sites such as cemeteries take special consideration because ROW Division has no power to acquire the land through ED process.	✓ Investigate and survey the R/W land and research resources in Archives and Records Division of the Texas General Land Office. Avoid when possible.
	❖ Hazardous material soils. Staging areas for Hazmat soils may require access to additional land.	✓ Investigate the property and R/W land for indications of hazardous material.
	❖ Caves/U.S. Fish and Wildlife. Discovery of caves can slow the acquisition process.	✓ Involve the US Fish and Wildlife early if caves are within the proximity of the project.
	❖ Dredge or fill discharge. Clean Water Act (Section 404)—discharge of dredge or fill material into wetlands needs a US Army Corps of Engineers Permit that takes more time.	✓ Coordinate with the hydraulics and engineering and planning division.
	❖ Parkland acquisition. R/W may need time to acquire replacement lands for mitigation.	✓ Early acquisitions of adjacent or replacement lands will aide R/W.
	❖ R/W acquired in flood zones may require flood map design and approval by FEMA. ❖ R/W acquisition cannot begin until environmental activities and FEMA provides release Finding of No Significant Impact (FONSI).	✓ Coordinate with the Federal Emergency Management Agency (FEMA). Alterations or relocation of waterways and proposals for amendments to NFIP maps as necessary.

4.8 Design Change and Revision Delays

This section describes the challenges that face R/W administrators and staff in regards to Design Change and Revision Delays. The need to have continual communication and coordination between the ROW Division and District personnel, as well as the Design Division, is required for results in this area. Table 4.8 summarizes the information.

Table 4.8. Table of R/W Interviews and Workshop Summary Category 8

Category of Delays in Process	Right-of-Way Challenges	Potential Management Strategies
8. Design Change and Revision Delays	❖ Design Engineering precedes R/W acquisition and can cause delays if the design group is not informed of R/W needs and special considerations.	✓ Inform and consult with design staff when considering construction easements, utilities, water detention, hydraulics, etc. Design staff informed or trained on how the R/W acquisition process works.
	❖ Drainage and Hydraulics. Additional drainage requirements come in late, at 60% to 90% completion of R/W acquisition of letting schedule. Preliminary drainage and final drainage assessment can become hydraulic issues. Redesign or additional R/W required will take more time.	✓ R/W staff should attend design/geometric preliminary design meeting or conferences to discuss alternate routes, issues, etc.
	❖ Appraisal reports more than 6 months old are probably no good. ❖ Re-appraisals due to different circumstances can initiate the need for re-appraisal, for example a delay in funding.	✓ Anticipate market trend and prioritize the fast pace parcels.
	❖ Delay between mapping and R/W acquisition. Design changes will result in increased R/W and thus a resurveying and recycling of the R/W acquisition process.	✓ Educate the engineering and planning division to the R/W acquisition process and responsibilities.
	❖ R/W maps developed by the environmental clearance stage; sometimes these maps are in good shape; however, map preparations and completeness at the time clearance stage can be improved upon.	✓ Meet with Engineering and Design Divisions to identify potential problems and design requirements. Meet and coordinate more often.
	❖ Easements required at the end of parcel acquisition can cause delays; some examples of these delays are additional storm sewers and cross drains required after the acquisition is completed. This additional R/W requires the start over of the process.	✓ Assess the projects and experiences of engineers and initiate meetings throughout the entire process.

4.9 Resource and Manpower Delays

This section describes the challenges that face R/W administrators and staff in regards to Resource and Manpower Delays. Table 4.9 summarizes this information.

Table 4.9. Table of R/W Interviews and Workshop Summary Category 9

Category of Delays in Process	Right-of-Way Challenges	Potential Management Strategies
9. Resource and Manpower Delays	❖ Resources. Lack of resources for the districts (people, vehicles, facility, etc.). The number of experienced R/W FTEs and outsourced contractors affect the projects and can cause delay if inadequate.	✓ Retain experienced DOT trained personnel (from negotiations to oversight), and train R/W agent in Districts.
	❖ Acquisition outsourcing for supplementing districts "operates at roughly 2/3 the efficiency" and more time is required for training and monitoring.	✓ Anticipate outsource capabilities and develop packages or learning curve tools to monitor and train the contractors.
	❖ Outsourcing issues exist. "It takes 5 experienced District R/W employers to manage the 2 outsourcing contractors". The R/W team expressed that the contractors slowed the process down, and did not complete the difficult, costly, and time consuming work. They left TxDOT to complete the remainder after their contract was complete.	✓ Right-of-Way Acquisition Providers (ROWAPS) and other professional service contracts should allow TxDOT to consider contractor qualifications and capacity rather than accepting low bids.
	❖ Construction funding can be uncertain and may cause delay. Example: If a R/W project is released but there is no money for construction, the Transportation, Planning and Development (TP&D) director may insist on a different project first, thus prioritizing projects and allocation of manpower are partly out of the control of districts.	✓ Communicate implications of delay to overall acquisition process. Plan accordingly and document issues.
	❖ Groups of appraisers sometimes pooled between multiple districts and there may be issues of availability and work force.	✓ ROWAPS allows R/W staff to allocate Acquisition Provider Services accordingly, streamline acquisition time by utilizing "indefinite delivery" contracts that lasts up to two years, and have $2 million caps.

4.10 ROWIS Feedback from Interviews

The results of the opinions and feelings that R/W administrators, staff, and coordinators expressed about ROWIS provided here. The majority of interviewees felt data entry and interface with ROWIS was time-consuming, redundant, and difficult; however, there were some praises for the system also. Some of the positive feedback includes:

- ROWIS can be a good tracking system.
- Division is beginning to use ROWIS for utilities payment portion.
- ROWIS is ideally a paperless system intended for capturing data and printing reports.
- ROWIS has a good footprint of records and can be a good tracking tool.
- The system works well in tracking money, processing payments, and fulfilling the auditors' requirements.

The interviewees also provided comments that were critical of ROWIS:

- ROWIS does not have good reporting capabilities for management and administrators, as it is not extensive enough in coverage and does not track adequately.
- ROWIS is a big hindrance, used mainly for checking; it is redundant.
- ROWIS slows down the process and is not user friendly—it does not prompt you to the next step.
- It is also a "pain." Utilities now have to use the system but there was not enough training provided. It changed over in a short period.
- Outsourced contractors not allowed to enter ROWIS information but are doing the work and should be responsible.
- ROW staff spends much time inputting ROWIS data that specialists could do. ROWIS is difficult to work with because R/W staff end up spending much of their time entering data.

4.11 Descriptive Analysis of Delay Factors and Interview Response

In an effort to explain why some parcels and projects take longer than others do:

1. The district R/W administrator and representatives provided with a ROW Parcel Acquisition Flowchart diagram illustrating the current parcel acquisition process used by ROW Division. Figure 4.1 illustrates a section of the process map.
2. The R/W administrators and staff asked to identify, based on their experience, which activities were the most variable and least predictable activities. In other words, the question was posed about which activities were the most difficult to specify an exact time to complete. Next, the experts asked to identify activities that are outside the control and jurisdiction of TxDOT districts. The summary of responses tallied in Table 4.10, entitled, "Summary of R/W Flowchart Markups by Districts," and the complete responses given in Appendix J.

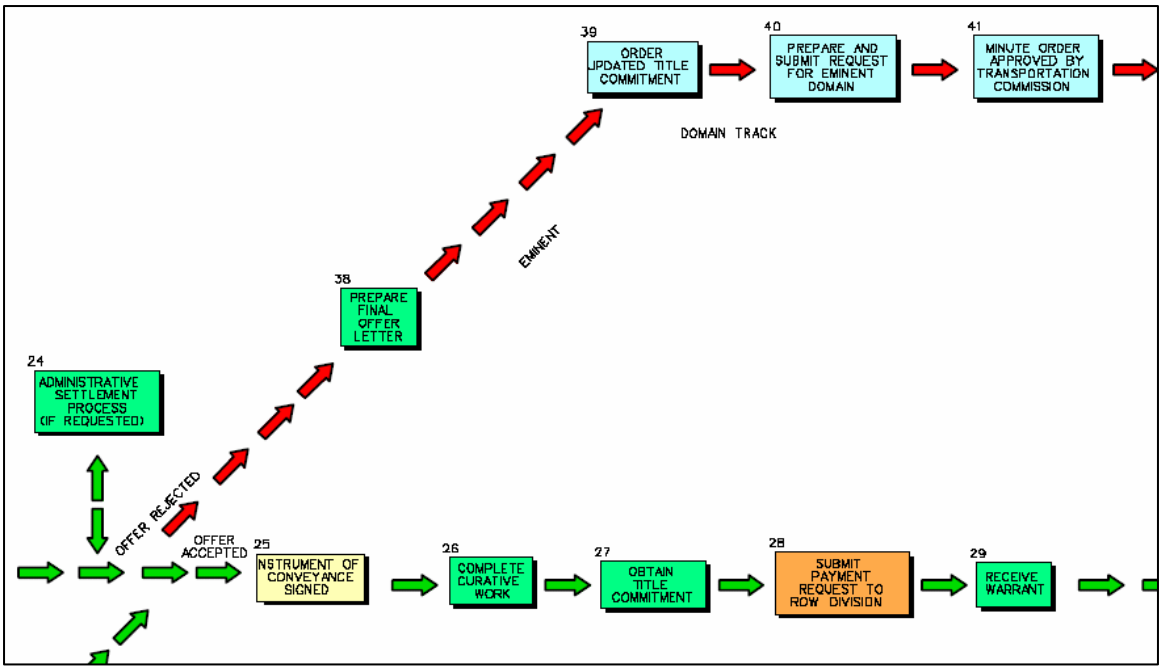


Figure 4.1. Portion of Right-of-Way Parcel Acquisition Flowchart

Table 4.10. Summary of R/W Flowchart Markups by Districts

Activity No.	Description	San Antonio	Austin	Houston	Fort Worth	Lubbock	Count
1	Preliminary R/W/Utility Data Collection						
2	Early Coordination with Local Agencies			X			1/5
3	Preliminary Design Conference						
4	Project Development Process			X			1/5
5	Place Project in STIP						
6a	Obtain: Environmental Clearance			X			1/5
6b	Obtain: Local Agency Agreements (if applicable)			X			1/5
6c	Obtain: Approved R/W Map			X			1/5
6d	Obtain: Funding			X			1/5

Legend: ▭ Out of District's Control; (X) Most Variable/Least Predictable

Table 4.10 Summary of R/W Flowchart Markups by Districts (continued)

Activity No.	Description	San Antonio	Austin	Houston	Fort Worth	Lubbock	Count
7	Request Release			X			1/5
8	Order Title Information: 5 Year Sales Data and Preliminary Title Commitment.		X				1/5
9	Receive Title Information: 5 Year Sales Data and Preliminary Title Commitment.	X			X		2/5
11	Make Pre-Appraisal Contact with Property Owner	X					1/5
12	Contact Displacees		X				1/5
14	Receive Appraisal				X		1/5
15	Review/Approve Appraisal						
16	Ongoing Assistance for Moving, Re-establishment & Searching for Location		X				1/5
17	ROW Division Approval or Special Business Payments		X				1/5
18	Present Offer						

Legend: ▭ Out of District's Control; (X) Most Variable/Least Predictable

Table 4.10 Summary of R/W Flowchart Markups by Districts (continued)

Activity No.	Description	San Antonio	Austin	Houston	Fort Worth	Lubbock	Count
19	Begin Curative Work	X	X	X			3/5
19.1	Receive Written Counter Offer	X	X	X			3/5
19.2	District Recommends To Approve/Deny						
19.3	Division/Department Accepts or Rejects Counter Offer	X	X	X			3/5
20	Calculate and Submit Supplements for ROW Division Approval		X				1/5
21	Receive Approved Replacement Housing Supplements & Special Business Payments	X	X				2/5
22	Send 90 Day notice and determination of relocation entitlements to displacees		X				1/5
23	Assist Displacees in finding replacement dwelling (if requested)		X				1/5
24	Administrative Settlement Process (if requested)	X	X				2/5
26	Complete Curative Work				X		1/5
27	Obtain Title Commitment	X					1/5

Legend: ▭ Out of District's Control; (X) Most Variable/Least Predictable

Table 4.10 Summary of R/W Flowchart Markups by Districts (continued)

Activity No.	Description	San Antonio	Austin	Houston	Fort Worth	Lubbock	Count
29	Receive Warranty			X			1/5
31	Receive Title Policy Close File						
36	Relocation Process—Move Displacees					X	1/5
39	Order Updated Title Commitment	X	X				2/5
40	Prepare and Submit Request for ED		X	X		X	3/5
41	Minute Order Approved by Transportation Commission				X	X	3/5
42	ROW Division Submits Parcel file to OAG						1/5
46	Document "No Change" in Appraisal					X	1/5
47	Receive Court Papers from OAG **(OAG PREPARES PETITION)**					X	1/5
48	File Papers with Court **(TXDOT FILES PETITION)**					X	1/5

Legend: ▭ Out of District's Control; (X) Most Variable/Least Predictable

Table 4.10 Summary of R/W Flowchart Markups by Districts (continued)

Activity No.	Description	San Antonio	Austin	Houston	Fort Worth	Lubbock	Count
49	Serve Notice of Hearing to interest holders **(JUDGE APPOINTS SPECIAL COMMISSIONER)**		X			X	2/5
50	Hearing **(COORDINATION TO SCHEDULE SPECIAL COMMISSIONER HEARING)**				X	X	2/5
51	Prepare Summary/ Recommendation Report **(PREPARE AND DELIVER NOTICE OF HEARING)**						
52	Judge Signs Award **(SPECIAL COMMISSIONERS SIGNATURE AND DELIVER OF AWARD)**						
53	Update Title Commitments						
54	Request Warrant from ROW Division		X				1/5
55	Receive and Deposit Warrant		X				1/5
56	If Supplement Increase/Decrease, Steps needed for computing supplement may be repeated						
60	Possible Mediation	X					1/5
61	Agreed Judgment (Mediation Successful)						

Legend: ▭ Out of District's Control; (X) Most Variable/Least Predictable

Table 4.10 Summary of R/W Flowchart Markups by Districts (continued)

Activity No.	Description	San Antonio	Austin	Houston	Fort Worth	Lubbock	Count
62	Pre-Trial Procedures (Mediation Failed)	X					1/5
63	Prepare and Attend Trial						
64	Jury Summary						
65	Appeal Process						
66	Final Judgment						
67	Final Judgment Payment Process						

Legend: ▭ Out of District's Control; (X) Most Variable/Least Predictable

Activities from Table 4.10 are characterized as "most variable/difficult to predict" or "outside" districts' direct control." Some of these activities were marked by districts as having both characteristics; the following highlighted as the most significant activities that are both "out of district's control" and "most variable/difficult to predict:"

1. Begin Curative Work (19)
2. Receive Written Counter Offer (19.1)
3. Division/Department Accepts or Rejects Counter Offer (19.3)
4. Prepare and Submit Request for ED (40)
5. Minute Order Approved by Transportation Commission (41)

The nine categories of delay factors evaluated with R/W acquisition activities to identify which activities need special attention from management. Each of the categories represents challenges that R/W administrators and staff face throughout their respective careers in R/W acquisition. For example, the inherent challenge of Category 1, *Pricing, Compensation, and Impact on Remainder Delays*, are due to the appraiser's work and appraised values; these values are associated with receiving appraisals, Activity 14 on Table 4.10. The research shows that three out of five districts feel this activity is out of the district's control and one out of the five districts felt this activity to be an unpredictable/highly variable activity that has often delayed the acquisition process. It should be noted that the evaluation of actual parcels, as given in Chapter 6, identifies the issues given above as reasons for delay.

5. Right-of-Way Sample

5.1 Characterization of Sample

This chapter explains the characterization and detailed description of the parcel data collected and analyzed in the research. As mentioned in the overview of the TxDOT process in Chapter 2.3, The Texas Department of Transportation ROW Division acquires land for construction projects throughout the 25 districts. A given project is assigned a Control-Section-Job (CSJ) number issued via the ROW Division. Any single project may contain one or more properties that the State of Texas needs to acquire; these properties are called parcels. A project will have a CSJ number and a quantity of parcels associated with the project.

The sample for analysis was taken from actual completed projects in the file room at the ROW Division headquarters in Austin, Texas. The files have a complete record of documents for every CSJ project; this includes appraisal reports, negotiator reports, ED papers, final offer letters, communication, and correspondence between divisions, third party organizations, districts, and the OAG, and all other required documentation. Each parcel has a folder that has a complete history and record of how, when, where, and why it was acquired.

5.1.1 Selection and Scope of Sampling—ROWIS Database

Data were collected from projects that were complete and had been closed out in ROWIS. The manageability of the database made the collection of actual data easier to control. By definition, the population consists of all objects of interest in the research and the population of acquired parcels would include every single parcel that was ever purchased by the State of Texas (Albright et al. 2003). It would be difficult to obtain all parcels ever acquired by TxDOT through the years, or even in the past few years, and so a representative sample, or subset, of the population is defined. The sample observed will have characteristics that can be analyzed, and from the analysis, generalization of the population can be established. Consideration must be given to the era that TxDOT must operate in versus that of the distant past. For example, parcels acquired 25 years ago would not have the same challenges and characteristics as recently acquired parcels, with growth of technology and computers, change in property types, and trends in the general society. With these limiting restrictions in mind and with input and help from the research committee, the details of the sampled data are as follows:

- The sample was standardized to include only projects with 200 or fewer parcels. The reason for this was that projects that have several hundred parcels are unusual and probably not representative of the typical project.
- The sampled projects only include those that could be extrapolated from ROWIS. Any projects that districts or divisions did not input into ROWIS would be excluded from the research data.
- Only completed projects (those projects with all parcels acquired) were a part of the sample data. This allowed the durations of the R/W acquisition process to be determined and evaluated.

- To attain a statistically significant sample and to use the central limit theorem for normal distribution, a minimum of approximately 30 projects were to be sampled. The total number of projects that were sampled in the research was 55, with total number of parcels at 193. The sample taken included every complete project within ROWIS as of June 7, 2004, ranging from 11 parcels per project through 160 parcels per project. In the fewer-than-11-parcels-per-project range, 28 parcels from 10 different projects were randomly selected as part of the sample.

5.1.2 Milestone Dates and Critical Path Parcel Data Characterization

The assessment of the data sample included milestone dates for identifying delays in R/W acquisition. These milestone dates were records of specific dates within the "hard files" at ROW Division, and came from actual paper documents that the Districts use in correspondence, notices, forms, letters, and court documents, etc. These documents mark specific milestone dates, and the analysis developed the duration between milestone dates. The following are definitions for the milestones that were recorded from the "hard files" at ROW Division:

1. ROW (R/W) Release date: Start of R/W acquisition provided by division.
2. Appraisal Date: Based on *Real Estate Appraisal Report.* Parcel Appraisal date (defined as the date recorded by the appraiser on TxDOT Form ROW-A-5/ROW-A-6, Real Estate Appraisal Report; example in Appendix B). If there are multiple appraisals, the earliest appraisal was recorded (i.e., the initial appraisal).
3. Appraisal Approved Date: Based on *Tabulation of Values.* District Engineer's approval date. Parcel Appraisal Approval date (defined as the date the District Engineer or their designee approves ROW-A-10, Tabulation of Values form, example in Appendix C).
4. Negotiations End: Due date based on *Final Offer Letter*. Negotiations End date (defined as deadline for response noted on Final Offer Letter, example in Appendix D).
5. Eminent Domain (ED) Begins: Based on an Interoffice Memorandum. Subject: ED Submission and documents requesting ED from district to division. ED Begins date (defined as the date the district sends form ROW-E-49, Request for ED Proceedings to the division, example in Appendix E).
6. Prepare and Submit Request for ED: Memorandum from ROW Division legal section to Office of the Attorney General (OAG) regarding ED Proceedings. Prepare & Submit Request for ED (defined as the date ROW Division submits memorandum-requesting ED to OAG).
7. Minute Order for ED Approved by Transportation Commission: Interoffice Communication from OAG acknowledging receipt of parcel or follow-up letter from the OAG enclosing condemnation pleadings (case # and assigned legal filing). Minute Order for ED Approved by Transportation Commission (defined as date the OAG responds to the ED request and begins processing ED hearings).
8. Possession of Parcel or Property: Based on *Notice of Deposit*—, which reads: "by reason of deposit, the State of Texas is now entitled to enter upon and take possession of said property." "Filed for record date" on ED parcels and "Title company closeout date" used for negotiated parcels. Possession of Parcel date (defined for negotiated parcels as the date of completion of ROW-N-72, Title Company's Closing Statement—State of Texas (defined for condemned parcels as the date of deposit shown on ROW-E-ND, Notice of Deposit, example in Appendix F).

From each project, one parcel can be considered the Critical Path Parcel (CPP). This terminology taken from scheduling and project time management systems in which a series of events are sequenced and tied together as predecessor and successor activities, and the critical path of the sequence is defined through project duration schedules based on the activities that fall along the "critical path." Activities that lie along the critical path cannot be delayed without delaying the finish time for the entire project (Popescu et al. 1995). The CPP is the parcel that is the last acquired before letting of the CSJ project. It is possibly the most difficult, time-consuming, and resource draining parcel to acquire; for that reason, this parcel will provide insight into what caused delays in the acquisition process. The collection of data will focus on these CPPs for analysis, since these are the actual parcels that caused the acquisition process to take their respective amounts of time. This parcel first identified using ROWIS and then data for it were acquired from its file.

5.2 Sampling Techniques and Methodology

The sampling techniques were as follows: first, the projects were selected; second, the CPP was found, and all information was recorded from the physical folders at ROW Division in Austin, Texas; third, the random samples were selected and recorded.

5.2.1 Project Selection

The procedure for data sampling began with a list of all completed parcels in ROWIS provided by ROW Division. This list was an extrapolated Excel spreadsheet with information on all completed parcels recorded in the ROWIS database as of June 7, 2004. This data contained categories of information for every parcel, including:

1. DIST—describes the district responsible for acquiring the parcel.
2. R/W CSJ—describes the CSJ number the parcel was assigned.
3. PARCEL—describes the parcel number.
4. PARCEL STATUS—describes the parcel-acquired method, the options being Possession by Negotiation or Possession by Condemnation
5. STATUS DATE—describes the date of last recorded entry and update of the parcel in ROWIS.
6. HOW ACQUIRED—provides further detail to how the parcel was acquired: Negotiated, Administrative Settlement, Jury Award, Settlement, Donation, Judgment, In Absence of Objection, LPA-Acquired, Undetermined, and other methods.
7. TOTAL AMT PD—provides the total amount paid for by TxDOT, if applicable.
8. TOTAL PD DT—gives the date on which payment was requested.
9. OWNER ADMIN SETTLEMENT AMT—gives the Administrative Settlement amount, if applicable.
10. COMMISSION AWARD DATE—provides the date of commissioners' award if applicable.
11. COMMISSION AWARD AMT—provides the amount awarded by commissioners, if applicable.
12. DEPOSIT DT COMMISSION AWARD—provides the deposit date of the commissioner's award, if applicable.

13. DEPOSIT AMT COMMISSION AWARD—describes the amount deposited from the commissioners' award, if applicable.

The original sample consisted of all projects recorded in ROWIS as of June 7, 2004 that had 10 through 160 parcels per project. Additional projects with 10 or fewer parcels were assessed after the initial data collection, with analysis following the same methodology and procedures. The following section will discuss how the CPPs were identified in the ROWIS report.

5.2.2 Critical Path Parcel Selection

The fields that determines which parcel is the CPP are the *STATUS DATE* and *TOTAL PD DATE*, which are the date that the parcel was last updated and the date that the deposit for the parcels was recorded by the court reporter, respectively. The latest of these two dates in comparison with all other project parcel dates used to determine the CPP; if there were identical dates, and then multiple files examined to determine the actual CPP. For each project, the CPP was identified and examined to find what caused the particular parcel to be the CPP. For example, the parcel could have been delayed because of the reasons listed in Chapter 4, such as title curative hindrances or pricing encumbrances or disagreements.

The data was collected on a form created to record the parcel information. Figure 5.1, entitled Critical Path Parcel Data Collection Summary, gives an abbreviated example of how the data for each CPP was recorded. For instance, parcel 36 was the CPP for CSJ 0109-07-040. Its critical dates were recorded and the reason that it was delayed (or took so long) is given at the bottom of the form, based on information from the files. The categories of delay factors developed in the interview process and outlined in Chapter 4 are similar to the CPP factors that are at the bottom of the form. For instance, the ED process delayed the CPP for CSJ 0109-07-040 before the property owner accepted the offer. The details for all sample projects and CPP information are in Appendix H.

							MILESTONES							
CSJ No.	**District**	**Total Parcels**	10% (Total)	Critical Path Parcel Number	Randomly Selected Parcel	Action	R/W Release	Appraisal Date	Appraisal app-roved	Negotiations End	ED Begins	Submit for ED	ED Approved	Possession of Parcel or Property
0109-07-040	LFK	34	3	36		N E G	4/16/98	3/7/02	3/11/02	NA	NA	NA	NA	10/9/02
					14	N E G		7/21/98	8/24/98	NA	NA	NA	NA	10/21/98
					23	N E G		3/25/94	9/21/94	NA	NA	NA	NA	12/16/94
					25	E D		1/7/93	2/4/94	10/12/94	11/10/94	2/16/95	2/23/95	7/20/95
CPP DELAY FACTORS														
ACQUISITION RESOURCES				OUTSOURCED ACQUISITION STARTED ED PROCESS BUT THEN OWNER DECIDED TO ACCEPT THE OFFER.										
TITLE CLEARANCE														

Figure 5.1. Critical Path Parcel Data Collection Summary

5.2.3 Random Parcel Selection

In addition to the CPP within a particular project, between 5 and 10 percent of the total number of parcels within that project were randomly sampled to acquire dates for the eight milestones. These data were used to determine a typical parcel acquisition time (TPAT). The guideline for sampling the additional parcels was based on the total number of parcels within the project; for projects with more than 50 parcels, 5 percent of the total numbers of parcels were sampled and for projects with fewer than 50 parcels, 10 percent of the total numbers of parcels were sampled, rounded to the nearest whole number. A random number generator was used to select these additional parcels. For example, in Figure 5.1, 10 percent of the 34 total parcels results in three additional random parcels (Numbers 14, 23, and 25) sampled for CSJ 0109-07-040.

6. Right-of-Way Data Analysis

6.1 Descriptive Analysis

This section consists of the analyses for the sample parcels. Descriptive statistics of the sample given first, followed by detailed comparative analyses of the stratified sub-samples.

6.1.1 ROWIS Descriptive Analysis

This section describes an analysis of the Right-of-Way Information System database. As previously discussed, ROWIS was used to identify completed parcels and projects that would be included in the sample data. ROW Division provided a complete Excel spreadsheet with extrapolated data from ROWIS as of June 7, 2004 (from here forward will be referred to as "ROWIS database"). Table 6.1 provides a summary.

There are noteworthy observations about the ROWIS database. First, the average number of parcels per project is 15 and the median is 5. This indicates that half of the CSJ projects have five or fewer parcels per project entered into ROWIS database and if the mean truly represents actual CSJ projects in Texas, then the average project has only 15 parcels. Another observation is that there are 384 projects and 5932 completed parcels in the database. The analysis shows that three-quarters (3/4) of the projects have 16 parcels per project or fewer.

Table 6.1. Table of ROWIS Database from ROW Division (June 7, 2004)

ROWIS database Summary:	
Total CSJ Projects **(Count)**	384
Total No. of Parcels **(Count)**	5932
Average No. of Parcels per Project **(Mean)**	15
Median of Parcels per Project	5
Standard deviation (of Parcels per Project)	29
Minimum (No. of Parcels per Project)	1
Maximum (No. of Parcels per Project)	355
Range (of Parcels per Project)	354
First Quartile (of Parcels per Project)	2
Third Quartile (of Parcels per Project)	16
Interquartile Range (of Parcels per Project)	14

In reality, there are many more completed parcels and projects in the hard files at the districts and at division headquarters than shown in the ROWIS database; therefore, the sample may or may not be representative of all R/W acquisition across the state.

Additional analyses, done to separate the ROWIS database into a table describing the number of CSJ projects and their corresponding range of parcels. The data from Table 6.2 show that over 80 percent of the CSJ projects have 20 or fewer parcels per project. The reason for some of the incomplete data may be that the parcels are still in the acquisition process, or acquired parcels not completely updated. ROW Division has incorporated payments, project assignments, and various ties into the ROWIS database that will facilitate the use and data entry required to meet the full potential of ROWIS, so more complete data should be available in the future.

ROWIS database is useful for understanding how the 5932 parcels were acquired (Negotiation, Condemnation—that is, ED, and/or Administrative Settlement, etc.). This information can help assess the TxDOT acquisition process and provide benchmarks for future use. Table 6.3 provides the summary of parcels in the ROWIS database in regards to how they were acquired. The primary means of acquisition was through negotiation and includes roughly 65 percent of the parcels.

Table 6.2. Table of Parcels per Project Ranges

Range of Total number of parcels in a CSJ Project:			No. of CSJ Projects in ROWIS database that have a total no. of parcels within the given range:	Percentage of CSJ Projects that fall into the range compared to all CSJ Projects in ROWIS
1	To	9	250	65.10%
10	To	20	57	14.84%
21	To	30	19	4.95%
31	To	40	17	4.43%
41	To	50	9	2.34%
51	To	60	9	2.34%
61	To	70	8	2.08%
71	To	80	2	0.52%
81	To	90	4	1.04%
91	To	100	2	0.52%
101	To	110	3	0.78%
111	To	120	0	0.00%
121	To	130	1	0.26%
131	To	140	0	0.00%
141	To	150	1	0.26%
151	To	160	1	0.26%
161	To	354	0	0.00%
355	To	355	1	0.26%
Total Number of Projects:			384	100.00%

Table 6.3. Summary of Parcels in ROWIS Database (June 7, 2004)

"PARCEL IN POSSESSION"		
Negotiated	2519	64.79%
Administrative Settlement	819	21.06%
Local Public Agencies—Acquired	205	5.27%
Eminent Domain	280	7.20%
Donation	56	1.44%
Exchange	5	0.13%
Grand Total [3]	3888	100.00%

On the following page, Table 6.4 illustrates the district-by-district breakdown of parcels in ROWIS database by percentage of total parcels entered into ROWIS database. The districts contributing the most into the database are not necessarily the largest districts.

[3] There are 2048 "Undetermined" parcels in ROWIS database; that is approximately 34% of the parcels.

Table 6.4. District-by-District use of ROWIS database (June 7, 2004)

District	Total No. of Parcels in ROWIS Database	%
DAL	635	10.7%
PHR	524	8.8%
WAC	419	7.1%
FTW	392	6.6%
TYL	382	6.4%
LBB	355	6.0%
BRY	345	5.8%
ATL	333	5.6%
BMT	315	5.3%
YKM	315	5.3%
CHS	275	4.6%
HOU	260	4.4%
ABL	252	4.2%
SAT	182	3.1%
LFK	172	2.9%
CRP	156	2.6%
WFS	137	2.3%
ELP	121	2.0%
AUS	110	1.9%
BWD	72	1.2%
PAR	57	1.0%
SJT	43	0.7%
LRD	30	0.5%
ODA	28	0.5%
AMA	10	0.2%
(blank)	12	0.2%
Grand Total	5932	100.0%

6.1.2 Descriptive Analysis of the 45 Sample Projects

From the ROWIS database, 45 projects selected for further analysis. These 45 projects are composed of completed CSJ projects and represent the complete population within the ROWIS database for projects with 10 or more parcels per project. In other words, every completed project that had 10 or more parcels is included. It should be noted that there were many more projects in the ROWIS database that were not complete. For each of these completed projects,

data collected for the CPP and for the additional randomly selected parcels. Table 6.5 provides a summary of the sample:

Table 6.5. Sample Descriptive Analysis Table

Summary Statistics for Research Samples	
Total CSJ Projects (count)	45
Total No. of Parcels (count)	177
Average No. of Parcels per Project (Mean)	36
Median of Parcels per Project	26
Standard deviation (of Parcels per Project)	23
Minimum (No. of Parcels per Project)	10
Maximum (No. of Parcels per Project)	93
Range (of Parcels per Project)	83

The sample chosen has an average number of parcels equal to 36 and consists of 177 total parcels from 45 different projects. For every parcel, all eight milestone dates are recorded (reference Section 5.1.2 for milestone descriptions) for use in computing durations. These durations reflect calendar days between the eight milestones dates. The time from one milestone to another is considered a duration category. These categories are of specific interest for the analysis. Two duration categories, A and B, are given specific names while the others use the milestone callouts to describe the duration categories. The following are descriptions of the duration categories A through G:

A. Parcel Acquisition Time (PAT)—duration from *R/W Release date* (milestone 1) to *Possession of Deed* (milestone 8).
B. Typical Parcel Acquisition Time (TPAT)—duration from *Initial Appraisal Date* (milestone 2) to *Possession of Parcel or Property* (milestone 8).
C. *Initial Appraisal Date* (milestone 2) to *Appraisal Approval Date* (milestone 3).
D. *Negotiations End* (milestone 4) to *Eminent Domain (ED) Begins* (milestone 5).
E. *ED Begins* (milestone 5) to *Prepare & Submit Request for ED* (milestone 6).

F. *Prepare & Submit Request for ED* (milestone 6) to *Minute Order for ED Approved by Transportation Committee* (milestone 7).
G. *Minute Order for ED Approved by Transportation Committee* (milestone 7) to *Possession of Deed* (milestone 8).

For complete details of all project data, reference Appendix I. Tables 6.6 and 6.7 show the statistical summary of randomly selected parcels and Critical Path Parcels, respectively. Note that for some parcels, data were not available or not applicable as indicated in the count row. Observations from Table 6.6 containing the randomly sampled parcels:

- The percentage of ED parcels is approximately 9.7 percent (12 of 124). This value is concurrent with what TxDOT expects to see per discussion with staff, R/W administrators, and research committee members; the historical value is given as roughly 8 to15 percent of parcels go to ED.
- The mean time to move from R/W release to possession of parcel or property in this sample was 554 days with mean time of 324 days to move from appraisal to possession of parcel or property.
- Observations from Table 6.7, the CPP sample:
  - Approximately 70.7 percent (29 of 41) CPP were acquired through ED. This shows a relationship between ED parcels and CPP parcels in that the majority of CPP acquired through condemnation.
  - The mean time to move from R/W release to possession of deed in this sample was 1005 days with mean time of 714 days to move from appraisal to possession of parcel or property.

