

STATE OF WASHINGTON
COUNTY OF MASON

In the Matter of:)	
)	Resolution No. <u>42-04</u>
Establishing Right of Way Acquisition)	Amends Resolution 146A-02
Procedures and appointing staff personnel)	
responsible for the various elements of the)	
Right of Way Acquisition process.)	

NOW, THEREFORE, BE IT RESOLVED by the Board of Mason County Commissioners that:

WHEREAS, Mason County, desiring to acquire Real Property in accordance with the state Uniform Relocation Assistance and Real Property Acquisition Act (Ch. 8.26 RCW) and state regulations (Ch. 468-100 WAC) and applicable federal regulations, hereby adopts the following procedures to implement the above statutes and Washington Administrative Code. The Mason County Department of Public Works is responsible for the real property acquisition and relocation activities on projects administered by Mason County. To fulfill the above requirements, the Mason County Department of Public Works will acquire right of way in accordance with the policies set forth in the Washington State Department of Transportation Right of Way Manual (M26-01) and Local Agency Guidelines Manual (M 36-6). Mason County has the following expertise and personnel capabilities to accomplish these functions:

1. A. Program Administration -
 Public Works Director / County Engineer
 Project Managers
- B. Appraisal -
 Contract Fee Appraiser approved by WSDOT
- C. Appraisal Review -
 Right of Way Agent (staff) approved by WSDOT
 or
 Contract Fee Review Appraiser approved by WSDOT
- D. Acquisition Negotiator -
 Project Managers
 Right of way Representative
 Contract Fee Negotiator approved by WSDOT
- E. Relocation -
 Contract with WSDOT
- F. Property Management -
 Right of Way Agent (staff) approved By WSDOT
 Contract with WSDOT
2. Administrative Settlements are occasionally required in addition to Just Compensation in order to acquire needed Right of Way through negotiation. These Administrative Settlements can help eliminate costly condemnation litigation and project construction schedule delays. The Project Parcel Negotiation Diary shall contain rationale, justification and or documentation for the Settlement Offer. The level of authority to offer Administrative Settlements will be as follows:
 - A. Acquisition Negotiator
 Just compensation plus \$500.00 Administrative Settlement.
 - B. Project Manager.
 Just compensation plus \$1,000.00 Administrative Settlement.
 - C. Public Works Director/County Engineer
 Just Compensation plus \$5,000.00 Administrative Settlement.
 - D. Mason County Board of County Commissioners, Chairperson
 Just Compensation plus any counter offer in excess of or \$5,000.00.

3. A minimum payment amount of \$500.00 per tax parcel, to acquire right of way in fee or by easement.
4. All projects shall be available for review by the FHWA and the state at any time, and all project documents shall be retained and available for inspection during the plan development, right of way and construction stages and for a three (3) year period following acceptance of the projects by WSDOT.
5. Approval of Mason County's procedures by WSDOT may be rescinded at any time Mason County is found to no longer have qualified staff or is found to be in non-compliance with the regulations. The rescission may be applied to all or part of the functions approved.

APPROVED this 18th day of May, 2004.

MASON COUNTY
BOARD OF COMMISSIONERS

Wesley E. Johnson
WESLEY JOHNSON, Chairperson

Herb Baze
HERB BAZE, Commissioner

Jayni L. Kamin
JAYNI L. KAMIN, Commissioner

MASON COUNTY
DEPARTMENT OF PUBLIC WORKS

William J. Tabor
WILLIAM J. TABOR, PE
Acting Director of Public Works/
County Engineer

5/18/04
Date

ATTEST:

Rebecca S. Rogers
REBECCA S. ROGERS
Clerk of the Board

APPROVED AS TO FORM:

Chief DBA
PROSECUTING ATTORNEY