



Illinois Department of Natural Resources

Land and Water Conservation Fund (LWCF)

Acquisition Projects

Implementation & Billing Requirements



IL Department of Natural Resources
Division of Grant Administration
One Natural Resources Way
Springfield, IL 62702
Telephone: 217/782-7481
Fax: 217-782-9599

In this packet, you will find necessary information and instructions to properly implement an approved acquisition project involving LWCF grant assistance from the Illinois Department of Natural Resources (IDNR) funded through the National Park Service (NPS). **PLEASE READ THOROUGHLY!** Failure to comply with these instructions can jeopardize grant reimbursement.

GENERAL

- 1) Once a project is recommended for funding, the IDNR will still need to apply to NPS on behalf of the project sponsor. Grant funding is not guaranteed until the NPS has approved the application. Forms and procedures other than what are provided in this packet will be required for the federal application.
- 2) To maintain eligibility for grant reimbursement, the local Grantee must satisfactorily complete ALL approved project components as specified in the approved project application and the signed Project Agreement. Any changes (additions or deletions) to the project scope must be approved by IDNR prior to implementation in order to maintain overall eligibility for grant reimbursement.
- 3) The first task is the completion and submittal of one independent appraisal report for each parcel in the project no later than 6 months after receipt of your executed agreement.
- 4) The appraisal report must be completed in accordance with the enclosed appraisal requirements and instructions. These instructions provide complete guidance regarding the appraisal process and the Department's certification (approval) of certified market value. **It is important to indicate to the chosen appraiser that this project is federally funded and the appraisal(s) must be prepared in full accordance with the "Uniform Appraisal Standards for Federal Land Acquisition"**. The standards can be viewed at http://www.justice.gov/enrd/ENRD_Assets/Uniform-Appraisal-Standards.pdf.
- 5) **No negotiations with the seller(s)** should take place until authorized by the Department.
- 6) Should your project involve the displacement of any persons, families or businesses, please contact the Department immediately for further instructions involving relocation procedures. Be prepared to submit the qualifications of the person(s) responsible for preparing the required Relocation Plan and Housing Assistance Plan.
- 7) All non-recreation uses of the site existing at the time of acquisition, including agricultural practices, must be terminated at the end of the current planting and harvesting cycle prior to LWCF grant reimbursement.
- 8) Your agency is responsible for compliance with the "Americans with Disabilities Act of 1990" which provides comprehensive civil rights protection to individuals with disabilities. Specifically, local units of government are covered under subtitle A of Title II of the ADA. If you have any questions regarding your agency's responsibilities for ADA, please contact our office. The enclosed EEO poster or one similar to it must be displayed for public notice by your agency.

- 9) Your agency may be subject to the audit requirements of federal 2 CFR 200.500. The enclosed 2 CFR 200.500 Audit Certification Statement must be completed and returned with the Project Agreements. An auditing professional should be consulted to determine whether this requirement may apply to your agency.
- 10) Status of project progress **MUST** be reported to the IDNR Grant Administrator assigned to the project **each January 1st, April 1st, July 1st and October 1st** throughout the duration of project implementation (i.e., until the project's FINAL billing is submitted to IDNR). The enclosed "Project Performance and Status Report" form is provided on the following page. Failure to submit this form by the due dates will result in penalties up to and including Statewide stop payments, disallowing costs, suspension or termination, and debarment.
- 11) As you proceed with your project, if you have any questions regarding program requirements, please contact the Office of Grant Management and Assistance at 217/782-7481.

LWCF Grant Acquisition Schedule

EXAMPLE

Project Number: LWCF 17-XXXX

Project Sponsor: Public Park District

Project Title: John Q. Public Park Acquisition

Grant Award Announcement:	May 201x
Order Appraisal:	June 201x
Submit Appraisal to DNR	Sept 201x
Market Value established	Oct 201x
Negotiations	Nov 201x
Closing	Jan 201x
Request to DNR for reimbursement	Feb 201x

LWCF ACQUISITION PROJECT PERFORMANCE & STATUS REPORT

(Reports due January 1, April 1, July 1 and October 1)

Project #: _____

Project Sponsor: _____

Project Title: _____

Project SITE Location: Congressional Legislative (Senate) Representative (House)
District District District

IDNR Grant Administrator: _____

(CONCISE / QUANTIFIED DESCRIPTION OF PROJECT):

(GENERAL COST BREAKDOWN OF COMPLETED MAJOR PROJECT COMPONENTS):

<u>Approved Project Component</u>	<u>Actual Costs</u>	<u>Budgeted Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
TOTAL:	=====	=====

Check appropriate box:

<input type="checkbox"/>	Appraisal submitted to DNR.	Date: _____
<input type="checkbox"/>	Sponsor notification of CFMV by DNR.	
<input type="checkbox"/>	Negotiation Process	
<input type="checkbox"/>	Condemnation Initiated	
<input type="checkbox"/>	Closing scheduled.	Date: _____
<input type="checkbox"/>	Closing Completed.	Date property acquired: _____
<input type="checkbox"/>	Other - please explain in comment section.	
<input type="checkbox"/>	Anticipated Final Billing submittal.	Date: _____

For July 1 Status Report only, dollar amount of incurred costs from date of award to present. Incurred costs represent actual payments made by the sponsor that have not yet been billed to the State.

Amount \$ _____ .