Table 6.6. Statistical Summary of Samples of Randomly Selected Parcels (Excludes CPP)

Duration Category:	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Parcel Count (n)	124	132	132	12	11	12	13
Mean	554	324	50	75	61	15	272
Median	472	251	33	30	58	11	202
Standard deviation	343	225	61	88	38	8	220
Minimum	51	8	1	0	6	7	14
Maximum	1740	1188	410	234	118	27	819
Range	1689	1180	409	234	112	20	805
First quartile	288	162	15	6	40	9	130
Third quartile	753	402	58	153	84	25	347
Interquartile range	465	240	43	147	44	17	217
90^{th} percentile	1023	629	110	204	112	25	534

Legend—A: PAT; B: TPAT; C: Appraisal start to approval; D; Negotiations end to ED; E: ED begins to request for ED; F: Request for ED to approval of ED; G: ED approval to possession of parcel

Table 6.7. Statistical Summary of Critical Path Parcels

Duration Category:	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Parcel Count (n)	41	41	8	26	28	29	26
Mean	1005	714	41	100	88	30	431
Median	964	632	31	53	62	26	296
Standard deviation	474	395	44	141	74	38	374
Minimum	99	56	5	0	35	2	101
Maximum	2170	1815	133	564	418	208	1299
Range	2071	1759	128	564	383	206	1198
First quartile	623	499	6	20	53	12	165
Third quartile	1317	940	56	101	105	32	481
Interquartile range	694	441	50	81	52	20	317
90th percentile	1642	1012	85	237	125	41	1100

Legend—A: PAT; B: TPAT; C: Appraisal start to approval; D: Negotiations end to ED; E: ED begins to request for ED; F: Request for ED to approval of ED; G: ED Approval to possession of parcel

The following are observations comparing both Table 6.6 and Table 6.7:

- For both Table 6.6 and 6.7: the mean is always greater than the median. The median is the middle observation of all sample values and the mean is the average of all values (Albright et al. 2003). This shows that the data is skewed. Parcels that took a very long time in the condemnation process may inflate the mean and skew the data.
- Another notable difference is between PAT (A) and TPAT (B) for Tables 6.6 and 6.7. For the random sample, the difference between PAT and TPAT time is 230 days; for CPP, the difference is 291 days. This lag in time represents the time from R/W release to appraisal start date. Limited resources or incorrect prioritizing of the parcels may explain this trend. It seems that the more parcels per project, the less likely that all appraisals for the project will start immediately from R/W release. Ideally, if there were infinite resources or ability to predict which parcels take the longest, the lag time from PAT and TPAT is minimized. A trade-off between resource availability and acquisition time assumed and better management of resources could potentially reduce project times.
- Comparing duration category A (PAT) of Table 6.6 to Table 6.7, randomly selected parcels in Table 6.6 had a mean of 554 days, a median of 472 days, a large range and standard deviation, but 90 percent of the parcels were acquired in less than 1023 days (2.8 years). This is in comparison to the Critical Path Parcels, having a mean of 1005 days, a median of 964 days and 90 percent of the parcels acquired in less than 1642 days (4.5 years).
- When comparing duration category B (TPAT) of Table 6.6 to 6.7, randomly selected parcels in Table 6.6 had a mean of 324 versus the CPP mean of 714. This is a difference of over 1 year. Since TPAT represents the time from appraisal to possession, on average, there is over 1 year of time difference to acquire CPP versus a typical parcel.
- Comparing means for category G (*Minute Order for ED Approved by Transportation Committee* to *Possession of Parcel or Property*), the CPP mean is greater by 159 days than the randomly sampled parcels. For the 90th percentile of category G, the CPP needs 568 more days than the randomly selected parcels. The majority of the CPPs are acquired by condemnation (70 percent) and the ED process can delay acquisition process. The differences in category G are a good indication of this.
- Duration Categories C through F for both Tables 6.6 and 6.7 show similar values for mean and median durations. Comparing both median and mean values, the durations of category C (Appraisal start to approval) range from 31 to 50 calendar days; durations of category D (Negotiations End to ED) range from 30 to 100 days; durations of category E (ED Begins to Request for ED) range from 58 to 88 days; and durations of category G (ED Approval to Possession of Parcel) range from 11 to 30 days. These data show there is less difference between randomly selected parcels and the CPP, so the drivers causing delay in the acquisition process are not resident in duration categories C through F.

6.1.3 Descriptive Analysis of the 10 Additional Sample Projects

The 45 projects that sampled did not include projects that had fewer than 10 parcels per project. The characterization of projects was initially limited to all projects that had 10 or more parcels per project because this range was of particular interest to the Research Committee and participants. However, an analysis of data contained in ROWIS showed that 65 percent of the projects within ROWIS database had fewer than 10 parcels per project. Even though the

characterization of parcels focused initially on the 45 sampled projects with 10 or more parcels, 10 additional projects were selected for analysis to see if there was a substantial difference in the means for projects with 10 or greater parcels per project versus projects with fewer than 10 parcels per project. Table 6.8 summarizes the statistical information these projects.

Table 6.8. Statistical Summary of Projects with Fewer than 10 Parcels (10 Projects)

Duration Category:	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Parcel Count	28	28	28	3	3	3	3
Mean	400	222	23	32	75	8	176
Median	393	200	14	25	66	6	203
Standard deviation	223	110	20	12	16	3	46
Minimum	79	68	2	25	66	6	123
Maximum	887	447	73	46	94	11	203
Range	808	379	71	21	28	5	80
First quartile	274	149	10	25	66	6	163
Third quartile	529	289	36	36	80	9	203
Interquartile range	255	140	26	11	14	3	40
90^{th} percentile	732	400	57	42	88	10	203

Sample Projects with fewer than 10 parcels have a lower mean (400 days) compared to the randomly sampled projects (554 days). By comparing the means through an ANOVA (analysis of variance) test, there is statistically significant evidence that projects with fewer than 10 parcels per project tend to have lower acquisition times (p-value less than 0.01). See Appendix L for ANOVA results.

6.2 Detailed Analysis

The more detailed analyses of the samples introduced and developed in this section. The data collected for the initial sample of 45 projects and the 10 additional projects with fewer than 10 parcels per project segregated by categories based on the characteristics of the data. For example, a parcel that is acquired in an urban area such as the Dallas district would be segregated with the other urban parcels and compared to the rural parcels. The data analysis used for estimating and establishing a benchmark for durations must be used with caution because the accuracy of the graph is determined by statistical variables like the standard deviation (discussed in section 6.1, Descriptive Analysis. . . .).

The six additional comparisons used for analysis of the sample are as follows:

1. Randomly sampled parcels, Critical Path Parcels (CPPs), combination thereof, and fewer than 10 parcels per project.
2. Further evaluation of randomly selected parcels versus CPPs.
3. Projects with 10 to 30 parcels per project versus projects with greater than 30 parcels per project.
4. "Urban" parcels versus "rural" parcels.
5. Parcels categorized by district staffing and workload, specifically comparing districts with nine and more full-time equivalent employees versus districts with fewer than nine full-time equivalent employees.
6. Parcels categorized by district's annual budget, specifically comparing districts with greater than $6 million in annual budget allocations versus districts with less than $6 million in annual budget allocations.

6.2.1 Cumulative Distribution Plots

Every parcel has its own characteristics and details associated with it; specifically, each parcel can be categorized by its district location, rural or urban recognition, number of other parcels included within its CSJ project, whether it is a CPP or randomly selected. Finally, two categories based on the number of full time equivalent employees (FTEs) and the total budget allocated for the particular district. These differences are interesting in their relationship to acquisition time and how the trends relative to each other. Conclusions drawn from these analyses as how parcel categories can affect the difficulty of an acquisition and these relationships can be used as a starting point for prediction of acquisition times in the future.

Cumulative distribution plots were used as one method of evaluating the data. The cumulative graphs are a way to show the characteristics of the data sample and how inferences to the population can be made. These historical collections of cumulative acquisition times separated into specific categories can be used to better predict future parcel acquisition times. Other benefits of the graphs are that they reflect actual historical data and can be used for

benchmarking, as a baseline monitoring current progress in the R/W acquisition process, and to monitor time and resource management of outsourced parcel acquisition services or local public agencies.

The time for PAT and TPAT were of particular interest to the Research Committee. These acquisition durations are given the variable names, R1 and R2 for ease of reference and used in all cumulative graphs. Figure 6.1 shows where these variables fit into the process. Below is a verbal description of R1, R2, and R3:

- R1 is Duration Category A, which is the Parcel Acquisition Time (PAT) from section 6.1.2. Specifically, R1 represents the duration from *R/W Release date* (milestone 1) to *Possession of Parcel or Property* (milestone 8).
- R2 is Duration Category B, which is Typical Parcel Acquisition Time (TPAT) from section 6.1.2. Specifically, R2 represents the duration from *Initial Appraisal Date* (milestone 2) to *Possession of Parcel or Property* (milestone 8).
- By inference, R1 less R2 is equal to the delay in beginning appraisal from the date of R/W release. This can occur for several reasons as discussed later and is called R3.

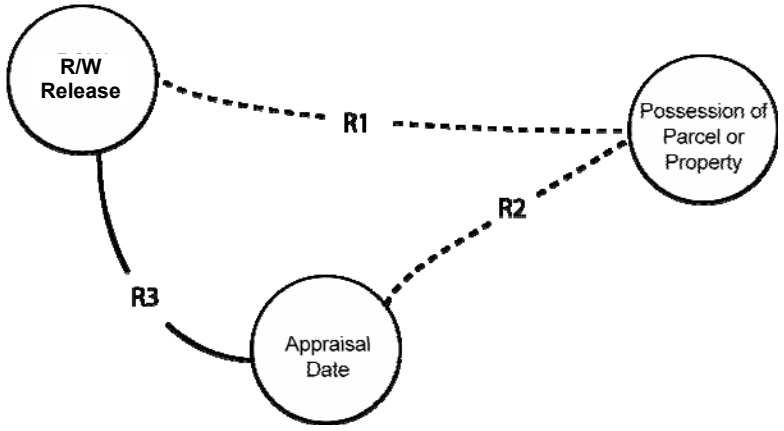


Figure 6.1. R1 and R2 Reference Diagram

6.2.2 Detailed Analysis of Random, Critical Path, and Fewer Than 10 Parcels

The first analysis looks at four stratifications of data. These include randomly selected parcels, CPPs, a combination of random and CPP, and the additional from projects with fewer than 10 parcels per project. Figures 6.2 and 6.3 illustrate to these four plots.

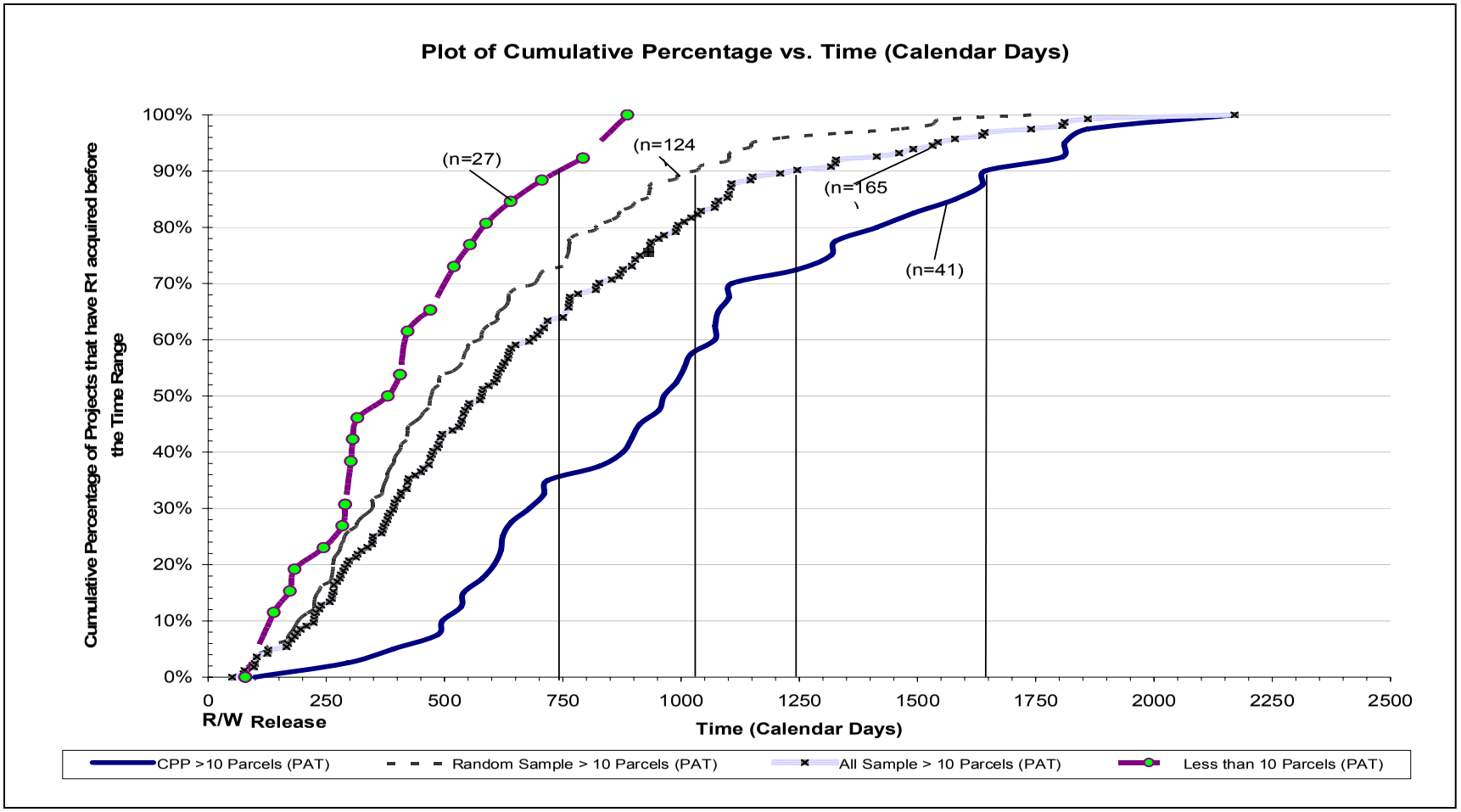


Figure 6.2. Cumulative Plot for R1, all sub-samples, showing 90th percentiles

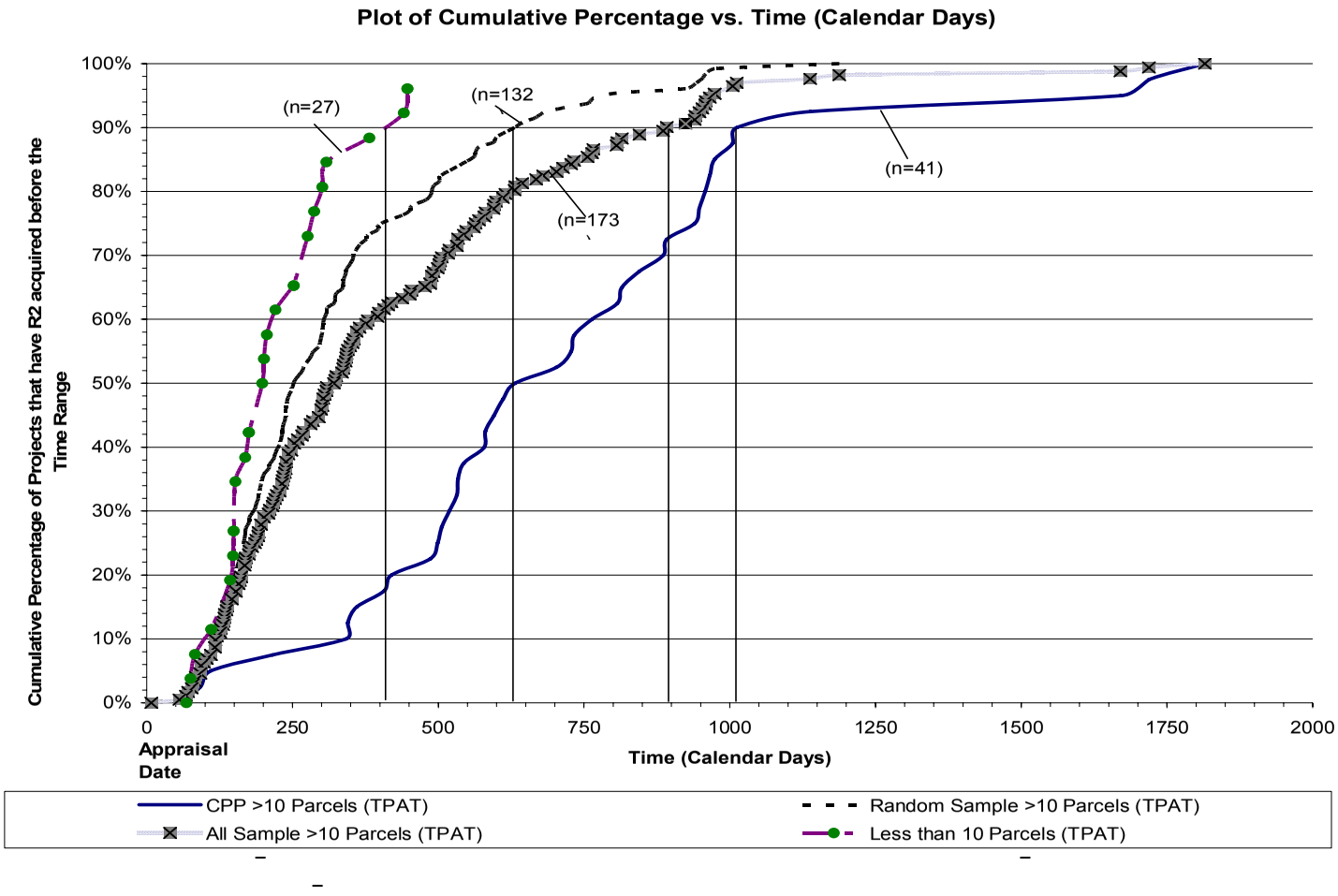


Figure 6.3. Cumulative Plot for R2, all sub-samples, showing 90th percentiles

Figure 6.3 shows the CPP sub-sample having the highest values of cumulative R1, followed by the combination of CPP and random parcels, then randomly sampled parcels; lastly, projects with fewer than 10 parcels per project have the lowest R1 values. CPP has a 90 percent cumulative percentage R1 value of 1642 days (4.5 years) compared to randomly selected parcels at 1023 days (2.8 years) and fewer than 10 parcels at 732 days (2 years).

The data shows statistically significant differences, with a p-value of .005, between CPP parcels and the randomly sampled parcels for all sub-samples; see Appendix L for ANOVA results. The reasons these parcels take more time will be discussed in the Critical Path Parcel Root Cause Analysis, Section 6.3.

The R3 (difference between R1 and R2) values show the lag time between R/W release and the actual appraisal of a parcel. As R3 increases, the project times will increase. Figure 6.4 shows the R3 values for CPP, random samples, parcels in projects with fewer than 10 (LTT) parcels per project and all projects greater than 10 parcels per project.

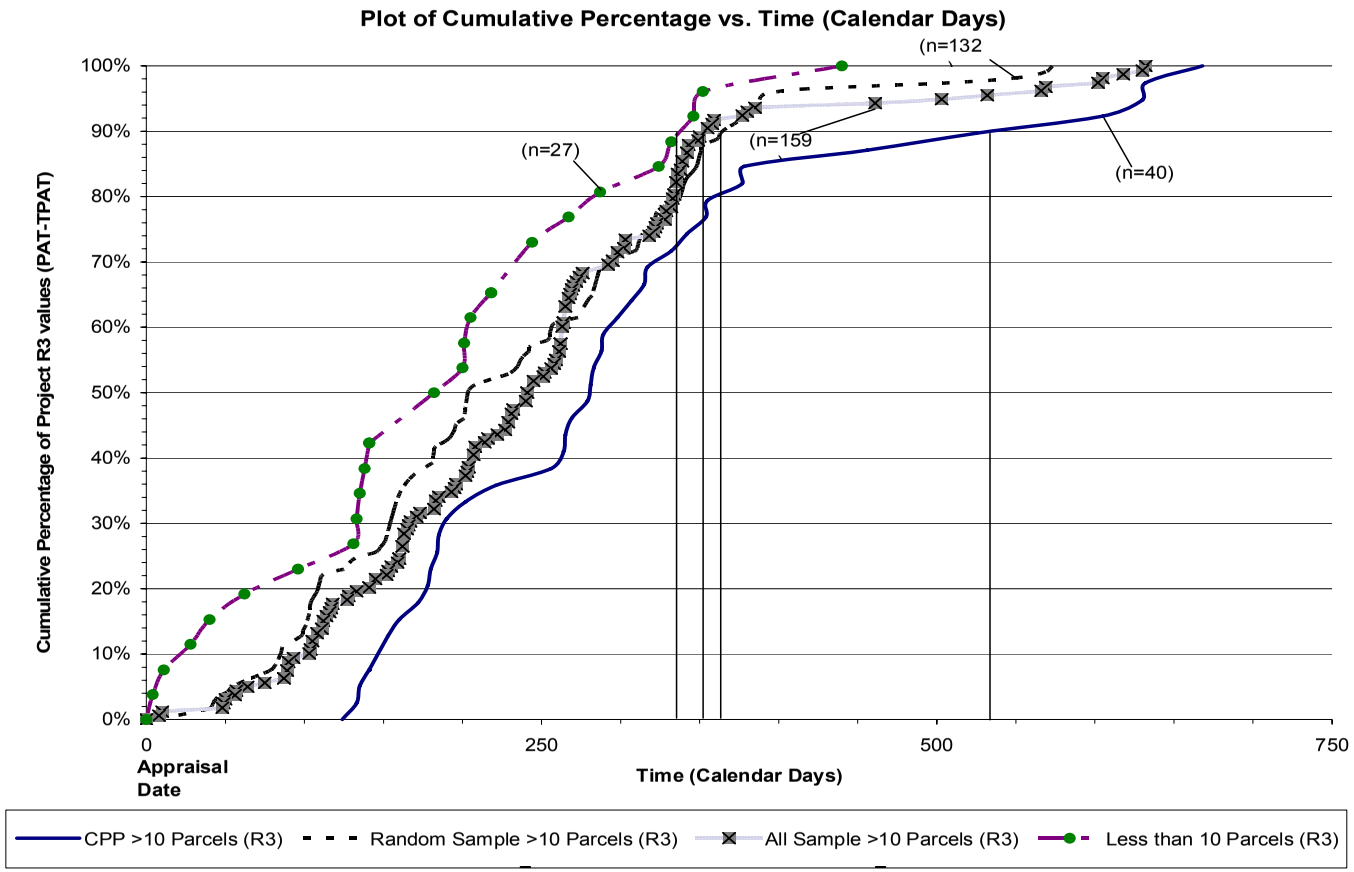


Figure 6.4. Cumulative Plot for R3, all samples, showing 90th percentiles

6.2.3 Analysis of Randomly Selected versus Critical Path Parcels

This section takes a closer look at two particular categories of parcels that are of interest. Randomly selected parcels represent the typical "everyday" parcel; that is, a parcel that R/W staff may encounter frequently. A CSJ project may have one to hundreds of these parcels.

Figure 6.5 shows that 90 percent of the randomly selected parcels were acquired before 1025 calendar days (2.8 years). This interpreted that 90 percent of the parcels have an expected R1 value of 2.8 years. The CPPs represent the longest, and subsequently the last parcel that R/W staff acquired in the sample projects. In contrast, 90 percent of the projects in this sub-sample have an expected R1 value of about 1650 days (4.5 years).

There is statistically significant difference between CPP parcels and randomly selected parcels (p-value less than 0.01). If the question is posed, "how much time it takes to get R/W?" then a response and application of the cumulative curves may be: "research has shown that 90 percent of R/W projects take up to 1650 days (4.5 years) or less but there can be much variation in this target."

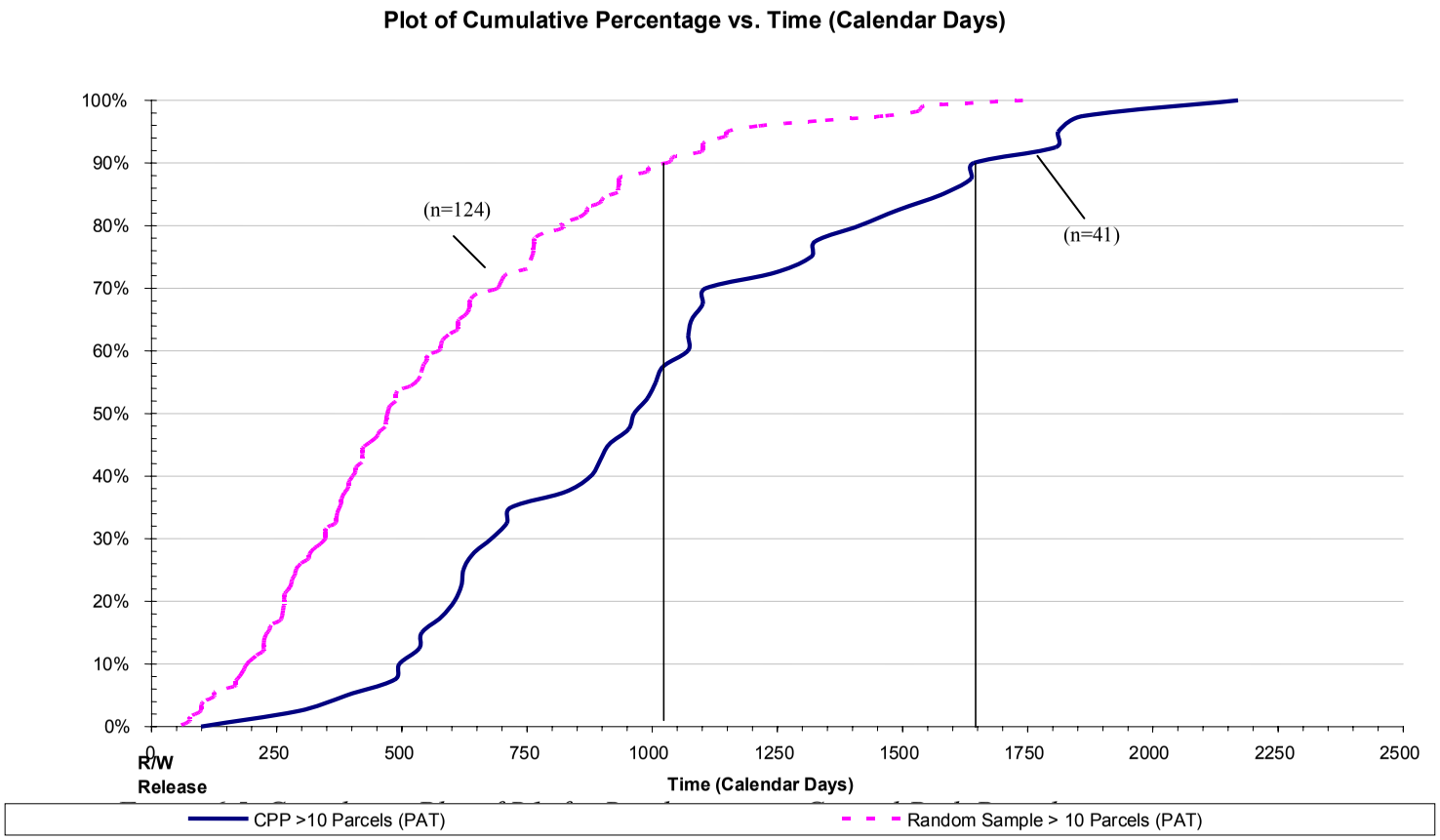


Figure 6.5 Cumulative plot of R1, for Random versus Critical Path Parcels in projects, all sub-samples greater than 10 parcels per project, showing 90th percentiles

6.2.4 Detailed Analysis of Projects 10 to 30 Parcels versus Greater than 30 Parcels

This section evaluates a sub-sample of projects with 10 to 30 parcels per project versus projects with greater than 30 parcels per project. Figure 6.6 and 6.7 are referenced for analysis. There is a statistically significant difference (p-value less than 0.01) in means between the two sets of PAT (R1) data categories (the descriptive analyses of the categories are in Appendix M, ANOVA tests are in Appendix L). The difference in mean values between PAT (R1) and TPAT (R2) is 126 days for projects with 10 to 30 parcels per project and 381 days for projects with greater than 30 parcels per project. This is the same trend seen in other categories, indicating a lag time between R/W release and beginning of appraisal. In the analysis, there was not a statistically significant difference between R2 values (to 5 percent significance level) for the sub-sample (there is statistically significant evidence that projects with fewer than 10 parcels per project tend to have lower acquisition times) (p-value = 0.66). This means that the typical parcel on projects with greater than 30 parcels are not different from typical parcels in the projects with 10 to 30 parcels. The difference can be found in the CPP and can be partially attributed to the lag time between release and appraisal dates.

Identifying this lag time is important to understanding where improvements and time savings can be accomplished. The sub-sample with greater than 30 parcels per project has more lag time. This is tied closely to resources for managing the large quantity of work from appraisal companies through negotiations and relocation assistance; too many parcels at once may cause staff to prioritize parcel appraisal. Funding can possibly contribute to allocating resources to high priority parcels.

Figure 6.6 illustrates the difference in R1 (PAT) values between the two sub-samples, again showing that greater than 30 parcel projects are consistently higher. This may be due to projects with fewer parcels having more personnel per parcel, thus resources are not as big a problem.

Figure 6.7 illustrates the difference in R2 values or TPAT durations. The categories do not show major differences or reveal any trends because the values are close. This shows that typical parcel acquisition duration has little difference in acquisition time from appraisal to possession but there is a significant difference between R/W releases to possession. The greater than 30 parcel per project category is simply taking longer, due, in part, to the lag between R/W release and actual appraisal.

Figure 6.8 illustrates the R3 values. The Analysis of Variance also known as, ANOVA test on R3 for these sub-categories had p-values of less than 0.01 and shows there to be statistical difference in R3 values between the two sub-categories.

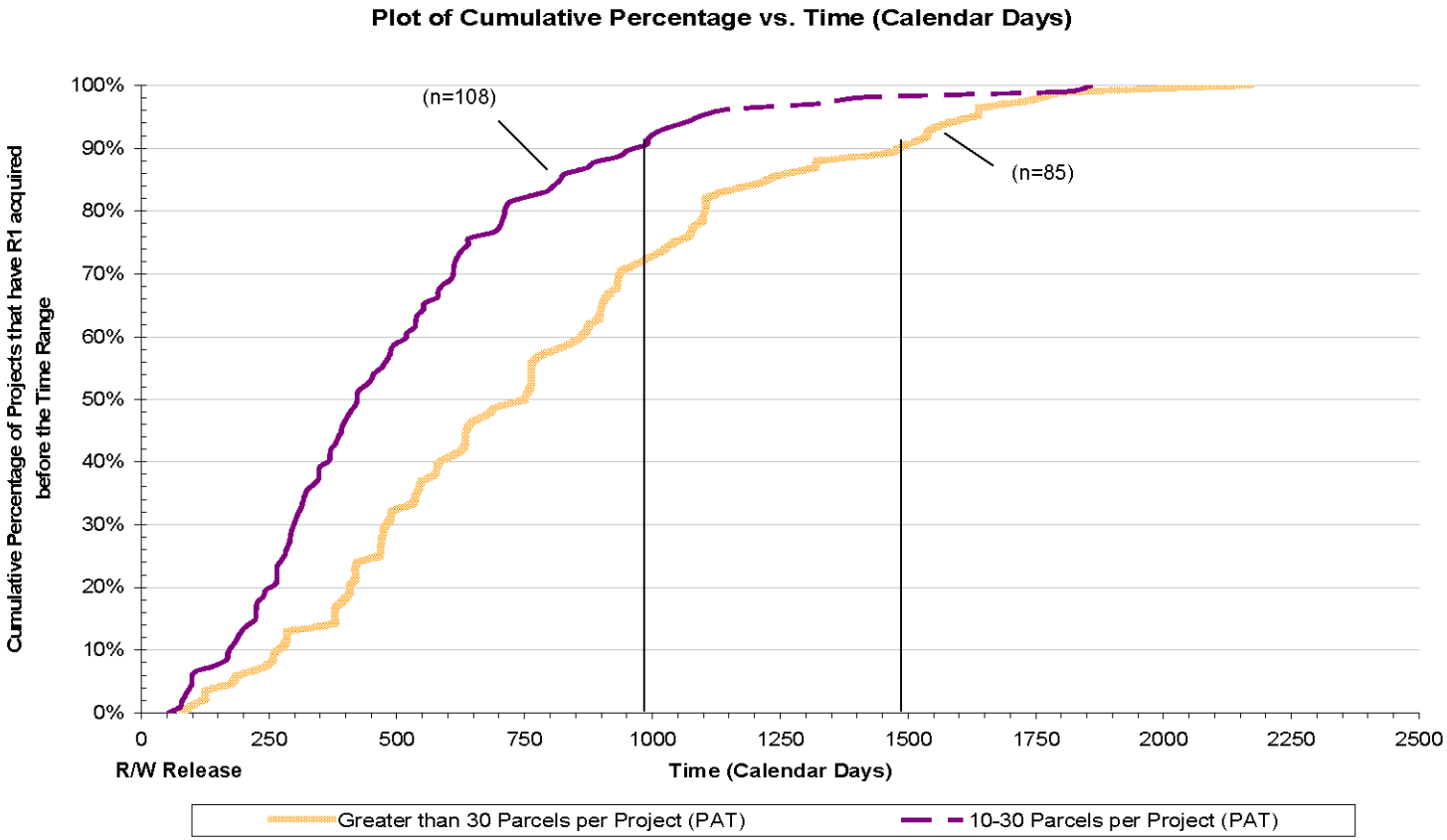


Figure 6.6. Cumulative Plot for R1, all parcels from projects with greater than 30 parcels versus projects with 30 or fewer parcels, showing 90th percentiles

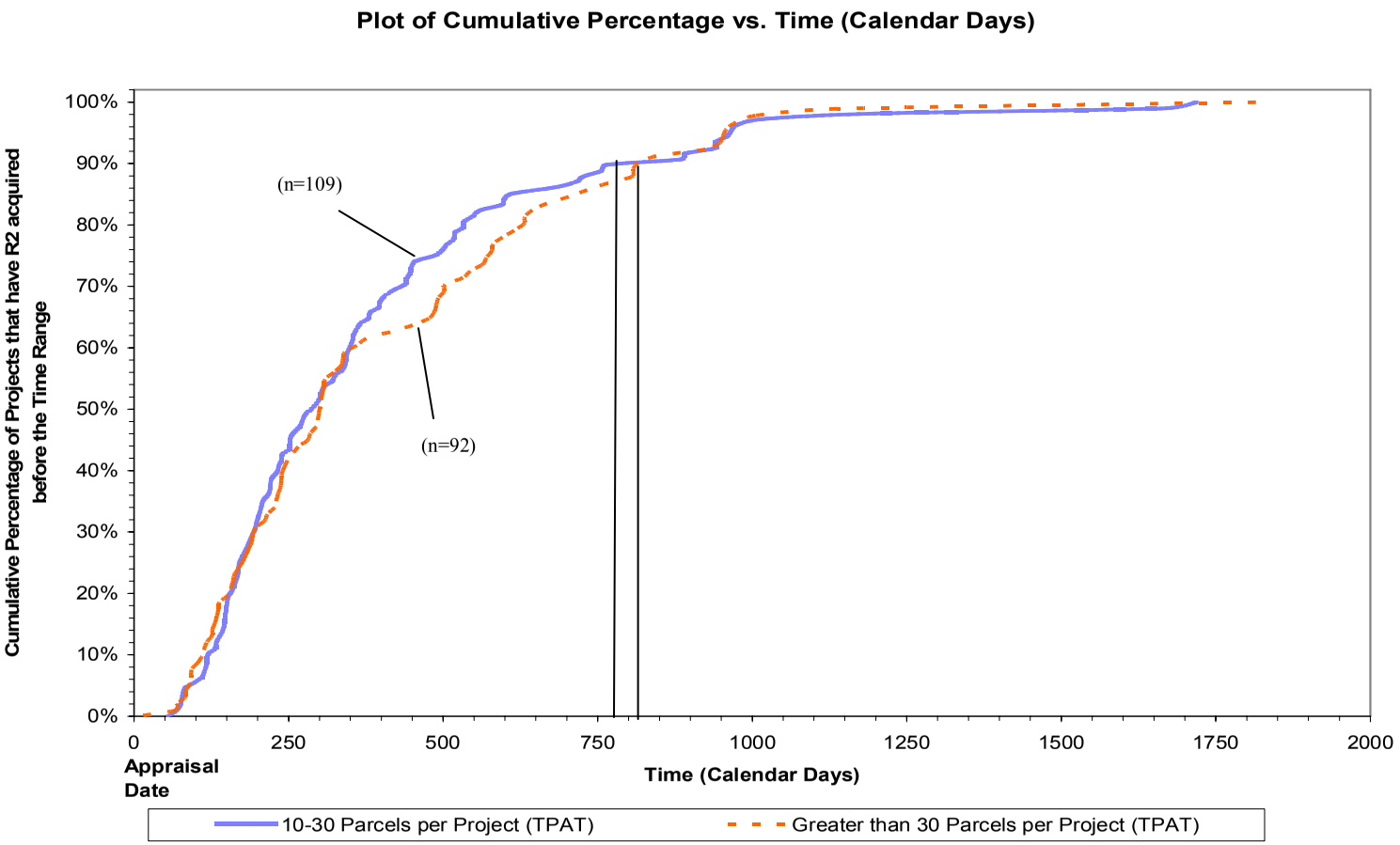


Figure 6.7. R2 Cumulative Plot for R2, all sample parcels from projects with greater than 30 parcels per project versus 30 or fewer parcels per project, showing 90th percentiles

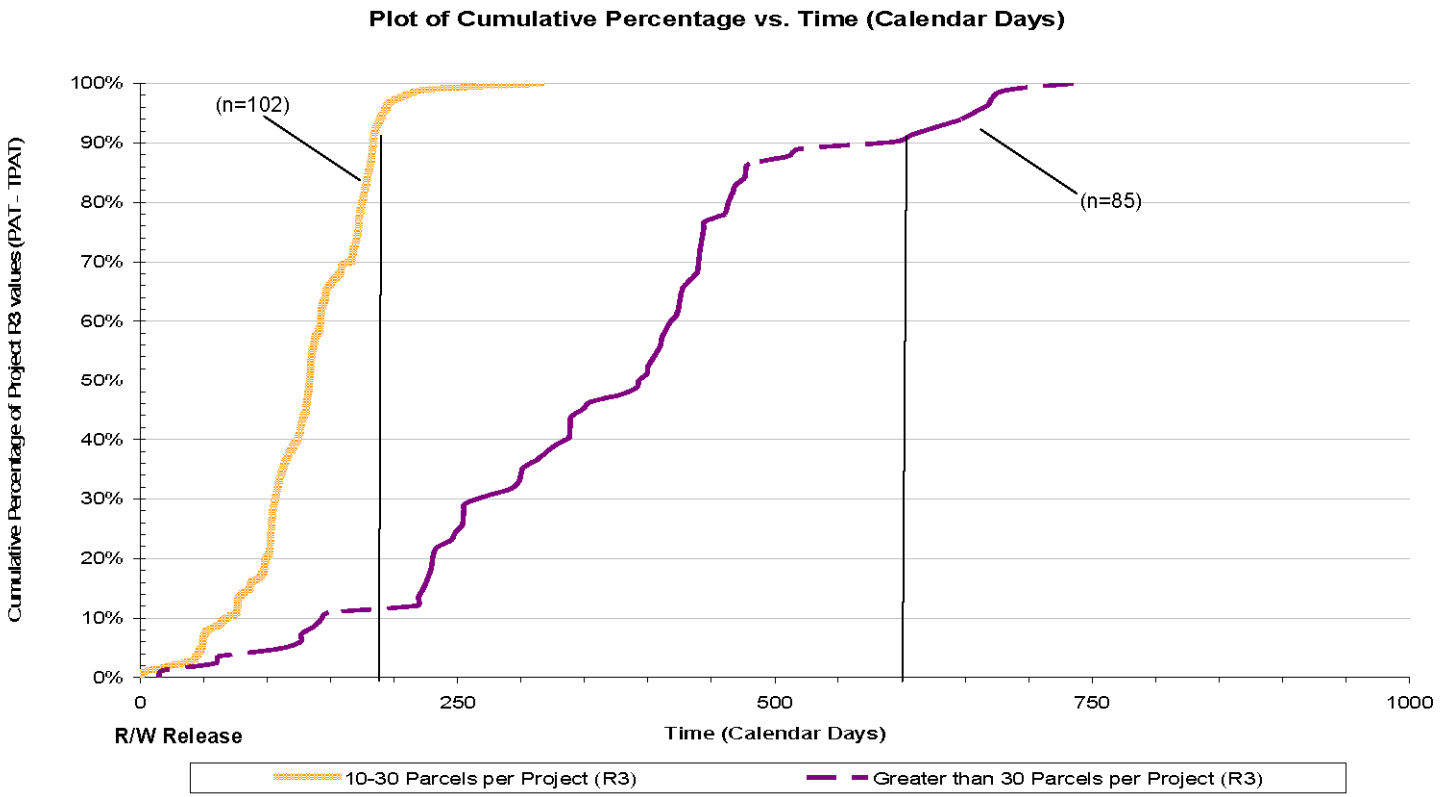


Figure 6.8. Cumulative Plot for R3, all sample parcels from projects with greater than 30 parcels per project versus 30 or fewer parcels per project, showing 90th percentiles

6.2.5 Detailed Analysis of Urban versus Rural Projects

Figure 6.9 and 6.10 illustrate the R1 and R2 cumulative curves applied to rural versus urban parcels. The urban parcels are considered to be from the following districts: Austin, Dallas, Fort Worth, and Houston. The rural districts are considered the following: Abilene, Atlanta, Beaumont, Bryan, Brownwood, Childress, Lufkin, Paris, Pharr, San Angelo, Tyler, Waco, Wichita Falls, and Yoakum. These districts are defined by TxDOT ROW Division as "rural" and "urban" districts.

