

RESOLUTION 16-411

**TO APPROVE LAND ACQUISITION PURCHASE FOR TRACT 118
OF THE DUPLEX ROAD WIDENING PROJECT**

WHEREAS, the City of Spring Hill is in the process of widening Duplex Road;
and

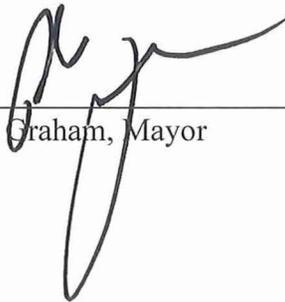
WHEREAS, in order to complete the project, the City must acquire land in the
form of right-of-ways and easements from property owners along Duplex Road; and

WHEREAS, the City is working with Tennessee Department of Transportation
on this project, known as State Project Number 60LPLM-F2-019 and Federal Project
Number STP-M-247(9); and

WHEREAS, the cost of the acquisition will be \$8,675.00 to the tract owner
(Mark A. and Robin E. Mutz) and \$500.00 to the closing agent (Southeast Title of
Tennessee, Inc.) for closing costs.

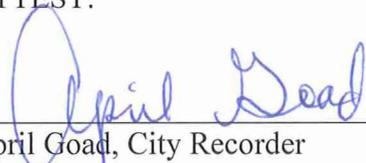
NOW THEREFORE, BE IT RESOLVED, that the City of Spring Hill, Board
of Mayor and Aldermen authorizes a total land acquisition purchase in the amount of
\$9,175.00 to Southeast Title of Tennessee, Inc., 40 Middleton Street, Nashville, TN
37210 for Tract number 118 of the Duplex Road widening project.

Passed and adopted this 16th day of February, 2016.



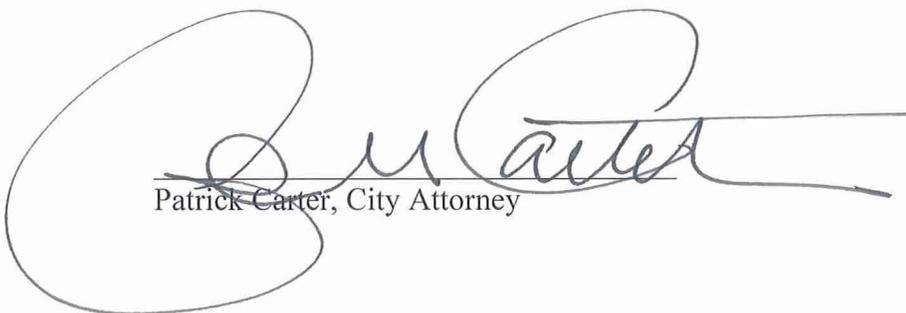
Rick Graham, Mayor

ATTEST:

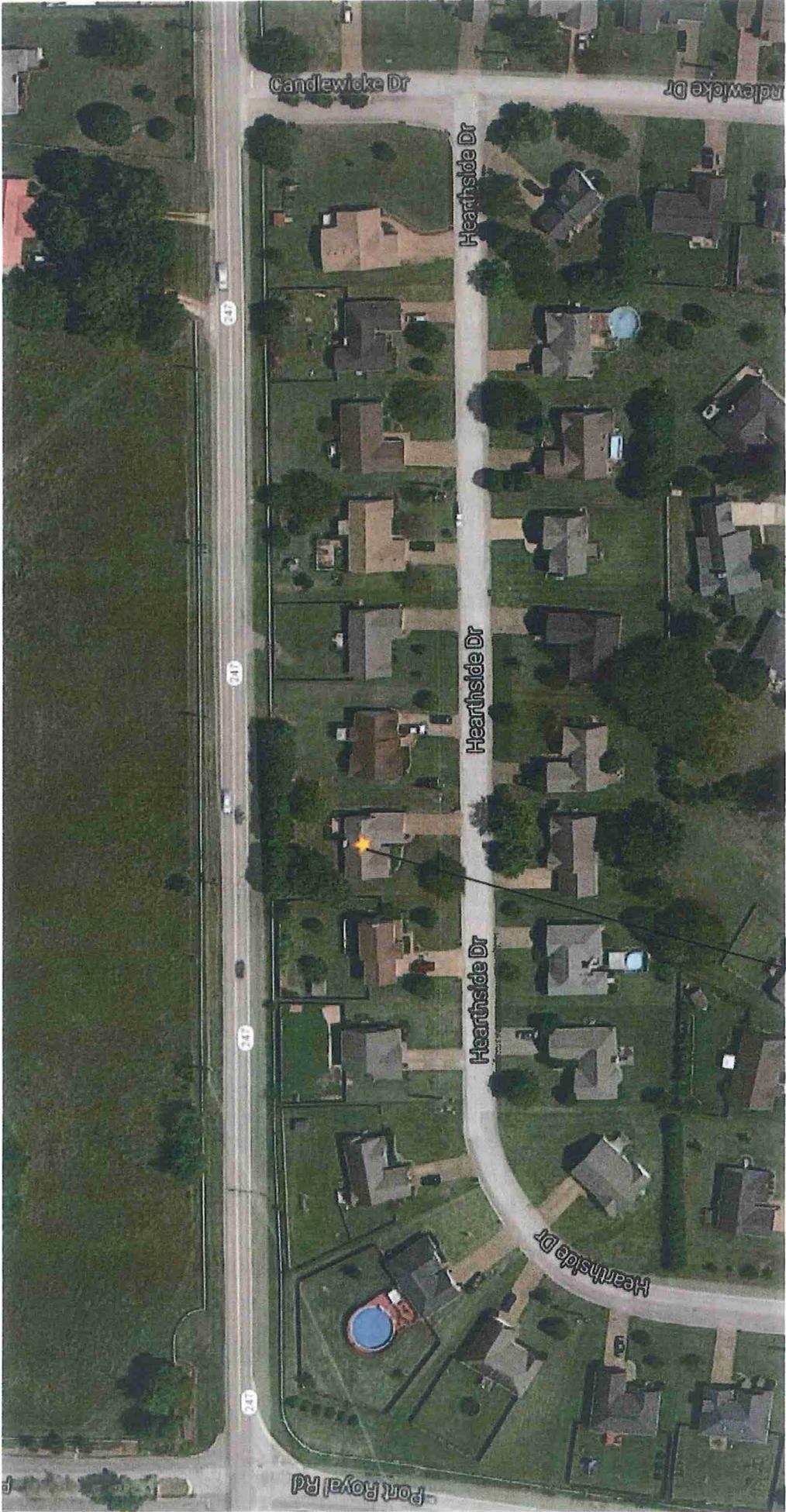


April Goad, City Recorder

LEGAL FORM APPROVED:

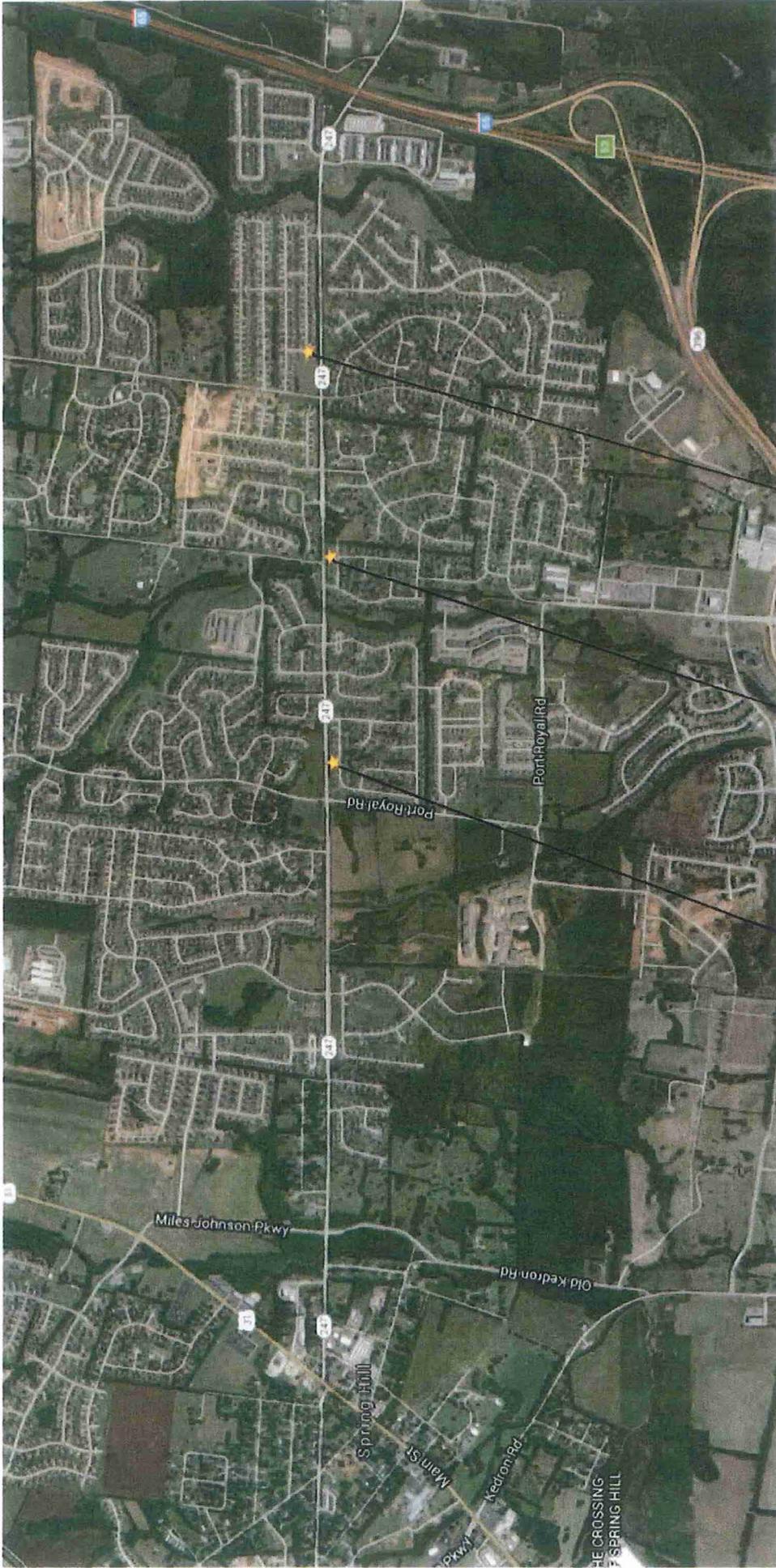


Patrick Carter, City Attorney



TRACT 118
2924 HEARTHSTONE DR

DUPLEX ROAD-MAP OF TRACTS 118, 179, 214



Tract 118
2924 Kearsnside Dr

Tract 179
2916 Torronu Tr

Tract 214
3109 Sakari Cir

Revised

AGREEMENT OF SALE
CITY OF SPRING HILL
MAURY COUNTY, TENNESSEE

PROJECT Duplex Road Widening ADDRESS 2924 Hearthside Dr., Spring Hill, TN
FEDERAL PROJECT # STP-M-247(9) MAP/PARCEL 167M-E/007.00
STATE PROJECT # 60LPLM-F2-019 TRACT # 118

This agreement entered into on this the 25th day of January, 2016,
between Mark A. & Robin E. Mutz, herein after called the **Seller** and the **City of Spring Hill**, shall
continue for a period of 90 days under the terms and conditions listed below. This Agreement embodies all
considerations agreed to between the **Seller** and the **City of Spring Hill**.