Comments: _____

Prepared by: _____

Title: _____ Date: _____

Mail to: IDNR, Grant Management and Assistance, One Natural Resources Way, Springfield, IL 62702

FAX: (217) 782-9599 Email: dnr.grants@illinois.gov or directly to your grant administrator

Appraisal Requirements & Instructions

01/01/17

Task 1

Acquiring and Submitting an Appraisal

Appraisal Requirements and Instructions

For any lands acquired with Illinois Department of Natural Resources (IDNR) grant assistance:

General Instructions / Requirements

A narrative appraisal report, prepared in accordance with the attached *Specifications for Analytical Narrative Appraisal Report*, is required for each separate property having a value estimate over \$25,000. Restricted Appraisal Reports are **NOT** acceptable for properties over \$25,000 in value. At the sole discretion of the IDNR review appraiser, a second appraisal may be requested if deemed necessary to properly substantiate a property's value.

Two narrative appraisal reports are required for all properties that involve a seller donation totaling 50% or more of the land's anticipated market value unless otherwise waived by the IDNR.

Form appraisal reports may be used for properties with a value estimate less than \$25,000 provided the properties are either unimproved, the improvements contribute no value to the property, or are vacant residential lots in a platted subdivision. A properly documented Restricted Use appraisal may **ONLY** be accepted for properties having an estimated value of less than \$5,000.

Required appraisal reports **MUST** be prepared by a qualified licensed appraiser approved by the Illinois Department of Natural Resources (see cover letter accompanying these instructions).

Advise your hired appraiser(s) how the land being appraised will be acquired (i.e. with federal and/or state grant assistance). Each required appraisal report **MUST** be prepared in full accordance with the attached specifications and submitted to the Illinois IDNR for review. The local sponsor's appraiser will be responsible for providing any delinquent or supplemental information that may be necessary for compliance with the attached specifications and/or to accurately determine the market value of the project property.

Please note: It is **mandatory** the appraiser(s) contact the IDNR's Division of Realty review appraiser at (217) 524-6831 to discuss the project before the appraisal is started.

Documents for the Appraiser

You **MUST** provide your appraiser(s) with the following:

- copies of the attached *Preface to Appraisal Specifications*;
- *Specifications for Analytical Narrative Appraisal Reports*; and the
- *Appraisal Checklist*.

These documents **MUST** be utilized in preparing the appraisal reports(s) and all information specified therein **MUST** be included. You shall retain a copy of the *Preface*, *Specifications* and *Checklist* for your own internal review of the appraisal report(s). An internal review of each appraisal report must be completed by your agency prior to submitting the report(s) to the DNR for review.

Note: for partial takes or partial grant assistance. If the parcel is part of a larger total holding, the legal description of both the total holding and the part to be acquired **MUST** be given to the appraiser(s). If the total holding is to be acquired, but only a portion is to receive grant assistance, a separate value must be established for the part that is to receive the grant assistance.

A current ***Commitment for Title Insurance*** showing your agency as the proposed insured **MUST BE** purchased from a title insurance company and a copy given to the appraiser(s) prior to the commencement of work on the report. This is to determine any restrictions placed on the rights of the property to be transferred. A determination of the property's value involves full consideration of the rights remaining with the property and, where appropriate, the effect the loss of any of these rights has on its value. Appraisals **MUST BE** based on the economic highest and best use of the property. Appraisals based on a non-economic use **ARE NOT** acceptable. When an appropriately determined highest and best use is affected by a deed restriction, exception, or easement, the appraisal must consider such an effect on the property's value.

Note: An updated Title Insurance Policy, showing fee simple title vested in your agency and insured to the full value of the property, will be required after property acquisition and before grant reimbursement can be provided.

Submittal to the Illinois Department of Natural Resources

Submit one original copy of the appraisal report(s) to the IDNR for review after your internal review has been completed. A cover letter should accompany the report(s) that includes the following:

The appraisal has been reviewed by your agency, using the instructions and checklist provided and certifying that all required information is included to the best of your knowledge.

The value of the property, as determined by the appraisal, and the appraisal itself, are acceptable to your agency.

Illinois DNR Appraisal Review & Certification of Market Value

Once the appraisal(s) has/have been reviewed by the IDNR and found to be prepared and documented in accordance with the enclosed ***Specifications for Analytical Narrative Report***, the market value established therein for the property will be approved by the IDNR for cost-sharing.

Questions regarding appraisal requirements or approval of property market value by the Department should be directed to the IDNR grant administrator for the project at (217)782-7481.

Preface to Appraisal Specifications

(For the appraiser)

Please note: It is mandatory the selected appraiser(s) contact the Illinois Department of Natural Resource's Division of Realty review appraiser at (217) 524-6831 to discuss the project prior to beginning the appraisal assignment.