Urban and rural projects do not have a great difference in R1 (PAT) mean (612 days for rural versus 685 days for urban), but by interpreting the graph there is a noticeable difference in urban and rural parcels. The ANOVA tests show no statistically significant differences (with p-value less than 0.01) between rural and urban parcels for the sample for PAT or TPAT. There does seem to be a trend seen in Figure 6.9; the urban parcels tend to take more time to acquire up until the 80 percent cumulative line; that is, about 80 percent of urban projects take longer than rural projects but the remaining 20 percent show relatively close parcel possession times.

For typical parcels in terms of cumulative R2 (TPAT) curves, the categories are close together for the most part. This is no statistical indication that urban and rural R2 mean values are different.

Figure 6.11 illustrates R3 values for urban and rural sub-categories. The ANOVA test on R3 had p-values less than 0.01 and shows there is a statistical difference in R3 values between the two sub-categories.

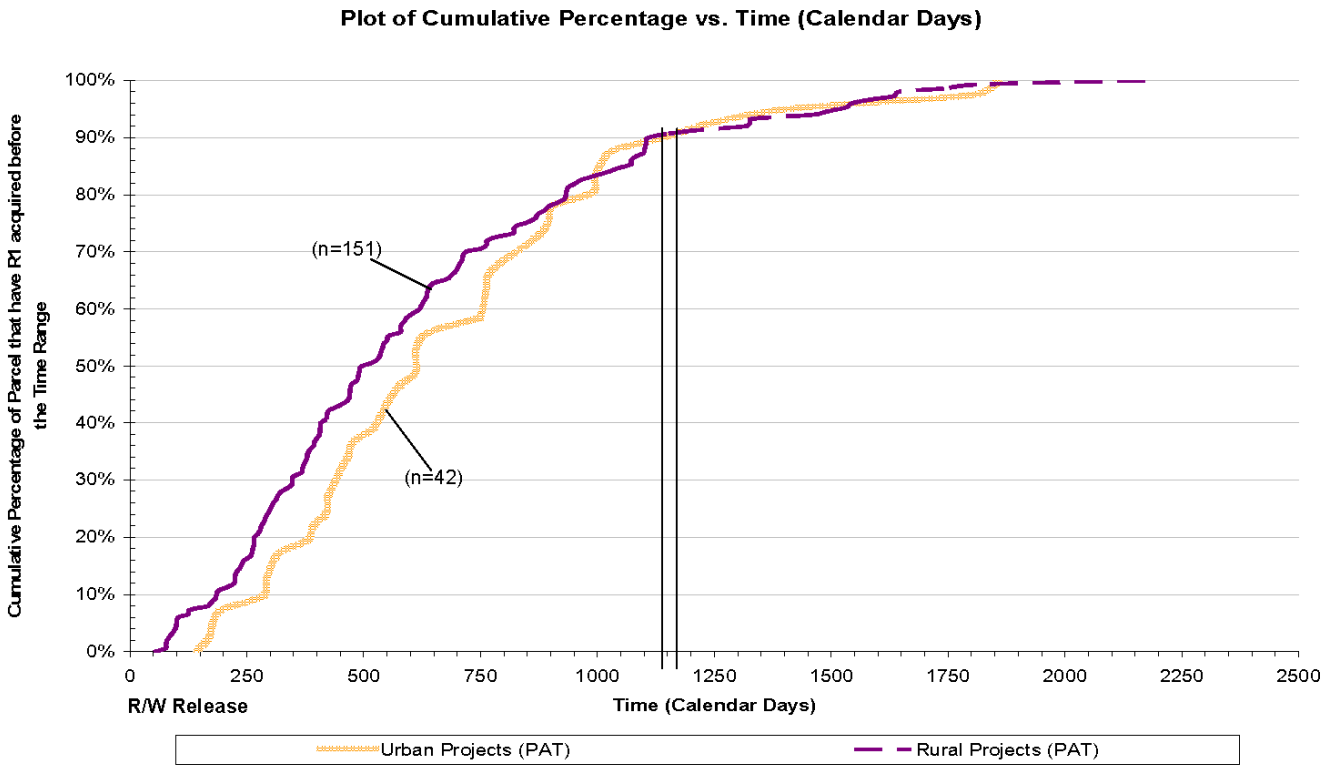


Figure 6.9. Cumulative Plot for R1 applied to Urban versus Rural parcels, all parcels from projects with 10 or greater parcels per project, showing 90th percentiles

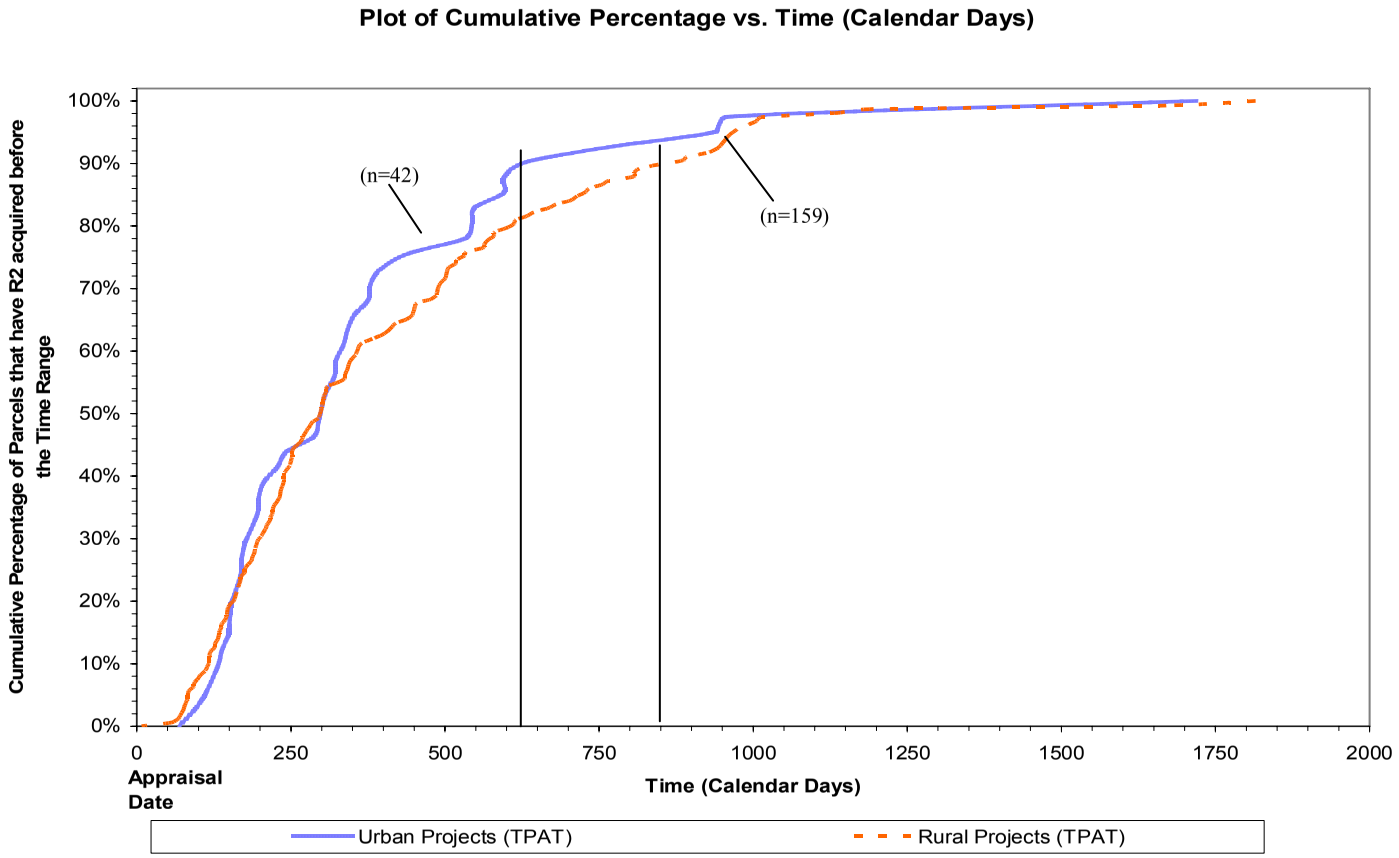


Figure 6.10. Cumulative plot for R2 applied to all parcels, showing 90th percentiles

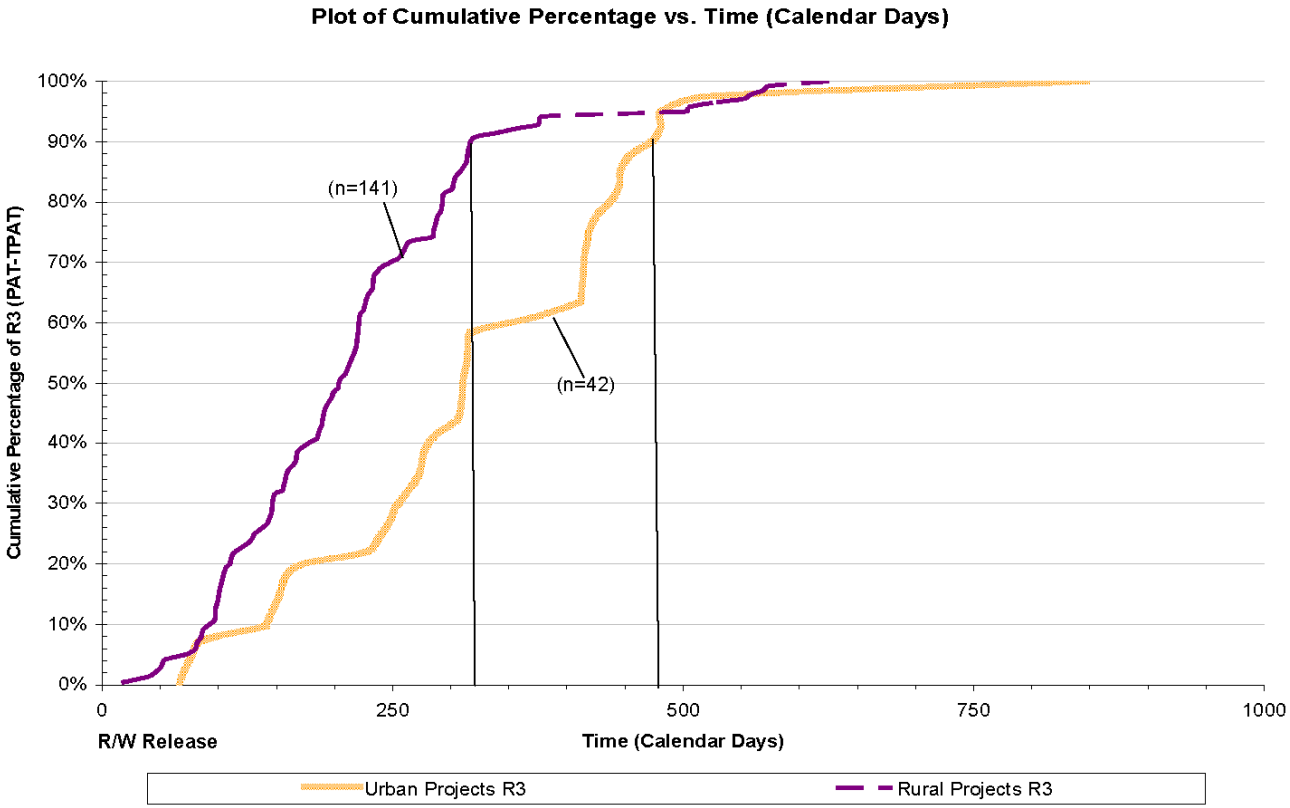


Figure 6.11. Cumulative plot for R3 applied to Urban versus Rural Parcels, all parcels, showing 90th percentiles

6.2.6 Detailed Analysis of District FTE Category Analysis

This section summarizes the analyses of the data categorized by the number of full-time equivalent employees (FTEs) for the entire sample. The first sub-sample consists of districts with nine or more R/W FTEs and the second sub-sample of projects comes from districts with fewer than nine R/W FTEs. The number of FTEs per district was determined using the *Right-of-Way Performance Monitoring Measure* documents prepared by the ROW Division administration section on January 20, 2004 and distributed at the ROW Administrator Meeting on February 4, 2004. The means from this analysis show that the R1 values are higher for the 9-or-greater FTE category and the R2 values are higher for the less-than-9 FTE category.

Figure 6.12 and 6.13 illustrate the cumulative curves for this sub-sample. There is a statistically significant difference (p-value = 0.035) in means for R1 values shown on the plots with the category of more FTEs corresponding to lower R1 on the cumulative plots. There is also no statistically significant difference (p-value = 0.1478) in means for the R2 values.

Figure 6.14 illustrates the R3 cumulative graphs. There is a statistically significant difference (p-value less than 0.01) in means found for R3. This indicates that the lag time in beginning appraisal in districts with fewer than 9 FTEs is significantly longer from those districts with greater-than-9 FTEs.

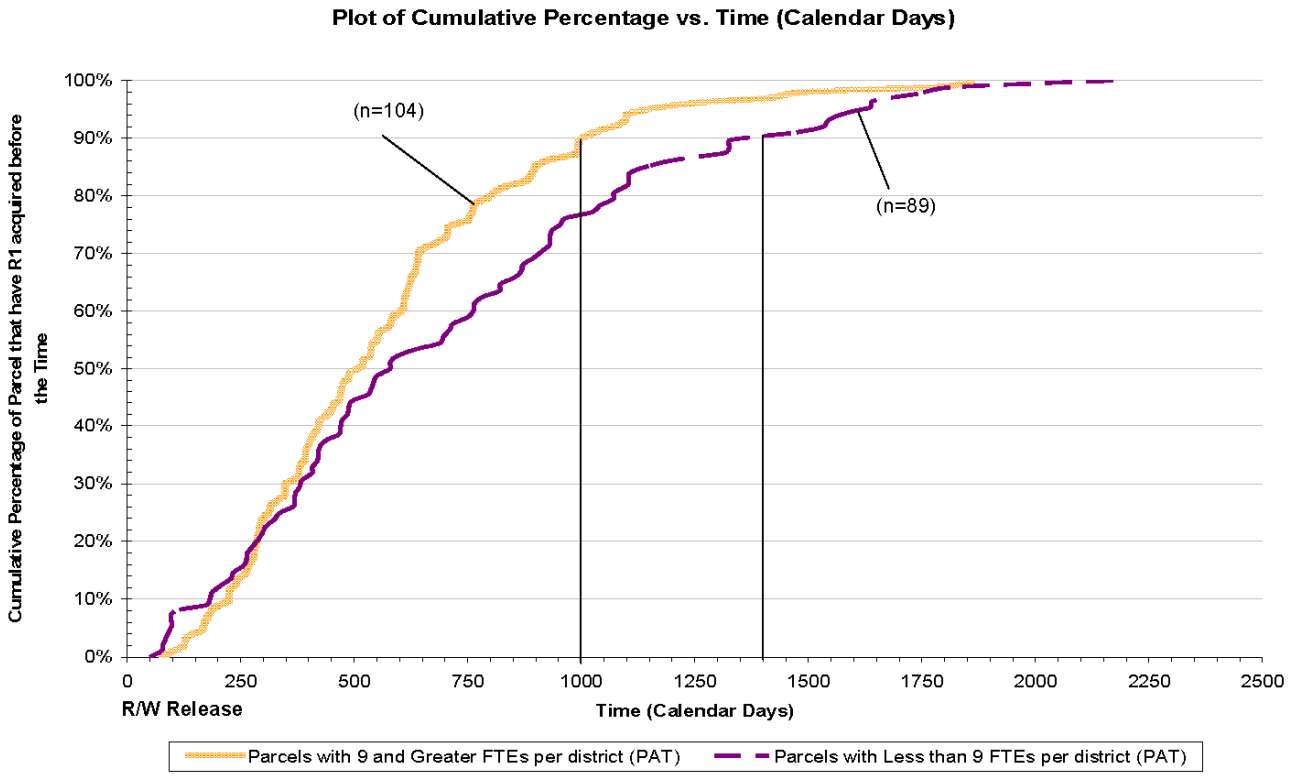


Figure 6.12. Cumulative plot for R1 applied to FTE Categories, all parcels, showing 90th percentiles.

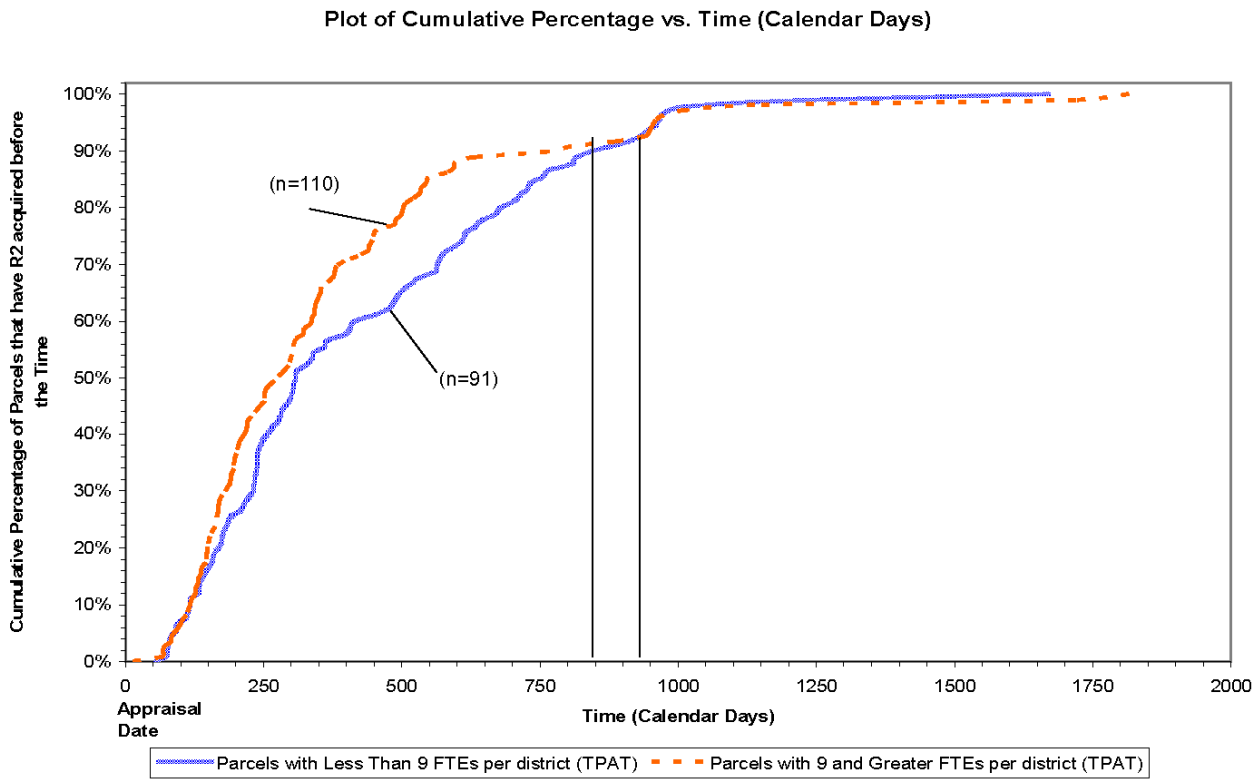


Figure 6.13. Cumulative plot for R2 applied to FTE Categories, all parcels, showing 90th percentiles

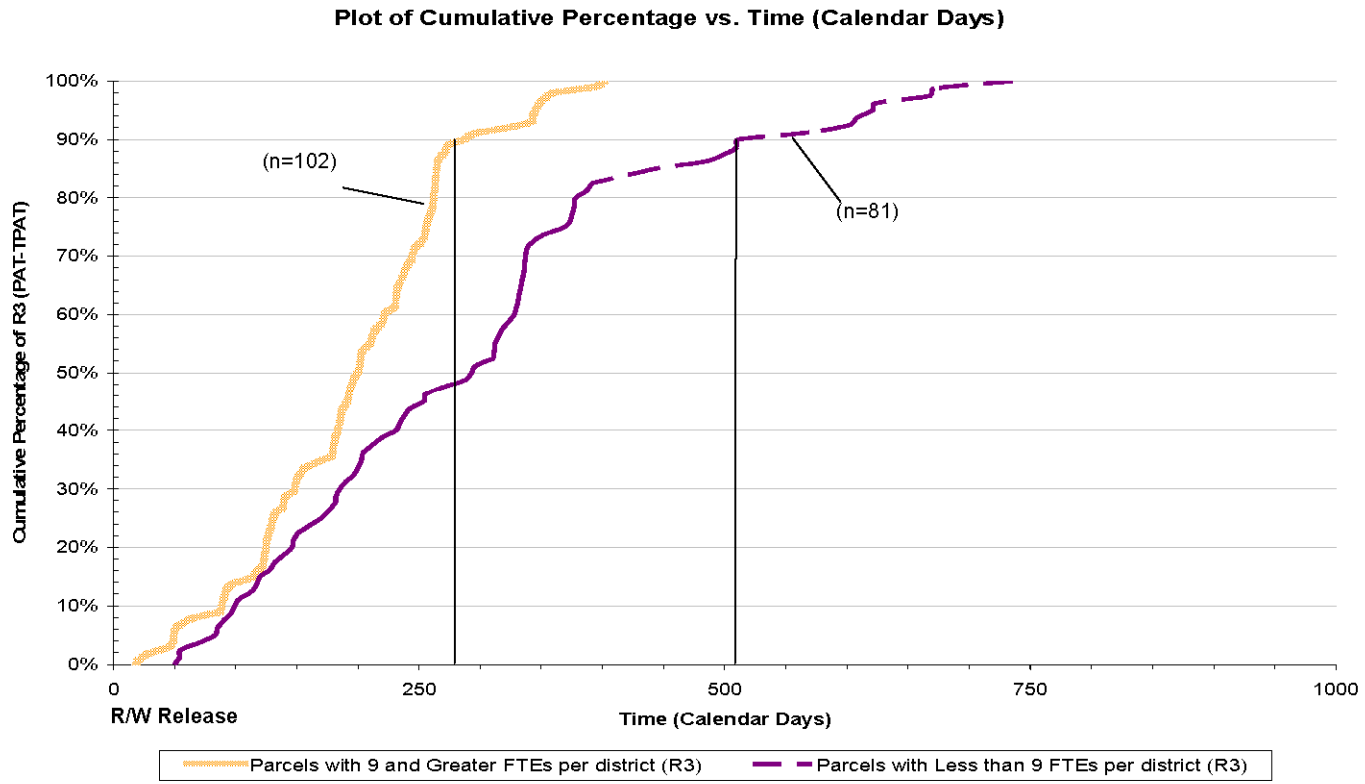


Figure 6.14. Cumulative plot for R3 applied to FTE Categories, all parcels, showing 90th percentiles

6.2.7 Detailed Analysis of District Budget Categories

This section gives a comparison of parcels categorized by district budget allocations for the entire sample. By separating the data based on yearly budgets, the analysis provides insight into how the acquisition times respond to money resources and the workload.

The ROW Division provided the budget for each district; the annual budget allocations for the districts as given by ROW Division are shown below in Table 6.9.

Table 6.9. Table of District Budget Allocations

Taken from ROW Administrator Meeting 2004 : "Strategy 102 Budget Expended"	
District	Annual Budget Allocation (dollars)
Greater than $6,000,000 Annual Budget Allocations	
Houston	124,459,235
Dallas	64,396,116
Fort Worth	23,735,192
Bryan	12,521,218
Austin	9,118,160
Waco	6,974,093
Tyler	6,420,320
Less than $6,000,000 Annual Budget Allocations	
Abilene	4,044,244
Lufkin	3,947,712
Wichita Falls	3,240,069
Yoakum	3,017,828
Pharr	3,009,548
Atlanta	2,933,318
Beaumont	2,195,660
Childress	1,412,875
Paris	1,288,401
San Angelo	1,124,683
Brownwood	881,629

Figures 6.15 and 6.16 illustrate the cumulative curves applied to districts based on budget allocations. Districts with greater than $6,000,000 annual budget tend to have longer R1 values but the data show little difference between R2 values. The analysis of the data shows statistically significant difference (p-value = 0.023) in means for R1 values (R/W release to possession durations) but not for R2 values (p-value = 0.663). See Appendix L for ANOVA tables and Appendix M for a statistical summary of the sub-categories.

ROW Administrators and staff throughout the research process for this difference in time may be associated with resource limitations for larger projects or a combination of resource allocation, prioritization, and time management issues that have mentioned causes. Another reason could be that urban districts will have higher budgets than rural districts, thus this is also an artifact of the urban versus rural analyses.

Figure 6.17 illustrates the R3 cumulative plot. The ANOVA test on R3 had p-values less than 0.01 and shows that there is a statistical difference in R3 values between the two sub-samples.

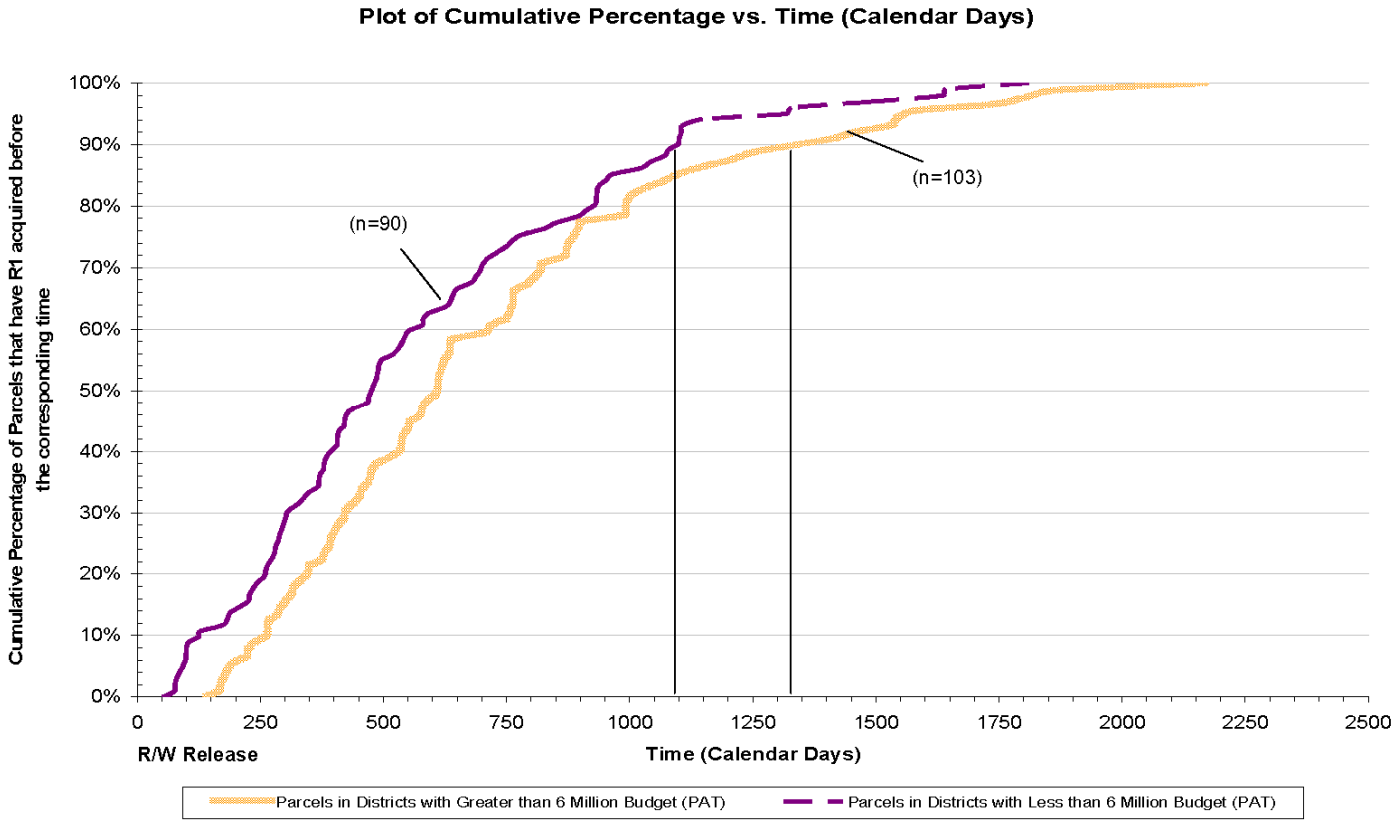


Figure 6.15. Cumulative for R1 applied to Budget Categories, all parcels, showing 90th percentiles

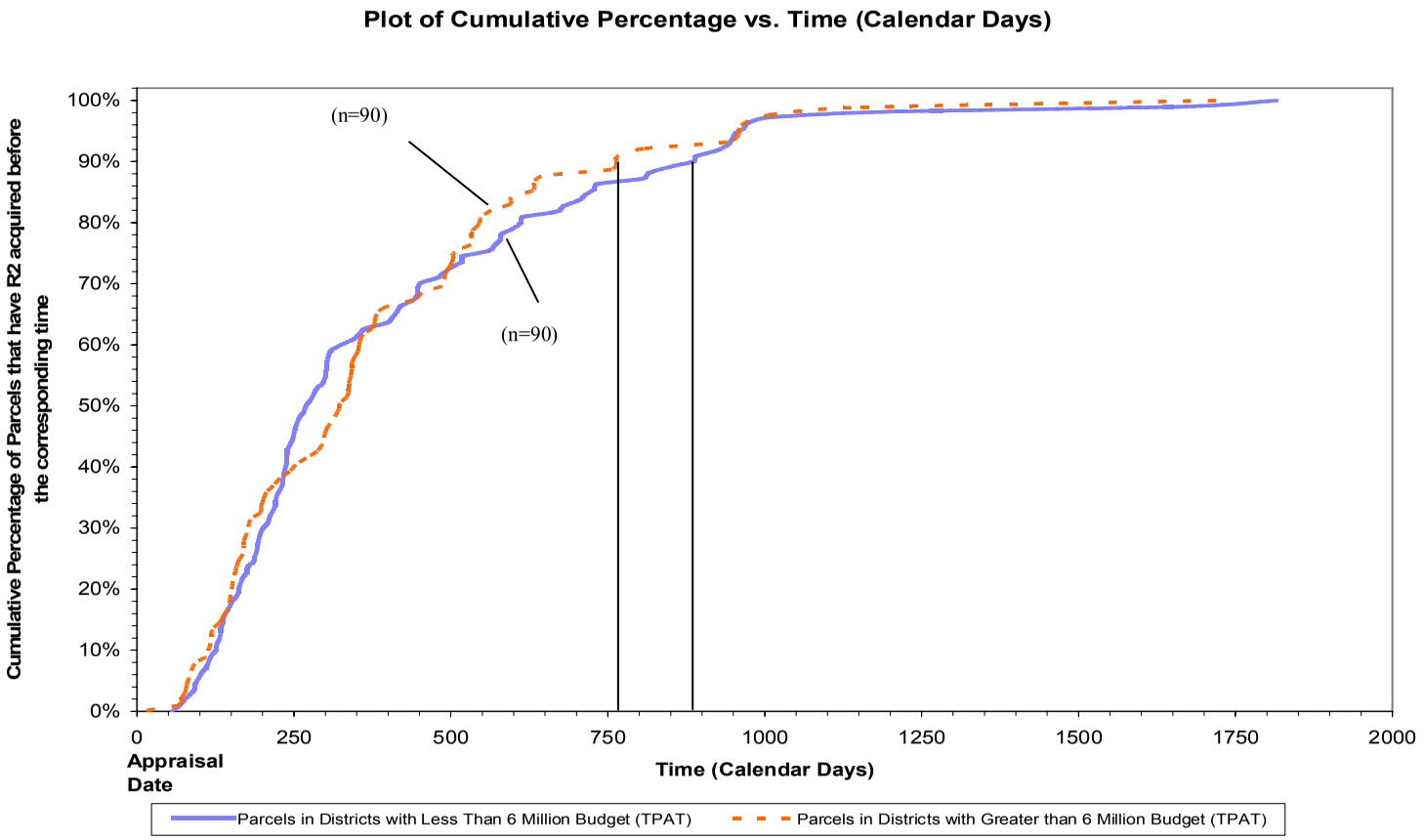


Figure 6.16. Cumulative for R2 applied to Budget Categories, all parcels, showing 90th percentiles.