- A. The **Seller** hereby offers and agrees to convey to the **City of Spring Hill** lands identified as **Tract # 118** on the right-of-way plan for the above referenced project upon the **City of Spring Hill** tendering the purchase price of **\$8,675**, said tract being further described on the attached legal description.
- B. The **City of Spring Hill** agrees to pay for the expenses of title examination, preparation of instrument of conveyance and recording of deed. The **City of Spring Hill** will reimburse the **Seller** for expenses incidental to the transfer of the property to the **City of Spring Hill**. Real Estate Taxes will be prorated.

The following terms and conditions will also apply unless otherwise indicated:

- C. Retention of Improvements: () Does not retain improvements () Not applicable (x)
Seller agrees to retain improvements under the terms and conditions stated in the attached agreement to this document and made a part of this Agreement of Sale.
- D. Utility Adjustment Not applicable (x)
The **Seller** agrees to make, at the **Seller's** expense, the below listed repair, relocation or adjustment of utilities owned by the **Seller**. The purchase price offered includes **\$-0-** to compensate the owner for those expenses.
- E. Other: N/A
- F. The **Seller** states in the following space the name of any Lessee of any part of the property to be conveyed and the name of any other parties having any interest in any kind of said property:

Seller: Mark A. Mutz

Seller: Robin E. Mutz

**CITY OF SPRING HILL TENNESSEE
ADMINISTRATIVE SETTLEMENT REQUEST**

TO: City of Spring Hill **DATE:** 1/5/2016
FROM: Brenda Walsh, Randy Button & Associates **TRACT:** 118

OWNER: <u>Mark A. & Robin E. Mutz</u>	FEDERAL ROW: <u>STP-M-24 (9)</u>
COUNTY: <u>Maury / Williamson</u>	STATE ROW: <u>60LPLM-F2-019</u>

APPROVED OFFER

Appraiser: Randy Button, MAI, SRA, AI-GRS
Amount: \$ 7,925 **Proposed Take:** 283 sf
Before Acreage: 10,803 sf **Remainder Acreage:** 10,520 sf

COUNTEROFFER: \$ 8,675 **AMOUNT INCREASE:** \$ 750

JUSTIFICATIONS FOR SETTLEMENT **PERCENTAGE INCREASE:** 9.5%

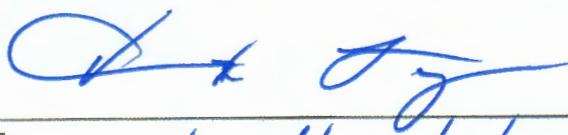
The increase of \$ 750 which is less than the administrative costs required to acquire the property through condemnation procedures. It is in the City's best interest to accept the owner's counter proposal (shown above) rather than take the risk of proceeding to condemnation, which could result in a jury's award consideration of a much greater amount.

ADDITIONAL INFORMATION

Ken Harb, Attorney for M/M Mutz, previously submitted a counter in the sum of \$21,500, based on an estimate from a local landscaper for replacement of landscaping being acquired and travel expenses to oversee the installation of new landscaping. The City declined the counteroffer. However, in a good faith effort to resolve this matter in a timely manner, Mr. Harb, on behalf of his clients, M/M Mutz, has submitted a second counteroffer in the amount of \$8,675 in hopes of recovering additional monies for replacement landscaping, based on the attached estimate from A&D Lawn Care Leaf Service. This represents a 9.5% increase over the approved offer of \$7,925.

COUNTEROFFER APPROVED AS FOLLOWS:

LAND: \$ _____ **IMPROVEMENTS:** \$ _____
SLOPE EASEMENT: \$ _____ **CONSTRUCTION EASEMENT:** \$ _____
DAMAGES TO REMAINDER: \$ _____ **UTILITY ADJUSTMENT:** \$ _____
GRAND TOTAL: \$ 0 **CITY OF:** SPRING HILL


Title: City Administrator

1/6/2016
Date

**CITY OF SPRING HILL
APPROVED OFFER - BASIS, SUMMARY & AUTHORIZATION**

(THIS FORM MAY BE USED FOR STAFF NPP)

(2)STATE PROJECT NO: 60LPLM-F2-019 (3)FEDERAL PROJECT NO: STP-M-247(9)

(4)PROJECT ID NUMBER: (5)TRACT NUMBER: 118

(6)PROPERTY OWNERSHIP: Mark A. & Robin E. Mutz

(7)COUNTY: Williamson (8)MAP/PARCEL NUMBER: 167M-E-007.00

(9)APPRAISER: Randy Button, MAI, SRA, AI-GRS (CG#03)

(10)APPRAISER CONCLUSION OF TOTAL AMOUNT DUE OWNER: \$7,900

(11)EFFECTIVE DATE OF VALUATION: 12/15/14 (12)APPRAISAL TYPE (FORMAL, FPA, or NPP): FPA

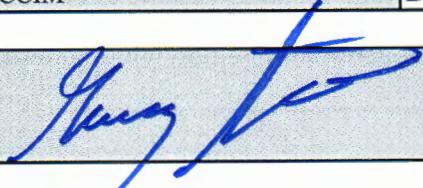
ACQUISITION AREAS & APPROVED COMPENSATIONS

INTERESTS ACQUIRED	ACQ. AREAS		COMPENSATIONS	(13)ALTERNATE OFFER	
	AREA	ACS/SF	(Rounded)	Partial-Acquisition Remainder Declared Uneconomic Remnant	N/A
(14)FEE-SIMPLE	283	SF	\$1,175(R)		
(15)PERM. DRNGE. ESM'T.					
(16)SLOPE ESM'T.	539	SF	\$2,200(R)		
(17)AIR RIGHTS					
(18)TEMP. CONST. ESM'T.	801	SF	\$1,000(R)		
(19)LNDOWNR IMPRVMTS.			\$3,550		
TOTL ACQUISITIONS			\$7,925		
(20)DAMAGES					
(21)SPECIAL BENEFITS					
NET DAMAGES					
(22)UTILITY ADJUSTMENT					
TOTL LNDOWNR COMP.			\$7,925		
(23)TENANT IMPRVMTS.					
TOTAL TRACT COMPENSATION			\$7,925		

(24)COMMENTS & EXPLANATIONS AS NECESSARY

Any difference due to rounding. According to the appraiser the 3-rail PVC fencing in the acquisition area was originally constructed by the developer of the neighborhood. A section of this fencing is located on the subject tract. This subdivision does not have an active homeowners association and maintenance of this fencing is the responsibility of the property owners. It is assumed it is appropriate to pay the landowner for this item. Please note the reviewer recommends a more in-depth title investigation and/or a legal opinion to accurately assess this situation. The title report provided does not clarify or reference this particular item.

OFFER PREPARED BY: Gary Standifer, MAI, CCIM DATE: 5/15/2015

SIGNATURE OF PREPARER: 

AGENCY AUTHORIZATION BY: 
Date & Signature Of Authorizing Party

**TENNESSEE DEPARTMENT OF TRANSPORTATION
REAL PROPERTY EMINENT DOMAIN
APPRAISAL REVIEW REPORT
(RIGHT OF WAY ACQUISITION)**

This appraisal review has been conducted in accordance with the Scope of Work Rule and Standard 3 of the *Uniform Standards of Professional Appraisal Practice*, as promulgated by the Appraisal Foundation. This review and this review report are intended to adhere to the Standard 3 in effect as of the date of this review was prepared. The appraisal and appraisal report have been considered in light of the Standards 1 & 2 in effect as of the date the appraisal was prepared - not necessarily the effective date of valuation.

The purpose of this technical review is to develop an opinion as to the compliance of the appraisal report identified herein to the *Uniform Standards of Professional Appraisal Practice*, the *Uniform Relocation Assistance & Real Property Acquisition Act*, and the Tennessee Department of Transportation's *Guidelines for Appraisers*; and further develop opinions as to the completeness, accuracy, adequacy, relevance, reasonableness, and appropriateness of opinions presented in the appraisal report as advice to the acquiring agency in its development of a market value offer to the property owner. This review is conducted for the Tennessee Department of Transportation and is the intended user.

City of Spring Hill

All estimates of value prepared for agency acquisitions shall be based on "market value" - as defined and set forth in the Tennessee Pattern Jury Instructions to wit: "the amount of money which a purchaser, willing but under no compulsion to buy, would pay, and which a seller, willing but under no compulsion to sell, would accept, taking into consideration all the legitimate uses to which the property was adaptable and might in reason be applied." Compensations are in compliance with the Tennessee State Rule.