- The property being appraised will be acquired with state or federal funding assistance provided through the Illinois Department of Natural Resources. Therefore, ALL appraisals **MUST** conform to EITHER the most current *Uniform Standards of Professional Appraisal Practice (USPAP)* or the most current *Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA)* **whichever is applicable to the funding source**. In other words, if the project is solely a state-funded acquisition, then *USPAP* standards would apply and followed. If the acquisition involves any type of federal funding, then *UASFLA* (often referred to as the *yellow book*) standards would apply and **MUST** be followed. Contact the Illinois Department of Natural Resources grant administrator for the project at (217) 782-7481 or the IDNR review appraiser if you are unsure which appraisal standards apply.
- Appraisals **MUST** be prepared in full accordance with the attached *Specifications for Narrative Appraisal Reports* and the *Appraisal Checklist* adopted from the *Uniform Appraisal Standards for Federal Land Acquisition*. These specifications are considered a condition of assignment and **MUST** be utilized in preparing the appraisal report and ALL information specified therein, **MUST** be included.
- The *Appraisal Checklist* **MUST** be bound into the Addenda of the appraisal report when it is returned to your client. You are to initial each specified item to signify that it is contained in the appraisal report.
- Prior to initiating the appraisal, your client **SHALL** provide you of the legal description of the property to be acquired. If the property is a part of a larger parcel, the legal description of both the larger parcel and the part to be acquired **MUST** be provided to you. If the total property is to be acquired by your client, but only a portion is to receive State or federal funding assistance, a separate value **MUST** be established for the part that is to receive the State/federal funding assistance (your client will advise you if this situation applies).
- In order to determine any restrictions placed on the property, your client **MUST** provide you with a current Commitment for Title Insurance prior to initiating the appraisal. This Commitment should advise you of any restrictions placed on the rights of the property to be transferred so that the determination of the property's value involves full consideration of the rights remaining with the property and, where appropriate, the effect the loss of any of these rights has on its value. Appraisals are to be based on the economic Highest and Best Use of the property. When an appropriately determined Highest and Best Use is affected by a deed restriction, exception of easement, the appraisal **MUST** consider such an effect on the property's value.
- Return the completed appraisal(s) to your client who will then forward it (them) to the Illinois Department of Natural Resources for review.

Specifications for Analytical Narrative Appraisal Report

In Conformance with the *Uniform Appraisal Standards for Federal Land Acquisition (UASFLA)* and/or the
Uniform Standards of Professional Appraisal Practice (USPAP)

GENERAL

In the preparation of this report, the appraiser shall follow current professional appraisal practices giving consideration to the three traditional approaches to value, unless otherwise specified in these instructions.

1. COST APPROACH
2. INCOME APPROACH
3. SALES COMPARISON (OR MARKET) APPROACH

Should certain approaches or requirements covered in these specifications not be applicable to the assignment, the obligation can be fulfilled by identifying that approach or requirement together with an explanation for its omission (i.e. an appraisal involving land valuation only would not typically utilize the Cost Approach). Of necessity, supplementary specifications will be furnished requiring additional data in the appraisal of highly specialized properties or under other unusual circumstances.

FORMAT

The report shall be 8 1/2 x 11 inches in size, spiral bound on the left margin in book fashion with a durable cover having the property identified on the face thereof. All pages shall be numbered consecutively, including all exhibits, and each important heading shall be shown in the Table of Contents. To provide uniformity for the Illinois Department of Natural Resources, the report shall be divided into four parts as outlined below.

PART I - INTRODUCTION

1. **Title Page.** This shall include:
 - A. Name, street address and agency assigned tract, or parcel number (if any) of the property appraised;
 - B. Name and address of the individual making the report;
 - C. Effective date of the appraisal; and
2. **Letter of Transmittal.** This shall include the date of the letter; identifications of the property and property rights appraised; a reference the letter is accompanied by an appraisal report, a statement of the effective date of the appraisal, identification of any extraordinary assumptions, hypothetical conditions, limiting conditions, or legal instructions; the value estimate or estimates in the case of a partial acquisition, and the appraiser(s) signature(s).
3. **Table of Contents.** The major parts of the appraisal report and their subheadings should be listed. Addenda items of the report shall be listed individually in the table of contents.

4. **Summary of Salient Facts and Conclusions.** The major facts and conclusions that led to the final estimate(s) of value shall be reported. This summary should include an identification of the property appraised; the highest and best use of the property (both before and after the acquisition in the case of a partial acquisition); brief description of any site and/or building improvements; the indicated value of the property (before and after) by each approach to value used in the report; the final estimate of value (both before and after if applicable); any extraordinary assumptions, hypothetical conditions, limiting conditions or instructions; and the effective date of the appraisal.
5. **Photographs.** Photographs shall be in color and show at least the front elevation of any major improvements, plus any unusual features. There should also be views of the abutting properties on either side plus any property directly opposite of the subject, and interior photographs of any unique features. When a large number of buildings are involved, including duplicates, one picture may be used for each type. Except for the overall view, photographs may be bound as pages facing the discussion or description which the photographs concern. All photographs shall include captions identifying the property, the date the photo was taken, and the direction the camera lens was facing.
6. **Statement of Limiting Conditions.** The appraiser should provide clear concise statements of all assumptions and limiting conditions including the following specifics:
 - A. the title to the property is marketable;
 - B. the appraiser assumes no responsibility for legal matters;
 - C. all data furnished by others are presumed correct;
 - D. any encumbrances to the property **MUST** be identified in this section of the report;
 - E. “boilerplate” types of assumptions and limiting conditions **MUST** be avoided;
 - F. assumptions and limiting conditions that are clearly the appraiser’s own conclusions **MUST** also be avoided.
 - G. any uninstructed assumption of hypothetical condition that results in a valuation other than the *as is* value of the property appraised as of the effective date of the appraisal will likely invalidate the appraisal.
7. **Scope of the Appraisal.** The appraiser shall describe the scope of investigation and analysis undertaken in making the appraisal. The scope should conform to the appraisal’s purpose and intended use. Geographical area and time span searched for market data should be included as well as the type of market data researched; the extent of the market data confirmation; references; and/or data sources relied upon.
8. **Purpose of the Appraisal.** This shall include the reason for the appraisal, the client, and also specifically identify the intended use and the intended users of the report. The definition and source of market value **MUST** be placed in this section of the report. For federal assignments performed under *UASFLA* the appraiser **MUST** use the definition of market value found in Section A-9, page 13 of the *Uniform Appraisal Standards for Federal Land Acquisitions* (yellow book). No other definition of market value for federal purposes is acceptable. Any reports for federal purposes using a different definition of market value will be rejected. The federal definition of market value shall not be linked to a specific exposure time. This is considered a Jurisdictional Exception to USPAP Standards Rule 1-2(c). Likewise, marketing time for the property under appraisal **MUST** also be excluded from the report if prepared under federal rules.