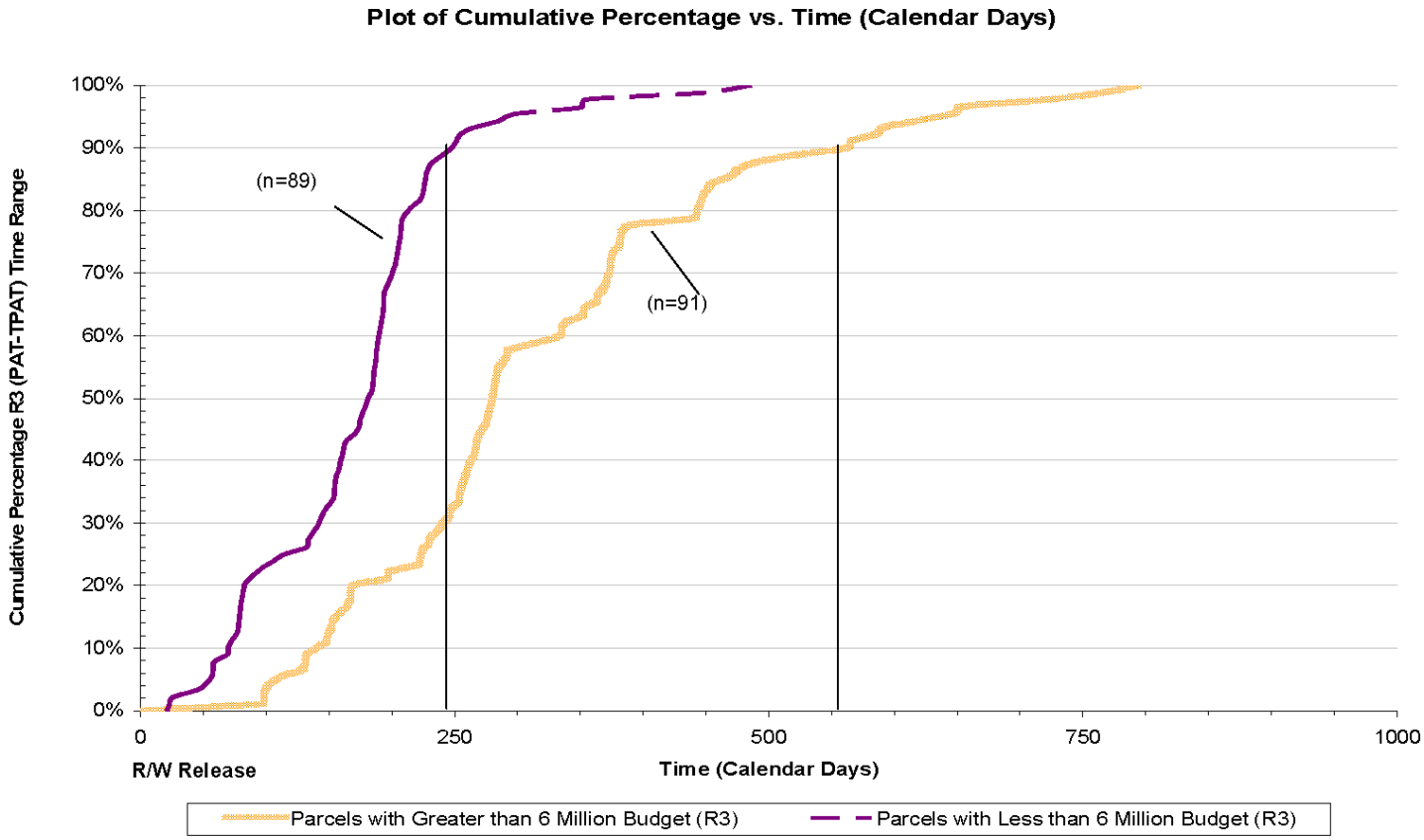


Figure 6.17. Cumulative plot for R3 applied to Budget Categories, all parcels, showing 90th percentiles

6.3 Critical Path Parcel Root Cause Analysis

For each of the projects, detailed information was recorded from the physical documents at ROW Division, Riverside Drive in Austin, Texas. Records included correspondence, letters, faxes, appraisal reports, negotiator reports, and communications between ROW Division, district, other parties such as OAG, commissioners, court reporters, and outside entities. The goal of recording the individual activities and actual parcels case-by-case is to gain insight into causes and delays in the R/W acquisition process and to identify the frequencies of the occurrences through statistical representations. These records establish a benchmark that districts can use for comparing past projects to future ones. The likelihood of delays for future parcels is almost certain and by knowing what history has shown in the past, R/W administrators and managers will be better prepared for different situations.

The details of projects are captured for every documented CPP for projects with 10 or more parcels. The delays for a CPP can many times be attributed to multiple factors that influence the parcel's overall delivery time. To account for this, any parcel that has multiple incidents causing delay would be recorded in both sets of delay factors; for example, a parcel that has disputes with compensation and a utility disagreement would be duplicated and recorded in both categories. Appendix K has the complete table of Delay Factors for the sample Critical Path Parcels. A summary is presented in Table 6.10 and shows Potential ROW Delay Factors with their corresponding components in descending order of occurrence:

1. Count (the number of times the delay category was recorded from the sampled CPPs).
2. Percent of Total Occurrences (describing the percentage relative to the total number of incidents that the delay factor occurred; taking note that multiple incidents could have caused delays in the parcel acquisition).
3. Percent of Total Parcels (describing the percentage relative to the total number of parcels that the delay factor occurred in).

Most notable from the table is the percentage of total CPPs having delays from pricing and compensation (occurring nearly 45 percent of the time) where the property owner feels the amount appraised is not adequate. Title Curative problems occur over 28 percent of the time and third party delays about 26 percent of the time. Design changes and R/W revisions account for about 9 percent of the delays and environmental and/or expert testimony delays accounted for about 18 percent of the delays.

Table 6.10. Summary of Delay Factor Tables from Critical Path Parcels

Potential R/W Delay Factors	Count	Percent of Total Occurrences	Percent of Total Parcels (count = 45)
(1) Pricing, compensation and impact dispute delays *	20	25.0%	44.4%
(2) Title curative and ownership change delays *	13	16.3%	28.9%
(3) Third party delays *	12	15.0%	26.7%
(4) Parcel characteristics, owner initiated, improvement delays *	9	11.3%	20.0%
(5) Environmental sensitivity and expert witness delays *	8	10.0%	17.8%
(6) Legal activity causing delays *	7	8.8%	15.6%
(7) Utility delays *	4	5.0%	8.9%
(8) Design change or revision delays *	4	5.0%	8.9%
(9) Terrain features dispute causing delays *	3	3.8%	6.7%
TOTAL:	80	100.0%	NA[4]

*Refer to pages 121-123

6.4 Summary

Three types of analyses were done in this chapter; a descriptive analysis, a detailed analysis of the data, and a root cause analysis. Table 6.11 shows the summary of the sample analysis for different categories of data. The descriptive analysis began with an overview of what the ROWIS database had in it in terms of the project sizes, number of projects, district information, CSJ numbers, etc. Next, the analysis showed statistics for the 45 sample projects and their corresponding parcels in the form of eight milestones of R/W acquisition. The ROWIS database consisted mostly of projects with fewer than 10 parcels; therefore, an additional evaluation of fewer than 10 parcels was performed.

[4] Some Critical Path Parcels had multiple delays and may be included in multiple Potential R/W Delay Factors.

The detailed analyses introduced a cumulative graph or plots for separating the sample for analysis; the plots showed differences in Critical Path and randomly sampled parcels and showed applications of the graph to sub-sample categories. The plots showed R1 and R2 representing duration times from R/W project release to possession, and appraisal date to possession, respectively. An R3 cumulative plot was also provided showing the duration difference between R1 and R2; this is the lag time between when the R/W project release is given for the project to the date when actual parcel appraisals begin.

The last section detailed the Critical Path Parcels of the sample and gives root causes of delay that were recorded from the 45 project files.

Table 6.11. Summary of Sample Showing R1, R2 and R3 Mean and 90th Percentiles

Sub-sample Category		Mean (Calendar Days)			90th Percentile (Calendar Days)		
		R1	R2	R3	R1	R2	R3
OVERALL (10 or More Parcels Per Project)	CRITICAL PATH PARCELS	1005	714	297	1642	1012	533
	RANDOMLY SELECTED PARCELS	554	324	226	1023	629	364
# PARCELS PER PROJECT	<10 PARCELS	400	222	188	732	400	339
	30 OR FEWER PARCELS	507	381	131	964	788	183
	>30 PARCELS	781	400	363	1479	814	580
LOCATION	URBAN PARCELS	684	364	320	1139	628	472
	RURAL PARCELS	612	396	214	1107	853	316
DISTRICT SUPPORT	DISTRICTS WITH FEWER THAN 9 R/W FTEs	695	424	290	1355	845	511
	DISTRICTS WITH 9 OR MORE R/W FTEs	570	361	196	1003	768	286
	DISTRICT R/W BUDGETS > $6 MILLION	700	379	317	1335	764	562
	DISTRICT R/W BUDGETS < $6 MILLION	565	398	170	1094	886	247

LEGEND—R1: Right-of-Way Project Release to Possession; R2: Appraisal Date to Possession; R3: Right-of-Way Project Release to Initial Appraisal Date

7. Conclusions and Recommendations

7.1 Summary of Research Objectives

The overarching goal of this research project was to identify duration and delays in the tasks required for successful acquisition of R/W for construction letting. The research included a comprehensive review of the R/W acquisition process and evaluation of more than 200 parcels on recently completed projects to identify opportunities to expedite TxDOT's R/W acquisition process. The findings from this research will assist TxDOT in better planning for project letting and provide a baseline for future data collection. To meet the overarching goal, three objectives were undertaken: 1) development of a comprehensive, stratified process map and duration metrics for critical tasks within the R/W acquisition process, 2) probabilistic duration prediction curves for R/W acquisition, and 3) synthesized data-driven findings into recommended strategies and tactics for expediting these processes.

7.2 How Objectives Were Accomplished

The research objectives were accomplished through a large number of personal and team-based interviews of knowledgeable individuals from the ROW Division and many TxDOT districts, as well as perusal of historical project files. The R/W Parcel Acquisition Flowchart provided by ROW Division was developed into a comprehensive and stratified process model tying in the utility adjustment process into R/W acquisition (see Appendix N). Multiple interviews, workshops, training sessions, and correspondence were conducted to identify critical and variable tasks in the R/W acquisition process; duration metrics were established statistically based on data from 205 parcels, and delay factors were identified. Probabilistic duration prediction curves were developed for the R/W acquisition process with the historical data sampled from the population of parcels in the ROWIS database and data gathered from the project files. The data gathered were synthesized for analysis and recommendations were developed by incorporating the data analysis and interview/workshop results.

7.3 Conclusions

Table 7.1 provides a summary of the sample analysis for different categories of data from R/W project release to possession of parcel or property (R1), receipt of first parcel possession to possession of parcel or property (R2), and R/W project release to receipt of initial parcel appraisal (R3). The following conclusions are based on data analysis of the R/W acquisition *process*:

- Projects with fewer parcels tend to have quicker acquisition times. Projects with fewer than 10 parcels per project tend to have the fastest acquisition times.
- Parcels in the sample from projects with greater than 30 parcels have more lag time between R/W project releases to receipt of first appraisal.

- The lag between R/W project releases to receipt of first appraisal combined with the factors affecting delays on CPPs result in an extension of parcel acquisition time. Parcels from projects with greater than 30 parcels have more lag time.
- Urban and rural parcels do not show large differences in a typical parcel acquisition time from R/W project release to possession of deed; however, urban projects take more time from R/W project release to receipt of first appraisal and then are faster from receipt of first appraisal to possession of deed (as compared to rural parcels).

Table 7.1. Summary of Sample Showing R1, R2 and R3 Mean and 90th Percentiles

Sub-sample Category		Mean (Calendar Days)			90th Percentile (Calendar Days)		
		R1	R2	R3	R1	R2	R3
OVERALL (>10 Parcels Per Project)	CRITICAL PATH PARCELS	1005	714	297	1642	1012	533
	RANDOMLY SELECTED PARCELS	554	324	226	1023	629	364
# PARCELS PER PROJECT	<10 PARCELS	400	222	188	732	400	339
	30 OR FEWER PARCELS	507	381	131	964	788	183
	>30 PARCELS	781	400	363	1479	814	580
LOCATION	URBAN PARCELS	684	364	320	1139	628	472
	RURAL PARCELS	612	396	214	1107	853	316
DISTRICT SUPPORT	DISTRICTS WITH FEWER THAN 9 R/W FTEs	695	424	290	1355	845	511
	DISTRICTS WITH 9 OR MORE R/W FTEs	570	361	196	1003	768	286
	DISTRICT R/W BUDGETS > $6 MILLION	700	379	317	1335	764	562
	DISTRICT R/W BUDGETS < $6 MILLION	565	398	170	1094	886	247

LEGEND—R1: R/W Project Release to Possession of Deed; R2: Init. App. Date to Poss. of Deed; R3: R/W Project Release to Init. Appraisal Date

- Districts with fewer R/W FTEs tend to acquire R/W slower.
- Districts with a larger R/W budget allocation tend to take longer to acquire R/W; this is probably a function of work volume and complexity of the projects and job requirements.

Descriptive statistics of the sample show that:

- The majority of the CPPs are acquired by condemnation (70 percent) through the Eminent Domain (ED) process.
- An evaluation of the database shows the primary means of acquisition for all parcels is through Negotiations (65 percent) followed by Administrative Settlements (21 percent) and ED (7 percent) process.
- The CPPs used in this evaluation have an average duration of 1005 days with a standard deviation of 474 days. The ninetieth percentile for these parcels was 1642 days.
- The typical parcel (non-critical path) average duration was 714 days with a standard deviation of 343 days. The ninetieth percentile for these parcels was 1023 days.
- Parcels from projects with fewer than 10 parcels took an average of 400 days to acquire. The ninetieth percentile for these parcels was 732 days.
- The lag time between R/W project release and first appraisal of parcels directly affects the overall project schedule. These delays may be the result of lack of appraisal resources, poor prioritization of critical parcels, administrative holds on beginning appraisal, or just lack of attention.
- **This is especially apparent on CPPs, which determine project duration, and amounts to 297 days on average.** At the ninetieth percentile, this value was 533 days. A reduction in the lag time will result in immediate reduction in project duration.
- The typical parcel in the sample also had a significant time lag between R/W project releases to initial appraisal (average of 226 days). At the ninetieth percentile, this value was 364 days.
- The average duration from initial appraisal to the approval of the appraisal was 50 days for the typical parcels and 41 days for the CPP.
- The average duration from the end of negotiations (refusal of offer) to the request for ED by the district was 75 days for the typical parcels and 100 days for the CPPs.
- The average duration from requesting ED proceedings by the district until the division legal section submitted an ED memorandum to the OAG is 88 days for typical parcels and 61 days for CPPs.
- The average duration from the request for ED to the date that the OAG begins processing ED hearings was 15 days for the typical parcels and 30 days for the Critical Path Parcel.
- The average duration from the time that the OAG begins processing the ED to the possession of the parcel is 272 days for typical parcels and 431 days for the CPPs.

Nine categories of delay factors were identified through the interviews, training sessions, workshops, and meetings conducted for the research. These factors were used to categorize delays on CPPs using a root cause analysis. By frequency of occurrence, the following issues contributed to delays for these parcels:

1. Pricing, Compensation and Impact on Remainder Delays—this delay factor occurred most often in the sample of CPPs. For example, delays to parcel acquisition occurred

when: multiple improvements to the owner's property were necessary; small businesses or shopping centers were part of the acquisition; limited re-establishment allowance ($10,000) was available; uneconomic parcel remainders were left, and so on. Forty-four percent of the CPPs in the study had this type of root cause for delay.

2. Title Curative and Ownership Delays—drivers of delay in this category included: counties with limited or scattered title company resources, limited capacity of outsourced agencies, bottlenecks due to TxDOT regulations and procedures, bankruptcy claims, and curative problems such as deceased or multiple owners. Twenty-nine percent of the CPPs in the study had this category of root causes.
3. Third Party Delays—this category includes issues that are closely tied to R/W acquisition but are not under the direct control of ROW Districts or ROW Division. The factors that lead to delay included: public relations and response to differing property owners; local contributions from city or county; re-appraisal requirements; market changes; funding delays; right-of-entry and surveying problems, consideration of judges; commissioners' court delays; and OAG's support. Twenty-six percent of the CPPs in the study had this category of root causes.
4. Parcel Characteristic/Improvement Delays—this category included issues closely tied to physical characteristics of the site. Delay factors for this category include: parcel types such as railroads, businesses, parking lots, homes, shopping centers, post offices, etc., which have special needs; parcel size, number of relocations, partial takings, splitting of parcels, Category II building bi-sections, controlled access, and existing alignments. Twenty percent of the CPPs in the study had this category of issues as a root cause for delay.
5. Environmental Sensitivity and Expert Witness Delays—the challenges of environment concerns and the need for expert witnesses can delay R/W acquisition. Factors such as wetlands consideration, archeological sensitivity, cemeteries, hazmat soils, caves, wildlife, and dredge-and-fill discharges, flooding, and parkland. Eighteen percent of the CPPs in the study had this category of issues as a root cause.
6. Legal Activity and Litigation Delays—R/W acquisition delays in this category may occur when participants, or when legal activity in the area causes landowners to opt for ED does not know awareness of statutory requirements. Issues noted in the analysis-included involvement of lawyers and legal activity of the area, nonprofit organizations, and billboards. Fifteen percent of the CPPs in the study had this category of issues as a root cause.
7. Utility Delays—utility company compensation for improvements in the R/W acquisition process can delay acquisition. Issues of concern included utility company reimbursement and procedure delays, number of utility adjustments, concurrent engineering, problematic urban development, and parcels with underground utilities. Nine percent of the Critical Path Parcels in the study had this category of issues as a root cause for delay.
8. Design Change and Revision Delays—this category of factors can cause delay when parcel size is increased or new parcels are required. Issues identified included additional mapping preparation, additional take for highway structure foundations, and appraisal outdated and reappraisal required. Nine percent of the CPPs in the study had this category of issues as a root cause.
9. Resource and Manpower Delays—manpower delay factors included work load and capacity of appraisers, title companies, consultants (ROWAPS), acquisition provider

services, and TxDOT resource allocation to handle more pressing acquisitions. Only 6 percent of the CPPs in the study had this category of issues as a root cause in the records. As previously noted, this may have more effect on the process than the records indicate.

Conclusions for the ROWIS database (as of June 7, 2004) are as follows:

- ROWIS can be a highly effective database and tracking system; however, it would be more usable if it contained more data. In effect, it is not being used to its full potential. According to T.E., there were 5932 parcels in possession.
- Only 45 *completed* projects with 10 or more parcels were in the ROWIS database when the sample was taken for the study.
- According to T.E. there were 384 projects and 5932 parcels were in ROWIS database when this study was conducted, with an average of 15 parcels associated with each project.
- Seventy-five percent of the projects in ROWIS database had 16 or fewer parcels per project.
- An evaluation of the "PARCEL STATUS" field (which places parcels as Negotiated, Donated, ED, etc.) showed 35 percent of the parcels were "Undetermined" in status.
- The districts with the largest R/W acquisition programs (dollars expended) do not necessarily have the most complete data in ROWIS.

7.4 Recommendations

7.4.1 Recommendations to TxDOT

The following recommendations are applicable to the TxDOT R/W acquisition process:

- Use the integrated, stratified process flowchart developed as part of this research as a tool to assist management of R/W parcel acquisition and utility adjustment. The diagram shows each activity of the R/W acquisition and utility adjustment process with corresponding responsible party separated into three categories: ROW Division, TxDOT R/W District, and Project Associates. The flowchart is given in Appendix N.
- Use the data given in this document, along with the cumulative duration charts, to give realistic, databased forecasts of how long the acquisition process will take.
- Look closely at resource allocation in terms of R/W acquisition. The data shows an opportunity to improve the time required for R/W acquisition through:
  - Advanced commitment of resources before the overarching parcel acquisition effort gets behind schedule
  - Timely commitment of resources to the appraisal process, including more resources earlier in the process and experienced personnel in helping to identify problem parcels early
  - Prioritization of acquisition resources and focusing the right effort on important parcels
- R/W acquisition challenges (delay factors) along with management strategies were outlined in Chapter 4; these issues should be looked at more closely, along with the root

cause analysis of CPPs. These issues and insights can perhaps become the basis for process improvements and training materials.

- Begin benchmarking, the CPP take substantially more time than any randomly selected; the R1 values for CPP reflect the expected time of projects and can be used for benchmarking and tracking the CSJ project times in the future.

The following recommendations are intended for TxDOT's R/W acquisition data collection and tracking efforts. The fields that were taken from physical files can be incorporated into ROWIS database as entry fields, and standardized. Some of these fields are already in ROWIS; such as the R/W project release date, the Negotiations End Date, and Notice of Deposit date for parcels acquired through condemnation. The necessary fields to perform the analysis given in this study are:

- The first date to be captured is the R/W release date; this is provided by ROW Division and is readily available in ROWIS. This field is in ROWIS.
- The Appraisal Date was based on the *Real Estate Appraisal Report*, which is based on the recorded date of the appraiser on TxDOT Form ROW-A-5/ROW-A-6, Real Estate Appraisal Report (Appendix B). The appraisal date is the initial appraisal date.
- The Appraisal Approved Date is based on *Tabulation of Values* where the District Engineer approves the TxDOT document ROW-A-10, Tabulation of Values form (Appendix C).
- The Negotiations End Date was based on the *Final Offer Letter* and is the deadline for response by the property owner noted on ROW NFOL, Final Offer Letter (Appendix D).
- The Eminent Domain (ED) Begins date is based on an INTEROFFICE MEMORANDUM, in which the ROW District sends form ROW-E-49, Request for ED Proceedings to Division (Appendix E).
- The Prepare and Submit Request for ED date is a memorandum from ROW Division legal section to OAG regarding ED Proceedings.
- The Minute Order for ED Approved by Transportation Commission is an Interoffice Communication from OAG acknowledging receipt of the ED request; it is preferred to have a follow-up letter from the OAG with the condemnation pleadings (case no. and assigned legal filing). This data entry is generally defined as date the AG's Office responds to the ED request and begins processing ED hearings.
- For ED (condemnation) parcels, the Possession of Parcels or Property date is based on a *Notice of Deposit* from the court, which reads: "by reason of deposit, the State of Texas is now entitled to enter upon and take possession of said property." The date of deposit is shown on ROW-E-ND, Notice of Deposit (Appendix F).
- For Negotiated parcels, this Possession date is the "Title company closeout date" on TxDOT document ROW-N-72, Title Company's Closing Statement—State of Texas (Appendix F).
- Once these data are available in ROWIS, a system could be developed that would access data for analysis. This could facilitate a real-time, historical evaluation of data, giving both ROW Division and District personnel a better ability to forecast time required for R/W acquisition. Consider automating the data fields and interface in the ROWIS database to give immediate feedback for district R/W administrators who want to see

progress and average durations for parcel acquisition times and try to identify areas that can be improved.

7.4.2 Recommendations for Researchers

The following recommendations are applicable to researchers focusing on R/W acquisition:

- Additional research is needed to identify issues related to the lag time associated with R/W project release to receipt of initial appraisal to facilitate improved parcel acquisition.
- Implement a pilot project for tracking milestones and recording data similar to the research in this thesis at a future date; data captured can be used to verify or negate the findings and provide lessons learned on the applicability of benchmarking.
- Investigate the effects of outsourced acquisition specialists and third party influence on R/W project delivery times; include tracking of progress and comparison to the averages and performance of TxDOT in the past (captured in this research).
- Resource management was an issue that came up several times. Perhaps looking at the "management" side of R/W acquisition and standardizing best management practices across TxDOT might provide value.

Appendix A Detailed Chart of Activities in the Right-of-Way Acquisition Process

Activity No.	Description
1	Preliminary R/W/Utility Data Collection
2	Early Coordination with Local Agencies
3	Preliminary Design Conference
4	Project Development Process
5	Place Project in STIP
5.1	Project Receives "Develop" Program Authority
6a	Obtain: Environmental Clearance
6b	Obtain: Local Agency Agreements (if applicable)
6c	Obtain: Approved R/W Map
6d	Obtain: Funding
7	Request Release
8	Order Title Information: 5 Year Sales Data and Preliminary Title Commitment.
9	Receive Title Information: 5 Year Sales Data and Preliminary Title Commitment.
10	Obtain Property Owner Addresses
11	Make Pre-Appraisal Contact with Property Owner
12	Contact Displaces
13	Assign Appraiser
14	Receive Appraisal

Activity No.	Description
15	Review/Approve Appraisal
16	Ongoing Assistance for Moving, Re-establishment & Searching for Location
17	ROW Division Approval or Special Business Payments
18	Present Offer
19	Begin Curative Work
19.1	Receive Written Counter Offer
19.2	District Recommends To Approve/Deny
19.3	Division/Department Accepts or Rejects Counter Offer
20	Calculate and Submit Supplements for ROW Division Approval
21	Receive Approved Replacement Housing Supplements & Special Business Payments
22	Send 90 Day notice and determination of relocation entitlements to Displaces
23	Assist Displaces in finding replacement dwelling (if requested)
24	Administrative Settlement Process (if requested)
25	Instrument or Conveyance Signed
26	Complete Curative Work
27	Obtain Title Commitment
28	Submit Payment Request to ROW Division
29	Receive Warranty
30	Closing By Title Company

Activity No.	Description
31	Receive Title Policy Close File
32	Pay for Title Policy
33	Relocation Process—Start
34	Relocation Process—Send 30-day notice
35	Relocation Process—Leaseback
36	Relocation Process—Move Displaces
37	Relocation Process—Removal of Improvements
38	Prepare Final Offer
39	Order Updated Title Commitment
40	Prepare and Submit Request for ED
41	Minute Order Approved by Transportation Commission
42	ROW Division Submits Parcel file to OAG
43	Update Appraisal
44	Revise & Approve Updated Appraisal
45	Review and Make Final Offer
46	Document "No Change" in Appraisal
47	Receive Court Papers from OAG (OAG PREPARES PETITION)
48	File Papers with Court (TxDOT FILES PETITION)
49	Serve Notice of Hearing to interest holders (JUDGE APPOINTS SPECIAL COMMISSIONERS)

Activity No.	Description
50	Hearing (COORDINATION TO SCHEDULE SPECIAL COMMISSIONERS HEARING)
51	Prepare Summary and Recommendation Report (PREPARE AND DELIVER NOTICE OF HEARING)
52	Judge Signs Award (SPECIAL COMMISSIONERS SIGNATURE AND DELIVER OF AWARD)
53	Update Title Commitments
54	Request Warrant from ROW Division
55	Receive and Deposit Warrant
56	If Supplement Increase/Decrease, Steps needed for computing supplement may have to be repeated
57	Judgment in Absence of Objections Procedures
58	Objections Filed
59	Update Appraisal for Date of Take
60	Possible Mediation
61	Agreed Judgment (Mediation Successful)
62	Pre-Trial Procedures (Mediation Failed)
63	Prepare and Attend Trial
64	Jury Summary
65	Appeal Process
66	Final Judgment
67	Final Judgment Payment Process

Appendix B TxDOT Document: Real Estate Appraisal Report

ROW-A-5/ROW-A-6, Real Estate Appraisal Report) (Appendix B).

REAL ESTATE APPRAISAL REPORT
TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: District:
Property Owner: Parcel:
Address of Property Owner: CSJ:
Occupant's Name: Federal Project No:
Whole: ☐ Partial: ☐ Acquisition Highway: County:

Purpose of the Appraisal

The purpose of this appraisal is to estimate the market value of the fee simple title to the real property to be acquired, encumbered by any easements not to be extinguished, less oil, gas and sulfur. If this acquisition is of less than the whole property, then any special benefits and /or damages to the remainder property must be included in accordance with the laws of Texas.

Market Value

Market value is defined as follows: "Market Value is the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."

Certificate of Appraiser

I hereby certify:

That it is my opinion the total compensation for the acquisition of the herein described property is $ as of , based upon my independent appraisal and the exercise of my professional judgment;

That on (date)(s), I personally inspected in the field the property herein appraised; that I afforded , the property owner or the representative of the property owner, the opportunity to accompany me at the time of the inspection; type comment here or delete this field;

That the comparables relied upon in making said appraisal were as represented by the photographs contained in the appraisal report and were inspected on (date)(s);

That I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of the Texas Department of Transportation or officials of the Federal Highway Administration until authorized by State officials to do so, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified to such findings;

That my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

I certify to the best of my knowledge and belief:

That the statements of fact contained in this report are true and correct;

That the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions;

That I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That my analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the appropriate State laws, regulations, and policies and procedures applicable to the appraisal of Right-of-Way for such purposes, and that to the best of my knowledge no portion of the value assigned to such property consists of items which are no compensable under the established law of said State, and any decrease or increase in the fair market value of subject real property prior to the date of valuation caused by the public improvement for which such property is to be acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to the physical deterioration within the reasonable control of the owner, has been disregarded in estimating the compensation for the property.

Appraiser Signature

Certification Number

Date

To the best of my knowledge, the value does not include any items which are not compensable under State law.

District Reviewing Appraiser Date

Appendix C TxDOT Document: Tabulation of Values

Parcel: Highway: ROW CSJ:

VIII. Conditions

Values for signs, if any, are applicable only if sign owner has compensable interest.
Fencing is applicable only to actual cost or lump sum fencing on 90-10 Right-of-Way projects and State cost participation in fences to be in accordance with State's Right-of-Way Manual.
The values indicated hereon have been approved on the basis that all improvements within the taking will be acquired in the name of the State through negotiation.

IX. Reviewing Appraisers' Statements

District Reviewing Appraiser's Statement

The recommended value on this form is my opinion of value for the parcel and was reached independently based on appraisals and other factual data without collaboration or direction. An on-the-ground inspection of the parcel was made and comparables in the area were inspected. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of the parcel. To the best of my knowledge, the value does not include any items which are not compensable under State law.

District Reviewing Appraiser Date

Contract Reviewing Appraiser's Statement (if applicable)

The recommended value on this form is my opinion of value for the parcel and was reached independently based on appraisals and other factual data without collaboration or direction. An on-the-ground inspection of the parcel was made and comparables in the area were inspected. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of the parcel. To the best of my knowledge, the value does not include any items which are not compensable under State law.

Contract Reviewing Appraiser Date

Division Reviewing Appraiser's Statement (if applicable)

Values contained in this form are my opinion of value for the parcel and was reached independently based on appraisals and other factual data including the District reviewer's inspection, analysis and recommendation and on-the-ground knowledge and without collaboration or direction. I have not direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of the parcel. It is my understanding that the parcel may be used in connection with a Federal-Aid Right-of-Way Highway Project. To the best of my knowledge, the value does not include any items which are not compensable under State law.

Division Reviewing Appraiser Date

X. Approval of Values

County/City Representative Date

District Engineer Date

Appendix D TxDOT Document: Final Offer Letter

Final Offer Letter

Date:

County:	Parcel:
Federal Project No.:	Highway:
ROW CSJ:	From:
	To:

Dear ,

As you know, it is necessary for the State of Texas, acting through the Texas Department of Transportation, to construct a highway which requires the purchase of the property referred to above. Inasmuch as negotiations to purchase this property have not been successful to date, a final offer is hereby submitted to you. According to authorization by the Texas Transportation Commission, a total sum of $ is offered for the required property rights, save and except oil, gas and sulphur rights with no right of exploration on the above described property, subject to clear title being secured. Any compensation that may be due to you from this Department's Relocation Assistance Program is not included in this offer because such funds are paid to eligible persons separately.

If you desire to accept this offer, please advise us as soon as possible. If this offer is not accepted within 10 days from the date of this letter, it must be considered as having been rejected. If you elect to reject this offer, ED proceedings will be initiated by the State. Thereafter, the Court will appoint three disinterested freeholders to serve as Special Commissioners, a date will be set for a hearing and you will be notified of the time and place set for the hearing at which the Special Commissioners will hear the evidence presented and arrive at an award which will be filed with the Court. The State may then deposit the amount of the award with the Court, at which time the State will be entitled to take possession of the property involved. After the deposit is made, you may withdraw your share of the award. If the award exceeds the amount of any subsequent judgment, you are required to repay the State the excess amount and any excess amount not repaid to the State may be deducted from eligible payments, if any, due to you as the property owner under the Department's Relocation Assistance Program. If either you or the State is dissatisfied with the amount of the award, objections may be filed within the time prescribed by law and the case subsequently tried before the Court, as are other civil cases.

Sincerely,

_____

Appendix E TxDOT Document: Request for Eminent Domain Proceedings

Request for Eminent Domain (ED) Proceedings—Form ROW-E-49

REQUEST FOR ED PROCEEDINGS

County:	District:
Highway No.:	Parcel No.:
Project Limits:	CSJ No.:
	Federal Project No.:

I. Nature of Taking:

A. Property Interest(s) to be Acquired: (e.g., fee title, easement, etc.)

B. Extent of Taking: ☐ Partial ☐ Whole

C. Access Rights to Remainder (Partial Taking—Controlled Access Highway Only):

1. Type Location:

☐ Follows Existing Facility, whether highway, road, street or other public way

☐ New Location

2. Denial or Permission of Access Based on Right-of-Way and/or Construction Plans (A district-prepared attachment to the Field Note Property Description must have clause showing what is indicated as applicable below.)

☐ Permitted to entire remainder(s)

☐ Denied completely to entire remainder(s)

☐ Partially permitted and partially denied to remainder(s)

II. Holders of Property Interests *to be joined* as Parties:

A. Fee Owners:

B. Adverse Claimants:

C. Lien holders:

D. Easement Holders:

E. Lessees and Tenants:

F. Owners of Minerals, Mineral Leases, etc.:

III. Holders of Property Interests *Not to be Joined* as Parties (List any entity in the title commitment that has not been joined and the reason[s] why not joined)

Entity:	Reason:

IV. Taxing Agencies (Whole Taking Only):

A. Agencies Claiming Delinquent Taxes:

B. Agencies Authorized to Collect Ad Valorem Taxes:

V. A District-prepared Special Clauses Exhibit, included with the Field Note property description. (In addition to any necessary Control of Access Clause):

A. Bisected Improvement(s):

Category I ☐ Category II ☐ None Involved ☐

B. Property Rights to be retained by Owner:

None Involved ☐ Listed Below ☐

C. Right-of-Way Division engineering review requested:

YES ☐ NO ☐

(Note: If YES or NO are <u>not marked</u>, an engineering review will be automatically conducted by Right-of-Way Division)

VI. Timing of Proceedings (Month and Year):

A. Proposed Letting Date Affecting the Subject Parcel:

B. Date Possession of Subject Parcel is needed:

VII. Appraisals:

A. Original Appraiser(s) and Value(s):

1. Name: Value:
2. Name: Value:
3. Name: Value:

B. Approved Value: $

C. Recommended Appraisal Witness (es):

1. Name: Value:
2. Name: Value:

D. Special Comments on Witness (es), if any:

VIII. Environmental:

A. Are there any known underground storage tanks or possible contaminants?
☐ Yes ☐ No
(If yes, explain.)

IX. Attached Documents (Check only the items actually attached):

☐ Duplicate sets of Final Offer Letter, if not previously submitted.

☐ One set of Field Note Property Description, including Plat Map.

☐ Duplicate set of Title Company's Title Policy Commitment for ED.

☐ Duplicate sets of Attorney's Certificate.

☐ Duplicate sets of Negotiator's Reports on *Form ROW-N-94, ROW-N-9, ROW-N-10* and *ROW-N-11*, as appropriate.
☐ Duplicate sets of all documents affecting title* in district's file which have not been previously submitted to the Right-of-Way Division that will be of benefit to the Assistant Attorney General's handling the case.
(**ROW Manual, Volume 4, Chapter 2, Section 2*)

☐ One set of all Appraisal reports.

☐ Additional attachments (listed below):

X. Remarks (Continue on attachment if necessary):

Appendix F TxDOT Document: Title Company Closing Statement and Notice of Deposit for ED Parcels

Title Company's Closing Statement – State of Texas (Form ROW-N-72) defined for condemned parcels as the date of deposit shown on ROW-E-ND, Notice of Deposit).