Section (A) Identification & Base Data:

(1) State Project Number: 60LPLM-F2-019 (2) County: Williamson (3) Tract No.: 118
 Federal: STP-M-247(9)
 Pin: 103169.00

(4) Owner(s) of Record: Mark A. and Robin E. Mutz
6034 Saddleview Drive, Franklin, TN 37067

(5) Address/Location of Property Appraised: 2924 Heartside Drive, Spring Hill, Williamson County, TN

(6) Effective Date of the Appraisal: 12/15/14

(7) Date of the Report: 3/25/15

(8) Type of Appraisal: <input type="checkbox"/> Formal	(9) Type of Acquisition: <input type="checkbox"/> Total
:	:
:	:
<input checked="" type="checkbox"/> Formal Part-Affected	<input checked="" type="checkbox"/> Partial

(10) Type of Report Prepared:	(11) Appraisal & Review Were Based On:
:	:
:	:
<input checked="" type="checkbox"/> Appraisal Report	<input checked="" type="checkbox"/> Original Plans (Assumed)
:	:
<input type="checkbox"/> Restricted Appraisal Report	<input type="checkbox"/> Plan Revision Dated: _____

(12) Author(s) of Appraisal Report: Randy Button, MAI, SRA, AI-GRS (CG#03)

(13) Effective Date of Appraisal Review: 5/11/2015

(14) Appraisal Review Conducted By: Gary R. Standifer, MAI, CCIM
STANDIFER & ASSOCIATES, INC.

(15) Ownership Position & Interest Appraised: (Unless indicated herein to the contrary, the appraisal is of a 100% ownership position in fee simple. (Confirm 100% or state the specifics otherwise.))

Ownership Position & Interest Appraised is Fee Simple according to Appraisal Report, Right-of-Way Plans and Title Report.

(16) Scope of Work in the Performance of this Review: (Review must comply with all elements and requirements of the Scope of Work Rule and Standard 3 of USPAP, and must include field inspection (at least an exterior inspection of the subject property and all comparable data relied on in the appraisal report.)) **Development of an independent estimate of value is not a part of this review assignment.**

Upon receipt of the appraisal report, all comparable sales were visually inspected from the public right of way and confirmed using available data services (CRS data and actual courthouse records). Additionally, narrative descriptions (in the Market Data Brochure) of the subject neighborhood/market area were reviewed for accuracy. A field review of the subject property was conducted to verify the descriptions in the appraisal report and to more closely inspect the areas being directly affected by the proposed acquisition. Analyses and conclusions contained within the appraisal report were also reviewed as to their applicability to the subject property, the area being acquired, and to the impact, if any, on the remainder property. Additionally, a search was conducted using the information services noted above to see if any comparable sales had been overlooked by the appraiser. Additionally, listings on the project and in the general area were collected and inspected. The plans and cross sections were obtained from the City of Spring Hill. These plans have been reviewed and compared to the plans and cross sections included and/or referenced in Mr. Button's appraisal report. It is assumed the plans provided by the City of Spring Hill are the most current plans available as of the date of this appraisal review. Having reviewed the appraisal report and available data, this review report has been completed by the review appraiser.

Section (B): Property Attributes:

(1) Total Tract Size as Taken From the Acquisition Table: 0.248 Acres (s)

(2) Does the Appraisal Identify One or More "Larger Parcels" That Differ in Total Size From the Acquisition Table? (If "Yes," what is it and is it justified?)(Explain)(Describe Land)

No.

(3) List/Identify Affected Improvements (If appraisal is "Formal," then all improvements must have been described in the appraisal report and must be listed here. If the appraisal is "Formal Part-Affected," then only those affected improvements should have been described in the appraisal report and listed here.) Listing by Improvement Number & Structure Type is adequate here.)

- | | |
|----------------------------|-----------------------------------|
| 1- <u>3-Rail PVC Fence</u> | 2- <u>Landscaping & Trees</u> |
| 3- _____ | 4- _____ |
| 5- _____ | 6- _____ |
| 7- _____ | 8- _____ |
| 9- _____ | 10- _____ |
| 11- _____ | 12- _____ |
| 13- _____ | 14- _____ |
| 15- _____ | 16- _____ |

Section (C) Valuation Approaches Processed and Reconciled "Before Value" Estimates

Approaches Utilized: Cost Sales Comparison Income

Reconciled Value Estimates (Total Tract or Larger Parcel(s)):

Land: \$44,000

Improvements: \$ 3,550

Total: \$47,550

Comments: **FPA - Assignment**

Section (G) Review Comments

“Before” & “After” Valuation (include Comments for “NO” Responses to Questions 1 - 7 & “YES” Response to Question 8).

(1) Are the conclusions of highest and best use (before & after) reasonable and adequately supported?

Conclusions of highest and best use in the before and after situations appear reasonable and adequately supported. FPA - Assignment.

(2) Are the valuation methodologies (before & after) appropriate?

Valuation methodologies used by the appraiser in the before and after situations are adequate. FPA - Assignment.

(3) Are the data employed relevant & adequate to the (before & after) appraisal problems?

Data employed by the appraiser appears to be relevant and adequate to the before and after situations appraisal problem. FPA - Assignment.

(4) Are the valuation techniques (before & after) appropriate and properly applied?

The valuation techniques in the before and after situations were adequate. FPA - Assignment.

(5) Are the analyses, opinions, and conclusions (before & after) appropriate and reasonable?

Analyses, opinions and conclusions in the before and after situations appear appropriate. FPA - Assignment.

(6) Is the report sufficiently complete to allow proper review, and is the scope of the appraisal assignment broad enough to allow the appraiser to fully consider the property and proposed acquisitions?

The submitted FPA report is sufficiently complete to allow proper review. The scope of this assignment is broad enough to allow the appraiser to fully consider the property as appraised and the proposed acquisition.

(7) Is the appraisal report under review generally compliant with *USPAP*, the *Uniform Act*, and TDOT's *Guidelines for Appraisers*?

The submitted appraisal report appears to be generally compliant with USPAP, the Uniform Act, and TDOT's Guidelines for Appraisers. Please note this was an FPA - Assignment.

(8) Do the general and special “Limiting Conditions and Assumptions” outlined in the appraisal report limit the valuation to the extent that the report cannot be relied on for the stated use?

The general and special “Contingent and Limiting Conditions” in the submitted appraisal report do not limit the appraiser's valuation of the subject property. FPA - Assignment.

Appraisal Report Conclusions – Amounts Due Owner

(a)	Fee Simple:	<u>\$1,152</u>
(b)	Permanent Drainage Easement:	<u> </u>
(c)	Slope Easement:	<u>\$2,194</u>
(d)	Air Rights:	<u> </u>
(e)	Temporary Construction Easement:	<u>\$ 977</u>
(f)	_____	<u> </u>
(g)	Improvements:	<u>\$3,550</u>
(h)	Compensable Damages:	<u> </u>
(i)	Special Benefits:	<u> </u>
(j)	Total Amount Due Owner by Appraisal	<u>\$7,900 (R)</u>

- I DO Recommend Approval of this Report
- I DO NOT Recommend Approval of this Report

Comments:

Mr. Button's value conclusions are approved for the purpose of negotiation. According to the appraiser the 3-rail PVC fencing in the acquisition area was originally constructed by the developer of the neighborhood. A section of this fencing is located on the subject tract. This subdivision does not have an active homeowners association and maintenance of this fencing is the responsibility of the property owners. It is assumed it is appropriate to pay the landowner for this item. Please note the reviewer recommends a more in-depth title investigation and/or a legal opinion to accurately assess this situation. The title report provided does not clarify or reference this particular item.



 Appraisal Review Consultant(s)
Gary R. Standifer, MAI, CCIM

CG-28
 State License/Certification No(s):

- Consultant Staff

5/11/2015
 Date of Appraisal Review Report

Additional Comments:

The reviewer received an electronic copy of Tract 118 appraisal report. Please note, Mr. Button was asked to correct the project numbers within the footers and photographs of his Appraisal Report. It is assumed the corrections were made and the proper Federal and State project numbers are included within the Appraisal Reports submitted. It is assumed the report utilized for the purpose of this appraisal review assignment is the report that has been submitted to the City of Spring Hill and to the owner of the subject parcel. The reviewer has printed the appraisal report received electronically from Mr. Button and retains it in the file for Tract 118.

Section (H) Certification

I certify to the best of my knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.

I have no present or prospective interest in the property that is the subject of the work under review and no personal interest with respect to the parties involved.

I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of the work under review within the three-year period immediately preceding acceptance of this assignment.

I have no bias with respect to the property that is the subject of the work under review or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in this review or from its use.

My compensation for completing this assignment is not contingent upon the development or reporting of predetermined assignment results or assignment results that favors the cause of the client, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal review.

My analyses, opinions and conclusions were developed and this review report was prepared in conformity with the *Uniform Standards of Professional Appraisal Practice* (USPAP). In addition, my analyses, opinions and conclusions were developed and this report has been prepared in conformity with the requirements of the *Code of Professional Ethics* and the *Standards of Professional Practice of the Appraisal Institute*.

I did personally inspect the exterior of the subject property of the work under review.

No one provided significant appraisal or appraisal review assistance to the person signing this certification.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this report, Gary R. Standifer has completed the continuing education program of the Appraisal Institute.



Appraisal Review Consultant(s)

Gary R. Standifer, MAI, CCIM

Consultant

Staff

5/11/2015

Date of Appraisal Review Report

Section (I) Limiting Conditions & Assumptions

This appraisal review report has been made with the following general limiting conditions and assumptions:

- (1) Unless stated herein to the contrary, it is specifically assumed that the author of the appraisal report under review made the required contact with the property owner, and conducted the appropriate inspections and investigations.
- (2) Unless stated herein to the contrary, it is specifically assumed that the right-of-way plans upon which the appraisal was based are accurate.
- (3) Unless stated herein to the contrary, it is specifically assumed that all property (land & improvement) descriptions are accurate.
- (4) Unless stated herein to the contrary, no additional research was conducted by the review appraiser.
- (5) Unless stated herein to the contrary, all specific and general limiting conditions and assumptions outlined in the appraisal report submitted for review are adopted herein.

APPRAISAL REPORT CITY OF SPRING HILL, TENNESSEE

THE PURPOSE OF THIS APPRAISAL IS TO ESTIMATE THE FAIR MARKET VALUE FOR HIGHWAY RIGHT-OF-WAY PURPOSES

1. Name, Address & Telephone Numbers:

<p>(A) Owner: Mark A. & Robin E. Mutz 6034 Saddleview Drive Franklin, TN 37067</p>	<p>(B) Tenant: Steve Mutz (Brother of Owner) 631-943-2688</p>
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(C) Address and/or location of subject: 2924 Heartside Drive, Spring Hill, Williamson County, TN

2. Detail description of entire tract:

The subject site is a trapezoid shaped site with 80.62 rear feet fronting the south side of Duplex Road and a depth of 129.94 feet, containing 0.248 acres or 10,803 SF. The property is mostly level. The site is improved: Improvement 1 is a portion of white 3-rail PVC fencing; Improvement 2 is numerous plantings used for landscaping; Improvement 3 is a single unit residential dwelling that is not impacted by the proposed road project.