PART II - FACTUAL DATA

9. **Legal Description.** This description shall be so complete as to properly identify the property appraised. If lengthy, it should be referenced and included in the Addenda/Exhibits (Part IV) of the report.
10. **Area, City and Neighborhood Data.** This data (mostly social and economic) **MUST** be kept to a minimum and should include only those facts which are considered to be essential in formulating the appraiser's conclusions as to significant trends. There should be sufficient data to support highest and best use. The use of "*boilerplate*" or demographic and economic data (often downloaded from the Internet) is unnecessary and unless the appraiser demonstrates the specific data directly impacts the market value of the subject property it shall be excluded.
11. **Property Data.**
 - A. **Site** – Describe the present use, accessibility and road frontage, land contours and elevations, soils, vegetation (including timber), views, land area, land shape, availability of utilities, mineral deposits, water rights associated with the property, easements, etc. A statement **MUST** be made concerning the existence or nonexistence of commercially valuable mineral deposits. The appraiser should discuss the beneficial and detrimental factors inherent in the location of the property.
 - B. **Improvements and Conditions** – This shall be by narrative description of all improvements including their dimensions, square footage measurements, chronological and effective age, dates of any significant remodeling or renovation, condition, type and quality of construction. The current relative use and obsolescence shall be stated for each item or group appraised and, whenever applicable, the repair or replacement requirements to bring the property into useable conditions.
 - C. **Equipment** – This shall be described by narrative or schedule form and shall include all items of equipment, including a statement of the type and purpose of the equipment and its state of cannibalization. The current physical condition and relative use and obsolescence shall be stated for each item or group appraised, and whenever applicable, the repair or replacement requirements to bring the equipment to usable condition. Any related personal property or equipment, such as tenant trade fixtures, which are not attached or considered part of the realty, shall be separately inventoried. Where applicable, these detachable or individually owned items shall be separately valued.
 - D. **Use History** – State briefly the purpose for which the improvements were designed, dates of original construction and major renovation and/or additions or conversions. A ten-year history of the use and occupancy of the property **MUST** be included.
 - E. **Sales History** – Any agreements of sales, options, and/or listings of the subject property as of the effective date of the appraisal **MUST** be analyzed. For federal projects a ten-year record of all sales and, if the information is available, any offers to buy or sell the property under appraisal **MUST** be included in the report. If no sale of the property has occurred in the past ten years, the appraiser shall report the last sale of the property irrespective of date. For non-federal projects any sales of the subject property that occurred within three years prior to the effective date of the appraisal **MUST** be

analyzed.

- F. **Rental History** – Report the historical rental or lease history of the property for at least the past three years, if this information can be ascertained. All current leases should be reported including the date of the lease, name of the tenant, rental amount, and terms of the lease, parties responsible for property expenses, and other pertinent lease provisions. The appraiser shall state their opinion as to whether any lease of the property represents the property's current market or economic rent. If not, the reasons for that conclusion. An unsupported statement that rent does not represent market or economic rent is unacceptable.
- G. **Assessed Value and Annual Tax Load** – Include the current assessment and dollar amount of real estate taxes. The appraiser should state the statutory percentage of market value and how the current assessment reflects the market value of the subject. If the subject is assessed based on its current use, then likewise a discussion of this impacts the property shall be discussed. If the property is not taxed, the appraiser shall estimate the assessment in case it is placed upon the tax roll, state the rate and give the dollar amount of the tax estimate.
- H. **Insurance** – If applicable, give the estimated rate per thousand and the annual cost of adequate insurance coverage (not necessarily present coverage) for the subject property and any improvements on the site.
- I. **Easements/Restrictions** – give a detailed description of all easements and/or title restrictions affecting the property and the resultant impact they may have, if any, on the site's value and/or use.
- J. **Zoning** – Identify the zoning for the subject property. This **MUST** be reported in descriptive terms rather than by zoning code. Other local land use regulations such as set-back requirements, off-street parking requirements, and open space requirements, which have an impact on the highest and best use and value of the property is to be reported. If the rezoning of the property is imminent or likely, discuss in detail the investigation and analysis that led to that conclusion. The mere assertion by an appraiser the property could be rezoned is insufficient.