TITLE COMPANY'S CLOSING STATEMENT—STATE OF TEXAS

Title Company:	County: District: ROW CSJ No.:
G.F. No.:	Parcel Number:
Date:	Federal Project No.:

State Warrant No.: $

SELLER:

CLOSING AND TITLE EXPENSES	SELLER	STATE
Title Policy:	$	$
Recording Fees:		
Deed—paid to County Clerk		$
Release—paid to County Clerk	$	$
Quitclaim Deed -paid to County Clerk	$	$
Seller's Attorney's Fees paid to:	$	$
Taxes:		
Delinquent—paid to County Tax Collector	$	
paid to	$	
Current—paid to	$	
Additional services rendered including furnishing preliminary title information and preparation and completion of forms not covered by title insurance rates approved by the State Board of Insurance		
Notes, etc., paid to: (Title Company Administrative Fee)		$
Net Amount paid to Seller	$	
Total Disbursements by Title Company	$	
Amount Charged to State	$	$

Title Company's Closing Statement – State of Texas (Form ROW-N-72) (continued)

WE APPROVE AND ACCEPT ABOVE STATEMENT TRUE AND CORRECT:

I CERTIFY THE ABOVE TO BE AS OUR INTEREST MAY APPEAR:

Seller: _____

_____
(Underwriter)

By: _____
(Agent for Underwriter)

By: _____
(Authorized Signature & Title)

Date: _____

State Right-of-Way Closing Certificate

I certify that the State's warrant was disbursed as set forth above and the deed has been delivered to the County Clerk for recording.

_____
Signature

_____
Title

Appendix G Interview and Workshop Questionnaire

Questionnaire

1. INTRODUCTION – 15 MIN (Background and Interview information).
   A. Please provide your name and background with TxDOT.
1. Briefly describe your role and the role of personnel at this office involved in the R/W acquisition process.

   B. How can this research project be of benefit to your district and R/W team?
   (What are your expectations from the research project?)

2. R/W PARCEL ACQUISITION FLOWCHART – 15 MIN
   A. How closely does your district follow the R/W Parcel Acquisition Flowchart?
1. Are there key differences that have helped you acquire R/W more efficiently?

   B. Where does utility process tie into the parcel acquisition flowchart?

   C. What are the requirements before the start of project or parcel acquisition? What preliminary actions are you involved in?

3. (R/W ACQUISITION DISCUSSION – 20 MIN) Challenges and Influences in R/W acquisition
   A. What are the most problematic parcels in a project?

   B. Are there problematic parcels that seem to reoccur in R/W acquisition?

   C. For a project, identify the biggest factors that can delay the time to acquire R/W? (Number of parcels, urban versus rural areas, title work, environmental sensitivity)

   D. Explain how you know there are problematic parcels – (attend hearings, visit area, past history, legal climate)? What indicates a simple parcel or project, complex?

4. (R/W FLOWCHART DISCUSSION – 30 MIN) Sensitivity Analysis in R/W acquisition
   A. Please mark on the flowchart the activities that are:
1. Least predictable/most variable activities (either in or out of districts' control).

2. R/W District has NO CONTROL on activity duration.

3. TxDOT controls the period for the activity/outside of R/W.

4. R/W District controls and influences the time to complete the activity.
   a. What activities are the most time consuming? Why?

5. Neither R/W staff nor TxDOT personnel can control the period.

   B. How do relationships with R/W Division, owners, legal reps, appraisers, title companies, factor into the duration predictability of activities out of R/W district's control?
1. Are there criticisms or praise for dealing with ROW Division?

5. ROWIS AND ROW CHANGES – 10 MIN

A. Any suggestions of change that would expedite the process?
Are there changes in the R/W environment that have helped you expedite your work? Process, funds, public ideology, government entities, lawyers, appraisers, etc.

B. What are your thoughts on ROWIS?

1. What are some benefits and criticisms of ROWIS?
2. Do you use ROWIS very little, some, moderately, extensively?

C. What new legislation, trends or processes will influence how long it takes to acquire R/W for a project? Please explain.

6. WRAP-UP AND CONCLUSION – 10 MIN

A. Anything else that we should know about R/W?
B. Any other sources of information or contacts you recommend?

Appendix H Details of Projects and Critical Path Parcels

Columns A through G in the following charts represent the following specifications:

(A) Control-Section-Job Number

(B) District

(C) Total Number of Parcels for the CSJ Project

(D) Number of Random Parcels Selected

(E) Critical Path Parcel Number

(F) Randomly Selected Parcel Number

(G) Method of Acquisition

Values for Columns A through G:

- NEG = Negotiated
- AS = Administrative Settlement
- ED = Eminent Domain

Milestones 1 through 8 indicate the following dates:

Milestone 1. R/W Release Date

Milestone 2. Appraisal Date

Milestone 3. Appraisal Approved Date

Milestone 4. Negotiations End Date

Milestone 5. ED Begins Date

Milestone 6. Prepare & Submit Request for ED Date

Milestone 7. Minute Order for ED Approved by Transportation Commission

Milestone 8. Possession of Deed Date

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0065-02-053	BMT	83	5	76		ED	7/5/2001	11/13/2001	1/3/2002	2/1/2002	11/6/2002	2/26/2003	3/24/2003	6/18/2004
					34	NEG		7/6/2001	7/23/2001	NA	NA	NA	NA	11/9/2001
					4	ED		11/27/2001	1/2/2002	6/7/2002	11/23/2002	12/2/2002	12/9/2002	7/7/2004
					42	NEG		6/29/2001	7/27/2001	NA	NA	NA	NA	10/10/2001
					65	NEG		6/13/2001	9/11/2001	NA	NA	NA	NA	4/10/2002
					43	NEG		6/26/2001	7/10/2001	NA	NA	NA	NA	4/17/2002

CPP DELAY FACTORS		**COMMENTS**
ACQUISITION RESOURCES	X	VACANT LAND TAKE OF .3 ACRES OF 3 ACRE AGRICULTURAL OR RESIDENTIAL VACANT LAND. FIRST APPRAISAL—11.13.01 APPROVED 1.03.02. SECOND APPRAISAL—6.9.03 TO 6.16.03.
PARCEL CHARACTERISTICS	X	THE TESTIMONY OF THE LANDOWNER WAS THAT THERE WAS A CONCRETE FOUNDATION THAT THE R/W CUT INTO THAT THE OWNER INTENDED TO BUILD A MECHANICS SHOP AND WANTED 10.5K FOR THE LOSS OF THE FOUNDATION SO THEY APPEALED THE COMMISSIONERS' AWARD. THE JURY'S VERDICT WAS 3.5K ADDITIONAL AND THE DEPOSIT WILL BE DONE ETA 6.18.04
LEGAL ACTIVITY	X	ATTORNEY WAS EMPLOYED BY LANDOWNER
ROW DIVISION	X	SPECIAL COMMISSIONERS AWARDED THE PROPERTY FOR A VALUE OF 3K VERSUS 2.2K APPROVED VALUE AND DEPOSIT WOULD HAVE BEEN ON 7.30.03,
COMMENTS	X	ACTUAL CRITICAL PATH PARCEL MAY BE PARCEL 3 BECAUSE IT IS IN THE APPEALING STAGE BUT SPECIAL COMMISSIONERS' AWARD WAS GIVEN IN 2002 AND ACTUAL DEPOSIT WAS ON 12.20.02

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0540-08-002	BRY	16	2	2		ED AS NEG	4/2/2001	9/24/2001	11/14/2001	6/1/2003	5/29/2003	7/26/2003	8/12/2003	NA
					3	NEG		1/24/2003	2/28/2003	NA	NA	NA	NA	7/1/2003
					13	NEG		7/27/2001	8/9/2001	NA	NA	NA	NA	8/22/2003

CPP DELAY FACTORS		COMMENTS
UTILITIES	X	THE OWNER STATES THAT UTILITIES WOULD NEED TO BE BORE UNDER THE HIGHWAY AND THAT CAUSED ADDITIONAL PRICE DIFFERENCE IN "AS."
PARCEL CHARACTERISTICS	X	IMPROVEMENTS INCLUDE 2 SHEDS, MOBILE HOME PAD, PERIMETER FENCING, CROSS FENCING, 3 STOCK PONDS. ZONING IS AGRICULTURAL TOTAL COMP=400K. THERE WAS TEMPORARY EASEMENT ASSOCIATED WITH THIS PARCEL
LEGAL ACTIVITY	X	PROPERTY OWNER WANTED 646K IN ADMIN SETTLEMENT. THIS WAS REJECTED. REASONING WAS DAMAGES TO THE REMAINING PROPERTY BECAUSE OF UTILITIES THAT NEED TO BE BORED UNDER THE PROPOSED HIGHWAY AND AFTER CONDITION MAKES THE LAND WORTH LESS PER ACRE. OWNER HAD EVIDENCE OF CONTRACT FOR SALE AT 14.5K PER ACRE; OWNER THOUGHT IS WORK 15K SO REJECTED THE OFFER, TXDOT OFFERED 12.5K PER ACRE.
LEGAL ACTIVITY	X	THE PROPERTY WAS APPRAISED AGAIN AND THE PRICE WAS 870K AND THE OWNER OFFERED ANOTHER 896K COUNTER OFFER AND IT WAS ACCEPTED BY DIVISION BECAUSE THE PROJECT WAS UNDER CONSTRUCTION ALREADY.
ROW DIVISION	X	THERE WAS A REVISION FOR THE MAP THAT OCCURRED ON 6.4.03 AND INCREASED THE EXISTING ACREAGE.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0218-04-101	ATL	44	3	35		ED	4/11/2001	11/20/2001	1/24/2002	4/7/2002	4/16/2002	4/7/2002	11/1/2002	NA
					33	NEG		9/6/2001	1/17/2002	NA	NA	NA	NA	1/8/2003
					5	ED		8/20/2001	10/15/2001	3/10/2002	10/4/2002	10/10/2002	11/4/2002	11/4/2003
					7	ED		9/6/2001	10/25/2001	3/31/2002	4/23/2002	8/19/2002	8/28/2002	1/21/2003

CPP DELAY FACTORS		COMMENTS
ENVIRONMENTAL SENSITIVITY	X	UNDERGROUND STORAGE TANKS OR POSSIBLE CONTAINMENTS.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0046-01-055	PAR	21	3				12/5/2002	NA	NA	NA	NA	NA	NA	NA
					15	NEG		3/5/2003	4/14/2003	NA	NA	NA	NA	8/27/2003
					20	NEG		3/5/2003	4/22/2003	NA	NA	NA	NA	7/1/2003
					9	NEG		3/5/2003	4/22/2003	NA	NA	NA	NA	7/21/2003

CPP DELAY FACTORS		COMMENTS
COMMENTS	X	**PARCELS ALMOST COMPLETED ALL HAVE COMMISSIONERS' AWARD BUT NO DEPOSIT YET.**

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0039-04-101	PHR	19	2	2		ED	5/22/1999	2/18/2000	6/23/2000	9/19/2002	10/10/2002	12/2/2003	1/2/2004	TBD
					14	NEG		2/18/2000	9/11/2000	NA	NA	NA	NA	2/7/2001
					16	NEG		2/18/2000	5/25/2000	NA	NA	NA	NA	5/1/2001

CPP DELAY FACTORS		COMMENTS
TITLE CLEARANCE	X	TITLE CURATIVE REASONS—OWNER PASSED AWAY BEFORE THE NEGOTIATIONS AND EXECUTOR OF ESTATE WAS DENIED THE CONVEYANCE. ATTORNEYS WERE NOT ABLE TO COME TO TERMS AND THE PROBATE REMAINS OPEN AND THE ASSETS HAVE NOT BEEN DISTRIBUTED.
ENVIRONMENTAL SENSITIVITY	X	THERE WAS ALLEGED CONTAMINATION DUE TO FORMER SERVICE STATION AND NEARBY DISCOVERY OF CONTAMINATES. USUALLY CONTAMINATION WOULD BE OBJECTED AND THE OWNER WOULD DO THE REMEDIATION, BUT BECAUSE THERE WERE NOT ASSETS AND UNLIKELY CLEANUP BY THE OWNER, THERE WAS NO PURSUIT OF THIS.
LEGAL ACTIVITY	X	CITATION BY PUBLICATION WAS DONE 4.24.04.
ROW DIVISION	X	SPECIAL COMMISSIONERS' AWARD WAS ON 4.6.04. THE DIVISION FELT TXDOT SHOULD NOT WAIVE THE RIGHT TO RECOVER THE $2000 FOR THE PARCEL BECAUSE OF ITS DUTY TO THE TAXPAYERS AND LATER COULD WAIVE FURTHER REIMBURSEMENT. THEREFORE, DIVISION REQUESTS OBJECTIONS BE FILED. LATEST CORRESPONDENCE WAS 6.10.04

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
1697-02-021	BWD	32	3	4		ED	4/30/2001	10/10/2002	10/24/2002	12/9/2002	6/3/2003	7/9/2003	7/21/2003	5/11/2004
					13	NEG		1/22/2003	2/7/2003	NA	NA	NA	NA	11/17/2003
					18	NEG		2/5/2003	2/12/2003	NA	NA	NA	NA	11/17/2003
					30	NEG		10/17/2001	10/31/2001	NA	NA	NA	NA	6/12/2002

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	FIRST APPRAISAL—10.10.02 TO 10.24.02. LETTING DATE IS 6/04
TERRAIN FEATURES	X	GENTLY ROLLING GRASS PASTURE WITH SCATTERED OAKS AND MESQUITE.
PARCEL CHARACTERISTICS	X	BUSINESS RELOCATION CONDEMNED FOR TITLE CURATIVE REASONS—6 ACRES OF LAND IRREGULARLY SHAPED IN A RURAL ZONE AND LEAVING REMAINDER IN 3 PARTS—ONE PORTION IS UNECONOMIC REMAINDER TO OWNER. IMPROVEMENTS INCLUDE FENCING.
LEGAL ACTIVITY	X	THE PROPERTY OWNER HAD SOME FEDERAL TAX LIENS THAT WEREN'T GOING TO BE PAID.
ROW DIVISION	X	COMMISSIONERS' AWARD WAS ON MARCH 4, 2004. THE PAYMENT REQUEST FOR DEPOSIT TO COURT WAS INITIATED BY DISTRICT ON 4.8.04 AND SENT AGAIN TO FINANCE ON 4.27.04 REQUIRED BY 5.8.04—AS OF 7.8.04 THERE IS NO DEPOSIT OF CHECK.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
2964-01-033	DAL	25	3	1		NEG	7/11/2001	3/11/2002	3/27/2002	NA	NA	NA	NA	4/13/2004
					13	NEG		4/30/2002	5/13/2002	NA	NA	NA	NA	3/17/2003
					6	NEG		3/25/2002	3/28/2002	NA	NA	NA	NA	3/13/2003
					17	AS		2/28/2002	3/26/2002	NA	NA	NA	NA	3/14/2003

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	OWNER IS TEXAS UTILITIES ELECTRIC COMPANY = ONCOR ELECTRIC DELIVER COMPANY. DAMAGES WERE 81K AND PROPERTY WAS 41K. ONCOR WAVED THE DAMAGES IF TXDOT GAVE THEM ACCESS UNDER THE BRIDGE FOR REPAIRING THE TRANSMISSION PER MEMO.
PARCEL CHARACTERISTICS	X	18 ACRES WITH TWO HIGH VOLTAGE TRANSMISSION TOWERS.
ROW DIVISION	X	DEED WAS SIGNED ON 2.24.04 AND PAYMENT REQUEST WAS SENT TO DIVISION ON 3.23.04 AND REQUIRED BY 4.14.04. NO ADDITIONAL DOCUMENTATION AFTERWARDS.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0281-02-057	DAL	16	2	13		ED	4/3/2002	5/22/2002	5/30/2002	7/26/2002	10/1/2002	11/5/2002	11/26/2002	4/29/2003
					2	NEG		4/29/2002	5/10/2002	NA	NA	NA	NA	10/16/2002
					20	NEG		5/10/2002	6/17/2002	NA	NA	NA	NA	9/19/2002

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	APPRAISER DATE WAS 11.10.02 APPROVED 11.18.02. PBS&J WERE THE CONSULTING FIRM USED FOR ACQUISITION.
PARCEL CHARACTERISTICS	X	THE MAJOR IMPROVEMENTS ARE PRE-ENGINEERED STEEL BUILDING WITH PARTIAL MASONRY EXTERIOR, BERMUDA GRASS LANDSCAPING, ADVERTISING SIGN AND PORTION OF THE PARKING LOT. THIS IS A COMMERCIAL LOT.
LEGAL ACTIVITY	X	{AS} DID NOT FINISH AND THE PARCEL WAS TAKEN TO ED. THE PROPERTY OWNER DEFAULTED ON HIS PURCHASE MONEY LOAN AND TWO LIENHOLDERS WHICH WERE IN THE PROCESS OF FORECLOSING ON THE PROPERTY AT THE TIME OF TRIAL. 3.18,03 SPECIAL COMMISSIONERS AWARDED AND OBJECTIONS WERE FILED BUT FINAL JUDGMENT OF COURT IN ABSENCE OF OBJECTIONS WAS COMPLETED ON 6.13.03

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0097-02-028	CHS	16	2	2		NEG	12/31/2003	4/11/2002	7/1/2002	NA	NA	NA	NA	4/8/2004
					3	NEG		4/11/2002	7/1/2002	NA	NA	NA	NA	2/20/2004
					4	NEG		4/25/2002	7/1/2002	NA	NA	NA	NA	4/8/2004

CPP DELAY FACTORS		**COMMENTS**
TERRAIN FEATURES	**X**	**PASTURE FOR LIVESTOCK GRAZING.**
PARCEL CHARACTERISTICS	**X**	**IMPROVEMENTS INCLUDE LIVESTOCK FENCING.**

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0065-03-037	BMT	93	5	70A		ED	5/5/2000	6/16/1999	6/18/1999	7/19/2000	9/14/2000	11/1/2000	11/13/2000	6/4/2004
					25	NEG		7/30/1998	8/10/1998	NA	NA	NA	NA	2/26/1999
					7	NEG		8/19/1998	10/8/1998	NA	NA	NA	NA	12/28/1998
					8	NEG		7/13/1998	7/21/1998	NA	NA	NA	NA	1/20/1999
					77	NEG		6/22/1999	6/28/1999	NA	NA	NA	NA	12/1/1999
					89	NEG		8/31/1999	9/2/1999	NA	NA	NA	NA	1/5/2000

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	FIRST APPRAISAL = 6.16.99 APPROVED 6.18.99; SECOND=5.23.00 APPROVED 6.21.00. THIRD 1.4.01
PARCEL CHARACTERISTICS	X	THE WATER WELL SUPPLY WAS AN ISSUE AND WHERE THE PROPOSED AREA OF TAKE WAS IN QUESTION PER NEGOTIATOR'S REPORT. THE STATE WAS NOT WILLING TO COMPENSATE FOR THE WATER WELL BECAUSE A WATER LINE COULD BE RUN TO THE PROPERTY. REMAINING PROPERTY AFTER TAKE WOULD NOT ALLOW THE SEPTIC TANK INSTALLATION AND THE OWNER WANTS THE STATE TO TAKE THE WHOLE PROPERTY.
LEGAL ACTIVITY	X	RESIDENCE HAD WATER WELL AND PUMP HOUSE W/O PIPING EQUIPMENT AND DRIVEWAY, FENCING, AND LANDSCAPING AS IMPROVEMENT. THE CASE WAS TAKEN TO TRIAL AND THE OWNER WAS FINALLY AWARDED AN ADDITIONAL 18K FOR IMPROVEMENTS.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0109-07-040	LFK	34	3	36		NEG	4/16/1998	3/7/2002	3/11/2002	NA	NA	NA	NA	10/9/2002
					14	NEG		7/21/1998	8/24/1998	NA	NA	NA	NA	10/21/1998
					23	NEG		3/25/1994	9/21/1994	NA	NA	NA	NA	12/16/1994
					25	ED		1/7/1993	2/4/1994	10/12/1994	11/10/1994	2/16/1995	2/23/1995	7/20/1995

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	OUTSOURCED ACQUISITION. STARTED ED PROCESS BUT THEN OWNER DECIDED TO ACCEPT THE OFFER.
PARCEL CHARACTERISTICS	X	AGRICULTURAL LAND WITH BARBED WIRE PERIMETER FENCING IMPROVEMENTS.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0048-03-070	DAL	62	3	20		ED	12/11/1997	8/21/2002	8/26/2002	7/20/1999	12/14/1999	4/20/2000	5/2/2000	11/21/2002
					52	NEG		8/7/1998	8/17/1998	NA	NA	NA	NA	3/23/1999
					19	NEG		7/1/1998	7/29/1998	NA	NA	NA	NA	6/1/1999
					47	NEG		8/20/1998	11/3/1998	NA	NA	NA	NA	7/9/1999
					65	NEG		6/13/2001	9/11/2001	NA	NA	NA	NA	4/10/2002
					43	NEG		6/26/2001	7/10/2001	NA	NA	NA	NA	4/17/2002

CPP DELAY FACTORS		COMMENTS
TERRAIN FEATURES	X	**VACANT AGRICULTURAL LAND, CAN BE REZONED FOR COMMERCIAL BUT AT THE TIME OF APPRAISAL, IT WAS RESIDENTIAL. OWNER THOUGHT IT WAS WORTH MORE DUE TO COMMERCIAL POTENTIAL. OWNER WAS A PARTNERSHIP CORP.**
LEGAL ACTIVITY	X	**NEGOTIATOR'S REPORT SAID THE OWNER SAID TO GO TO CONDEMNATION BECAUSE ZONING AND OTHER PEOPLE AROUND THEM GOT HIGHER PRICES. AFTER COMMISSIONERS' AWARD, THERE WERE TXDOT APPEALS AND FURTHER TRIALS & LEGAL ACTIVITY. FINAL AGREEMENT WAS ON 11/21/2002**

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0370-04-029	YKM	41	4	40		NEG	11/20/1998	5/17/2001	7/9/2001	NA	NA	NA	NA	5/20/2003
					8	ED		6/20/1999	7/22/1999	4/24/2000	6/16/2000	6/7/2000	6/22/2000	1/10/2001
					39	NEG		5/21/2001	6/22/2001	NA	NA	NA	NA	11/29/2001
					28	NEG		3/25/2001	5/10/2001	NA	NA	NA	NA	9/27/2001
					16	NEG		3/16/2000	6/15/2000	NA	NA	9/19/2000	NA	5/4/2001

CPP DELAY FACTORS		COMMENTS
PARCEL CHARACTERISTICS	X	NO INDICATION OF WHY THE PARCEL WAS ACQUIRED AT A LATER TIME FRAME.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0191-03-015		46	5	41		NEG	4/17/2000	8/9/2000	12/20/2000	NA	NA	NA	NA	3/25/2003
					28	NEG		8/7/2000	11/14/2000	NA	NA	NA	NA	5/29/2001
	TYL				43	AS		8/15/2000	12/20/2000	NA	NA	NA	NA	5/21/2002
					1	NEG		6/14/2000	8/3/2000	NA	NA	NA	NA	10/19/2001
					6	NEG		7/18/2000	7/30/2000	NA	NA	8/24/2000	NA	11/16/2001
					17	ED		10/26/2000	11/1/2000	10/14/2001	11/18/2001	4/22/2001	12/20/2001	1/10/2002

CPP DELAY FACTORS		COMMENTS
PARCEL CHARACTERISTICS	X	70' ASPHALT DRIVEWAY. NO INDICATION OF WHY THE PARCEL WAS ACQUIRED AT A LATER TIME FRAME.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
1707-01-014	TYL	49	3	18B		NEG	6/22/1999	2/12/2002	3/6/2002	NA	NA	NA	NA	2/7/2003
					15	NEG		8/23/2001	9/13/2001	NA	NA	NA	NA	6/27/2002
					10	NEG		3/23/2001	4/18/2001	NA	NA	NA	NA	9/20/2001
					27	ED		3/29/2001	4/18/2001	12/4/2001	NA	11/27/2001	12/11/2001	10/14/2002

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	ADMINISTRATIVE SETTLEMENT WAS INITIATED BY THE PROPERTY OWNER ON THE ACCOUNT OF LOSS OF TREES IN PROPOSED R/W. ADDITIONAL $2500 WAS APPROVED BY THE DISTRICT AND DIVISION.
TERRAIN FEATURES	X	AGRICULTURAL PURPOSES

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0080-08-023	FTW	53	3	43		NEG	1/24/2000	1/10/2001	1/16/2001	NA	NA	NA	NA	7/8/2002
					23	NEG		3/2/2000	3/24/2000	NA	NA	NA	NA	7/18/2000
					11	NEG		10/19/2000	10/30/2000	NA	NA	NA	NA	3/21/2001
					40	NEG		12/12/2000	12/15/2000	NA	NA	NA	NA	5/14/2001

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	NEGOTIATED SIMPLE ACQUISITION. PORTION OF FENCED BUSINESS LAND. NO INDICATION OF WHY THE PARCEL WAS CPP EXCEPT THAT IT WAS ACQUIRED LATER.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0049-02-014	WAC	55	3	18		ED	3/8/2002	10/9/2000	11/17/2000	8/25/2002	10/2/2002	12/2/2002	1/3/2003	11/21/2003
					52	NEG		11/25/2003	12/10/2003	NA	NA	NA	NA	12/3/2003
					37	ED		1/6/2003	1/28/2003	4/19/2002	9/13/2002	11/5/2002	11/15/2002	3/18/2003
					12	NEG		11/10/2000	12/28/2000	NA	NA	NA	NA	7/12/2003

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	**1.3 ACRES WITH 1.2 ACRES TEMPORARY EASEMENT—RURAL RESIDENTIAL USE. PARCEL IS IRREGULARLY SHAPED. FIRST APPRAISAL—10/9/00 TO 11/17/00.**
TITLE CLEARANCE	X	**CONDEMNED BECAUSE OF TITLE CURATIVE REASONS AND REQUIREMENT OF CITATION BY PUBLICATION. LACK OF PROBATE AND INADEQUATE CONVEYANCE DOCUMENTATION ON THE HEIRS OF THE FAMILY.**

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
8050-18-038	DAL	55	3	35A		ED	3/15/1999	4/24/2002	4/29/2002	11/18/2001	1/28/2002	3/27/2002	4/5/2002	8/12/2002
					6	NEG		4/4/2001	5/2/2001	NA	NA	NA	NA	12/3/2001
					43	NEG		3/20/2000	4/16/2000	NA	NA	NA	NA	9/3/2001
					38A	NEG		4/7/2000	4/16/2000	NA	NA	NA	NA	4/18/2001

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	THE SECOND APPRAISAL WAS 4/24/02 APPROVED 4/29/02. THIRD APPRAISAL WAS 5/21/02.
LEGAL ACTIVITY	X	ADMINISTRATIVE SETTLEMENT WAS INITIATED BASED ON REDUCTION OF VALUE FROM APPRAISER. 10K MORE WAS ASKED ON TOP OF 41K. THE PROPERTY OWNER EVENTUALLY SETTLED OUT OF COURT AFTER ED HAD BEEN INITIATED AND MULTIPLE APPRAISALS WERE DONE AS WELL AS SPECIAL COMMISSIONERS ASSIGNED AND COURT DATE WAS SET.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0117-01-036	BRY	56	3	28		ED	4/26/1999	11/28/2001	12/5/2001	7/3/2002	9/26/2002	1/28/2003	1/30/2003	8/22/2003
					24	NEG		9/4/1999	10/1/1999	NA	NA	NA	NA	1/19/2001
					46	NEG		9/8/1999	9/22/1999	NA	NA	NA	NA	8/11/2000
					11	NEG		8/6/1999	8/26/1999	NA	NA	NA	NA	9/10/2001

CPP DELAY FACTORS		COMMENTS
UTILITIES	X	UNDERGROUND ELECTRIC LINES WERE PART OF THE IMPROVEMENTS.
LEGAL ACTIVITY	X	COUNTER OFFER WAS GIVEN BY PROPERTY OWNER BECAUSE ELECTRICAL AND WATER WELL IMPROVEMENTS MONEY WAS NOT ENOUGH.
ROW DIVISION	X	FINAL OFFER LETTERS WERE SENT ON 2.20.02 AND 7.3.02 BUT WERE RETURNED AS UNDELIVERABLE.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0143-09-061	YKM	76	4	52B		ED	3/20/1998	10/16/1998	11/23/1998	1/21/1999	2/4/1999	5/7/1999	5/24/1999	9/18/2000
					47	NEG		4/17/1998	7/8/1998	NA	NA	NA	NA	2/14/2000
					26	NEG		8/31/1998	10/1/1998	NA	NA	NA	NA	12/2/1998
					23	NEG		11/13/1998	2/1/1999	NA	NA	NA	NA	9/14/1999
					66	NEG		6/3/1998	8/7/1998	NA	NA	NA	NA	11/10/1998

CPP DELAY FACTORS		COMMENTS
TITLE CLEARANCE	X	TITLE CURATIVE REASONS WERE BEHIND THE ED. MANY UNKNOWN PROPERTY INTERESTS (6) RESIDING. THE OUTSOURCE ASSOCIATE COULD NOT LOCATE THE HEIRS OR PERSONS REQUIRED FOR TITLE CURING.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0144-01-061	YKM	65	4	57		NEG	3/27/1997	10/20/1997	3/18/1998	NA	NA	NA	NA	1/13/2000
					14	NEG		5/19/1997	7/3/1997	NA	NA	NA	NA	9/8/1998
					5	NEG		12/1/1998	3/4/1999	NA	NA	NA	NA	7/28/1999
					8	NEG		11/12/1997	3/20/1998	NA	NA	NA	NA	7/7/1998
					23	NEG		9/4/1997	2/25/1998	NA	NA	NA	NA	7/10/1998

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	APPRAISER DATE WAS 11.10.02 APPROVED 11.18.02. PBS&J WERE THE CONSULTING FIRM USED FOR ACQUISITION.
TITLE CLEARANCE	X	THERE WERE 8 OWNERS FOR THE TAKE BUT NO INDICATION OF RESISTANCE OR ED. THE LAND WAS VACANT AGRICULTURAL.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0179-04-076	YKM	68	4	54		ED	6/5/1997	4/13/1998	8/19/1998	10/10/1998	1/24/2000	4/20/2000	6/30/2000	1/12/2001
					62	NEG		4/13/1998	8/20/1998	NA	NA	NA	NA	7/8/1999
					44	ED		11/19/1998	1/25/1999	7/3/1999	6/4/1999	8/6/1999	8/31/1999	7/26/2000
					61	NEG		4/13/1998	8/20/1998	NA	NA	NA	NA	1/19/1999
					32	NEG		4/13/1998	7/14/1998	NA	NA	NA	NA	10/6/1998

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	THE OUTSOURCE AGENCY COULD NOT ACQUIRE THE LAND PARTLY BECAUSE THE IRS WAS INVOLVED AND FEDERAL STATUTES WOULD NOT ALLOW THE RELEASE OF LIENS = ED WAS REQUIRED.
TITLE CLEARANCE	X	THERE WERE 4 HOLDERS OF PROPERTY INTEREST AND 3 LIEN HOLDERS (TWO OF WHICH WERE BANKS). THIS PARCEL WENT THROUGH ED BECAUSE OF TITLE CURATIVE REASONS.
PARCEL CHARACTERISTICS	X	SINGLE FAMILY HOME, WITH GRAVEL PAVING, UTILITY POLE, WELL, SEPTIC SYSTEM.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0157-02-039	CHS	70	4	35		ED	1/17/2001	5/16/2001	6/21/2001	8/24/2001	3/7/2002	4/23/2002	5/20/2002	9/8/2003
					54	AS		7/23/2001	7/26/2001	NA	NA	NA	NA	3/13/2002
					12	NEG		6/21/2001	7/16/2001	NA	NA	NA	NA	11/2/2001
					63	NEG		7/8/2001	7/23/2001	NA	NA	NA	NA	3/13/2002
					41	NEG		5/29/2001	6/25/2001	NA	NA	NA	NA	2/1/2002

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	PROPERTY WAS SCHEDULED TO BE SOLD AT A "SHERIFF SALE" DUE TO UNPAID PROPERTY TAXES SINCE 1985 AND CURRENTLY DUE $3400.00
PARCEL CHARACTERISTICS	X	VACANT LAND. NO OWNER OF RECORD OR HEIRS/RELATIVES COULD BE LOCATED SO IT WENT THROUGH ED.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
3487-01-009	TYL	72	4	17		ED	5/16/1996	2/8/2000	4/27/2000	5/28/2000	5/18/2000	7/7/2000	7/12/2000	4/25/2002
					2	NEG		3/31/2000	4/28/2000	NA	NA	NA	NA	7/26/2000
					68	NEG		3/15/2000	6/14/2000	NA	NA	NA	NA	2/19/2001
					15	NEG		5/15/2000	5/18/2000	NA	NA	NA	NA	8/6/2000
					47	NEG		11/29/1999	1/7/2000	NA	NA	NA	NA	5/16/2000

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	FIRST APPRAISAL = 2.8.00 TO 4.27.00. NEGOTIATOR NOTES—PROPERTY BELONGS TO WIDOW (85), SON WAS OPPOSED TO PROJECT AND HAD NO INTENTIONS OF ACCEPTING THE OFFER—5.17.00. SECOND APPRAISAL = 9.12.00 TO 9.18.00.
LEGAL ACTIVITY	X	SPECIAL COMMISSIONERS REQUESTED INFORMATION CONCERNING VALUES PLACED ON SEVERAL OF THE SURROUNDING PARCELS. THE ASSISTANT AG REFUSED AND THE HEARING ADJOURNED. A LAW JUDGE APPOINTED AN ATTORNEY TO REPRESENT THE SPECIAL COMMISSIONER ; THE DEFENDANT STATED A FIGURE OF $90,000.00 THAT THEY PAID FOR THE PROPERTY. THE ORIGINAL APPRAISER HAD 46K BUT WAS NO LONGER WORKING FOR THE STATE. A SECOND APPRAISER CAME WITH A VALUE OF 132K AND WAS NOT RECOMMENDED. AS OF 1.18.02 THE STATE WAS WILLING TO ACCEPT 90K VALUE.
LEGAL ACTIVITY	X	APPEAL TO THE SPECIAL COMMISSIONERS' AWARD WAS RECOMMENDED BECAUSE THE JUDGE APPOINTS ADVERSELY INTERESTED COMMISSIONERS THAT WORK FOR THE PRIVATE ATTORNEY ASSIGNED TO REPRESENT THEM.
ROW DIVISION	X	ROW DIVISION DENIED 90K WITHOUT BACKUP. THEY LATER ACCEPTED AND AWARD OF COMMISSIONERS WAS ON 4.10.02. DEPOSIT WAS NEEDED BY 5.15.02

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0065-03-040	BMT	83	5	4		ED	10/18/2000	1/24/2001	2/12/2001	1/25/2002	2/19/2002	4/24/2002	4/29/2002	8/28/2002
					11	ED		1/4/2001	1/9/2001	4/23/2001	5/1/2001	6/28/2001	7/9/2001	11/1/2001
					57	NEG		11/20/2000	12/13/2000	NA	NA	NA	NA	7/6/2001
					2	ED		9/10/2001	9/11/2001	3/16/2001	3/9/2001	6/29/2001	7/9/2001	11/16/2001
					78	NEG		10/11/2000	10/18/2000	NA	NA	NA	NA	1/3/2001
					48	NEG		10/6/2000	11/13/2000	NA	NA	NA	NA	2/20/2001

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	**FIRST APPRAISAL = 1.24.01 TO 2.12.01. ADMINISTRATIVE SETTLEMENT WAS INITIATED FOR 35K instead of 12K. THE LETTING DATE WAS AUG.2002. SECOND APPRAISAL = 7.3.02 AND APPROVED 7.9.02.**
PARCEL CHARACTERISTICS	X	**RESIDENTIAL HOME SITE.**
LEGAL ACTIVITY	X	**ATTORNEY IN FACT ACTED FOR PROPERTY OWNER. TWO PECAN TREES AND RELOCATION WAS WORTH AN ADDITIONAL 20K FOR THE OWNER. SPECIAL COMMISSIONERS AWARDED 12.5K ON JULY 24, 2002 AND DEPOSIT WAS IN AUGUST 28 BUT IT WENT INTO TRIAL. THE OWNER MADE ANOTHER SETTLEMENT OFFER OF 25K AND DIVISION FINALLY ACCEPTED JULY 7, 2004 TO BE DEPOSITED. THE DIVISION ACCEPTED THE OAG RECOMMENDATIONS BECAUSE THERE WAS CONSTRUCTION AND THE AREA WAS MORE PRONE TO GIVE AWARDS TO THE PEOPLE.**