3. (A) Tax Map and Parcel No. 167M-E-007.00 **(B) Is Subject in a FEMA Flood Hazard Area? Yes** **No**
If yes, Show FEMA Map/Zone No. _____

4. Interest Acq.: Fee Drainage Easement Construction Easement Slope Easement Other: _____

5. Acquisition: Total Partial

6. Type of Appraisal: Formal Formal Part Affected

Intended Use of Report – This “Formal Part-Affected” appraisal of a 100% ownership position is intended for the sole purpose of assisting the City of Spring Hill, Tennessee in the acquisition of land for right-of-way purposes. This appraisal pursuit excludes those property elements (land and/or improvements) that are not essential considerations to the valuation solution.

This is an appraisal report, which is intended to comply with Standard Rule 2-2(a). As such, it presents only summary discussions of the data, reasoning and analysis that were used in the appraisal process. Supporting documentation that is not provided within the report is retained in the appraiser’s work file or can be obtained from the Market Data Brochure. The depth of discussion contained in this report is specific to the needs of the client.

7. Detail Description of land acquired:

BEGINNING at a point on the south existing right of way line of S.R. 247 (Duplex Road) and being located 32.00 feet right of centerline station 92+96.55; thence with the existing right of way line North 82 deg. 48 min. 28 sec. East for a distance of 68.41 feet to a point being a common corner with Tammy Brown (D.B. 3290 PG. 563); thence with the common line South 00 deg. 03 min. 04 sec. West for a distance of 8.35 feet to a point on the south proposed right of way line of S.R. 247 (Duplex Road); thence with the proposed right of way line South 89 deg. 49 min. 00 sec. West for a distance of 67.86 feet to the Point of **BEGINNING**.

Containing 283 square feet, more or less.

The acquisition area is traingular (68.41 LF along present right-of-way; 8.35 LF moving south along at northeastern most propertyline; 67.86 LF moving west to the point-of-beginning as described above). See Page 1A for description of easements.

8. Sales of Subject: (Show all recorded sales of subject in past 5 years; show last sale of subject if no sale in past 5 years.)

Sale Date	Grantor	Grantee	Book Page	Verified Consideration	How Sale Amount Verified
5/4/2000	Diversified Investments, LLC.	Mark A. and Robin E. Mutz	1994/196	\$126,900	Public Affidavit
Existing Use	Zoning	Utilities Available	Off Site Improvements		Area Lot or Acreage
Residence	R2	Water, Sewer, Electric, Gas, Tele.	Paved Street and Curb		0.248 Acres or 10,803 SF

State Project No. 94092-1224-14 County Maury and Williamson Tract No. 118
Federal Project No. STP/HHP-247 (00) Name of Appraiser Randy Button, MAI, SRA, AI-GRS (CG#03)

ADDITIONAL COMMENTS

7. Detailed description of land acquired: Continued from preceding page.....

Slope Easement

The ROW plans call for a slope easement on the subject site along the south side of the proposed right-of-way. This strip of land has a maximum width of 7 feet and a minimum width of 5 feet, and contains 539 sq. ft., more or less. Described further in Item 24.

Construction Easement

The plans also call for a construction easement containing 801 SF, in effect renting this portion for 3 years (length of construction). The construction easement is an approximate 10 foot wide strip of land running parallel with the right-of-way or slope easement and providing silt control or work space for the road contractors.

9. Highest and Best Use: Before Acquisition)(If different from existing make explanation supporting same.)

In order to estimate an opinion of value for the subject property I needed to determine the highest and best use or “the reasonably probable use of property that results in the highest value” (definition of *highest and best use* in The Appraisal of Real Estate, 14th ed. Chicago: Appraisal Institute 2013, page 332).

The larger parcel issue is the first step in condemnation valuation. Larger parcel includes three considerations: unity of ownership, contiguity, and unity of use. Larger Parcel is an assemblage issue and not a highest and best use analysis. I feel the Larger Parcel is Tract 118 in its entirety.

Considering subject as a Larger Parcel, it is important to identify the conditions that are “reasonably probable” including what is (1) legally permissible on the site, (2) physically possible, and (3) financially feasible. In testing the economic productivity of the site I was able to identify what is (4) maximally productive, and therefore the highest and best use.

(1) Looking at the subject property prior to the proposed acquisition, I found the site to be zoned Medium Density Residential (R2). R2 Districts allow for single-unit residential dwellings with good access to public utilities and facilities. Buildable sites must have a minimum lot area of 10,000 square feet. Restrictions for the Candlewood Subdivision were recorded as “Declarations of Covenants, Conditions and Restrictions for Buckner Crossing Subdivision” in Williamson County, Tennessee Record Book 1489, Page 994-160 (and were later amended in Book 2336, Page 337). These subdivision restrictions originally required a minimum gross living area of 1,250 square feet and a two-car garage. This requirement was the subject of the corrected amendment referenced above). R2 zoning allows a maximum total building area of 35% of the site size. The subdivision restrictions also preclude any multi-family uses. Additionally, no private restrictions, historic controls, or environmental regulations were found to preclude what is permissible under the existing zoning classification. The Spring Hill Comprehensive Plan (June 2011) suggest a Suburban Neighborhood Use for the site. Therefore, I believe reclassification of the site into a classification inconsistent with the current zoning designation is not probable.

(2) Considering the physically possible land attributes, I found that the site had 80.62 rear LF of existing frontage with a depth of approximately 129.94 LF. The site was considered to be mostly level and suitable for residential development. The site also has public water, sewer, gas, electric, and telephone utilities in place and is not located in the flood zone according to FEMA flood maps making a residential use physically possible.

(3) In determining uses for the site that meet both the legally permissible and physically possible criteria, I narrowed the potential uses that would be financially feasible. Considering the zoning and subdivision restrictions for the development of only single unit residential dwellings, low number of days on the market, and the volume of construction of single unit residential dwellings, I believe the development of a single unit residential unit would appear to be a viable and attractive use for the land. Considering the fact that the neighborhood itself is fully developed, a residential use development on the site (if vacant) is considered appealing to a developer. Therefore, I believe that a residential use for the land provides the highest land value commensurate with the development cost associated with the market’s acceptance of risk. The total area for the site was 10,803 SF which would allow for the development of a residential dwelling with a minimum of 1,250 square feet (to conform to neighborhood standards) and a maximum of 3,781 square feet. I believe the most appealing uses for the site, considering its access and visibility, is for the site to be developed with a residential use.

(4) Considering the subject site's location and legal constraints, its only practical use is for the land to be developed with a residential use. Considering the preceding factors, it is concluded that the *highest and best use* of the subject site, as if vacant, is for the land to be developed with a single unit residential dwelling.

Highest and Best Use As-Improved:

The subject property is currently improved with a single-unit residential dwelling that appeared in good condition. After considering the possible alternative uses for the existing facility, I am of the opinion that the existing single unit residential dwelling represents the highest and best use to the land and improvements.

This Appraisal Is Based On Original Plans	X	Or Plan Revision		Dated: March 1, 2103
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OTHER IMPROVEMENTS

11.

Structure No. 1 No. Stories N/A Age 7 EA Function Fencing
 Construction PVC Condition Average Linear Ft. 35
 Reproduction Cost \$455 Depreciation \$213 Indicated Value \$ 250 [R]

OTHER COMMENTS AND EXPLANATION OF REPRODUCTION COST AND DEPRECIATION:

Improvement 1 is a 35 LF portion of 3-rail PVC fencing located on the subject tract. The improvement was originally constructed by the subdivision developers. The subdivision does not have an active homeowners association and the maintenance of the fencing is the responsibility of the property owners. I reviewed the restrictive covenants (Book 1489/Page 994) and found no mention of the improvement or who was intended to maintain improvements. Therefore, the value of the portion of the improvement that was located on the subject tract was calculated using an estimate obtained from Franklin Fence and Deck. A 3-rail PVC fence is estimated to have an economic life of 15 years.

$\$13.00 \text{ LF} \times 35 \text{ LF} = \$455 - \$213 (\$455 \times 47\% \text{ depreciation} = \$213) = \$242 = \mathbf{\$250 \text{ rounded}}$

The fencing is decorative and largely located within the right-of-way. Therefore, no cost-to-cure was applied.

Structure No. 2 No. Stories N/A Age N/A Function Landscaping
 Construction Various Condition Average Sq. Ft. Area N/A
 Reproduction Cost \$3,300 Depreciation \$0 Indicated Value \$ 3,300

OTHER COMMENTS AND EXPLANATION OF REPRODUCTION COST AND DEPRECIATION:

The following landscaping estimates were obtained from Bates Nursery (Nashville, TN) and were applied to the subject plantings in order to estimate a replacement cost. There were 15 large/mature Leyland Cypress trees that I made a site estimate of \$200/each as I was unable to find such large trees being offered for sale (6-7 foot trees are typically \$100/each). The following chart itemizes these plantings and the total value for the landscaping that will be impacted by the slope easement:

Plant	Value	Count	Total
Mature Leyland Cypress	\$200/Ea.	15	\$3,000
Rhododendron	\$40/Ea.	4	\$160
Festive Red Holly	\$140/Ea.	1	\$140
		Total	\$3,300

Structure No. _____ No. Stories _____ Age _____ Function _____
 Construction _____ Condition _____ Sq. Ft. Area _____
 Reproduction Cost _____ Depreciation _____ Indicated Value \$ _____

OTHER COMMENTS AND EXPLANATION OF REPRODUCTION COST AND DEPRECIATION:

Summary of Indicated Values **\$ 3,550**

State Project No. 94092-1224-14 County Maury and Williamson Tract No. 118
 Federal Project No. STP/HHP-247 (00) Name of Appraiser Randy Button, MAI, SRA, AI-GRS (CG#03)

SALES COMPARISON APPROACH

14. LAND VALUE ANALYSIS

(A) ANALYSIS OF COMPARABILITY (Insert Comp. Sale No's. from Brochure or Attachments)