PART III - ANALYSIS AND CONCLUSIONS

- 12. **Definition and Analysis of Highest and Best Use.** The report shall state the highest and best use that can be reasonably made of the property (land and improvements and where applicable, machinery and equipment) for which there is a current market. The valuation shall be based on this use. In no case shall the land be appraised for one highest and best use and the value of the improvements added when they do not contribute to the market value of the land under the highest and best use. Such special purpose appraisals are not allowable. Further, the appraiser **MUST** not utilize a highest and best use that is not economically based. For instance a Highest and Best Use of preservation, conservation, natural lands, etc. are not economic uses and will not be acceptable. Any references that incorporate the terms value to the public, value to the government, or community development are also unacceptable. For appraisals conducted using the UASFLA essential in the appraiser's conclusion of highest and best use is the determination of the larger parcel. The appraiser **MUST** make a larger

parcel determination in every appraisal conducted under these Standards, even in the case of minor partial acquisition where the client agency has determined a complete before and after appraisal is not necessary. The appraiser's analysis that led to the larger parcel determination and the determination itself **MUST** both be reported.

13. **Land Value.** The appraiser's opinion of the value of the land shall be supported by confirmed sales of comparable or nearly comparable lands having like optimum (highest and best) uses. Differences shall be weighted and explained to show how they indicate the value of the land being appraised. This is usually done in a narrative form wherein adjustments are made for location, time, size, site characteristics, etc. and result in an adjusted sales price. This will establish an adjusted sales price range. If one or more of the comparable sales influence the final determination of value, it should be so stated. (It is preferable to include a chart showing each adjustment and the final adjusted sales price.)

14. **Value Estimates.**

A. **Cost Approach** – This section shall be in the form of computational data, arranged in sequence, beginning with reproduction or replacement cost, and shall state the source of all information used. Supporting documentation from the cost source used **MUST** be contained in the Addenda of the report. The dollar amounts of physical deterioration and functional and economic obsolescence, or the omission of same, shall be explained in narrative form. This procedure may be omitted on improvements, both real and personal, for which only a salvage or scrap value is estimated.

B. **Income Approach** – This shall include adequate factual data to support each figure and factor used and shall be arranged in detailed form to show at least:

- (1) estimated gross economic rent or income;
- (2) allowance for vacancy and credit losses; and
- (3) An itemized estimate of total expenses including reserves for replacements.

Capitalization of net income shall be the rate prevailing for this type of property and location. The capitalization technique, method and rate used shall be explained in narrative form supported by a statement of sources of rate and factors.

C. **Sales Comparison (Market) Approach** – All comparable sales used shall be confirmed by the buyer, seller, broker, or other person having knowledge of the price, terms and conditions of sale. Each comparable shall be weighed and explained in relation to the subject property to indicate the reasoning behind the appraiser's final value estimate from this approach.

NOTE: Each comparable sale shall have the same Highest and Best Use as the subject property or, if not, a full explanation is needed.

15. **Appraisal of a *Partial Taking*.** The appraisal of a *partial taking* **MUST** be prepared using the FEDERAL METHOD as outlined in the *Uniform Appraisal Standards for Federal Land Acquisitions* as adopted by the Interagency Land Acquisition Conference, 1973, and include the following:
- A. BEFORE VALUE (valuation of the whole property/ownership).
 - B. AFTER VALUE (valuation of the land remaining after the *partial taking*).
 - C. TOTAL COMPENSATION for the part taken (before value less the after value).
 - D. SEVERANCE DAMAGE (if any) to the remainder after the taking (a full explanation **MUST** be provided)

NOTE: Even if eminent domain is not being exercised, it is considered a taking as a portion of property is being *taken* away from a larger parcel.

16. **Reconciliation of Estimates.** The appraiser shall interpret the foregoing estimates and shall state his reasons why one or more of the conclusions reached in items 14(a),(b) and (c) are indicative of the market value of the property. When reconciling two or all three approaches, the appraiser shall take into account the type of property in relation to the adequacy of the data processed in each approach. This summary should explain the strengths and weakness of each approach and influence the weight to be given each one. Do not obtain a final estimate of value by averaging the individual indications. Place the greatest emphasis on the approach which most reliably reflects local thinking and marketability. The appraiser shall give the final estimate of value in a definite statement.
17. **Affidavit of Appraiser.** The appraiser **MUST** complete an affidavit by using the attached form.

PART IV - EXHIBITS AND ADDENDA

18. **Location Map.** This exhibit should display the location of the appraised property with the city or area in which the property is located. All maps should include a north arrow and the identification of the subject property.
19. **Comparative Sales Data Map(s).** These exhibits might include a comparable land sales map, a comparable improved sales map, and a rental comparable sales map. The maps should include a north arrow and show the locations of both the comparable properties as well as the subject property. If this requires the use of a map that is not of a readable scale, secondary maps showing the specific location of each of the comparable properties should be included. Comparative maps **MUST** be of sufficient detail with the subject property and each comparable property clearly identified so as to allow the properties to be easily located during any required on-site inspections by a review appraiser.
20. **Details of the Comparative Sales Data.** Sales **MUST** be identified by data taken from the recorded instrument (if recorded) AND from information obtained from the parties involved. In all cases, the comparable sales properties considered within the appraisal report **MUST** be personally visited/inspected (see appraiser affidavit) and color photographs provided of those properties **MUST** be included.