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
8665-02-002	FTW	32	3	16		NEG	8/25/1998	6/2/1999	7/6/2000	NA	NA	9/13/2000	2/1/2001	1/18/2001
					4	NEG		3/1/2000	3/7/2000	NA	NA	NA	NA	9/13/2000
					32	NEG		12/22/1998	7/12/1999	NA	NA	NA	NA	9/13/2000
					30	NEG		6/7/2000	7/7/2000	NA	NA	NA	NA	9/25/2000

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	**FEE-SIMPLE ACQUISITION. THERE WAS A JUDGMENT NUN PRO TUNIC. This phrase is used to express that a thing is done at one time, which ought to have been performed at another.**
PARCEL CHARACTERISTICS	X	**ZONED AGRICULTURAL BUT POTENTIAL ZONED FOR COMMERCIAL.**

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
2304-02-028	WAC	28	3	1		NEG	11/30/1998	3/30/1999	4/22/1999	NA	NA	NA	NA	8/10/2000
					6	NEG		2/1/1999	3/9/1999	NA	NA	NA	NA	10/12/1999
					26	NEG		2/1/1999	3/9/1999	NA	NA	NA	NA	6/1/1999
					5	NEG		2/1/1999	3/18/1999	NA	NA	NA	NA	1/4/2000

CPP DELAY FACTORS		COMMENTS
PARCEL CHARACTERISTICS	X	VACANT LOT HELD FOR RETAIL OR COMMERCIAL AS BEST USE. THE OWNERSHIP IS UNDER ALBERTSON'S, INC.
LEGAL ACTIVITY	X	THE LANGUAGE OF THE SPECIAL WARRANTY DEED RESULTED IN CORRESPONDENCE BETWEEN THE DIVISION RESOURCE MANAGEMENT AND ALBERTSON'S INC. FROM SEPTEMBER 99 TO JULY 2000

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0034-01-109	ABL	27	3	11A		ED	11/5/1997	3/26/1998	6/16/1998	8/7/1998	10/12/1998	4/14/1999	4/21/1999	10/21/2002
					14	NEG		2/18/1998	4/14/1998	NA	NA	NA	NA	10/8/1998
					9	ED		3/25/1998	4/8/1998	7/4/1998	2/23/1999	3/22/1999	3/29/1999	6/25/2001
					20	NEG		1/30/1998	6/16/1998	NA	NA	NA	NA	9/25/1998

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	THE SECOND APPRAISAL WAS FOR THE ENTIRE PROPERTY 4.22.99 TO 7.1.99—85K FOR WHOLE PROPERTY, 57K FOR PARTIAL.
PARCEL CHARACTERISTICS	X	.6 ACRES OF RETAIL COMMERCIAL PROPERTY WITH CHAIN LINKED FENCE AND ASPHALT PAVING. THE BUILDING IS A CATEGORY I IMPROVEMENT—IT IS SEVERED BY THE TAKE BUT DAMAGES TO THE REMAINDER WERE PLACED IN THE VALUE OF THE BUILDING. THE ROW PROJECT WAS WIDENING THE FRONTAGE ROAD.
LEGAL ACTIVITY	X	PROPERTY OWNER WAS "INSULTED BY THE AMOUNT OFFERED TO HIM" PER THE NEGOTIATOR'S REPORT. THE PROPERTY OWNER DIRECTED A LAW OFFICE AND ATTORNEY TO DEAL WITH THE REMAINDER OF THE ED AND NEGOTIATIONS. FINAL SETTLEMENTS WERE INITIATED BECAUSE TXDOT HAD DESTROYED THE ENTIRE BUILDING AND BUSINESS WAS ENTIRELY WIPED OUT AND THE LANDOWNER'S ATTORNEY CLAIMED THAT THE PROJECT CREATED A FLOOD PROBLEM AND COULD CREATE A LAWSUIT AGAINST THE DEPT. THEY SETTLED ON 80K.
ROW DIVISION	X	COMMISSIONERS' AWARD ON 6.23.99. A RECOMMENDATION THAT THE AWARD BE APPEALED 75K WAS AWARDED BECAUSE THE LANDOWNER WAS GOING TO OBJECT OR SETTLE FOR AN AMOUNT GREATER THAN 75K AND BECAUSE THE TESTIMONY OF THE LANDOWNER AND HIS APPRAISER TRIED TO BASE HIS APPRAISAL UPON THE PREMISE THAT THE SUBJECT PROPERTY IS A SPECIAL USE PROPERTY AS A LIQUOR STORE.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0028-09-109	BMT	22	3	7		ED	12/20/2001	1/31/2003	2/24/2003	9/7/2003	9/26/2003	11/26/2003	12/16/2003	3/26/2004
					4	NEG		3/9/2002	6/20/2002	NA	NA	NA	NA	12/3/2002
					15	NEG		12/11/2002	1/15/2003	NA	NA	NA	NA	6/25/2003
					12	NEG		10/16/2002	10/18/2002	NA	NA	NA	NA	4/22/2003

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	FIRST APPRAISAL WAS 1.31.03 TO 2.24.03. MOBILE HOME RESIDENCE WITH FENCING AND PAVING. TAKING IS PART OF VACANT AREA. SURROUNDING IS RESIDENTIAL AND COMMERCIAL.
TITLE CLEARANCE	X	NEGOTIATOR REQUESTED CONTACT WITH OWNER'S FATHER (LIEN HOLDER) DURING FINAL NEGOTIATIONS.
UTILITIES	X	PARCEL 5 NEXT TO THE CPP 7 WAS WIDENING AND THE OWNER SAID IT CUT OFF THE GAS LINE.
LEGAL ACTIVITY	X	ADMINISTRATIVE SETTLEMENT WAS 11K VS 7.5K AND WAS APPROVED BY DISTRICT AND DIVISION. THE PROPERTY OWNER RETRACTED THE AS OFFER.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0248-05-040	ATL	21	3	3		ED	3/23/1998	10/26/1999	11/17/1999	4/9/2000	6/14/2000	8/7/2000	9/12/2000	3/28/2001
					9	AS		8/5/1999	9/10/1999	NA	NA	NA	NA	2/22/2000
					10	NEG		7/20/1998	8/25/1998	NA	NA	NA	NA	12/29/1998
					20B	NEG		5/10/1999	6/14/1999	NA	NA	NA	NA	10/25/1999

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	FIRST APPRAISAL 10.26.99 APPROVED 11.17.99. THE COMMERCIAL ZONE WITH COMMERCIAL SIGN, PARKING STRIPES AND PAY TELEPHONE NEEDED FOR COST TO CURE.
RELOCATION	X	PROPERTY OWNER REQUESTED RELOCATION OF ENTIRE STORE.
PARCEL CHARACTERISTICS	X	THE PARCEL OWNER IS PART OF OIL COMPANY WITH CHEVRON AND CLAIMS THE ROW WILL DAMAGE THE BUSINESS AND ASKS FOR AN ADMINISTRATIVE SETTLEMENT AND RELOCATION FOR 500K VERSUS 12K APPROVED.
LEGAL ACTIVITY	X	SPECIAL COMMISSIONERS AWARDED 43K AND IT WAS APPEALED BY TXDOT.
LOCAL ENTITIES	X	EXPERT WITNESS AND TECHNICAL EXPERTISE FOR VEHICULAR ACCESS AND PARKING ANALYSIS WAS PREPARED. THEY FOUND NO SIGNIFICANT IMPACT AND MINIMAL OBSTRUCTION OF NEW IMPROVEMENTS.
ROW DIVISION	X	PROPERTY OWNERS SET SETTLEMENT OFFER AT 35K AND TXDOT ACCEPTED THE AGREEMENT.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0069-02-023	SJT	20	3	5		ED	2/22/2000	5/31/2000	11/13/2000	5/9/2001	5/21/2001	9/12/2001	9/21/2001	2/1/2002
					13	NEG		5/21/2001	7/26/2001	NA	NA	NA	NA	1/10/2002
					19	NEG		7/3/2000	9/14/2000	NA	NA	NA	NA	2/27/2001
					20	NEG		5/31/2000	9/13/2000	NA	NA	NA	NA	4/21/2001

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	THE APPRAISER STATES THE IMPROVEMENTS INCREASE FIRE HAZARD AND PORTIONS OF THE LAND UNFENCED.
LEGAL ACTIVITY	X	ADMINISTRATIVE SETTLEMENT WAS ISSUED BECAUSE WATER RIGHTS WERE REQUESTED AS COMPENSATION DUE TO INCONVENIENCE DURING CONSTRUCTION. THE OWNER HAS LIVESTOCK THAT CANNOT CROSS TO EXISTING PENS DURING CONSTRUCTION. 19.8K VS APPROVED 14.5.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0049-01-073	WAC	20	3	7		NEG	2/9/1999	5/19/1999	5/24/1999	NA	NA	NA	NA	10/6/2000
					3	NEG		4/27/1999	5/11/1999	NA	NA	NA	NA	10/6/1999
					8	NEG		10/14/1999	2/2/2000	NA	NA	NA	NA	3/8/2000
					11	NEG		4/27/1999	5/11/1999	NA	NA	NA	NA	9/20/1999

CPP DELAY FACTORS		COMMENTS
ENVIRONMENTAL SENSITIVITY	X	ASBESTOS ABATEMENT ALONG WITH LAB TESTS WAS REQUIRED AND COMPLETED BY 3.19.01.
RELOCATION	X	THE RESIDENCE REQUIRED RELOCATION SERVICE. HOUSING SUPPLEMENT WAS 39K IN ADDITION TO THE VALUE OF TAKE 25K. COMPLETION OF THE RELOCATION BILLING AND PAPERWORK WAS 3.22.02.
PARCEL CHARACTERISTICS	X	PARCEL IS RESIDENTIAL AND HAS IMPROVEMENTS INCLUDING WOOD FRAME HOUSE, SEPTIC SYSTEM, DRIVEWAY, AND TYPICAL LANDSCAPING.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0049-03-057	WAC	20	3	17		ED	2/2/2001	1/12/2001	2/20/2001	3/11/2002	4/4/2002	8/1/2002	9/5/2002	10/21/2003
					15	NEG		12/19/2000	1/19/2001	NA	NA	NA	NA	9/14/2001
					14	AS		12/22/2000	2/13/2001	NA	NA	NA	NA	12/12/2001
					11	NEG		1/31/2001	2/20/2001	NA	NA	NA	NA	1/15/2002

CPP DELAY FACTORS		COMMENTS
TITLE CLEARANCE	X	CONDEMNATION DUE TO TITLE CURATIVE REASONS. THERE WERE THREE LIEN HOLDERS = FARMER SERVICE AGENCY, MARLIN ISD AND FALL COUNTY TAX LIENS THAT THE OWNER CONTESTED. TAX LIENS FORCE CONDEMNATION BECAUSE THE PROCEEDS FROM THE SALE WOULD GO TO THE CONTESTED TO PARTIALLY RELEASE THE LIENS. THE OWNER REFUSED TO SIGN DOCUMENTS.
TERRAIN FEATURES	X	THE OWNER INITIATED AN ADMIN SETTLEMENT CLAIMING THE LAND IS IMPROVED AGRICULTURE FOR A CATTLE OPERATION. A.S. WAS ACCEPTED. DATE OF OFFER WAS 3.27.01 AND COUNTER OFFER WAS 10.26.01.
PARCEL CHARACTERISTICS	X	AGRICULTURAL RESIDENTIAL WITH BARBED WIRE IMPROVEMENT AND GRAVEL PAVING. OWNER WENT BACK AND FORTH BETWEEN ACCEPTING THE OFFER DUE TO TAX LIENS AND NOT AND FINAL CLOSING WAS OCTOBER 21.2003
LEGAL ACTIVITY	X	AG OFFICE HAD TO ISSUE CORRECTED PAPERWORK FOR THE COMMENCEMENT OF CONDEMNATION PROCEEDINGS DELAYED FOR 49 DAYS.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0480-06-018	BWD	19	2	1		ED	2/2/2001	7/24/2001	8/28/2001	2/8/2002	1/29/2002	3/8/2002	4/3/2002	9/4/2002
					14	NEG		7/24/2001	8/29/2001	NA	NA	NA	NA	7/24/2002
					4	NEG		7/10/2001	8/14/2001	NA	NA	NA	NA	2/4/2002

CPP DELAY FACTORS		COMMENTS
ENVIRONMENTAL SENSITIVITY	X	OAK TREES WERE OF MORE VALUE TO THE LANDOWNER. THIS CAUSED ED PROCEEDINGS.
PARCEL CHARACTERISTICS	X	RURAL LAND WITH GATE AND FENCING.
LEGAL ACTIVITY	X	ATTORNEY FOR OWNER INITIATED COUNTER-OFFER OF 41K VERSUS 11K STATING DAMAGES TO THE VALUE OF THE LAND DIMINISHED VALUE OF LAND DUE TO LIVE OAK TREES BEING REMOVED. THIS WAS REJECTED.
ROW DIVISION	X	NO NOTICE OF DEPOSIT BUT COMMISSIONERS' AWARD WAS REQUESTED DEPOSIT ON 8.23.02. TITLE COMPANY CLOSEOUT ON 3.05.03

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0032-04-024	CHS	18	2	18X		NEG	3/23/2001	6/5/2002	6/24/2002	NA	NA	NA	NA	7/31/2002
					2	NEG		6/6/2001	6/18/2001	NA	NA	NA	NA	1/15/2002
					16	NEG		11/14/2001	12/3/2001	NA	NA	NA	NA	3/27/2002
					42	NEG		6/29/2001	7/27/2001	NA	NA	NA	NA	10/10/2001
					65	NEG		6/13/2001	9/11/2001	NA	NA	NA	NA	4/10/2002
					43	NEG		6/26/2001	7/10/2001	NA	NA	NA	NA	4/17/2002

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	VACANT LAND TAKE OF .3 ACRES OF 3 ACRE AGRICULTURAL OR RESIDENTIAL VACANT LAND. FIRST APPRAISAL—11.13.01 APPROVED 1.03.02. SECOND APPRAISAL—6.9.03 TO 6.16.03.
PARCEL CHARACTERISTICS	X	THE TESTIMONY OF THE LANDOWNER WAS THAT THERE WAS A CONCRETE FOUNDATION THAT THE ROW CUT INTO THAT THE OWNER INTENDED TO BUILD A MECHANICS SHOP AND WANTED 10.5K FOR THE LOSS OF THE FOUNDATION SO THEY APPEALED THE COMMISSIONERS' AWARD. THE JURY'S VERDICT WAS 3.5K ADDITIONAL AND THE DEPOSIT WILL BE DONE ETA 6.18.04
LEGAL ACTIVITY	X	ATTORNEY WAS EMPLOYED BY LANDOWNER
ROW DIVISION	X	SPECIAL COMMISSIONERS AWARDED THE PROPERTY FOR A VALUE OF 3K VERSUS 2.2K APPROVED VALUE AND DEPOSIT WOULD HAVE BEEN ON 7.30.03,
COMMENTS	X	ACTUAL CRITICAL PATH PARCEL MAY BE PARCEL 3 BECAUSE IT IS IN THE APPEALING STAGE BUT SPECIAL COMMISSIONERS' AWARD WAS GIVEN IN 2002 AND ACTUAL DEPOSIT WAS ON 12.20.02

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0039-17-143	PHR	23	2	2		ED	1/4/2001	10/27/2001	11/8/2001	2/8/2002	2/13/2002	5/2/2002	6/3/2002	10/7/2002
					3	NEG		2/26/2001	4/2/2001	NA	NA	NA	NA	10/4/2001
					16	AS		9/19/2001	10/8/2001	NA	NA	NA	NA	6/5/2002

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	THE APPRAISAL WAS REVISED DUE TO PREPARATION FOR ED.
RELOCATION	X	THERE WAS AN INCIDENT WHERE AN AUTOZONE SIGN WAS BISECTED BUT TXDOT HAD ACQUIRED THE ENTIRE SIGN NOT KNOWING THAT A POLE THAT SUPPORTED THE SIGN WAS NOT WITHIN THE TAKE. THE PROPERTY OWNER WAS ALLOWED TO KEEP THE SIGN AND NOT PAY FOR THE RETENTION BUT AT THE COST OF AUTOZONE.
PARCEL CHARACTERISTICS	X	AUTOZONE WAS THE OWNER, THERE ARE SIGNS AND A PARKING LOT THAT ARE IN THE TAKE

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0836-03-044	WAC	17	2	6		NEG	7/14/1998	7/20/1998	9/18/1998	NA	NA	NA	NA	1/5/2000
					13	NEG		7/20/1998	9/11/1998	NA	NA	NA	NA	6/28/1999
					9	NEG		7/15/1998	9/4/1998	NA	NA	NA	NA	10/12/1999

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	THE MAJORITY OF THE PARCELS WERE EASEMENTS FOR THE PROJECT WERE EASEMENTS.
PARCEL CHARACTERISTICS	X	RESIDENTIAL TRACT FOR HOUSING.
ROW DIVISION	X	NO INDICATION OF DELAYS DUE TO TIME CONSTRAINTS.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0009-04-053	DAL	26	2	1G & 1J		ED	1/27/1999	6/17/1999	6/23/1999	2/28/2000	6/13/2000	8/8/2000	9/12/2000	3/1/2004
					10	ED		2/26/1999	3/18/1999	8/14/2000	8/9/2000	10/3/2000	10/30/2000	10/12/2001
					19	NEG		3/22/1999	6/22/1999	NA	NA	NA	NA	4/21/2000

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	THE NEGOTIATOR DID NOT GET MUCH OF A RESPONSE FROM THE PROPERTY MANAGERS. FIRST APPRAISAL WAS 6.17.99 APPROVED 6.23.99. SECOND APPRAISAL—8.30.00 APPROVED 9.25.00. THIRD APPRAISAL WAS AFTER COMMISSIONERS' AWARD AND DEPOSIT AND WAS 9.5.02 AND APPROVED 11.11.02. THE FOURTH APPRAISAL WAS 6.16.03 APPROVED 6.17.03
ACQUISITION RESOURCES	X	THE APPRAISALS RANGED FROM 63K TO 95K. FIFTH APPRAISAL WAS 7.1.03 TO 7.9.03
TERRAIN FEATURES	X	THERE WAS A LAKE AND SCENIC DRIVE THAT WAS PART OF THE TAKE, THIS LED TO A HIGHER AWARD AND OBJECTIONS FROM TXDOT. THE COMMISSIONERS CLAIMED THE LOCAL APPRAISAL OF THE OWNER WAS MORE ACCURATE IN COMPARING VALUE OF LAND.
PARCEL CHARACTERISTICS	X	COMMERCIAL ACQUISITION OF ALBERTSONS
LEGAL ACTIVITY	X	SPECIAL COMMISSIONERS AWARDED THE OWNER 105K VERSUS APPROVED 76K BECAUSE A PART OF THE TAKE WAS CLOSE TO THE LAKE AND SCENIC AREA THAT THE COMMISSIONERS FELT WAS WORTH MORE THAN STATE'S APPRAISAL
ROW DIVISION	X	DEPOSIT WAS MADE ON 8.6.01. THE OAG RECOMMENDED OBJECTIONS TO THE AWARD AND THEN FINAL AGREEMENT WAS MADE ALONG WITH PARCEL 1J BY 3.1.04.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0013-05-047	WFS	16	2	3		AS	10/23/2000	10/10/2000	11/3/2000	NA	NA	NA	NA	6/3/2003
					4	NEG		10/16/2000	11/3/2000	NA	NA	NA	NA	5/15/2003
					18	NEG		10/10/2000	11/3/2000	NA	NA	NA	NA	11/12/2001

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	ADMINISTRATIVE SETTLEMENT WAS MADE AND ACCEPTED. THERE WAS A REQUEST BY THE TITLE COMPANY FOR RAISING CLOSING FEE FROM 100 DOLLARS TO 160 DOLLARS PER TRANSACTION DUE TO INCREASED BUSINESS EXPENSES.
TERRAIN FEATURES	X	THE ADJACENT NEIGHBORS WERE OFFERED MORE AND THE OWNER WANTED TO HAVE AS MUCH AS THEY DID. ADMINISTRATIVE SETTLEMENT OFFER WAS ON 4.17.03

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0059-05-037	LFK	16	2	9E		NEG	2/8/2003	10/7/2001	10/10/2001	NA	NA	NA	NA	6/7/2004
					8	NEG		9/30/2001	10/2/2001	NA	NA	NA	NA	5/22/2003
					15	NEG		10/10/2001	10/18/2001	NA	NA	NA	NA	4/24/2003

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	THERE WAS NO INDICATION OF WHY THE PARCEL TOOK OVER TWO YEARS TO ACQUIRE. THE TRUSTEES AGREED TO THE TAKE AND THERE WAS NO CONDEMNATION OR PROBLEMS WITH THE TAKE.
TERRAIN FEATURES	X	NEAR TWO OF THE LARGEST LAKES IN TEXAS, HILLY AND FORESTED LAND.
PARCEL CHARACTERISTICS	X	ITS BEST USE IS FOR SMALL COMMERCIAL OR HOUSE. 0.138 ACRES FOR 8K.
LEGAL ACTIVITY	X	THE PROPERTY IS AN EMPTY PLOT OF LAND HAS A SHORT MARKETING TIME OF 4 TO 8 MONTHS AND IS VACANT LAND. THERE WAS AN AMOUNT OF 8K FOR THE LAND ACQUISITION BUT THE TRUSTEES WERE ONLY BEING PAID 2K PER THE DEED AND TXDOT PAPERS. SHOWED NO INDICATION OF WHY THERE WAS A DISCREPANCY. IT SEEMED TO BE 1/4 THE TOTAL APPRAISED VALUE AND PAYMENT REQUEST.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0946-01-026	ATL	14	2	13B		ED	10/30/2000	3/18/1999	3/18/1999	5/30/1999	5/24/1999	7/21/1999	8/20/1999	8/20/2001
					11	NEG		3/6/2001	3/26/2001	NA	NA	NA	NA	6/12/2001
					2	NEG		2/23/1998	6/22/1998	NA	NA	NA	NA	9/3/1998

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	SECOND APPRAISAL 11.29.00 APPROVED 12.12.00
TITLE CLEARANCE	X	THIS PARCEL WENT INTO ED BECAUSE OF TITLE CURATIVE REASONS. THERE WAS A CITATION BY PUBLICATION DUE TO UNKNOWN HEIRS OF THE DECEASED.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
3487-02-006	TYL	15	2	6		ED	12/28/2001	7/2/2002	8/30/2002	11/11/2002	11/1/2002	1/2/2003	1/28/2003	12/16/2003
					12	NEG		7/2/2002	8/5/2002	NA	NA	NA	NA	9/17/2002
					7	NEG		7/2/2002	8/5/2002	NA	NA	NA	NA	9/19/2002

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	SECOND APPRAISAL WAS 2.17.03 APPROVED 4.16.03.
TERRAIN FEATURES	X	THE SPECIAL COMMISSIONERS HEARING—LANDOWNER TESTIFIED THAT THE LAND TAKEN COULD BE DEVELOPED ON AND THAT THE APPRAISER WAS NOT GIVING ENOUGH TO THE DAMAGED REMAINDER BECAUSE THE DRIVEWAY TO THE HOUSE WOULD HAVE TO MOVE TO THE BACK. 80K WAS AWARD, 48K WAS OFFER, and 135K WAS LANDOWNERS OFFER.
PARCEL CHARACTERISTICS	X	RESIDENTIAL SITE WITH HOUSE AND OTHER IMPROVEMENTS, DAMAGES INCLUDE THE RELOCATION OF THE ROAD BY WHICH THE PROPERTY IS ACCESSED. THE DAMAGES TO THE REMAINDER WERE NOT AGREEABLE TO THE LANDOWNER.
LEGAL ACTIVITY	X	THERE WAS LEGAL REPRESENTATION FOR THE LANDOWNERS. LEGAL ADVICE WAS TO GO TO ED VERSUS COUNTER OFFER.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0833-03-034	WAC	13	2	10		ED	9/11/1998	10/30/1998	12/2/1998	3/19/1999	4/21/1999	6/3/1999	7/2/1999	2/28/2000
					4	NEG		10/30/1998	11/20/1998	NA	NA	NA	NA	2/24/1999
					11	NEG		10/30/1998	12/2/1998	NA	NA	NA	NA	6/4/1999

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	CONSULTANTS FOR TXDOT ADVISED THE COUNTER OFFER BE TAKEN BECAUSE A JURY WOULD BE SYMPATHETIC TO THE CHURCH AND THE AWARD COULD BE LARGER. SECOND APPRAISAL WAS 11.8.99
PARCEL CHARACTERISTICS	X	THIS ACQUISITION WAS A PART OF A CHURCH AND THEY SAID THE TAKE WOULD ELIMINATE A PLACE TO PUT A SIGN. THEY ALSO THOUGHT THE NEW HIGHWAY WOULD CAUSE MORE ACCIDENTS SO PROTECTIVE CONCRETE POSTS WERE NEEDED. 1/4 OF THE CHURCH BUILDING WOULD BE LOST AS WELL AS PARTS OF THE PARKING LOT.
LEGAL ACTIVITY	X	THE PROPERTY OWNER AND ATTORNEY THOUGHT THE DAMAGES TO THE REMAINDER SHOULD BE SUBSTANTIALLY MORE INCREASE OF 8K VERSUS 2K OFFER.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
2374-04-051	DAL	10	2	7		AS/ED	4/28/2000	8/15/2001	11/14/2001	12/28/2002	2/14/2003	4/30/2003	5/20/2003	3/12/2004
					8	NEG		8/28/2001	9/17/2001	NA	NA	NA	NA	2/27/2003
					9	NEG		11/5/2001	11/14/2001	NA	NA	NA	NA	6/23/2003

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	APPRAISER DATE WAS 11.10.02 APPROVED 11.18.02. PBS&J WERE THE CONSULTING FIRM USED FOR ACQUISITION.
HYDRAULICS	X	THE OWNER CONTENDS THAT THE 40-50% FLOOD PLAIN ADJUSTMENT OF VALUE OF LAND WAS EXCESSIVE, THERE WAS ALSO DRAINAGE EASEMENT SOLD TO THE CITY FOR MORE MONEY.
LEGAL ACTIVITY	X	THE LANDOWNER ARGUES THAT THE 6 ACRES TO BE ACQUIRED WOULD BE ENOUGH FOR A VIABLE ECONOMIC UNIT.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0054-06-075	BWD	13	2	10		ED	5/3/1999	10/29/1999	11/8/1999	3/19/2001	3/15/2001	6/25/2001	8/23/2001	4/8/2002
					5	ED		12/22/1999	2/4/2001	6/10/2000	7/11/2000	9/18/2000	10/13/2000	5/22/2001
					11	NEG		9/15/1999	9/24/1999	NA	NA	NA	NA	7/14/2000

CPP DELAY FACTORS		COMMENTS
TITLE CLEARANCE	X	THE ED PROCESS WAS DONE BECAUSE OF TITLE CURATIVE REASONS. THERE WERE 4 FEE OWNERS AND 2 WERE DECEASED, WITH LIENHOLDERS OF IRS.
PARCEL CHARACTERISTICS	X	THE TAKE WAS FOR 512 DOLLARS.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0500-03-508	HOU	1	NA	1		ED		8/1/2001	8/3/2001	NA	NA	NA	NA	10/8/2001
					NA	ED		NA	NA	NA	NA	NA	NA	NA
					NA	NEG		NA	NA	NA	NA	NA	NA	NA
CPP DELAY FACTORS					COMMENTS									
ACQUISITION RESOURCES					This was the only parcel in the CSJ Project. The owner (Cedarwild Townhomes Associates, Inc.) donated the parcel.									

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0471-02-043	AUS	5	2	2		NEG		6/8/2001	6/21/2001	NA	NA	NA	NA	8/23/2002
					3	NEG		6/8/2001	6/21/2001	NA	NA	NA	NA	4/5/2002
					4A	NEG		7/13/2001	8/1/2001	NA	NA	NA	NA	5/17/2002

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	The negotiations were "long and very difficult"; the owner's spouse was a state and asked for several concessions including driveway locations.
PARCEL CHARACTERISTICS	X	Fence and Gate Improvements. Additional appraisal for a jag in the ROW and time adjustments had to be made. The owner asked for more funds for the fence.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
3379-01-009	AUS	9	2	1		ED		1/13/2004	1/23/2004	8/15/2003	9/9/2003	11/14/2003	11/20/2003	6/10/2004
					10	NEG		6/17/2004	6/27/2003	NA	NA	NA	NA	1/9/2004
					3	ED		1/13/2004	1/23/2004	8/15/2003	9/9/2003	11/14/2003	11/20/2003	6/10/2004

CPP DELAY FACTORS		COMMENTS
HYDRAULICS	X	Property owner had an issue with runoff due to construction.
TERRAIN FEATURES	X	Access into the property was cut off and the owner wanted compensation for that.
PARCEL CHARACTERISTICS	X	The zone was commercial apartment complexes were in the vicinity. Final award of commissioners was 1.6 million, and included the sign revenue. The letting date was July 03.
LEGAL ACTIVITY	X	Property owner had a lawyer and there were issues on billboards and revenue from those.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0265-13-017	AUS	3	3	3		NEG		4/14/2003	4/24/2003	NA	NA	NA	NA	10/6/2003
					1	NEG		4/14/2003	4/24/2003	NA	NA	NA	NA	9/30/2003
					2	NEG		4/14/2003	4/24/2003	NA	NA	NA	NA	10/6/2003

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	**All three parcels were approximately the same duration for acquisition.**
PARCEL CHARACTERISTICS	X	**RESIDENTIAL**

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0370-03-014	YKM	5	2	5		NEG		7/12/2003	9/10/2003	NA	NA	NA	NA	4/13/2004
					2	NEG		7/12/2003	9/23/2003	NA	NA	NA	NA	12/2/2003
					3	NEG		7/13/2003	9/10/2003	NA	NA	NA	NA	12/12/2003

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	MISSED IMPROVEMENTS AND INCREASE IN DEPRECIATION OF BARN RESULTED IN A REAPPRAISAL—APPROVED 9.25.03
PARCEL CHARACTERISTICS	X	IMPROVEMENTS INCLUDE DRIVEWAY, BARN, BARBED WIRE FENCE, AND UNDERGROUND WATERLINE.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0138-100-022	ATL	4	2	2		NEG		2/28/2000	4/7/2000	NA	NA	NA	NA	11/6/2000
					1	NEG		2/28/2000	4/7/2000	NA	NA	NA	NA	7/25/2000
					4	NEG		2/28/2000	4/7/2000	NA	NA	NA	NA	11/6/2000

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	**PARCEL WAS CLOSED ON THE SAME DATE AS OTHER PARCELS. NOT CPP IN SINGULARITY.**
PARCEL CHARACTERISTICS	X	**THERE ARE IMPROVEMENTS—FENCING AND GRAVEL PAVEMENT.**

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0940-01-014	LFK	4	2	3		NEG		4/19/2001	4/24/2001	NA	NA	NA	NA	8/8/2001
					2	NEG		4/19/2001	4/24/2001	NA	NA	NA	NA	8/8/2001
					4	NEG		4/19/2001	4/24/2001	NA	NA	NA	NA	7/3/2001

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	PARCEL WAS CLOSED ON THE SAME DATE AS OTHER PARCELS. NOT CPP IN SINGULARITY.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0732-01-019	ATL	3	2	1		NEG		3/29/2001	4/18/2001	NA	NA	NA	NA	6/19/2002
					2	NEG		3/29/2001	4/18/2001	NA	NA	NA	NA	11/5/2001
					3	NEG		3/29/2001	4/18/2001	NA	NA	NA	NA	6/19/2002

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	PARCEL WAS CLOSED ON THE SAME DATE AS OTHER PARCELS. NOT CPP IN SINGULARITY.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
0258-09-116	WAC	6	2	4		ED		5/23/2003	7/18/2003	9/8/2003	10/24/2003	1/26/2004	2/6/2004	6/8/2004
					2	NEG		5/23/2003	5/29/2003	NA	NA	NA	NA	12/10/2003
					5	NEG		5/23/2003	5/29/2003	NA	NA	NA	NA	8/14/2003

CPP DELAY FACTORS		COMMENTS
ACQUISITION RESOURCES	X	TWO MONTHS OF NEGOTIATIONS BUT DUE TO NO RESPONSE, THE PARCEL WENT TO ED. 2ND APPRAISAL FOR ED WAS 3/4/04 APPROVED 3/18/04
TITLE CLEARANCE	X	THERE WAS A MISTAKE IN THE INITIAL APPRAISAL AND A REVISION HAD TO BE MADE.

A	B	C	D	E	F	G	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5	Milestone 6	Milestone 7	Milestone 8
8043-18-007	DAL	12	2	5		ED		11/6/2003	11/21/2003	1/12/2004	2/6/2004	3/15/2004	3/19/2004	9/29/2004
					1	NEG		6/19/2000	8/18/2000	NA	NA	NA	NA	7/9/2001
					8	NEG		11/6/2003	12/4/2003	NA	NA	NA	NA	3/4/2004

CPP DELAY FACTORS		COMMENTS
TITLE CLEARANCE	X	THERE IS A DECEASED OWNER AND SO PUBLICATION OF PARCEL WAS INITIATED BECAUSE OF UNKNOWN WHEREABOUTS OF HEIRS.