Inspection Date: 12/15/2014		SALE NO. <u>RL-4</u>		SALE NO. <u>RL-8</u>		SALE NO. <u>RL-15</u>	
CASH EQUIVALENT Sales Price		\$54,000		\$42,500		\$36,500	
Date of Sale	# of Periods	3/27/2013	21	5/7/2014	7	4/18/2014	8
% Per Period	Time Adjustment	0.38%	\$4,296	0.38%	\$1,195	0.38%	\$1,114
Sales Price Adjusted for Time		\$58,296		\$43,695		\$37,614	
Proximity to Subject		1.2 mi		3.9 mi		3.8 mi	
Unit Value Land Per Lot:		\$58,296		\$43,695		\$37,614	
Elements	SUBJECT	Descriptions	(+)(-) Adj.	Descriptions	(+)(-) Adj.	Descriptions	(+)(-) Adj.
Location	Candlewood	Dakota Pointe		Port Royal Estates		Royalton Woods	
Size	10,803 SF	10,322 SF		8,464 SF		11,763 SF	
Shape	Rectangular	Irregular		Trapezoid		Irregular	
Site/View	Street	Street		Street		Street	
Topography	Sloping	Level		Rolling		Level	
Access	Average	Average		Average		Average	
Zoning	R-2	R-2		R-2/PUD		R-2	
Utilities Available	Water/Sewer Elec., Gas	Water/Sewer Elec., Gas		Water/Sewer Elec., Gas		Water/Sewer Elec., Gas	
Encumbrances Easements, Etc.	Typical	Typical		Typical		Typical	
Off-Site Improvements	Paved Curbed St.	Paved Streets Curb and Gutters		Paved Street, Curb, Sidewalk, Gutters		Paved Street, Curb, Sidewalk, Gutters	
On-Site Improvements	None	None		None		None	
Other:							
NET ADJUSTMENTS		+ \$0		+ \$0		+ \$0	
ADJUSTED UNIT VALUE		\$58,296		\$43,695		\$37,614	

INDICATED VALUE OF SUBJECT LAND FOUND ON FOLLOWING PAGE:

Comments:

The range of values per lot for the three sales used were from: \$ 37,614 to \$ 58,296 per Lot.

The mean value based upon the sales applied to this analysis is \$46,535/Lot. The most weight was given toward sale RL-8 with consideration given to the recent lot sales and active listings located in both Port Royal Estates and Laurels at Town Center

Based upon the available sales information the estimated per lot value is \$44,000/Lot for the entire subject site.

ADDITIONAL COMMENTS

14. LAND VALUE ANALYSIS: (Continued from preceding page.....)

My research uncovered a number of vacant residential lot sales. The three sales applied in this analysis were located in three separate neighborhoods: Dakota Pointe, Port Royal Estates, and Royalton Woods. The three sales ranged in size from 8,464 SF to 11,763 SF, exhibiting a mean of 10,183 SF, which brackets the subject tract, which was found to contain 10,803 SF. The three sales occurred between March 2013 and May 2014.

The subject tract is located in the Candlewood Subdivision, which was developed around 1997. The lot sizes are typically around 10,500 SF though some are as large as 15,000 SF. The subdivision is fully developed with 1-story and 1-1/2 story homes. Finished homes built when the subdivision was originally developed have been selling in the \$180,000's. However, because the subject's subdivision is fully developed, no vacant residential lot sales were available. For that reason, my research focused on residential land sales that were near the subject site and in subdivisions where new homes are similar to the improvements within Candlewood.

Sale RL-4 is the oldest sale used in the analysis. This sale occurred in Dakota Pointe, which typically exhibits finished home sales between \$280,000 and \$350,000. This sale is located within Williamson County and has similar sized lots as the subject tract. Sale RL-4 also has frontage along Buckner Lane, a busy thoroughfare, giving it some similarity to the subject in terms of location along a main traffic artery within the city. Overall, the subject neighborhood is not considered to have the potential to support finished home values in the \$300,000 and up range at this time. Therefore, this sale is considered superior to the subject neighborhood.

RL-8 is located in a neighborhood that I believe to be similar to the subject. This sale is in Port Royal Estates which is located in a neighboring subdivision located south of the subject and is accessed from Port Royal Road. This subdivision is found in both Maury and Williamson Counties. Vacant land sales within the subdivision are selling at \$42,500 per residential lot in both counties. This was confirmed with the developer, Celebration Homes, LLC, who is actively developing lots within the Williamson County portion of the subdivision with finished homes ranging between \$230,000-\$265,000. This subdivision is located directly south of the subject and is considered significantly similar to the subject tract in terms of overall market appeal and development potential.

Sale RL-15 is located south of the Saturn Parkway, at the intersection of Port Royal Road and Kedron Road, in the Royalton Woods subdivision. This is a subdivision that began development prior to the recession. Lots are consistently selling for \$36,500 per residential lot and finished homes are selling in the \$250,000's. Larger homes built before 2007 sold near \$400,000 (at that time) and had lot values near \$56,000. Due to the inferior proximity to the subject tract and inferior linkage to the area amenities on Main Street/Columbia Pike and Port Royal Road, this sale is considered to represent the bottom of the acceptable value range for the subject tract.

My research suggest that newer homes within Spring Hill are selling for higher prices than the 15-20 year old homes within the Candlewood Subdivision. I believe that if a vacant lot were to be developed within the subject neighborhood the finished home values would be most similar to those presently occurring in the Port Royal Estate Subdivision. RL-8 sold for \$42,500/lot as did many other lots within this subdivision regardless of their location within Maury or Williamson County, suggesting the overall potential finished home value was the driving market force behind lot values. Similar lot values were also observed in the Reserve at Port Royal (\$45,000/lot) and the Laurels at Town Center (\$42,500/lot).

Lot values appear to go up based upon the finished value of the homes, as exhibited in Sale RL-4. The Royalton Woods subdivision is considered to have overall market appeal and is considered less similar to the subject in terms of location. However, Sale RL-15 is believed to illustrate the lowest value that could be expected of the subject tract.

As a result, I believe the subject tract should fall near the adjusted value to Sale RL-8, which is considered the most similar to the subject tract. The greatest support for values were exhibited in Sale RL-8 and the other sales and active listings within the Port Royal Estate and Laurels at Town Center. Therefore, I believe the most reasonable value for the subject lot, as of the date of my inspection, to be near \$44,000/Lot.

Subject Lot Value: \$44,000

Subject Square Foot Value: \$4.07/SF

(\$44,000 / 10,803 SF = \$4.07/SF)

Note: The square foot value of the subject site will be applied in the following analysis because this reflects the unit measurement being applied to the acquisition areas.

State Project No. 94092-1224-14 County Maury and Williamson Tract No. 118
 Federal Project No. STP/HHP-247 (00) Name of Appraiser Randy Button, MAI, SRA, AI-GRS (CG#03)

CITY OF SPRING HILL, TENNESSEE

ITEM 17. EXPLANATION and/or BREAKDOWN OF LAND VALUES

(A) VALUATION OF LAND:

LAND	<u>1</u> Lot	S.F. <input type="checkbox"/>	F.F. <input type="checkbox"/>	Acre <input type="checkbox"/>	Lot <input checked="" type="checkbox"/>	@	<u>\$44,000</u>	(Average) Per Unit =	<u>\$44,000</u>
LAND		S.F. <input type="checkbox"/>	F.F. <input type="checkbox"/>	Acre <input type="checkbox"/>	Lot <input type="checkbox"/>	@		(Average) Per Unit =	<u>\$0</u>
LAND		S.F. <input type="checkbox"/>	F.F. <input type="checkbox"/>	Acre <input type="checkbox"/>	Lot <input type="checkbox"/>	@		(Average) Per Unit =	<u>\$0</u>
LAND		S.F. <input type="checkbox"/>	F.F. <input type="checkbox"/>	Acre <input type="checkbox"/>	Lot <input type="checkbox"/>	@		(Average) Per Unit =	<u>\$0</u>
								Total	<u>\$44,000</u>

REMARKS: The value indication for the subject land was rounded to \$44,000

18. APPROACHES TO VALUE CONSIDERED:

(A) Indicated Value of	<input type="checkbox"/> Entire Tract	<input checked="" type="checkbox"/> Part Affected	from SALES COMPARISON APPROACH	<u>\$44,000</u>
(B) Indicated Value of	<input type="checkbox"/> Entire Tract	<input type="checkbox"/> Part Affected	from COST APPROACH	<u>N/A</u>
(C) Indicated Value of	<input type="checkbox"/> Entire Tract	<input type="checkbox"/> Part Affected	from INCOME APPROACH	<u>N/A</u>

RECONCILIATION: (Which approaches were given most consideration?)(Single-point conclusion should be reasonably rounded)

For the purpose of valuing the subject property the Sales Comparison Approach was processed. The Income Capitalization Approach has been considered, however, it has not been processed within this report because most vacant residential land in the market is not leased. The land sales used in this analysis are recent, arm's-length transaction, considered to reflect the present market conditions for vacant residential lots in similar subdivisions with comparable finished home values. The value indication by the Sales Comparison Approach was \$44,000. In Item 11 of the report, there were two improvements calculated to have a value of \$3,550. The value of the improvements in Item 11 were added to the land value calculated in the Sales Comparison Approach for a combined value of \$47,550. Therefore, I estimate the value for the subject property and the effected improvements to be near \$47,550.

19. FAIR MARKET VALUE	of <input type="checkbox"/> Entire Tract	<input checked="" type="checkbox"/> Part Affected	<u>\$47,550</u>
(A) TOTAL AMOUNT DUE OWNER	if <input type="checkbox"/> Entire Tract	<input checked="" type="checkbox"/> Part Affected Acquired	<u>\$7,900</u>
(B) AMOUNT ATTRIBUTABLE TO:	Land	<u>\$44,000</u>	Improvements <u>\$3,550</u>

REMARKS: Value of Improvements: \$ 3,550

Improvement 1: \$ 250
Improvement 2: \$ 3,300

PARTIAL ACQUISITION

20.