The following items **MUST** be included in the sales identification/description for each comparable sale used:

- A. Parcel number(s)
- B. Address of property (street address or section, township, range)
- C. GPS coordinates of the comparable sale
- D. Date of recording
- E. Sales consideration and terms
- F. Type of Deed
- G. Document number or deed book and page number
- H. Name of grantor and grantee
- I. Sale size
- J. Sale price per unit of comparison (\$/acre, \$/square foot, etc.)
- K. Highest and Best Use
- L. Name and telephone number of confirmation source
- M. Name of person confirming the sale
- N. Legal description
- O. Reservations, exceptions, and deeded restrictions, if noted.
- P. Zoning.
- Q. Soil description.

Additional documentation having an effect on valuation of the subject property may include:

- R. Quantity and quality of attached mineral rights.
- S. Quantity and quality of attached water rights.
- T. Quantity, quality and legal description (or maps of functional boundary) of any attached permits, leases, allotments, etc.

- 21. **Plot Plan.** A plot plan should depict the entire subject property, including dimensions and street frontages. Structural improvements should be shown in their approximate locations. Significant on-site improvements and easements should also be shown. The dimensions of improvements should be noted. The plot plan should include a directional north arrow.
- 22. **Floor Plans.** Floor plans are required only when they are necessary to describe a unique property feature or the value estimate.
- 23. **Title Evidence Report.** If the agency provided a title report to the appraiser, it should be included.
- 24. **Other Pertinent Exhibits.** This would include any written instructions given to the appraiser by the client, agency or its legal counsel, any specialist reports (timber appraisals, environmental studies, engineering reports, etc.), cost to cure estimates, leases, etc.
- 25. **Qualifications of Appraiser.** The qualifications of all appraisers or technicians who made significant contributions to the completion of the appraisal assignment should be included.

2 CFR 200.500 Audit Certification Statement

LWCF ACQUISITION PROJECT

Project#: _____

Project Sponsor: _____

Project Title: _____

On behalf of the Project Sponsor, I hereby certify and understand that:

- a.) the funds disbursed under the above-referenced grant agreement may be subject to the requirements of federal 2 CFR 200.500;
- b.) the Project Sponsor will complete the required 2 CFR 200.500 audit (for the fiscal year in which the property was acquired) within nine months of the end of the subrecipients (Project Sponsor) audit period, if applicable;
- c.) one copy of the completed audit will be forwarded to the IDNR Division of Grant Administration upon completion and review by the Project Sponsor, if applicable; and
- d.) the Project Sponsor will notify the Division of Grant Administration of any audit findings and take timely and appropriate corrective action as a result of any findings, if applicable.

It is further understood and agreed that failure to complete the 2 CFR 200.500 Audit and report any audit findings, if applicable, may result in debarment from the IDNR Division of Grant Administration LWCF Grant Program.

Signature: _____

Name: _____

Title: _____

Date: _____

ATTESTED BY:

_____ (Signature)

(Name and Title: Chief Administrative Officer)

Appraisal Checklist

Adapted from the *Uniform Appraisal Standards for Federal Land Acquisition*

PREFACE

- 1. IDNR's review appraiser contacted Name: _____ Date: _____
- 2. Copy of Specifications and Checklist provided to appraiser prior to start
- 3. Checklist attached
- 4. A copy of the Preliminary Title Report, Opinion of Title or Commitment for Title Insurance attached
- 5. Deed restrictions as found in the Preliminary Title Report, etc., included in appraisal
- 6. Appraiser advised of legal description of subject property

FORMAT

- 1. 8 ½ x 11 Inch Spiral Bound Report
- 2. Pages numbered
- 3. Heading Shown in Table of Contents

PART 1 - INTRODUCTION

- 1. Title Page
- 2. Letter of Transmittal
- 3. Table of Contents
- 4. Summary of Salient Facts and Conclusions
- 5. Photographs
- 6. Statement of Limiting Conditions and Assumptions
- 7. Scope of the Appraisal
- 8. Purpose of the Appraisal

PART II - FACTUAL DATA

- 9. Legal Description
- 10. Area, City and Neighborhood Data
- 11. Property Data:
 - A. Site (soil, topography, minerals, etc.)
 - B. Improvement and Conditions
 - C. Equipment
 - D. Use History
 - E. Sales History
 - F. Rental History

- G. Assessed Value and Annual Tax Load
- H. Insurance
- I. Easements or Restrictions
- J. Zoning

PART III - ANALYSIS AND CONCLUSIONS

- 12. Definition and Analysis of Highest and Best Use
- 13. Land Value
- 14. Value Estimate
- 15. Appraisal of Partial Taking
- 16. Reconciliation of Estimates
- 17. Affidavit of Appraiser

PART IV – EXHIBITS AND ADDENDA

- 18. Location Map
- 19. Comparable Sales Data Map(s)
- 20. Details of the Comparative Sales Data:

- A. Parcel Number(s)
- B. Address of Property
- C. GPS Coordinates
- D. Date of Recording
- E. Sales Consideration and Terms
- F. Type of Deed
- G. Document Number
- H. Name of Grantor and Grantee
- I. Sale Size
- J. Sale Price \$/Unit
- K. Highest and Best Use
- L. Name and Telephone Number of Confirmation Source
- M. Name of Person Confirming Sale
- N. Legal Description
- O. Reservations, Exceptions and Deed Restrictions
- P. Zoning
- Q. Soil Description
- R. Mineral Rights
- S. Water Rights
- T. Permits, Leases or Allotments

- 21. Plot Plan
- 22. Floor Plans
- 23. Title Evidence Report
- 24. Other Pertinent Exhibits
- 25. Qualifications of Appraiser(s)

Task 2

Establishing

Certified Market Value

Certified Market Value:

AFTER all of the previous reviewed documentation has been submitted to the IDNR and a Certified Market Value (CMV) has been established the grantee will be notified. Once notified the following procedures must be followed. These procedures cannot begin until the CMV has been established by the IDNR unless prior written approval has been received without jeopardizing the project reimbursement.