Appendix I Complete Parcel Sample Data

1. Project CSJ Number
2. District
3. Critical Path Parcel Number
4. Randomly Selected Parcel Number
5. Parcel Process (Negotiation, ED, Administrative Settlement)
6. Duration Category A—Parcel Acquisition Time (Calendar Days)
   A. Parcel Acquisition Time (PAT)—duration from *ROW Release date* (milestone 1) to *Possession of Deed* (milestone 8).
7. Duration Category B—Typical Parcel Acquisition Time (Calendar Days)
   B. Typical Parcel Acquisition Time (TPAT)—duration from *Appraisal Date* (milestone 2) to *Possession of Deed* (milestone 8).
8. Duration Category C
   C. *Appraisal Date* (milestone 2) to *Appraisal Approval Date* (milestone 3).
9. Duration Category D
   D. *Negotiations End* (milestone 4) to *ED Begins* (milestone 5).
10. Duration Category E
    E. *ED Begins* (milestone 5) to *Prepare & Submit Request for ED* (milestone 6).
11. Duration Category F
    F. *Prepare & Submit Request for ED* (milestone 6) *to Minute Order for ED Approved by Transportation Committee* (milestone 7).
12. Duration Category G
    G. *Minute Order for ED Approved by Transportation Committee* (milestone 7) to *Possession of Deed* (milestone 8).
13. Total Count of Parcels in Project CSJ

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
0048-03-070	DAL	20	*	ED	1806	92	5	147	128	12	933	62
0048-03-070	DAL	*	52	NEG	467	228	10	NA	NA	NA	NA	*
0048-03-070	DAL	*	19	NEG	537	335	28	NA	NA	NA	NA	*
0048-03-070	DAL	*	47	NEG	575	323	75	NA	NA	NA	NA	*
0218-04-101	ATL	35	*	ED	TBD	TBD	65	9	0	208	TBD	44
0218-04-101	ATL	*	33	NEG	637	489	133	NA	NA	NA	NA	*
0218-04-101	ATL	*	5	ED	937	806	56	208	6	25	365	*
0218-04-101	ATL	*	7	ED	650	502	49	23	118	9	146	*
0370-04-029	YKM	40	*	NEG	1642	733	53	NA	NA	NA	NA	41
0370-04-029	YKM	*	8	ED	782	570	32	53	0	15	202	*
0370-04-029	YKM	*	39	NEG	1105	192	32	NA	NA	NA	NA	*
0370-04-029	YKM	*	28	NEG	1042	186	46	NA	NA	NA	NA	*
0370-04-029	YKM	*	16	NEG	896	414	91	NA	NA	NA	NA	*
0191-03-015	TYL	41	*	NEG	1072	958	133	NA	NA	NA	NA	46
0191-03-015	TYL	*	28	NEG	407	295	99	NA	NA	NA	NA	*
0191-03-015	TYL	*	43	AS	764	644	127	NA	NA	NA	NA	*
0191-03-015	TYL	*	1	NEG	550	492	50	NA	NA	NA	NA	*
0191-03-015	TYL	*	6	NEG	578	486	12	NA	NA	NA	NA	*
1707-01-014	TYL	18B	*	NEG	1326	360	22	NA	NA	NA	NA	*
1707-01-014	TYL	*	15	NEG	1101	308	21	NA	NA	NA	NA	*
1707-01-014	TYL	*	10	NEG	821	181	26	NA	NA	NA	NA	*
1707-01-014	TYL	*	27	ED	1210	564	20	NA	NA	NA	14	*
0080-08-023	FTW	43	*	NEG	896	544	6	NA	NA	NA	*	43
0080-08-023	FTW	*	23	NEG	176	138	22	NA	NA	NA	NA	*
0080-08-023	FTW	*	11	NEG	422	153	11	NA	NA	NA	NA	*
0080-08-023	FTW	*	40	NEG	476	153	3	NA	NA	NA	NA	*
0049-02-014	WAC	18	*	ED	623	1138	39	38	61	32	322	55
0049-02-014	WAC	*	52	NEG	635	8	15	NA	NA	NA	NA	*
0049-02-014	WAC	*	37	ED	375	71	22	147	53	10	123	*
0049-02-014	WAC	*	12	NEG	491	974	48	NA	NA	NA	NA	*
8050-18-038	DAL	35A	*	ED	1246	110	5	71	58	9	129	55
8050-18-038	DAL	*	6	NEG	994	243	28	NA	NA	NA	NA	*
8050-18-038	DAL	*	43	NEG	903	532	27	NA	NA	NA	NA	*
8050-18-038	DAL	*	38A	NEG	765	376	9	NA	NA	NA	NA	*
0117-01-036	BRY	28	*	ED	1579	632	7	85	124	2	204	56
0117-01-036	BRY	*	24	NEG	634	503	27	NA	NA	NA	NA	*
0117-01-036	BRY	*	46	NEG	473	338	14	NA	NA	NA	NA	*
0117-01-036	BRY	*	11	NEG	868	766	20	NA	NA	NA	NA	*
0143-09-061	YKM	52B	*	ED	913	703	38	14	92	17	483	76
0143-09-061	YKM	*	47	NEG	696	668	82	NA	NA	NA	NA	*
0143-09-061	YKM	*	26	NEG	257	93	31	NA	NA	NA	NA	*
0143-09-061	YKM	*	23	NEG	543	305	80	NA	NA	NA	NA	*
0143-09-061	YKM	*	66	NEG	235	160	65	NA	NA	NA	NA	*
0144-01-061	YKM	57	*	NEG	1022	815	149	NA	NA	NA	NA	65
0144-01-061	YKM	*	14	NEG	530	477	45	NA	NA	NA	NA	*
0144-01-061	YKM	*	5	NEG	853	239	93	NA	NA	NA	NA	*
0144-01-061	YKM	*	8	NEG	467	237	128	NA	NA	NA	NA	*
0144-01-061	YKM	*	23	NEG	470	309	174	NA	NA	NA	NA	*
0179-04-076	YKM	54	*	ED	1317	1005	128	471	87	71	196	68
0179-04-076	YKM	*	62	NEG	763	451	129	NA	NA	NA	NA	*
0179-04-076	YKM	*	44	ED	1147	615	67	0	63	25	330	*
0179-04-076	YKM	*	61	NEG	593	281	129	NA	NA	NA	NA	*
0179-04-076	YKM	*	32	NEG	488	176	92	NA	NA	NA	NA	*
0157-02-039	CHS	35	*	ED	964	845	36	195	47	27	476	70
0157-02-039	CHS	*	54	AS	420	233	3	NA	NA	NA	NA	*
0157-02-039	CHS	*	12	NEG	289	134	25	NA	NA	NA	NA	*

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
0157-02-039	CHS	*	63	NEG	420	248	15	NA	NA	NA	NA	*
0157-02-039	CHS	*	41	NEG	380	248	27	NA	NA	NA	NA	*
3487-01-009	TYL	17	*	ED	2170	807	79	0	50	5	652	72
3487-01-009	TYL	*	2	NEG	1532	117	28	NA	NA	NA	NA	*
3487-01-009	TYL	*	68	NEG	1740	341	91	NA	NA	NA	NA	*
3487-01-009	TYL	*	15	NEG	1543	83	3	NA	NA	NA	NA	*
3487-01-009	TYL	*	47	NEG	1461	169	39	NA	NA	NA	NA	*
0065-03-040	BMT	4	*	ED	679	581	19	25	64	5	121	83
0065-03-040	BMT	*	11	ED	379	301	5	8	58	11	115	*
0065-03-040	BMT	*	57	NEG	261	228	23	NA	NA	NA	NA	*
0065-03-040	BMT	*	2	ED	394	67	1	0	112	10	130	*
0065-03-040	BMT	*	78	NEG	77	84	7	NA	NA	NA	NA	*
0065-03-040	BMT	*	48	NEG	125	137	38	NA	NA	NA	NA	*
0065-03-037	BMT	70A	*	ED	1491	1815	2	57	48	12	1299	93
0065-03-037	BMT	*	25	NEG	-434	211	11	NA	NA	NA	NA	*
0065-03-037	BMT	*	7	NEG	-494	131	50	NA	NA	NA	NA	*
0065-03-037	BMT	*	8	NEG	-471	191	8	NA	NA	NA	NA	*
0065-03-037	BMT	*	77	NEG	-156	162	6	NA	NA	NA	NA	*
0065-03-037	BMT	*	89	NEG	-121	127	2	NA	NA	NA	NA	*
0065-02-053	BMT	76	*	ED	1079	948	51	278	112	26	452	83
0065-02-053	BMT	*	34	NEG	127	126	17	NA	NA	NA	NA	*
0065-02-053	BMT	*	4	ED	1098	953	36	169	9	7	576	*
0065-02-053	BMT	*	42	NEG	97	103	28	NA	NA	NA	NA	*
0065-02-053	BMT	*	65	NEG	279	301	90	NA	NA	NA	NA	*
0065-02-053	BMT	*	43	NEG	286	295	14	NA	NA	NA	NA	*
0109-07-040	LFK	36	*	NEG	1637	216	4	NA	NA	NA	NA	34
0109-07-040	LFK	*	14	NEG	188	92	34	NA	NA	NA	NA	*
0109-07-040	LFK	*	23	NEG	-1217	266	180	NA	NA	NA	NA	*
0109-07-040	LFK	*	25	ED	-1001	924	393	29	98	7	147	*
8665-02-002	FTW	16	*	NEG	877	596	400	NA	NA	NA	NA	32
8665-02-002	FTW	*	4	NEG	750	196	6	NA	NA	NA	NA	*
8665-02-002	FTW	*	32	NEG	750	631	202	NA	NA	NA	NA	*
8665-02-002	FTW	*	30	ED	762	110	30	NA	NA	NA	NA	*
1697-02-021	BWD	4	*	ED	1107	579	14	176	36	12	295	32
1697-02-021	BWD	*	13	NEG	931	299	16	NA	NA	NA	NA	*
1697-02-021	BWD	*	18	NEG	931	285	7	NA	NA	NA	NA	*
1697-02-021	BWD	*	30	NEG	408	238	14	NA	NA	NA	NA	*
2304-02-028	WAC	1	*	NEG	619	499	23	NA	NA	NA	NA	28
2304-02-028	WAC	*	6	NEG	316	253	36	NA	NA	NA	NA	*
2304-02-028	WAC	*	26	NEG	183	120	36	NA	NA	NA	NA	*
2304-02-028	WAC	*	5	NEG	400	337	45	NA	NA	NA	NA	*
0034-01-109	ABL	11A	*	ED	1811	1670	82	66	184	7	1279	27
0034-01-109	ABL	*	14	NEG	337	232	55	NA	NA	NA	NA	*
0034-01-109	ABL	*	9	ED	1328	1188	14	234	27	7	819	*
0034-01-109	ABL	*	20	NEG	324	238	137	NA	NA	NA	NA	*
2964-01-033	DAL	1	*	NEG	1007	764	16	NA	NA	NA	NA	25
2964-01-033	DAL	*	13	NEG	614	321	13	NA	NA	NA	NA	*
2964-01-033	DAL	*	6	NEG	610	353	3	NA	NA	NA	NA	*
2964-01-033	DAL	*	17	AS	611	379	26	NA	NA	NA	NA	*
0028-09-109	BMT	7	*	ED	827	420	24	19	61	20	101	22
0028-09-109	BMT	*	4	NEG	348	269	103	NA	NA	NA	NA	*
0028-09-109	BMT	*	15	NEG	552	196	35	NA	NA	NA	NA	*
0028-09-109	BMT	*	12	NEG	488	188	2	NA	NA	NA	NA	*
0046-01-055	PAR	TBD	TBD	ED	TBD	TBD	TBD	TBD	TBD	TBD	TBD	21
0046-01-055	PAR	*	15	NEG	265	175	40	NA	NA	NA	NA	*
0046-01-055	PAR	*	20	NEG	208	118	48	NA	NA	NA	NA	*
0046-01-055	PAR	*	9	NEG	228	138	48	NA	NA	NA	NA	*
0248-05-040	ATL	3	*	ED	1101	519	22	66	54	36	197	21

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
0248-05-040	ATL	*	9	AS	701	201	36	NA	NA	NA	NA	*
0248-05-040	ATL	*	10	NEG	281	162	36	NA	NA	NA	NA	*
0248-05-040	ATL	*	20B	NEG	581	168	35	NA	NA	NA	NA	*
0069-02-023	SJT	5	*	ED	710	611	166	12	114	9	133	20
0069-02-023	SJT	*	13	NEG	688	234	66	NA	NA	NA	NA	*
0069-02-023	SJT	*	19	NEG	371	239	73	NA	NA	NA	NA	*
0069-02-023	SJT	*	20	NEG	424	325	105	NA	NA	NA	NA	*
0049-01-073	WAC	7	*	NEG	605	506	5	NA	NA	NA	NA	20
0049-01-073	WAC	*	3	NEG	239	162	14	NA	NA	NA	NA	*
0049-01-073	WAC	*	8	NEG	393	146	111	NA	NA	NA	NA	*
0049-01-073	WAC	*	11	NEG	223	146	14	NA	NA	NA	NA	*
0049-03-057	WAC	17	*	ED	991	1012	39	24	119	35	411	20
0049-03-057	WAC	*	15	NEG	224	269	31	NA	NA	NA	NA	*
0049-03-057	WAC	*	14	AS	313	355	53	NA	NA	NA	NA	*
0049-03-057	WAC	*	11	NEG	347	349	20	NA	NA	NA	NA	*
0480-06-018	BWD	1	*	ED	579	407	35	0	38	26	154	19
0480-06-018	BWD	*	14	NEG	537	365	36	NA	NA	NA	NA	*
0480-06-018	BWD	*	4	NEG	367	209	35	NA	NA	NA	NA	*
0032-04-024	CHS	18X	*	NEG	495	56	19	NA	NA	NA	NA	18
0032-04-024	CHS	*	2	NEG	298	223	12	NA	NA	NA	NA	*
0032-04-024	CHS	*	16	NEG	369	133	19	NA	NA	NA	NA	*
0039-17-143	PHR	2	*	ED	641	345	12	5	78	32	126	23
0039-17-143	PHR	*	3	NEG	273	220	35	NA	NA	NA	NA	*
0039-17-143	PHR	*	16	AS	517	259	19	NA	NA	NA	NA	*
0836-03-044	WAC	6	*	NEG	540	534	60	NA	NA	NA	NA	17
0836-03-044	WAC	*	13	NEG	349	343	53	NA	NA	NA	NA	*
0836-03-044	WAC	*	9	NEG	455	454	51	NA	NA	NA	NA	*
0009-04-053	DAL	1G & J	*	ED	1860	1719	6	106	56	35	1266	26
0009-04-053	DAL	*	10	ED	989	959	20	0	55	27	347	*
0009-04-053	DAL	*	19	NEG	450	396	92	NA	NA	NA	NA	*
0013-05-047	WFS	3	*	AS	953	966	24	NA	NA	NA	NA	16
0013-05-047	WFS	*	4	NEG	934	941	18	NA	NA	NA	NA	*
0013-05-047	WFS	*	18	NEG	385	398	24	NA	NA	NA	NA	*
0039-04-101	PHR	2	*	ED	TBD	TBD	126	21	418	31	TBD	19
0039-04-101	PHR	*	14	NEG	627	355	206	NA	NA	NA	NA	*
0039-04-101	PHR	*	16	NEG	710	438	97	NA	NA	NA	NA	*
0059-05-037	LFK	9E	*	NEG	485	974	3	NA	NA	NA	NA	16
0059-05-037	LFK	*	8	NEG	103	599	2	NA	NA	NA	NA	*
0059-05-037	LFK	*	15	NEG	75	561	8	NA	NA	NA	NA	*
0281-02-057	DAL	13	*	ED	391	342	8	67	35	21	154	16
0281-02-057	DAL	*	2	NEG	196	170	11	NA	NA	NA	NA	*
0281-02-057	DAL	*	20	NEG	169	132	38	NA	NA	NA	NA	*
0097-02-028	CHS	2	*	NEG	99	728	81	NA	NA	NA	NA	16
0097-02-028	CHS	*	3	NEG	51	680	81	NA	NA	NA	NA	*
0097-02-028	CHS	*	4	NEG	99	714	67	NA	NA	NA	NA	*
0540-08-002	BRY	2	*	ED	TBD	TBD	51	564	58	17	TBD	16
0540-08-002	BRY	*	3	NEG	820	158	35	NA	NA	NA	NA	*
0540-08-002	BRY	*	13	NEG	872	756	13	NA	NA	NA	NA	*
0946-01-026	ATL	13B	*	ED	294	886	0	0	58	30	731	14
0946-01-026	ATL	*	11	NEG	225	98	20	NA	NA	NA	NA	*
0946-01-026	ATL	*	2	NEG	-788	192	119	NA	NA	NA	NA	*
3487-02-006	TYL	6	*	ED	718	532	59	0	62	26	322	15
3487-02-006	TYL	*	12	NEG	263	77	34	NA	NA	NA	NA	*
3487-02-006	TYL	*	7	NEG	265	79	34	NA	NA	NA	NA	*
0833-03-034	WAC	10	*	ED	535	486	33	33	43	29	241	13
0833-03-034	WAC	*	4	NEG	166	117	21	NA	NA	NA	NA	*
0833-03-034	WAC	*	11	NEG	266	217	33	NA	NA	NA	NA	*
2374-04-051	DAL	7	*	ED	1414	940	91	48	75	20	297	10

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
2374-04-051	DAL	*	8	NEG	1035	548	20	NA	NA	NA	NA	*
2374-04-051	DAL	*	9	NEG	1151	595	9	NA	NA	NA	NA	*
0054-06-075	BWD	10	*	ED	1071	892	10	0	102	59	228	13
0054-06-075	BWD	*	5	ED	750	517	410	31	69	25	221	*
0054-06-075	BWD	*	11	NEG	438	303	9	NA	NA	NA	NA	*
0500-03-508	HOU	1	*	NEG	139	68	2	NA	NA	NA	NA	1
0471-02-043	AUS	2		NEG	520	441	13	NA	NA	NA	NA	5
0471-02-043	AUS		3	NEG	380	301	13	NA	NA	NA	NA	5
0471-02-043	AUS		4A	NEG	422	308	19	NA	NA	NA	NA	5
3379-01-009	AUS	1		ED	793	149	10	25	66	6	203	9
3379-01-009	AUS		10	NEG	640	206	10	NA	NA	NA	NA	9
3379-01-009	AUS		3	ED	793	149	10	25	66	6	203	9
0265-13-017	AUS	3		NEG	290	175	10	NA	NA	NA	NA	3
0265-13-017	AUS		1	NEG	284	169	10	NA	NA	NA	NA	3
0265-13-017	AUS		2	NEG	290	175	10	NA	NA	NA	NA	3
0370-03-014	YKM	5		NEG	306	276	60	NA	NA	NA	NA	5
0370-03-014	YKM		2	NEG	173	143	73	NA	NA	NA	NA	5
0370-03-014	YKM		3	NEG	183	152	59	NA	NA	NA	NA	5
0138-10-022	ATL	2		NEG	406	252	39	NA	NA	NA	NA	4
0138-10-022	ATL		1	NEG	302	148	39	NA	NA	NA	NA	4
0138-10-022	ATL		4	NEG	406	252	39	NA	NA	NA	NA	4
0940-01-014	LFK	3		NEG	79	111	5	NA	NA	NA	NA	4
0940-01-014	LFK		2	NEG	79	111	5	NA	NA	NA	NA	4
0940-01-014	LFK		4	NEG	79	75	5	NA	NA	NA	NA	4
0732-01-019	ATL	1		NEG	470	447	20	NA	NA	NA	NA	3
0732-01-019	ATL		2	NEG	244	221	20	NA	NA	NA	NA	3
0732-01-019	ATL		3	NEG	470	447	20	NA	NA	NA	NA	3
0258-09-116	WAC	4		ED	887	382	56	46	94	11	123	6
0258-09-116	WAC		2	NEG	706	201	6	NA	NA	NA	NA	6
0258-09-116	WAC		5	NEG	588	83	6	NA	NA	NA	NA	6
1776-01-023	AUS	2		NEG	554	287	14	NA	NA	NA	NA	5
1776-01-023	AUS		3	NEG	316	198	35	NA	NA	NA	NA	5
1776-01-023	AUS		4	NEG	421	295	27	NA	NA	NA	NA	5

Appendix J Right-of-Way Interview Results: Activity Markups by Districts

		Out of District's Control					Party Controlling Activity			
		Most Variable/Least Predictable (X)								
Activity No.	**Description**	**San Antonio**	**Austin**	**Houston**	**Fort Worth**	**Lubbock**	**Dist.**	**Div.**	**3rd Party**	**Count**
1	Preliminary ROW/Utility Data Collection								Project Manager	
2	Early Coordination with Local Agencies			X					Project Manager	1/5
3	Preliminary Design Conference								Project Manager	
4	Project Development Process			X					Project Manager	1/5
5	Place Project in STIP								Director TP&D	
5.1	Project Receives "Develop" Program Authority								Project Manager	
6a	Obtain: Environmental Clearance			X					Environmental Coordinator	1/5
6b	Obtain: Local Agency Agreements (if applicable)			X					Project Manager	1/5
6c	Obtain: Approved R/W Map			X				✔	ROW Design Engineer/Commission	1/5
6d	Obtain: Funding			X					Design Div/FHWA	1/5
7	Request Release			X				✔		1/5
8	Order Title Information: 5 Year Sales Data and Preliminary Title Commitment.		X						Title Company	1/5
9	Receive Title Information: 5 Year Sales Data and Preliminary Title Commitment.	X			X				Title Company	2/5
10	Obtain Property Owner Addresses						✔			
11	Make Pre-Appraisal Contact with Property Owner	X					✔			1/5

		Out of District's Control					Party Controlling Activity			
		Most Variable/Least Predictable (X)								
Activity No.	**Description**	**San Antonio**	**Austin**	**Houston**	**Fort Worth**	**Lubbock**	**Dist.**	**Div.**	**3rd Party**	**Count**
12	Contact Displacees		X				✔			1/5
13	Assign Appraiser						✔			
14	Receive Appraisal				X				Appraiser	1/5
15	Review/Approve Appraisal						✔			
16	Ongoing Assistance for Moving, Re-establishment & Searching for Location		X				✔			1/5
17	ROW Division Approval or Special Business Payments		X					✔		1/5
18	Present Offer						✔	✔		
19	Begin Curative Work	X		X					Title Company	3/5
19.1	Receive Written Counter Offer	X	X	X					Property Owner	3/5
19.2	District Recommends To Approve/Deny						✔			
19.3	Division/Department Accepts or Rejects Counter Offer	X	X	X				✔		3/5
20	Calculate and Submit Supplements for ROW Division Approval		X					✔		1/5
21	Receive Approved Replacement Housing Supplements & Special Business Payments	X	X					✔		2/5
22	Send 90 Day notice and determination of relocation entitlements to displacees		X				✔			1/5
23	Assist Displacees in finding replacement dwelling (if requested)		X				✔			1/5

		Out of District's Control					Party Controlling Activity			
		Most Variable/Least Predictable (X)								
Activity No.	**Description**	**San Antonio**	**Austin**	**Houston**	**Fort Worth**	**Lubbock**	**Dist.**	**Div.**	**3rd Party**	**Count**
24	Administrative Settlement Process (if requested)	X	X						✔	2/5
25	Instrument or Conveyance Signed						✔			
26	Complete Curative Work				X				Title Company	1/5
27	Obtain Title Commitment	X							Title Company	1/5
28	Submit Payment Request to ROW Division						✔			
29	Receive Warranty			X					Title Company	1/5
30	Closing By Title Company								Title Company	
31	Receive Title Policy Close File								Title Company	
32	Pay for Title Policy						✔			
33	Relocation Process—Start						✔			
34	Relocation Process—Send 30-day notice						✔			
35	Relocation Process—Leaseback						✔			
36	Relocation Process—Move Displacees					X	✔			1/5
37	Relocation Process—Removal of Improvements						✔			
38	Prepare Final Offer						✔			
39	Order Updated Title Commitment	X	X						Title Company	2/5
40	Prepare and Submit Request for ED		X	X		X		✔		3/5

		Out of District's Control					Party Controlling Activity			
		Most Variable/Least Predictable (X)								
Activity No.	**Description**	**San Antonio**	**Austin**	**Houston**	**Fort Worth**	**Lubbock**	**Dist.**	**Div.**	**3rd Party**	**Count**
41	Minute Order Approved by Transportation Commission		X		X	X		✔	Commission	3/5
42	ROW Division Submits Parcel file to OAG		X					✔	OAG	1/5
43	Update Appraisal					X	✔			1/5
44	Revise & Approve Updated Appraisal						✔			
45	Review and Make Final Offer						✔			
46	Document "No Change" in Appraisal					X	✔			1/5
47	Receive Court Papers from OAG **(AG PREPARES PETITION)**					X			OAG	1/5
48	File Papers with Court **(TXDOT FILES PETITION)**					X			✔	1/5
49	Serve Notice of Hearing to interest holders **(JUDGE APPOINTS SPECIAL COMMISSIONERS)**		X			X			✔	2/5
50	Hearing **(COORDINATION TO SCHEDULE SPECIAL COMMISSIONERS HEARING)**				X	X			✔	2/5
51	Prepare Summary and Recommendation Report **(PREPARE AND DELIVER NOTICE OF HEARING)**						✔			
52	Judge Signs Award **(SPECIAL COMMISSIONERS SIGNATURE AND DELIVER OF AWARD)**								Judge	
53	Update Title Commitments								Title Company	

		Out of District's Control					Party Controlling Activity			
		Most Variable/Least Predictable (X)								
Activity No.	**Description**	**San Antonio**	**Austin**	**Houston**	**Fort Worth**	**Lubbock**	**Dist.**	**Div.**	**3rd Party**	**Count**
54	Request Warrant from ROW Division		X					✔		1/5
55	Receive and Deposit Warrant		X						Judge/Commission	1/5
56	If Supplement Increase/Decrease, Steps needed for computing supplement may have to be repeated								✔	
57	Judgment in Absence of Objections Procedures								✔	
58	Objections Filed								✔	
59	Update Appraisal for Date of Take						✔			
60	Possible Mediation	X							✔	1/5
61	Agreed Judgment (Mediation Successful)								✔	
62	Pre-Trial Procedures (Mediation Failed)	X							✔	1/5
63	Prepare and Attend Trial								✔	
64	Jury Summary								✔	
65	Appeal Process								✔	
66	Final Judgment								✔	
67	Final Judgment Payment Process								✔	

53R	OAG AND DISTRICTS PREPARE SUMMARY AND RECOMMENDATION REPORT	**REVISED RIGHT-OF-WAY PARCEL ACQUISITION FLOWCHART CHANGE (PROVIDED BY ROW DIVISION MAY 2004)**
54R	START 20 DAY PERIOD TO FILE OBJECTIONS	
55R	OBJECTIONS FILED	
56R	UPDATE TITLE COMMITMENTS	
57R	REQUEST WARRANT FROM ROW DIVISION	
58R	RECEIVE AND DEPOSIT WARRANT (CONCURRENT WITH SIGNATURE OF JUDGMENT IN ABSENCE OF OBJECTIONS)	
59R (N/OBJ)	RECEIVE TITLE POLICY/CLOSE FILE	
59R(OBJECT)	UPDATE APPRAISAL FOR DATE OF TAKE	
60R(N/OBJ)	PAY FOR TITLE POLICY	
60R(OBJECT)	POSSIBLE MEDIATION	

61R(NO/OBJ)	IF SUPPLEMENT INCREASE/DECREASE, STEPS NEEDED FOR COMPUTING SUPPLEMENT MAY HAVE TO BE REPEATED	**REVISED RIGHT-OF-WAY PARCEL ACQUISITION FLOWCHART CHANGE (PROVIDED BY ROW DIVISION MAY 2004)**
61R OBJECT	Agreed Judgment (Mediation Successful)	
62R(NO/OBJ)	RELOCATION PROCESS	
62R OBJECT	PRETRIAL PROCEDURES	
63R OBJECT	PREPARE ATTEND TRIAL	
64R OBJECT	JURY TRAIL SUMMARY	
65R OBJECT	APPEAL PROCESS	
66R OBJECT	FINAL JUDGMENT	
67R OBJECT	FINAL JUDGMENT PAYMENT PROCESS	

Appendix K Delay Factor Tables Detailed in Critical Path Parcels

Count	DESIGN CHANGE OR REVISION DELAYS
1	**DUPLICATE (ALSO THIRD PARTY DELAY)** *AUTOZONE SIGN WAS BISECTED AND THERE WAS NOT ENOUGH R/W ACQUIRED TO INCLUDE THE FOUNDATION AND POLE SUPPORTING THE SIGN. ADDITIONAL TAKE REQUIRED.*
2	**DUPLICATE (ALSO EXPERT WITNESS DELAY)** *TECHNICAL EXPERT USED FOR SITE IMPACT. ADDITIONAL PARCELS REQUIRED*
3	**DUPLICATE (ALSO IN THIRD PARTY DELAY)** *THERE WAS A REVISION FOR THE MAP THAT OCCURRED ON 6.4.03 AND INCREASED THE EXISTING ACREAGE.*
4	2 MONTHS OF NEGOTIATIONS LOST DUE TO NO RESPONSE FROM THE OWNER. THERE WAS A MISTAKE IN THE INITIAL APPRAISAL AND A REVISION HAD TO BE MADE.
TOTAL COUNT OF OCCURRENCES	**4**
PERCENTAGE OF TOTAL OCCURRENCES	**5.0%**

Count	TITLE CURATIVE AND OWNERSHIP CHANGE DELAYS
1	TITLE CURATIVE PROBLEM—OWNER PASSED AWAY BEFORE THE NEGOTIATIONS AND EXECUTOR OF ESTATE WAS DENIED THE CONVEYANCE. ATTORNEYS WERE NOT ABLE TO COME TO TERMS AND THE PROBATE REMAINS OPEN AND THE ASSETS HAVE NOT BEEN DISTRIBUTED.
2	TITLE CURATIVE PROBLEM—REQUIRED CITATION OF PUBLICATION. LACK OF PROBATE AND INADEQUATE CONVEYANCE DOCUMENTATION ON THE HEIRS OF OWNER (DECEASED)
3	TITLE CURATIVE REASONS—UNKNOWN PROPERTY INTERESTS (6) COULD NOT LOCATE THE HEIRS OR PERSONS.
4	THERE WERE 8 OWNERS FOR THE TAKE, WHICH SLOWED THE PROCESS.
5	THREE LIEN HOLDERS—FARMER SERVICE AGENCY, MARLIN ISD AND COUNTY TAX LIENS.
6	THERE WERE TITLE CURATIVE REASONS—CITATION BY PUBLICATION DUE TO UNKNOWN HEIRS OR DECEASED.
7	OWNER WAS DECEASED AND A CITATION OF PUBLICATION WAS INITIATED DUE TO UNKNOWN WHEREABOUTS OF HEIRS.

Count	TITLE CURATIVE AND OWNERSHIP CHANGE DELAYS (Continued)
8	THERE WERE TITLE CURATIVE REASONS—4 LANDOWNERS AND 2 WERE DECEASED.
9	TITLE CURATIVE DELAY—APPRAISED SIX TIMES WITH ADMINISTRATIVE SETTLEMENT AND ED PROCEEDINGS.
10	BUSINESS RELOCATION CONDEMNED FOR TITLE CURATIVE REASONS—6 ACRES OF LAND IRREGULARLY SHAPED IN A RURAL ZONE AND LEAVING REMAINDER IN 3 PARTS—ONE PORTION IS UNECONOMIC REMAINDER TO OWNER. IMPROVEMENTS INCLUDE FENCING.
11	CITATION BY PUBLICATION WAS DONE.
12	IRS WAS INVOLVED AND FEDERAL STATUTES WOULDN'T ALLOW THE RELEASE OF LIENS AND ED WAS REQUIRED. BANKS AND WERE PART OF THE LIEN HOLDERS
13	THERE WERE TITLE CURATIVE REASONS—CITATION BY PUBLICATION DUE TO UNKNOWN HEIRS OR DECEASED.
TOTAL COUNT OF OCCURRENCES	**13**
PERCENTAGE OF TOTAL OCCURRENCES	**16.3%**

Count	ENVIRONMENTAL SENSITIVITY AND EXPERT WITNESS DELAYS
1	UNDERGROUND STORAGE TANKS OR POSSIBLE CONTAINMENTS.
2	THERE WAS ALLEGED CONTAMINATION DUE TO FORMER SERVICE STATION AND NEARBY DISCOVERY OF CONTAMINATES. USUALLY CONTAMINATION WOULD BE OBJECTED AND THE REMEDIATION WOULD BE DONE BY THE OWNER, BUT BECAUSE THERE WERE NO ASSETS, AN UNLIKELY CLEANUP BY THE OWNER.
3	ASBESTOS ABATEMENT WAS REQUIRED ALONG WITH LAB TESTS. RESIDENTIAL WITH MULTIPLE IMPROVEMENTS = WOOD FRAME HOUSE. SEPTIC SYSTEM, DRIVEWAY, LANDSCAPE.
4	THREE LIEN HOLDERS—FARMER SERVICE AGENCY, MARLIN ISD AND COUNTY TAX LIENS.
5	THERE WERE TITLE CURATIVE REASONS—CITATION BY PUBLICATION DUE TO UNKNOWN HEIRS OR DECEASED.

Count	ENVIRONMENTAL SENSITIVITY AND EXPERT WITNESS DELAYS (Continued)
6	TECHNICAL EXPERT USED FOR SITE IMPACT. ADDITIONAL PARCELS REQUIRED
7	OWNER CLAIMED THE PROJECT CREATED FLOOD PROBLEMS AFTER A CATEGORY 1 IMPROVEMENT—BUILDING DEMOLISHED BY THE ROW.
8	**DUPLICATE (ALSO IN PARCEL CHARACTERISTIC DELAY)** *IMPROVEMENTS INCLUDED PAVED DRIVEWAY, PARKING STRIPES, PAY TELEPHONE. THE OIL COMPANY REQUESTED ADJUSTMENT OF ENTIRE STORE BECAUSE THE CLAIM THAT ACCESS AND PARKING WAS DAMAGED. AN EXPERT WITNESS WAS USED TO ASSESS.*
TOTAL COUNT OF OCCURRENCES	**8**
PERCENTAGE OF TOTAL OCCURRENCES	**10.0%**

Count	UTILITIES DELAYS
1	THE OWNER STATES THAT UTILITIES WOULD NEED TO BE BORED UNDER THE HIGHWAY AND THAT CAUSED ADDITIONAL PRICE DIFFERENCE IN "AS.”
2	UNDERGROUND ELECTRIC LINES WERE PART OF THE IMPROVEMENTS.
3	OWNER CLAIMED THE ACQUISITION CUT OFF THE GAS LINE AND TXDOT DID NOT PROVIDE MONEY TO CHANGE. AS WAS INITIATED AND SETTLED.
4	18 ACRES WITH TWO HIGH VOLTAGE TRANSMISSION TOWERS.
TOTAL COUNT OF OCCURRENCES	4
PERCENTAGE OF TOTAL OCCURRENCES	5.0%

Count	TERRAIN FEATURES DISPUTE CAUSING DELAYS
1	ADMINISTRATIVE SETTLEMENT ISSUED BECAUSE OWNER WANTED THE LOSS OF TREES (ADDITIONAL $2000).
2	ADMINISTRATIVE SETTLEMENT ISSUED BECAUSE WATER RIGHTS WERE REQUESTED AS COMPENSATION DUE TO INCONVENIENCE DURING CONSTRUCTION (LIVESTOCK ACCESS.)
3	THERE WAS A LAKE AND SCENIC DRIVEWAY AS PART OF THE TAKE; THE AWARD BY THE COMMISSIONERS WAS OBJECTED BY TXDOT BECAUSE IT WAS TOO HIGH.
TOTAL COUNT OF OCCURRENCES	**3**
PERCENTAGE OF TOTAL OCCURRENCES	**3.8%**

Count	PARCEL CHARACTERISTICS/INCREASING IMPROVEMENTS DELAYS
1	**DUPLICATE (PRICE DISPUTED DELAY)** *THE TESTIMONY OF THE LANDOWNER WAS THAT THERE WAS A CONCRETE FOUNDATION THAT THE ROW CUT INTO THAT THE OWNER INTENDED TO BUILD A MECHANICS SHOP AND WANTED 10.5K FOR THE LOSS OF THE FOUNDATION SO THEY APPEALED THE COMMISSIONERS' AWARD.*
2	IMPROVEMENTS INCLUDE 2 SHEDS, MOBILE HOME PAD, PERIMETER FENCING, CROSS FENCING, 3 STOCK PONDS. ZONING IS AGRICULTURAL TOTAL COMP=400K. THERE WAS TEMPORARY EASEMENT ASSOCIATED WITH THIS PARCEL.
3	THE MAJOR IMPROVEMENTS ARE PRE-ENGINEERED STEEL BUILDING WITH PARTIAL MASONRY EXTERIOR, BERMUDA GRASS LANDSCAPING, ADVERTISING SIGN AND PORTION OF THE PARKING LOT. THIS IS A COMMERCIAL LOT.
4	**DUPLICATE (PRICE DISPUTED DELAY)** *IMPROVEMENTS INCLUDED PAVED DRIVEWAY, PARKING STRIPES, PAY TELEPHONE. OIL COMPANY REQUESTED RELOCATION OF ENTIRE STORE BECAUSE THEY CLAIM THAT ACCESS AND PARKING WAS DAMAGED. AN EXPERT WITNESS WAS USED TO ASSESS.*
5	**DUPLICATE (PRICE DISPUTED DELAY)** *THE WATER WELL SUPPLY WAS AN ISSUE AND WHERE THE PROPOSED AREA OF TAKE WAS IN QUESTION PER NEGOTIATOR'S REPORT. THE STATE WAS NOT WILLING TO COMPENSATE FOR THE WATER WELL BECAUSE A WATER LINE COULD BE RUN TO THE PROPERTY.*
6	**DUPLICATE (PRICE DISPUTED DELAY)** *ACQUISITION HAD A TEXACO SIGN AND THERE WERE DISPUTES ON THE REIMBURSEMENT THAT SHOULD BE PROVIDED.*

Count	PARCEL CHARACTERISTICS/INCREASING IMPROVEMENTS DELAYS (Continued)
7	**DUPLICATE (PRICE DISPUTED DELAY)** *RESIDENCE HAD WATER WELL AND PUMP HOUSE W/O PIPING EQUIPMENT AND DRIVEWAY, FENCING AND LANDSCAPING AS IMPROVEMENT. THE CASE WAS TAKEN TO TRIAL AND THE OWNER WAS FINALLY AWARDED AN ADDITIONAL 18K FOR IMPROVEMENTS.*
8	**DUPLICATE (PRICE DISPUTED DELAY)** *DAMAGED REMAINDER AND IMPROVEMENTS—DRIVEWAY VALUE WAS AN ISSUE THAT LED TO ED.*
9	IMPROVEMENTS INCLUDED A BARN, FENCING, UNDERGROUND WATERLINE; THERE WERE IMPROVEMENTS THAT WERE MISSED AND INCREASE IN DEPRECIATION FOR THE BARN THAT WERE MISCALCULATED AND RESULTED IN A REAPPRAISAL.
TOTAL COUNT OF OCCURRENCES	**9**
PERCENTAGE OF TOTAL OCCURRENCES	**11.3%**

Count	LEGAL ACTIVITY DELAYS
1	ATTORNEY WAS EMPLOYED BY LANDOWNER. ONLY INDICATION AND INFERRED DELAY TO ACQUISITION.
2	PROPERTY OWNER WANTED 646K IN ADMIN SETTLEMENT. THIS WAS REJECTED. REASONING WAS DAMAGES TO THE REMAINING PROPERTY BECAUSE OF UTILITIES THAT NEED TO BE BORED UNDER THE PROPOSED HIGHWAY AND AFTER CONDITION MAKES THE LAND WORTH LESS PER ACRE. OWNER HAD
4	THE PROPERTY OWNER HAD SOME FEDERAL TAX LIENS THAT WERE NOT GOING TO BE PAID.
5	{AS} DID NOT FINISH AND THE PARCEL WAS TAKEN TO ED. THE PROPERTY OWNER DEFAULTED ON HIS PURCHASE MONEY LOAN AND TWO LIEN HOLDERS WHICH WERE IN THE PROCESS OF FORECLOSING ON THE PROPERTY AT THE TIME OF TRIAL. 3.18,03 SPECIAL COMMISSIONERS AWARDED AND OBJECT
6	**DUPLICATE (ALSO IN PRICING DELAY)** *ATTORNEY AND OWNER ASKED FOR MORE MONEY DUE TO DAMAGES TO THE VALUE OF THE LAND BECAUSE THE TAKE TOOK LIVE OAK TREES.*

Count	LEGAL ACTIVITY DELAYS (Continued)
7	**DUPLICATE (PRICE DISPUTED DELAY)** *ATTORNEY WAS HIRED ABOUT BILLBOARD ISSUES AND REVENUE FROM THE SIGNS.*
8	**DUPLICATE (ALSO IN PRICING DELAY)** *ATTORNEY AND OWNER ASKED FOR MORE MONEY DUE TO ADVERTISING SIGNS.*
TOTAL COUNT OF OCCURRENCES	**7**
PERCENTAGE OF TOTAL OCCURRENCES	**8.8%**

Count	THIRD PARTY DELAYS
1	SPECIAL COMMISSIONERS AWARDED THE PROPERTY FOR A VALUE OF 3K VERSUS 2.2K APPROVED VALUE AND DEPOSIT WOULD HAVE BEEN ON 7.30.03.
2	THERE WAS A REVISION FOR THE MAP THAT OCCURRED ON 6.4.03 AND INCREASED THE EXISTING ACREAGE.
3	ACTUAL CRITICAL PATH PARCEL MAY BE PARCEL 3 BECAUSE IT IS IN THE APPEALING STAGE BUT SPECIAL COMMISSIONERS' AWARD WAS GIVEN IN 2002 AND ACTUAL DEPOSIT WAS ON 12.20.02
4	SPECIAL COMMISSIONERS' AWARD WAS ON 4.6.04. THE DIVISION FELT TXDOT SHOULD NOT WAIVE THE RIGHT TO RECOVER THE $2000 FOR THE PARCEL BECAUSE OF ITS DUTY TO THE TAXPAYERS AND LATER COULD BE MAGNANIMOUS AND WAIVE FURTHER REIMBURSEMENT.
5	COMMISSIONERS' AWARD WAS ON MARCH 4, 2004. THE PAYMENT REQUEST FOR DEPOSIT TO COURT WAS INITIATED BY DISTRICT ON 4.8.04 AND SENT AGAIN TO FINANCE ON 4.27.04 REQUIRED BY 5.8.04—AS OF 7.8.04 THERE IS NO DEPOSIT OF CHECK.
6	DEED WAS SIGNED ON 2.24.04 AND PAYMENT REQUEST WAS SENT TO DIVISION ON 3.23.04 AND REQUIRED BY 4.14.04. NO ADDITIONAL DOCUMENTATION AFTERWARDS.
7	FINAL OFFER LETTERS WERE SENT ON 2.20.02 AND 7.3.02 BUT WERE RETURNED AS UNDELIVERABLE.