VALUE OF ENTIRE TRACT ...*(Amount in Item 19 carried forward)*..... \$47,550

AMOUNT DUE OWNER IF ONLY PART ACQUIRED (Detail breakdown)

A. Land Acquired (Fee)	283	S.F.	<input checked="" type="checkbox"/>	Ac.	<input type="checkbox"/>	@	\$4.07	=	\$1,152
Land Acquired (Fee)		S.F.	<input type="checkbox"/>	Ac.	<input type="checkbox"/>	@	\$0.00	=	\$0
Drainage Easement		S.F.	<input type="checkbox"/>	Ac.	<input type="checkbox"/>	@	\$0.00	=	\$0
* Slopes Acquired	539	S.F.	<input checked="" type="checkbox"/>	Ac.	<input type="checkbox"/>	@	\$4.07	=	\$2,194
* Construction Easement	801	S.F.	<input checked="" type="checkbox"/>	Ac.	<input type="checkbox"/>	@	\$1.22	=	\$977
B. Improvements Acquired: <i>(Identify)</i> Imp. #1: \$250; Imp. #2: \$3,300									\$3,550
C. Value of Part Acquired Land and Improvements (Sub-Total).....									\$7,873
D. Total Damages <i>(See Explanation, Breakdown and Support on Sheet 2A-9)</i>									\$0
E. Sum of A, B, and D.....									\$7,873
F. Benefits: <i>(Explain and deduct from D. Amount must not exceed incidental damages)</i>									\$0
G. TOTAL AMOUNT DUE OWNER; if only part is Acquired.....									\$7,873
TOTAL AMOUNT DUE OWNER (ROUNDED).....									\$7,900

ITEM 21. VALUE OF REMAINDER

(See 2A-9 for Documentation of Remainder Value)

A. LAND REMAINDER

	S.F.	Ac.	@	Amount Per Unit		Damages		Remaining Value
				Before Value	After Value	%	\$	
Left Remainder	<input type="checkbox"/>	<input type="checkbox"/>	@				\$0	\$0
	<input type="checkbox"/>	<input type="checkbox"/>	@				\$0	\$0
Right Remainder	10,520	<input checked="" type="checkbox"/>	@	\$4.07	\$4.07		\$0	\$42,848
	<input type="checkbox"/>	<input type="checkbox"/>	@				\$0	\$0
	<input type="checkbox"/>	<input type="checkbox"/>	@				\$0	\$0
REMAINDER VALUE OF LAND.....								\$42,848
LESS AMOUNT PAID FOR EASEMENTS IN ITEM 20A (Above).....								\$3,171
LESS COST-TO-CURE (Line 20-D).....								\$0
TOTAL REMAINDER VALUE OF LAND.....								\$39,677

B. IMPROVEMENTS REMAINING	Before Value	Damages		Remaining Value
		%	\$	
Improvement No.				
REMAINDER VALUE OF IMPROVEMENTS.....				\$0
LESS FENCING ACQUIRED.....				\$0
TOTAL REMAINDER VALUE OF LAND AND IMPROVEMENTS.....				\$39,677
TOTAL REMAINDER VALUE OF LAND AND IMPROVEMENTS (ROUNDED).....				\$39,650

REMARKS:

* 20A: The value of this slope easement has been estimated at +/- 100% of the fee value due to the wall. The value of the construction easement has been estimated based on +/- 30% of the fee value. See Item 24 for further explanation.

SUMMARY OF REMAINDER

APPRAISERS DESCRIPTION OF REMAINDER AND EXPLANATION OF DAMAGES OR BENEFITS

(Supplement to Items 20 and 21, Pages 2A-8)

23. HIGHEST AND BEST USE AFTER ACQUISITION:

(1) Upon completion of the proposed road project, the subject site will still be zoned Medium Density Residential (R2) with nothing found to preclude what is permissible under the existing zoning classification. The Spring Hill Comprehensive Plan (adopted June 2011) suggest a Suburban Neighborhood Use for the site. Therefore, I believe reclassification of the site into a classification inconsistent with the existing classification is not probable.

(2) Considering the physically possible land attributes, I found the site post-construction to have 79.98 rear LF of frontage with a depth of approximately 129.94 LF. The site was considered to be level and suitable for a single unit residential development. Post-construction, the site will be impacted by a slope easement running along the rear portion of the lot and meeting a retaining wall. The residence's nearest living wall is located approximately 45LF from the closest portion of the slope and is located 55 LF from the proposed wall. This will not impede the utility of the site. The subject's residential improvement will continue to be located on a lot greater than 10,000 square feet and will exceed rear set back requirements. Therefore, the proposed changes are not expected to change the site's overall utility of present use. The site also has public water, sewer, gas, electric, and telephone utilities in place and is not located in the flood zone according to FEMA flood maps, making a residential use physically possible.

(3) In determining uses for the site that meet both the legally permissible and physically possible criteria, I narrowed the potential uses that would be financially feasible. I believe a residential use for the land provides the highest land value commensurate with the development cost associated with the market's acceptance of risk. The total area for the site post-construction will be 10,520 SF, which is adequate for the development of a residential building.

(4) Considering the subject site's location and legal constraints, the only practical use is for the land to be developed with a residential use. Considering the preceding factors, it is concluded that the *highest and best use* of the subject site, as if vacant, is for the land to be developed with a single unit residential dwelling.

Highest and Best Use As-Improved:

The subject property is currently improved with a single unit residential dwelling that is in average condition. After considering the possible alternative uses for the existing facility, I am of the opinion that the existing single unit dwelling represents the present highest and best use of the site in the present "as is" condition.

24. DESCRIBE REMAINDER (S):

The remainder will have essentially the same shape and topography as before the acquisition, excluding the slope area. The fee acquisition does reduce the subject to 97.4 % of the size of the tract before the acquisition and makes the new tract shape rectangular. The permanent slope easement does not further reduce the size of the tract and is not considered to reduce the utility due to the size of the lot. However, the slope easement does reduce the utility of the area being sloped. The proposed slope easement will be on a 1:1 slope and will slope into a retaining wall. The top of the retaining wall will only slightly be higher than the grade of the land. The closest distance between the proposed slope and the closest living wall is approximately 45 LF and will be 55 LF from the wall. Present zoning for the subject property calls for a rear setback of 25 LF. However, I do believe the slope removes any value or utility to the affected slope area due to the 1:1 slope ratio and presence of the wall. Therefore, I estimate the value of the impacted slope area to be 100% of market value and the remaining slope area is not believed to have any contributory value to the remaining sight. Additionally, no damages to remaining improvements are believed to exist since the improvements are legally conforming, post-construction.

Post-construction, the rear lot will continue to backup to Duplex Road. The new roadway will have two traffic lanes plus a center turning lane (12 feet wide/each), making the new roadway approximately 36 feet wide. The right-of-way will generally be located approximately 19 LF from the asphalt along the north side of the road (project left) and will have a 9 LF wide shared-use path. The right-of-way will be located approximately 12 LF from the asphalt along the south side of the road (project right) and will have a 5 LF wide sidewalk. Each side of the road will have a concrete curb and gutter system which will capture rainwater runoff and dispose of the water without causing issues to any existing or potential improvements. Slope easements along the entire project do not typically exceed a 2:1 ratio.

SUMMARY OF REMAINDER

24. DESCRIBE REMAINDER (S): (Continued.....)

The remainder will have a depth of 129.94 LF and the proposed right-of-way will be located approximately +/- 55 LF from the closest living wall of the subject's single unit residential dwelling.

As shown in the following chart, the new roadway will generally be below grade in relation to the subject site. This is because the plans call for the hill (Duplex Road) located near the intersection with Port Royal Road to be cut 8-9 feet near station 90+25.00. Post-construction the site will contain 10,520 SF and will be zoned R2 District, which allows for the development of a single unit residential dwelling on the remainder site. As described above and in Item 9 of this report, there is minimal demonstrated demand for the development of units, other than single unit dwellings. The plans call for a retaining wall along the south side of Duplex Road (north property line of subject tract). The proposed wall is approximately 450 feet in length. The wall itself will vary in height from 3-10 feet. The following chart illustrates the height of the retaining wall at each station along near the subject tract (all figures below are indicated in feet):

Centerline Station	Height of Wall	Height of Wall Above Grade of Yard	Depth of Slope Cut	Grade of Slope Cut	Distance from Slope to Wall
89+50.00	8	1	7	> 1:1	6
90+00.00	9	2	7	> 1:1	5
90+50.00	10	2	8	> 1:1	7
91+00.00	10	2	8	> 1:1	7
91+50.00	9	1	8	> 1:1	6
92+00.00	7	+/- 1	7	> 1:1	5
92+50.00	7	1	6	1:1	5
93+00.00	6	1	5	1:1	4
93+50.00	6	1	5	1:1	4
94+00.00	3	+/- 1	3	1:1	2

The following chart illustrates the elevation of the new roadway and grade of the slope easements.

Duplex Road Center Line Station	Fill (Cut) at Centerline (Feet)	Fill (Cut) at Right Shoulder (Feet)	Remarks
92+50.00	(1)	(4)	Wall
92+84.43 (Begin)	--	--	--
93+00.00	0	(3)	Wall
93+50.00	1	(3)	Wall
93+64.45 (End)	--	--	--
94+00.00	1	0	End of Wall

Slope Easement: A slope easement is a non-possessory acquired interest in land that provides the city the right to use a portion of the tract for the purpose of building up (fill) or removing land (cut) in order to establish the proper grade for a public right-of-way. This restrictive covenant is established for public use and runs with the land, thereby restricting the owner's bundle of rights. The proposed slope is a cut slope that lands into a proposed wall. This will eliminate any utility of the sloped area. Therefore, I estimate the value of the slope easement and its impact on the site to be 100% of the before value of the land.

Construction Easement: On December 17, 2014, the Federal Reserve Prime Interest Rate yield was 3.25%. TDOT is required by statute to pay 2% in excess of the Federal Reserve Prime Interest Rate to a property owner on any award above that posted on the date of acquisition. The current [December 2014] TDOT rate is 5 ¼ %. I have used a 10% rate of return per year, for an estimated 3-year construction period, as the appropriate return on the land for use as a construction easement. This equals a rate of 30% over the assumed 3-year construction period.

SUMMARY OF REMAINDER

24. DESCRIBE REMAINDER (S): (Continued.....)

Improvements Acquired: This appraisal is a formal part affected report. The improvements impacted by the project were valued and improvements not impacted by the project were not valued. There were a total of two improvements impacted by the project: (1) 3-rail PVC decorative fence; (2) multiple landscaping. The calculations for these value estimates for these improvements are detailed in Item 11. The following chart illustrates the before and after values of each improvement:

	Before Value	Damages (%)	Remainder Value	Damages or Cost-to-Cure
Improvement 1	\$250	-	-	-
Improvement 2	\$3,300	-	-	-
Land	\$44,000	-	\$39,677	-
Total	\$47,550	-	\$39,650[R]	\$0

There were no cost-to-cure items.