1. The amount specified as the CMV must be offered to the seller in the form of a written offer/letter and accompanied by a properly completed "Statement of Just Compensation" form. The written offer/letter must, at a minimum include:
 - a. name of your agency
 - b. purpose of the acquisition
 - c. general location of the property to be acquired
 - d. CMV of the property as established by the approved appraisal
 - e. name, address and phone number of the contact person for your agency.
2. The "Statement of Just Compensation" form must be completed to include the required site and CMV information, and attached to the written offer/letter. These documents must then be transmitted to the seller by either "Certified Mail Return Receipt Requested" or personal presentation. If presented in person, the seller must sign and date a copy of the written offer/letter acknowledging its receipt.
3. If the seller is willing to accept less than CMV, the "Waiver of Rights to Just Compensation" form must be signed and completed by the seller. If the offer of CMV is refused by the seller, attempts at a negotiated settlement may be pursued, **however, eminent domain (condemnation) proceedings SHOULD NOT be threatened or initiated until our office has approved such action.**
4. WITHIN 30 DAYS from the date of the IDNR letter specifying the CMV, acquisition of the subject property should be completed at either:
 - a. CMV
 - b. Negotiated Purchase
 - c. Petition to Condemn the property has been filed
5. Once the project property has been acquired, the following documentation must be submitted to the Department as part of the Final Project Billing for grant reimbursement:
 - a. Copy of recorded Warranty Deed ⁽¹⁾ in case of negotiated purchase
 - i. Copy of Title Insurance Policy showing fee simple title vested in the project sponsor and insured to the full value of the land and improvements thereon
 - ii. Executed "Title Affidavit"
 - iii. Copy of Acquisition Closing Statement
 - b. Copy of Petition to Condemn and Judgment Order (J.O.) ⁽¹⁾ in case of condemnation
 - c. Copy of completed/signed "Statement of Just Compensation" form and, if applicable, "Waiver of Rights to Just Compensation" form
 - d. Copies of all canceled checks as evidence of payment
 - e. Copy of "final plat" map (no larger than 11" X 17") for property acquired signed by local official certifying accuracy of map
 - f. Completed "Billing Form" and "Billing Certification Statement"
 - g. Completed "Parcel Tabulation"
 - h. Proof that archaeological survey, if required, has been conducted on project site and appropriate DNR/HPA sign-off obtained
 - i. A few photos of the project site with the LWCF sign included

⁽¹⁾ Note the enclosed deed restriction/covenant language that must be recorded with the deed/J.O.

6. All non-recreation use of the site existing at the time of acquisition, including agricultural practices, must be terminated prior to LWCF grant reimbursement.

Record Retention / Audit Requirements:

As stipulated in the General Provisions of the grant Project Agreement, the Grantee must maintain, for a minimum three (3) year period following project completion, satisfactory financial accounts, documents, and records associated with the project and the disbursement of grant funds pursuant to this Agreement, and shall make them available to the Illinois DNR and/or the State of Illinois, Auditor General, for auditing at reasonable times. Failure by the Grantee to maintain such accounts, documents, and records, as required herein, shall establish a presumption in favor of the State of Illinois for recovery of any grant funds paid by the State for which adequate records are not available to support their purported disbursement.

1. If the Grantee receives \$300,000 or more in grant funds or charges the grant \$25,000 or more for Force Account labor or non-bid labor/material purchase costs, the Grantee shall provide the Department with one of the following types of audits:
 - a. An agency-wide financial and compliance audit for each year that grant expenditures are made. This audit should be conducted as part of the Grantee's annual audit as is generally required by 1) State law (i.e., 55 ILCS 5/6-3001 et seq. and 65 ILCS 5/8-8-1 et seq.), 2) 2 CFR 200.500, or 3) the Grantee's own governing body.
 - b. A grant specific audit covering all funds expended under the terms of the grant.

All required audits must be conducted by an independent certified public accountant, licensed by the State of Illinois and must be performed in accordance with generally accepted auditing standards adopted by the American Institute of Certified Public Accountants (AICPA). The Grantee shall be responsible for procuring all required audits in accordance with its normal procurement rules, providing that these rules promote open competitive procurement. The Grantee will provide the Department with all required audits within 30 days of completion.

2. If the Grantee receives less than \$300,000 in grant funds the Grantee will provide the Department with copies of any audits that report findings involving the funded project.

Audit Resolution:

The Grantee shall be responsible for timely action in resolving any audit findings or questioned project costs. In the event that questioned costs are ultimately deemed disallowed as determined by the IDNR or its representative, the Grantee shall be responsible for repayment of such costs.