Count	THIRD PARTY DELAYS (Continued)
8	AUTOZONE SIGN WAS BISECTED AND THERE WAS NOT ENOUGH ROW ACQUIRED TO INCLUDE THE FOUNDATION AND POLE SUPPORTING THE SIGN. ADDITIONAL TAKE REQUIRED
9	OWNER IS TEXAS UTILITIES ELECTRIC COMPANY = ONCOR ELECTRIC DELIVER COMPANY. DAMAGES WERE 81K AND PROPERTY WAS 41K. ONCOR WAVED THE DAMAGES IF TXDOT GAVE THEM ACCESS UNDER THE BRIDGE FOR REPAIRING THE TRANSMISSION PER MEMO.
10	OUTSOURCED ACQUISITION. STARTED ED PROCESS BUT THEN OWNER DECIDED TO ACCEPT THE OFFER.
11	SPECIAL COMMISSIONERS REQUESTED INFORMATION CONCERNING VALUES PLACED IN SEVERAL OF THE SURROUNDING PARCELS, ASSISTANT AG REFUSED AND THE HEARING ADJOURNED. A JUDGE APPOINTED AN ATTORNEY TO REPRESENT THE SPECIAL COMMISSIONER; APPEAL WAS RECOMMENDED BECAUSE THE JUDGE APPOINTS ADVERSELY INTERESTED COMMISSIONERS THAT WORK FOR THE PRIVATE ATTORNEY ASSIGNED TO REPRESENT THEM.
12	THE LANGUAGE OF THE SPECIAL WARRANTY DEED RESULTED IN CORRESPONDENCE BETWEEN ALBERTSON'S, INC. AND ROW DIV FOR 11 MONTHS. DELAYED PROJECT
TOTAL COUNT OF OCCURRENCES	**12**
PERCENTAGE OF TOTAL OCCURRENCES	**15.0%**

Count	PRICING, COMPENSATION AND IMPACT DISPUTE DELAYS
1	THE TAKE WAS PART OF A CHURCH WHERE THE SIGN WAS TAKEN AWAY AND NEW HIGHWAY WOULD BE MORE ACCIDENT PRONE AND CONCRETE POSTS WERE NEEDED. DAMAGE TO REMAINDER AND SYMPATHY FOR CHURCH (SUSPECTED IF WENT TO TRIAL) SO A.S. WAS ACCEPTED.
2	URBAN FRINGE SPECULATIVE INVESTMENT TRACT. OWNER WANTED MORE MONEY.
3	OWNER CLAIMED THE ADJACENT NEIGHBORS WERE OFFERED MORE MONEY AND WANTED AS MUCH AS THEY GOT. A.S. WAS ISSUED.
4	DUPLICATE (ALSO ENVIRONMENTAL DELAY) OWNER CLAIMED THE PROJECT CREATED FLOOD PROBLEMS AFTER A CATEGORY 1 IMPROVEMENT—BUILDING DEMOLISHED BY THE ROW.
5	VACANT AGRICULTURAL LAND, CAN BE REZONED FOR COMMERCIAL BUT AT THE TIME OF APPRAISAL IT WAS RESIDENTIAL. OWNER THOUGHT IT WAS WORTH MORE DUE TO COMMERCIAL POTENTIAL. OWNER WAS A PARTNERSHIP CORP.
6	*DUPLICATE (ALSO TERRAIN FEATURE DELAY) ADMIN SETTLEMENT ISSUED BECAUSE OWNER WANTED THE LOSS OF TREES (ADDITIONAL $2000).*
7	THE TAKE WAS PART OF A CHURCH WHERE THE SIGN WAS TAKEN AWAY AND NEW HIGHWAY WOULD BE MORE ACCIDENT PRONE AND CONCRETE POSTS WERE NEEDED. DAMAGE TO REMAINDER AND SYMPATHY FOR CHURCH (SUSPECTED IF WENT TO TRIAL) SO A.S. WAS ACCEPTED.

Count	PRICING, COMPENSATION AND IMPACT DISPUTE DELAYS (Continued)
8	DUPLICATE (ALSO TERRAIN FEATURE DELAY) THERE WAS A LAKE AND SCENIC DRIVEWAY AS PART OF THE TAKE, THE AWARD BY THE COMMISSIONERS WERE OBJECTED BY TXDOT BECAUSE IT WAS TOO HIGH.
9	NEGOTIATOR'S REPORT SAID THE OWNER SAID TO GO TO CONDEMNATION BECAUSE ZONING AND OTHER PEOPLE AROUND THEM GOT HIGHER PRICES. AFTER COMMISSIONERS' AWARD, THERE WERE TXDOT APPEALS AND FURTHER TRIALS & LEGAL ACTIVITY. FINAL AGREEMENT WAS ON 11/21/2002
10	THE PROPERTY WAS APPRAISED AGAIN AND THE PRICE WAS 870K AND THE OWNER OFFERED ANOTHER 896K COUNTER OFFER AND IT WAS ACCEPTED BY DIVISION BECAUSE THE PROJECT WAS UNDER CONSTRUCTION ALREADY.
11	ADMINISTRATIVE SETTLEMENT WAS INITIATED BASED ON REDUCTION OF VALUE FROM APPRAISER. 10K MORE WAS ASKED ON TOP OF 41K. THE PROPERTY OWNER EVENTUALLY SETTLED OUT OF COURT AFTER ED HAD BEEN INITIATED AND MULTIPLE APPRAISALS WERE DONE AS WELL AS SPECIAL COMMITTEE
12	COUNTER OFFER WAS GIVEN BY PROPERTY OWNER BECAUSE ELECTRICAL AND WATER WELL IMPROVEMENTS MONEY WAS NOT ENOUGH.
13	ATTORNEY AND OWNER ASKED FOR MORE MONEY DUE TO DAMAGES TO THE VALUE OF THE LAND BECAUSE THE TAKE TOOK LIVE OAK TREES.

Count	PRICING, COMPENSATION AND IMPACT DISPUTE DELAYS (Continued)
15	OWNER COMPLAINED ABOUT RUNOFF FROM CONSTRUCTION (IRRELEVANT), ACCESS INTO THE PROPERTY WAS CUT OFF FROM THE TAKE AND THERE WERE ADVERTISING SIGNS INVOLVED AND COMPENSATION FOR THE LOSS INCOME WAS AWARDED TO OWNER.
16	IMPROVEMENTS INCLUDED A BARN, FENCING, UNDERGOUND WATERLINE; THERE WERE IMPROVEMENTS THAT WERE MISSED AND INCREASE IN DEPRECIATION FOR THE BARN THAT WERE MISCALCULATED AND RESULTED IN A REAPPRAISAL.
17	DAMAGED REMAINDER AND IMPROVEMENTS—DRIVEWAY VALUE WAS AN ISSUE THAT LED TO ED.
18	RESIDENCE HAD WATER WELL AND PUMP HOUSE W/O PIPING EQUIPMENT AND DRIVEWAY, FENCING AND LANDSCAPING AS IMPROVEMENT. THE CASE WAS TAKEN TO TRIAL AND THE OWNER WAS FINALLY AWARDED AN ADDITIONAL 18K FOR IMPROVEMENTS.
19	ACQUISITION HAD A TEXACO SIGN AND THERE WERE DISPUTES ON THE REIMBURSEMENT THAT SHOULD BE PROVIDED.
20	THE TESTIMONY OF THE LANDOWNER WAS THAT THERE WAS A CONCRETE FOUNDATION THAT THE ROW CUT INTO THAT THE OWNER INTENDED TO BUILD A MECHANICS SHOP AND WANTED 10.5K FOR THE LOSS OF THE FOUNDATION SO THEY APPEALED THE COMMISSIONERS' AWARD.
TOTAL COUNT OF OCCURRENCES	**20**
PERCENTAGE OF TOTAL OCCURRENCES	**25.0%**

Appendix L Analysis of Variance for All Sample Data

Results of one-way ANOVA Analysis of Variance for all samples comparing PAT and TPAT data in Critical Path Parcels, Randomly Selected parcels and projects with less than 10 parcels.							
Summary stats for samples							
		PAT (CPP)	TPAT (CPP)	PAT (RANDOM)	TPAT (RANDOM)	PAT (LTT)	TPAT (LTT)
	Sample sizes	41	41	124	132	27	27
	Sample means	1004.683	714.268	554.371	324.083	399.963	219.519
	Sample standard deviations	474.312	394.989	342.720	225.004	227.433	111.336
	Sample variances	224971.572	156016.401	117456.707	50626.749	51725.729	12395.644
	Weights for pooled variance	0.104	0.104	0.319	0.339	0.067	0.067
	Number of samples	6					
	Total sample size	392					
	Grand mean	506.949					
	Pooled variance	98409.206					
	Pooled standard deviation	313.702					
One Way ANOVA table							
	Source	SS	df	MS	F	p-value	
	Between variation	19152133.330	5	3830426.666	38.923	0.0000	
	Within variation	37985953.649	386	98409.206			
	Total variation	57138086.980	391				
Confidence intervals for mean differences							
	Confidence level	95.0%					
Tukey method							
	Difference	Mean diff	Lower	Upper	Signif?		
	PAT (CPP)—TPAT (CPP)	290.415	91.948	488.882	Yes		
	PAT (CPP)—PAT (RANDOM)	450.312	288.428	612.196	Yes		
	PAT (CPP)—TPAT (RANDOM)	680.600	519.939	841.260	Yes		
	PAT (CPP)—PAT (LTT)	604.720	382.007	827.433	Yes		
	PAT (CPP)—TPAT (LTT)	785.164	562.451	1007.878	Yes		
	TPAT (CPP)—PAT (RANDOM)	159.897	-1.987	321.781	No		
	TPAT (CPP)—TPAT (RANDOM)	390.185	229.524	550.846	Yes		
	TPAT (CPP)—PAT (LTT)	314.305	91.592	537.018	Yes		
	TPAT (CPP)—TPAT (LTT)	494.750	272.037	717.463	Yes		
	PAT (RANDOM)—TPAT (RANDOM)	230.288	117.908	342.667	Yes		
	PAT (RANDOM)—PAT (LTT)	154.408	-36.428	345.244	No		
	PAT (RANDOM)—TPAT (LTT)	334.852	144.016	525.689	Yes		
	TPAT (RANDOM)—PAT (LTT)	-75.880	-265.679	113.920	No		
	TPAT (RANDOM)—TPAT (LTT)	104.565	-85.235	294.364	No		
	PAT (LTT)—TPAT (LTT)	180.444	-64.123	425.012	No		

***Results of two-way ANOVA* Analysis of Variance for all samples comparing PAT and TPAT data in Critical Path Parcels, Randomly Selected parcels and parcels in projects with less than 10 parcels.**				
	Summary stats for two samples			
		PAT LTT All Parcels	PAT GTT Random Samples	
	Sample sizes	28	124	
	Sample means	401	554	
	Sample standard deviations	223	343	
	Test of difference=0 versus two-tailed alternative			
	Hypothesized mean difference	0.000		
	Sample mean difference	-153.657		
	Pooled standard deviation	324.474	NA	
	Std error of difference	67.891	52.218	
	Degrees of freedom	150	60	
	t-test statistic	-2.263	-2.943	The p-value shows that the null hypothesis can be rejected at the 1% significance level.
	p-value	0.025	0.005	The Null Hypothesis is that both means are equal.
	Test of equality of variances			
	Ratio of sample variances	2.357		
	p-value	0.006		

Results of one-way ANOVA **Analysis of Variance for all samples comparing PAT and TPAT data in projects with greater than 30 parcels (GT30) with projects fewer than 30 parcels (LT30).**						
Summary stats for samples						
		PAT LT30	PAT GT30	TPAT LT30	TPAT GT30	
	Sample sizes	108	85	109	92	
	Sample means	507.102	781.024	380.706	399.880	
	Sample standard deviations	340.660	446.432	307.509	308.174	
	Sample variances	116049.195	199301.142	94562.080	94971.271	
	Weights for pooled variance	0.274	0.215	0.277	0.233	
	Number of samples	4	Total sample size	394	Pooled variance	123111.923
	Grand mean	506.193			Pooled standard deviation	350.873
OneWay ANOVA table						
	Source	SS	df	MS	F	p-value
	Between variation	9176521.217	3	3058840.406	24.846	0.0000
	Within variation	48013650.123	390	123111.923		
	Total variation	57190171.340	393			
Confidence intervals for mean differences						
	Confidence level	95.0%				
Tukey method						
	Difference	Mean diff	Lower	Upper	Signif?	
	PAT LT30—PAT GT30	-273.922	-405.029	-142.814	Yes	
	PAT LT30—TPAT LT30	126.395	3.630	249.160	Yes	
	PAT LT30—TPAT GT30	107.221	-21.065	235.507	No	
	PAT GT30—TPAT LT30	400.317	269.475	531.159	Yes	
	PAT GT30—TPAT GT30	381.143	245.107	517.179	Yes	
	TPAT LT30—TPAT GT30	-19.174	-147.189	108.841	No	

Results of one-way ANOVA **Analysis of Variance for all samples greater than 10 parcels per project, comparing PAT and TPAT of districts with "urban" versus "rural" classifications.**						
Summary stats for samples						
		Urban PAT	Urban TPAT	Rural PAT	Rural TPAT	
	Sample sizes	42	42	151	159	
	Sample means	684.310	364.262	612.007	396.145	
	Sample standard deviations	400.905	305.354	416.061	308.290	
	Sample variances	160725.097	93240.930	173106.527	95042.922	
	Weights for pooled variance	0.105	0.105	0.385	0.405	
	Number of samples	4		Total sample size	394	
	Pooled standard deviation	363.019		Grand mean	506.193	
				Pooled variance	131782.994	
OneWay ANOVA table						
	Source	SS	df	MS	F	p-value
	Between variation	5794803.579	3	1931601.193	14.657	0.0000
	Within variation	51395367.762	390	131782.994		
	Total variation	57190171.340	393			
Confidence intervals for mean differences						
	Confidence level	95.0%				
Tukey method						
	Difference	Mean diff	Lower	Upper	Signif?	
	Urban PAT—Urban TPAT	320.048	115.902	524.193	Yes	
	Urban PAT—Rural PAT	72.303	-90.895	235.501	No	
	Urban PAT—Rural TPAT	288.165	125.863	450.467	Yes	
	Urban TPAT—Rural PAT	-247.745	-410.943	-84.547	Yes	
	Urban TPAT—Rural TPAT	-31.883	-194.185	130.419	No	
	Rural PAT—Rural TPAT	215.862	109.560	322.164	Yes	

Results of one-way ANOVA **Analysis of Variance for all samples greater than 10 parcels per project, comparing PAT and TPAT of districts with 9 or more Full Time Equivalents (FTEs) versus Districts with less than 9 FTEs.**						
Summary stats for samples						
		LT9 PAT	LT9 TPAT	GT9 PAT	GT9 TPAT	
	Sample sizes	89	91	104	110	
	Sample means	695.326	424.000	569.904	360.927	
	Sample standard deviations	472.171	305.250	346.324	307.241	
	Sample variances	222945.768	93177.844	119940.224	94397.334	
	Weights for pooled variance	0.226	0.231	0.264	0.279	
	Number of samples	4	Grand mean		506.193	
	Total sample size	394	Pooled variance		129867.656	
			Pooled standard deviation		360.372	
OneWay ANOVA table						
	Source	SS	df	MS	F	p-value
	Between variation	6541785.333	3	2180595.111	16.791	0.0000
	Within variation	50648386.007	390	129867.656		
	Total variation	57190171.340	393			
Confidence intervals for mean differences						
	Confidence level	95.0%				
Tukey method						
	Difference	Mean diff	Lower	Upper	Signif?	
	LT9 PAT—LT9 TPAT	271.326	132.877	409.775	Yes	
	LT9 PAT—GT9 PAT	125.422	-8.681	259.525	No	
	LT9 PAT—GT9 TPAT	334.399	201.993	466.804	Yes	
	LT9 TPAT—GT9 PAT	-145.904	-279.210	-12.598	Yes	
	LT9 TPAT—GT9 TPAT	63.073	-68.526	194.671	No	
	GT9 PAT—GT9 TPAT	208.977	81.959	335.994	Yes	

Results of one-way ANOVA **Analysis of Variance for all samples greater than 10 parcels per project, comparing PAT and TPAT data in parcels with annual budget allocations greater than 6 million for the district versus parcels with annual budget allocations less than 6 million for the District.**						
Summary stats for samples						
		GT 6 PAT	GT 6 TPAT	LT 6 PAT	LT6 TPAT	
	Sample sizes	90	90	103	111	
	Sample means	699.744	378.967	564.825	398.009	
	Sample standard deviations	433.898	289.582	384.725	321.814	
	Sample variances	188267.159	83858.010	148013.675	103564.064	
	Weights for pooled variance	0.228	0.228	0.262	0.282	
				Grand mean	506.193	
	Number of samples	4		Pooled variance	130022.005	
	Total sample size	394	Pooled standard deviation		360.586	
OneWay ANOVA table						
	Source	SS	df	MS	F	p-value
	Between variation	6481589.473	3	2160529.824	16.617	0.0000
	Within variation	50708581.868	390	130022.005		
	Total variation	57190171.340	393			
Confidence intervals for mean differences						
	Confidence level	95.0%				
Tukey method						
	Difference	Mean diff	Lower	Upper	Signif?	
	GT 6 PAT—GT 6 TPAT	320.778	182.255	459.301	Yes	
	GT 6 PAT—LT 6 PAT	134.919	0.838	269.000	Yes	
	GT 6 PAT—LT6 TPAT	301.735	169.927	433.544	Yes	
	GT 6 TPAT—LT 6 PAT	-185.859	-319.940	-51.778	Yes	
	GT 6 TPAT—LT6 TPAT	-19.042	-150.851	112.766	No	
	LT 6 PAT—LT6 TPAT	166.816	39.684	293.948	Yes	

Appendix M Statistical Descriptive Analysis of all Parcel Categories

The following tables have columns identified by Duration Categories A through G. The variables correspond to the following:

A. Parcel Acquisition Time (PAT)—duration from *R/W Release date* (milestone 1) to *Possession of Deed* (milestone 8).

B. Typical Parcel Acquisition Time (TPAT)—duration from *Appraisal Date* (milestone 2) to *Possession of Deed* (milestone 8).

C. *Appraisal Date* (milestone 2) to *Appraisal Approval Date* (milestone 3).

D. *Negotiations End* (milestone 4) to *ED Begins* (milestone 5).

E. *ED Begins* (milestone 5) to *Prepare & Submit Request for ED* (milestone 6).

F. *Prepare & Submit Request for ED* (milestone 6) to *Minute Order for ED Approved by Transportation Committee* (milestone 7).

G. *Minute Order for ED Approved by Transportation Committee* (milestone 7) to *Possession of Deed* (milestone 8).

FEWER THAN 30 PARCELS PER PROJECT (30 or fewer)	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Count	108	109	110	17	22	22	20
Mean	**507**	381	41	82	88	23	378
Median	422	287	29	33	64	26	225
Standard deviation	341	308	51	135	81	13	360
Minimum	51	56	2	5	27	6	101
Maximum	1860	1719	410	564	418	59	1279
Range	1809	1663	408	559	391	53	1178
First quartile	279	170	13	24	55	13	154
Third quartile	640	486	51	66	90	31	363
Interquartile range	361	316	38	42	35	18	209
90th percentile	964	788	91	157	119	35	864

GREATER THAN 30 PARCELS PER PROJECT (> 30)	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Count	85	92	93	19	20	22	22
Mean	**781**	400	53	116	71	25	350
Median	750	300	28	71	62	12	250
Standard deviation	446	308	68	118	36	43	305
Minimum	77	8	1	8	6	2	14
Maximum	2170	1815	400	471	128	208	1299
Range	2093	1807	399	463	122	206	1285
First quartile	467	174	14	27	50	9	134
Third quartile	1042	572	67	173	102	25	470
Interquartile range	575	398	53	146	52	16	336
90th percentile	1479	814	129	222	119	32	644

URBAN PARCELS	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Count	42	42	42	7	8	8	8
Mean	**684**	364	33	70	67	17	442
Median	611	298	13	67	62	16	250
Standard deviation	401	305	68	44	27	11	422
Minimum	139	68	2	25	35	6	129
Maximum	1860	1719	400	147	128	35	1266
Range	1721	1651	398	122	93	29	1137
First quartile	421	169	9	37	56	8	191
Third quartile	891	430	27	89	68	23	494
Interquartile range	470	261	18	52	13	14	303
90th percentile	1139	628	71	122	91	29	1033

RURAL PARCELS	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Count	151	159	161	29	34	36	34
Mean	**612**	396	50	107	83	26	345
Median	495	295	35	46	63	19	225
Standard deviation	416	308	57	138	70	35	307
Minimum	51	8	1	5	6	2	14
Maximum	2170	1815	410	564	418	208	1299
Range	2119	1807	409	559	412	206	1285
First quartile	300	176	18	23	51	10	136
Third quartile	840	526	60	169	101	29	442
Interquartile range	540	350	42	146	50	20	306
90th percentile	1107	853	119	243	119	36	707

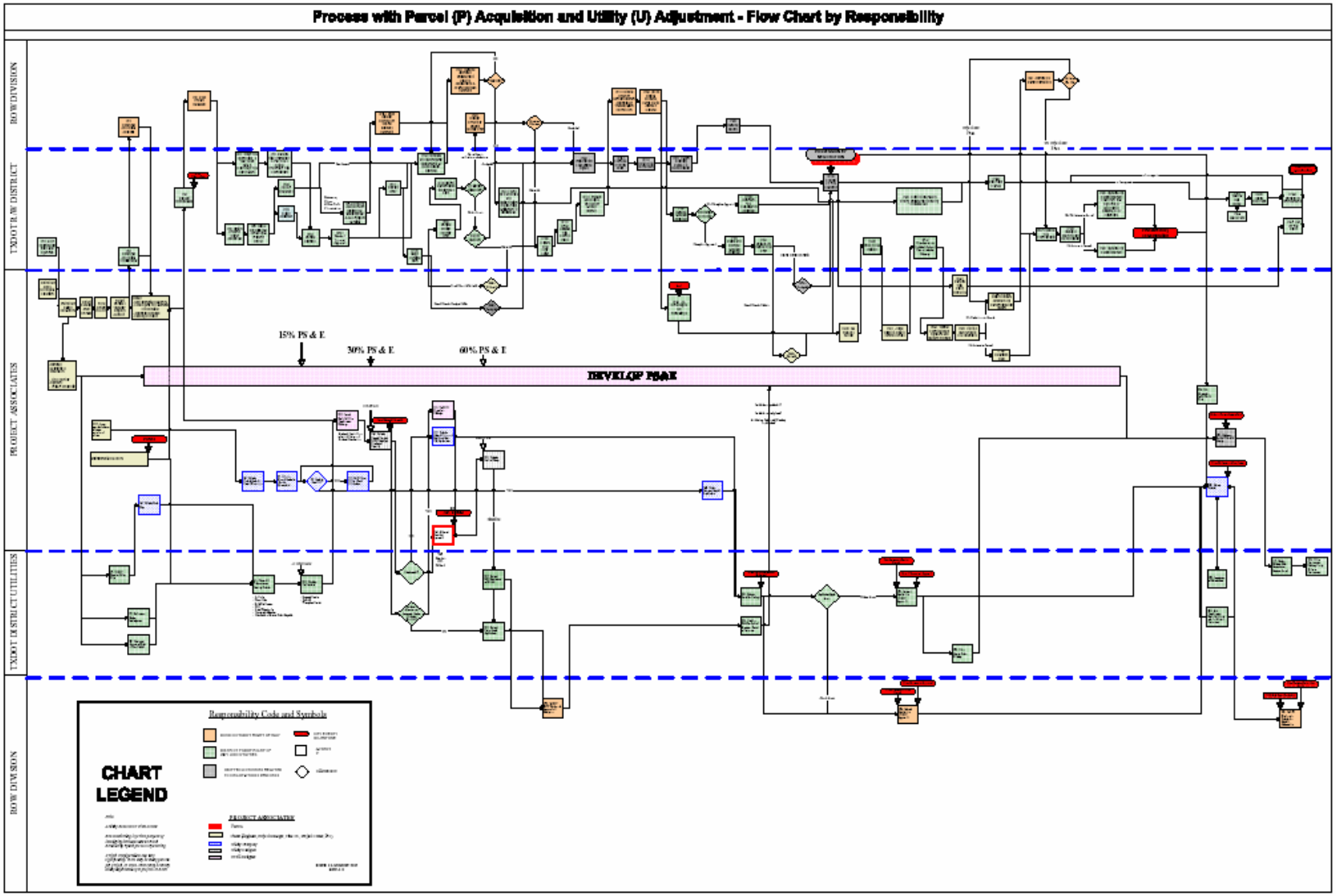
DISTRICTS WITH FEWER THAN 9 R/W FTEs	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Count	89	91	92	12	16	17	17
Mean	**695**	424	59	161	78	21	362
Median	578	308	36	76	66	17	228
Standard deviation	472	305	67	183	40	19	311
Minimum	51	56	2	12	27	2	14
Maximum	2170	1670	410	564	184	71	1279
Range	2119	1614	408	552	157	69	1265
First quartile	337	189	19	31	49	7	196
Third quartile	953	613	80	205	99	26	476
Interquartile range	616	424	62	174	50	19	280
90th percentile	1355	845	129	447	119	40	719

DISTRICTS WITH GREATER THAN & EQUAL TO 9 R/W FTEs	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Count	104	110	111	24	26	27	25
Mean	**570**	361	37	69	81	26	364
Median	504	269	22	42	61	20	203
Standard deviation	346	307	50	71	75	38	346
Minimum	77	8	1	5	6	5	101
Maximum	1860	1815	400	278	418	208	1299
Range	1783	1807	399	273	412	203	1198
First quartile	310	162	10	24	54	10	129
Third quartile	720	447	39	80	90	31	411
Interquartile range	410	285	29	56	36	21	282
90th percentile	1003	768	90	162	119	35	852

DISTRICTS WITH R/W BUDGETS GREATER THAN $ 6 MILLION	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Count	90	90	91	14	17	17	17
Mean	**700**	379	36	102	71	18	350
Median	608	322	22	58	61	17	241
Standard deviation	434	290	51	139	28	11	322
Minimum	139	8	2	24	35	2	14
Maximum	2170	1719	400	564	128	35	1266
Range	2031	1711	398	540	93	33	1252
First quartile	392	164	11	34	55	9	154
Third quartile	885	505	39	101	75	27	347
Interquartile range	493	342	29	67	20	18	193
90th percentile	1335	764	79	147	121	33	764

DISTRICTS WITH R/W BUDGETS LESS THAN $6 MILLION	(A)	(B)	(C)	(D)	(E)	(F)	(G)
Count	103	111	112	22	25	27	25
Mean	**565**	398	55	99	86	28	373
Median	470	269	36	42	64	20	221
Standard deviation	385	322	65	120	79	39	339
Minimum	51	56	1	5	6	5	101
Maximum	1811	1815	410	471	418	208	1299
Range	1760	1759	409	466	412	203	1198
First quartile	284	187	17	20	48	10	146
Third quartile	773	540	73	174	102	29	476
Interquartile range	489	353	56	155	54	19	330
90th percentile	1094	886	128	231	116	45	784

Appendix N Right-of-Way Stratified Flowchart


Process with Parcel (P) Acquisition and Utility (U) Adjustment - Flow Chart by Responsibility
ROW DIVISION
TXDOT ROW DISTRICT
PROJECT ASSOCIATES
TXDOT DISTRICT UTILITIES
ROW DIVISION
15% PS & E
30% PS & E
60% PS & E
DEVELOP PS&E
CHART LEGEND
Responsibility Code and Symbols

Appendix O Right-of-Way TxDOT Research Committee Team

RMC Number 3		
TxDOT Project Personnel	TxDOT Project Personnel	Office
Program Coordinator (PC)	John Campbell	ROW Division
Project Director (PD)	Larry B. Black	Amarillo
Project Monitoring Committee (PMC)	Bill Wimberley	Fort Worth
Project Monitoring Committee (PMC)	Tommy Jones	Abilene
Project Monitoring Committee (PMC)	Pat Moon	ROW Division
Project Monitoring Committee (PMC)	Terri Evans	ROW Division

Appendix P Research Meetings, Interviews, Training, and Workshops Summary

Entity Contacted	Attendees	0-4617 Team Members	Date	Location	ROW / Utilities	Purpose
ROW Division	John Campbell—TxDOT	GEG,JTO	1/05	TxDOT Riverside ROW office	R/W, Utilities	Project Status Update
PMC Meeting	PMC	GEG,JTO,GC,SH	1/6/2005	University of Texas—Austin	R/W, Utilities	Project Status Update
PMC Meeting	PMC	GEG,GC,SH	9/27/2004	TxDOT Riverside ROW office	R/W, Utilities	Project Status Update
ROW Division	None	GC	multiple trips from 7/19/04 through 10/18/04	TxDOT Riverside ROW office	R/W	Collect Data from R/W parcel acquisition files and ROWIS database
RMC Presentation	RMC Section 3	GEG	6/7/2004		R/W, Utilities	Update project status to RMC
Project Committee	Project Committee	GEG,JTO,KP,NK?,GC,SH	5/20/2004	TxDOT Riverside ROW office	R/W, Utilities	Project Status Update
Lubbock District	Claude Kneisley—TxDOT Hector Serna—TxDOT Marianne Kumley—TxDOT William Nichols—TxDOT Guy Sledge—TxDOT	GEG, GC	5/4/2004	TxDOT Lubbock District Office	R/W	Data Collection
Ft. Worth District	Bill Wimberley—TxDOT Perry Burnett—TxDOT	GEG, GC	4/8/2004	TxDOT Ft. Worth District Office	R/W	Information & Data Collection
Houston District	Frances Willison—TxDOT Stephen Stakemiller—TxDOT Keith Robison—TxDOT	GC	4/2/2004	TxDOT Houston District Office	R/W	Information & Data Collection
ROWIS Training	Pat Moon—TxDOT	GC	3/30/2004	TxDOT Houston District Office	R/W	ROWIS 101
Austin District	Robert Stuard—TxDOT Bob Harwood—TxDOT Shelly Easley—TxDOT	GEG, GC	2/27/2004	TxDOT Austin District Office	R/W	Information & Data Collection
Entity Contacted	Attendees	0-4617 Team Members	Date	Location	R/W / Utilities	Purpose

San Antonio District	Wini Bishop—TxDOT Julie Brown—TxDOT Tony Martinez—TxDOT David C. Kopp—TxDOT Jennifer Moczygemba—TxDOT	GEG, GC	2/26/2004	TxDOT San Antonio District Office	R/W	Information & Data Collection
ROW Division	Pat Moon—TxDOT Larry Black—TxDOT Bill Knowles—TxDOT Terri Evans—TxDOT Tommy Jones—TxDOT John Campbell—TxDOT	GEG, GC, SH	2/20/2004	TxDOT Riverside ROW office	R/W	Information & Data Collection
TxDOT ROW Administrators Annual Meeting	TxDOT District Administrators TxDOT Division Management	KP, GC, SH	2/3/2004	TxDOT Riverside office	R/W & Utilities	Background Information Update on changes in admin. process
SH 130 Project	Terri Morgan—HDR	GC, GM	12/17/2003	SH 130 Project Office—Pflugerville	R/W	Information & Data Collection
SH 130 Project	Don Toner—TTA / TxDOT John Breed—TTA / TxDOT Kerry Fulton—TTA / TxDOT	GC, GM	12/15/2003	SH 130 Project Office—Pflugerville	R/W	Information Gathering
Project Committee	Project Committee	GEG, JTO, KP, NK, GC, SH	12/7/2003	TxDOT Riverside ROW office	R/W & Utilities	Project Status Update
ROWIS Introduction	Terri Evans	GC, SH	11/1/2003	TxDOT Riverside ROW office	R/W & Utilities	ROWIS database introduction
TxDOT Short Course	TxDOT	GEG, KP, GC, SH	10/15/2003	Texas A&M University	R/W & Utilities	Background Information
Project Committee	Project Committee	GEG, JTO, KP, GC, SH	10/2/2003	University of Texas—Austin	R/W & Utilities	Project "kickoff" meeting

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