25. Amount of DAMAGE This Page To--2A-8, Item 20-D _____ \$0
 (A) Amount of BENEFITS This Page To--2A-8, Item 20-F _____ \$0

State Project No. 94092-1224-14 County Maury and Williamson Tract No. 118
 Federal Project No. STP/HHP-247 (00) Name of Appraiser Randy Button, MAI, SRA, AI-GRS (CG#03)

PHOTOGRAPHS

26.

An adequate number of photographs of all improvements acquired or damaged or of land showing and unusual features shall be included in each appraisal. **(Even though there are no unusual features that would affect the land value, a minimum of one photograph is required of vacant land.)** Each photograph shall be properly identified on the front or back with unalterable identification showing the following: PROJECT NUMBER, TRACT NUMBER, SUBJECT, and DATE PICTURE TAKEN.



60LPLM-F2-019
STP-M-247 (9)
TRACT #118
SUBJECT
12/15/2014
APPROXIMATE
ACQUISITION AREA
CONSTRUCTION
AND SLOPE
EASEMENT



60LPLM-F2-019
STP-M-247 (9)
TRACT #118
SUBJECT
12/15/2014
APPROXIMATE
ACQUISITION AREA
CONSTRUCTION
AND SLOPE
EASEMENT



60LPLM-F2-019
STP-M-247 (9)
TRACT #118
SUBJECT
12/15/2014
IMPROVEMENT #2

PHOTOGRAPHS

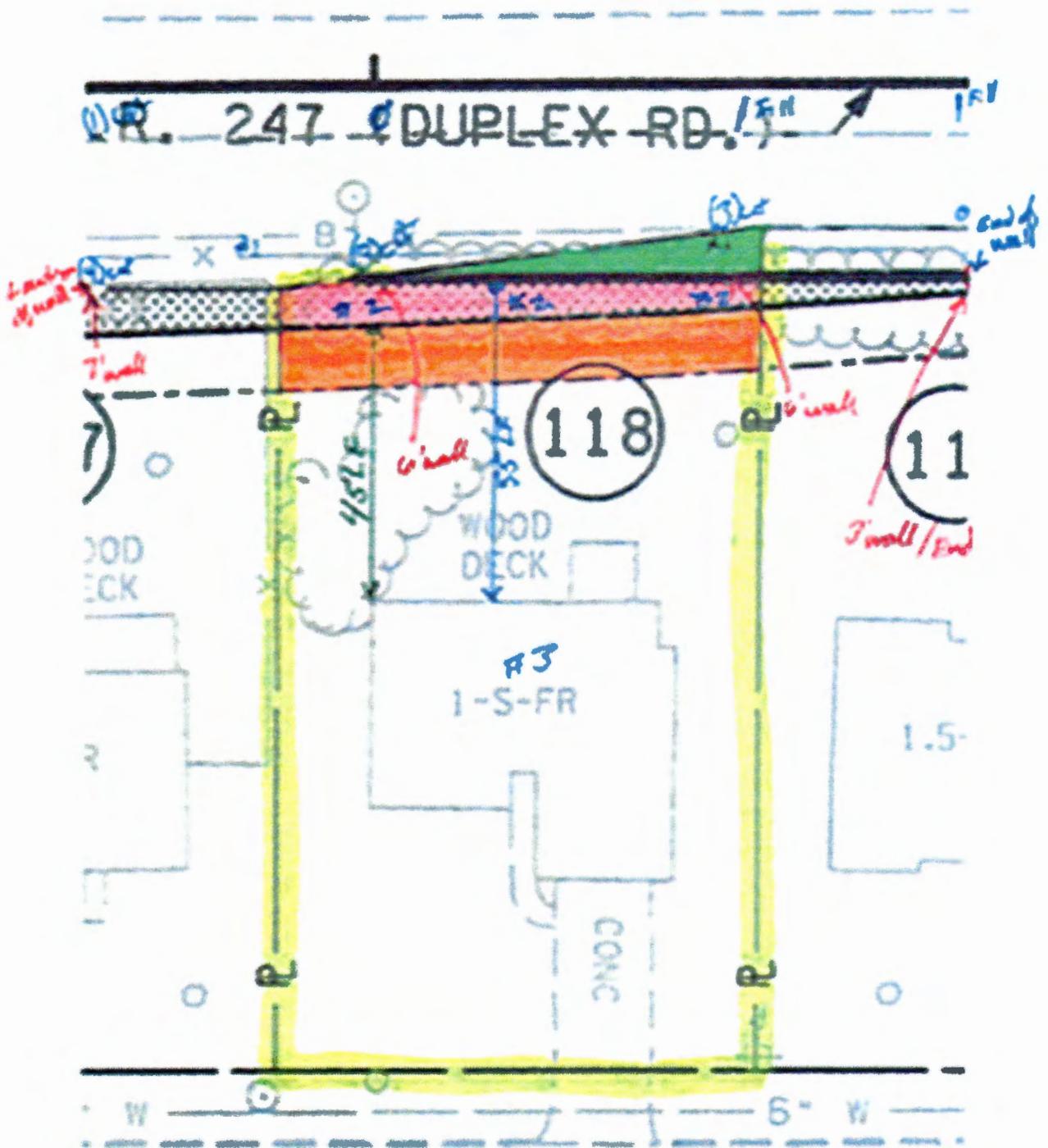
26.

An adequate number of photographs of all improvements acquired or damaged or of land showing and unusual features shall be included in each appraisal. **(Even though there are no unusual features that would affect the land value, a minimum of one photograph is required of vacant land.)** Each photograph shall be properly identified on the front or back with unalterable identification showing the following: PROJECT NUMBER, TRACT NUMBER, SUBJECT, and DATE PICTURE TAKEN.



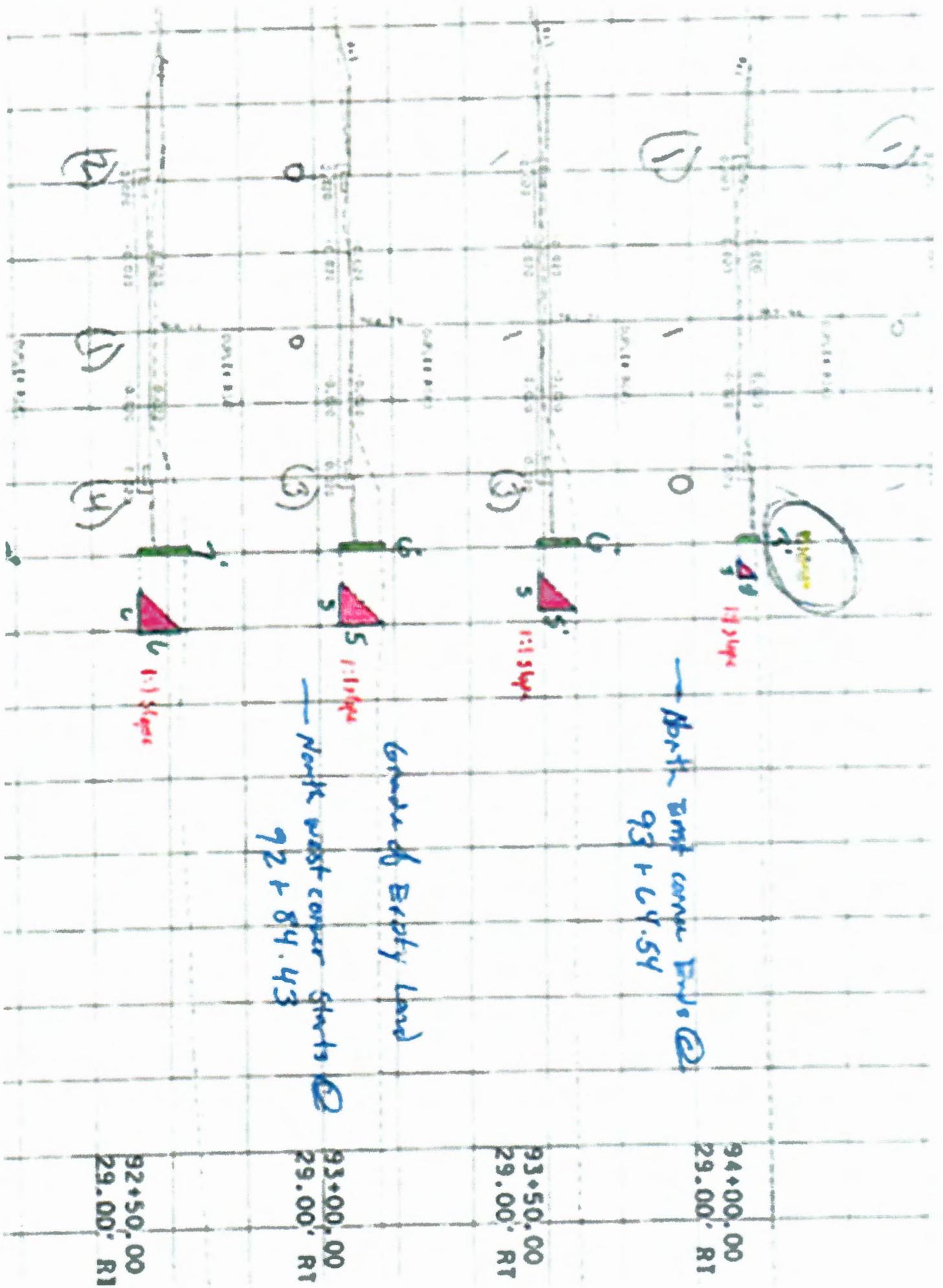
60LPLM-F2-019
STP-M-247 (9)
TRACT #118
SUBJECT
12/15/2014
IMPROVEMENT #1

RIGHT-OF-WAY MAP



- Remainder
- Slope Easement
- Construction Easement
- Acquisition Area

CROSS-SECTIONS



PURPOSE OF APPRAISAL

The purpose of the appraisal is to estimate the amount due the property owner as a result of acquisition of all, or a portion of, the property for a proposed highway right-of-way project. The value estimate in this report is based on market value. See "Definition of Market Value" below.

DEFINITION OF MARKET VALUE

All estimates of value prepared for agency acquisitions shall be based on "market value" –as defined and set forth in the *Tennessee Pattern Jury Instructions 2nd Edition* to wit: "the amount of money which a purchaser, willing but under no compulsion to buy, would pay, and which a seller, willing but under no compulsion to sell, would accept, taking into consideration all the legitimate uses to which the property was adaptable and might in reason be applied".

PROPERTY RIGHTS APPRAISED

Basic underlying property rights considered herein are those of a 100% ownership position in Fee Simple, defined as: "absolute ownership, unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat." *The Appraisal of Real Estate, 14th ed. Chicago, IL.*

The proposed acquisition consists of a fee acquisition and/or easement rights for the proposed construction of a highway. The easement rights, if any, consist of the acquisition of less than fee simple title and in these cases the extent of the property rights conveyed have been considered in arriving at the estimate of value.

Any and all liens have been disregarded. The property is assumed to be free and clear of all encumbrances except easements or other restrictions as noted on the title report or during physical inspection of the property and mentioned in this report.

INTENDED USE

The intended use of this appraisal is to assist the City of Spring Hill in Right-of-Way acquisition or disposition.

INTENDED USER

The intended user of this report is the City of Spring Hill.

NOTE: If this appraisal is limited to the area affected by the acquisition for the proposed project and consists of only a part of the whole property, the value for the portion appraised cannot be used to estimate the value of the whole by mathematical extension.

Plans for the proposed construction, including cross sections of cuts and fills for the subject property, have been considered in arriving at the estimates of market value.

SCOPE OF WORK

The City of Spring Hill has requested an appraisal to estimate the market value of the property described herein for the purpose of acquisition or disposition. In accordance with the client's request, appropriate/required inspections and investigations have been conducted to gain familiarity with the subject of this report and the market in which it would compete if offered for sale.

Reliable data-subscription services have been utilized as the primary search tool for transfers of vacant land as well as improved properties. Deeds have been read and interviews with property owners and project-area real estate professionals conducted to the extent necessary to gain clarity and market perspective sufficient to develop credible opinions of use and value. Where construction costs are an integral part of the valuation pursuit, national cost services have been employed, but supplemented by local suppliers and contractors where necessary.

Applicable and customary approaches to value have been considered. Each of the traditional approaches to value has been processed or an explanation provided for the absence of one or more in the valuation of the subject property. For acquisition appraisals, furnished Right-of-Way plans have been utilized to visualize the property in an after-state where there is a remainder. Damages and/or special benefits have been considered for all remainders. As well, for acquisition appraisals, a "Formal" appraisal includes all real property aspects of the "Larger Parcel" as defined in this report or the tract as shown on the right-of-way plans, in the acquisition table, or extant on the ground at the time of inspection or date of possession. A "Formal Part-Affected" appraisal generally constitutes something less than a consideration of the entire tract, but in no way eliminates appropriate analyses, or diminishes the amount due owner had a "Formal" appraisal been conducted.

ATTACHMENTS

Sales information and/or other pertinent information, which is part of this appraisal report and referenced in the text of this appraisal, can be found:

- attached at the end of this report.
- in a related market data brochure prepared for this project and which becomes a part of this report.

SCOPE OF WORK (Continued)

Acquisition appraisals are conducted in accordance with Tennessee’s State Rule which asserts that the part acquired must be paid for and that special benefits can only offset damages. Further, the public improvement project or its anticipation cannot be considered in the “before” value estimate; however, when there is a “remainder”, the public improvement project must be considered as to its influence on said remainder.

GENERAL LIMITING CONDITIONS & ASSUMPTIONS

This appraisal report has been made with the following general limiting conditions and assumptions:

- (1) The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
- (2) Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purposes by any person other than the party to whom it is addressed without the written consent of the appraiser and in any event, only with proper written qualification and only in its entirety.
- (3) The appraiser herein by reason of this appraisal is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
- (4) Neither all nor any part of the contents of this report (*especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected*) shall be dismissed to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.
- (5) The value estimate is based on building sizes and land areas calculated by the appraiser from exterior dimensions taken during the inspection of the subject property.
- (6) No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
- (7) The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
- (8) Responsible ownership and competent property managements are assumed.
- (9) The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
- (10) All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
- (11) It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
- (12) It is assumed that there is full compliance with all-applicable federal, state and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
- (13) It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless nonconformity has been stated, defined, and considered in the appraisal report.
- (14) It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
- (15) It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
- (16) Unless otherwise stated in this report, the appraiser did not observe the existence of hazardous material, which may or may not be present on the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, area-formaldehyde, foam insulation, or other potentially hazardous materials may affect the value of the property. The value estimate is predicted on the assumption that there is no additional materials on the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them or the costs involved to remove them. The appraiser reserves the right to revise the final value estimate if such substances are found on or in the property.
- (17) The public improvement project or its anticipation cannot be considered in the “before” value estimate; however, when there is a “remainder”, the public improvement project must be considered as to its influence on said remainder(CFR, Title 49, Subtitle A, Part 24, Subpart B, Sec. 24.103(b)).
- (18) This appraisal contains a hypothetical condition that the subject roadway project will be constructed according to plans and cross sections referenced in this report. The use of this hypothetical condition might have affected the assignment results.
- (19) Applicable to Formal Part-Affected type of appraisal – when all the land area and/or all improvements are not appraised this is considered a hypothetical condition. The use of this hypothetical condition might have affected assignment results.

State Project No. 94092-1224-14 County Maury and Williamson Tract No. 118
Federal Project No. STP/HHP-247 (00) Name of Appraiser Randy Button, MAI, SRA, AI-GRS (CG#03)

CERTIFICATE OF APPRAISER

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

- (1) That I have made a personal inspection of the property that is the subject of this report and that I have also made a personal field inspection of the comparable sales relied upon in making said appraisal. The subject and the comparable sales relied upon in making said appraisal were represented by the photographs contained in said appraisal and/or market data brochure.
- (2) The statements of fact contained in this appraisal are true and correct.
- (3) The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, unbiased professional analysis, opinions, and conclusions.
- (4) That I understand that said appraisal is to be used in connection with the acquisition of right-of-way for a highway to be constructed by the City of Spring Hill with without , the assistance of Federal-aid highway funds, or other Federal funds.
- (5) That such appraisal has been made in conformity with the appropriate State laws, regulations and policies and procedures applicable to 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 non-compensable under the established law of said State.
- (6) That any increase or decrease in the fair market value of real property prior to the date of valuation caused by the public improvement for which said property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property.
- (7) That my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors that cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- (8) I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- (9) That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the City of Spring Hill and I will not do so until so authorized by City of Spring Hill officials, or until I am released from this obligation by having publicly testified to such findings.
- (10) Adam L. Hill (Registered Trainee #4698) provided significant real property appraisal assistance to the person(s) signing this certification. Mr. Hill assisted in the compilation of the Market Data Brochure, property inspections, communications with property owners, and in compiling this report.
- (11) That my analysis, opinions and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
- (12) I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- (13) I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- (14) My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- (15) To the best of my knowledge and belief, the reported analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute.
- (16) As of the date of this report I, Randy Button, MAI, SRA, AI-GRS, have completed the requirements of the continuing education program of the Appraisal Institute. The use of this report is subject to the requirements of the Appraisal Institute relating to the review by its duly authorized representatives.

(17) THAT the OWNER (Name) Mark Robin Mutz was contacted on (Date) 11/20/2014 .

In Person By Phone *By Mail, and was given an opportunity for he or his designated representative

(Name) Steve Mutz (brother) to accompany the appraiser during his or her inspection of the subject

property. The owner or his representative Declined Accepted to accompany appraiser on (Date) 12/15/14 .

If by mail attach copy to 2A-12

Date(s) of inspection of subject December 15th, 2014

Date(s) of inspection of comparable sales October 17th, 2014 and February 6th, 2015

- (18) That the centerline and/or right-of-way limits were staked sufficiently for proper identification on this tract.
- (19) That the roadway cross sections were furnished to me and/or made available and have been used in the preparation of this appraisal.
- (20) That my opinion of the fair market value of the acquisition as of the 15th day of December , 2014.

is \$7,900 Based upon my independent appraisal and the exercise of my professional judgment.

Appraiser's Signature  Date of Report 3/25/2015

State of Tennessee Certified General Real Estate Appraiser License Number CG #003

COPY OF FORM 4 LETTER AND RECIEPT

APPRAISAL NOTICE

Randy Button and Associates, Inc.
223 Rosa L. Parks Avenue, Suite 402
Nashville, Tennessee 37203

November 20, 2014

MARK A. AND ROBIN E. MUTZ
6034 Saddleview Dr
Franklin, TN 37067

Dear Property Owner,

I have been engaged to perform a real estate appraisal on a property shown to be in your ownership. The purpose of this appraisal is to establish a basis for possible compensation related to the acquisition of a portion of your property resulting from the widening of Duplex Road (S.R. 247)/State Project 94092-1224-14.

This letter is to afford you, or your representative, the opportunity to accompany me during my inspection of:

- Tract 118: 2924 Hearthside Dr, Spring Hill, TN 37174 with a site containing ± 0.248 acres of land. This tract is also known for tax purposes as Tax Map and Parcel 167M-E-7.00

Since the above referenced parcel(s) will be impacted by the public right-of-way improvement project, a land surveyor will be placing wooden stakes in your yard to indicate the impacted areas.

Please contact my office within the next fourteen (14) days to schedule an appointment for us to come to meet you or your representative at the above referenced property. During this visit I will provide you with information, and explain how this project will affect your property. Also we can go over what the surveying stakes mean and as we perform our inspection of the area affected by acquisition. Please do not remove the stakes until we are able to come to your property.

To ensure that we establish a date and time of mutual convenience, please call or text Adam Hill at 615-348-7980. We are happy to schedule a convenient time to meet with you. Our office will be closed December 1 – December 5th. If you leave us a message please provide your name, a good number and time for us to return your call, your preferred time to meet with us, and that you are calling about Tract No. 118.

Sincerely,

Randy Button, President
Randy Button and Associates, Inc.

State Project No. 94092-1224-14 County Maury and Williamson Tract No. 118
Federal Project No. STP/HHP-247 (00) Name of Appraiser Randy Button, MAI, SRA, AI-GRS (CG#03)