**STATEMENT OF JUST COMPENSATION
SUMMARY OF PROPERTY ACQUISITION AND OFFER TO PURCHASE**

PROJECT NAME: _____ County: _____
Parcel # _____

OWNER(S) OF REAL PROPERTY: _____

LOCATION OF PROPERTY: _____

In compliance with Sec. 301 of the federal Relocation Assistance & Real Property Acquisition Policies Act (P.L. 91-646, 49 CFR 24) and/or the Illinois Displaced Persons Relocation Act (310 ILCS 40 et.seq.), the following summary has been prepared to fully inform you, the seller, of the details of the acquisition of (a portion of) your property for purposes. *The legal description of the parcel to be acquired is attached hereto.*

1. Existing Property:

Total Size/Area: _____ (acres/sq. ft.) more or less.

Highest and Best Use as appraised: \$ _____

Certified Market Value of Entire Property* \$ _____

*Certified Market Value of Entire Property is based upon a State-approved appraisal and is not less than the appraiser's opinion of certified market value which was determined after a personal inspection of your property, at which time you or your representative were given the opportunity to accompany the appraiser. The appraisal takes into consideration the location of your property, its highest and best use, current land sales of properties similar to your property and other indicators of values as may be necessary, i.e.:

2. Land to be Acquired:

Estate or Interest to be acquired: _____

Total Land Areas to be acquired: _____ (acres/sq. ft.)

3. Major Improvements and All Fixtures to be acquired: _____

4. Compensation for Property Acquired: \$ _____ per acres/sq.ft.

Certified Market Value, including all improvements, as part of the Whole Property: \$ _____

Damage to the remaining property as a result of the acquisition: \$ _____

Total compensation for the property acquired: \$ _____

5. Other Consideration:

(_____) \$ _____

(_____) \$ _____

Total Other Consideration: \$ _____

6. Total Just Compensation for Entire Acquisition: \$ _____

(includes all interests in the land required for the proposed public project, and damage to the remaining property, if any)

Any increase or decrease in the market valuation caused by the public improvement or project for which property is to be acquired, or by the likelihood that the property would be acquired for such improvement or project, other than that due to physical deterioration within the reasonable control of the owner, has been disregarded in making the determination of just compensation.

STATEMENT OF JUST COMPENSATION
SUMMARY OF PROPERTY ACQUISITION AND OFFER TO PURCHASE
(continued)

PROJECT NAME: _____ County: _____
Parcel # _____

You may wish to retain and remove some, or all, of the improvements included in the acquisition. If so, the following owner-retention values have been established for the improvements listed above in Item 3, and the total of the owner-retention values for the improvements retained will be deducted from the total compensation.

<u>IMPROVEMENT</u>		<u>OWNER-RETENTION VALUE</u>
_____	\$	_____
_____	\$	_____
_____	\$	_____

NOTE: Any agreement to retain such improvements does not convey with it a permit to move the improvements on, or over any State highway. It is suggested that you contact the Illinois Dept. of Transportation district office nearest you for information regarding application for a permit if one is needed.

*On behalf of the _____ I hereby offer the property
determined as the Certified market value by
owner the total sum of \$ _____ an
independent appraisal, for the property described on the attached instrument(s), free and clear of all claims
of other parties, liens, taxes and encumbrances.*

PRESENTED BY: _____
(Chief Elected Official) (Signature)

DATE: _____

STATEMENT OF OWNER

I have read the preceding summary describing how this appraised value was established and was offered the stated value of \$ _____. I further state that:

- There are no persons living on the property.
- There are no businesses being conducted on the property by others.
- The following persons are living or conducting business on the property (including owner if in occupancy). Give name and address:

Signed: _____
Address: _____ Owner or Representative

Please note that the signing of this statement by the owner (or representative) DOES NOT constitute an acceptance of the herein stated offer to purchase.

Waiver of Rights to Just Compensation

PROJECT NAME: _____
Parcel #: _____
County: _____

I, _____ (Seller / Grantor), have been informed of all my rights and benefits under the federal “Uniform Relocation Assistance and Real Properties Acquisition Policy Act of 1970”, as amended, and/or the Illinois Displaced Persons Relocation Act and have been provided with a “Statement of Just Compensation” and a written “Offer to Purchase” on the subject property for the appraised value of \$ _____ (amount). Of my own choice, I have elected to accept an amount less than the specified appraised Certified market value for the following reason(s):

(Signature of Seller/Grantor)

(Date)

INSTRUCTIONS FOR COMPLETING ATTACHED TITLE AFFIDAVIT

The Title Affidavit is required to assure that there are no outstanding issues involving the real property being acquired, that are not of public record, which could require legal action and/or monetary payment by the buyer at some time after closing. The Title Affidavit should be executed by the grantor(s) or authorized agent who is familiar with the property being conveyed and can swear to the validity of the statements contained therein. The individual's name should be inserted on the first line of the Affidavit, and in the instance of an authorized agent acting in an official capacity for the Grantor(s), the official capacity stated.

Throughout the Affidavit, strike out the language that is not applicable.

Item 2. Insert the legal description of the property being conveyed or attach an Exhibit.

Item 2. If there are others in possession of the premises other than the grantor(s) and/or the immediate family, insert the description of those parties, i.e. tenants.

Item 3. Insert the name of the local agency that is acquiring the property.

Item 8. Pay particular attention to this item. If any new or additional improvements have been made that are of a material nature (minor improvements do not have to be noted), within the past three years, list those improvements; otherwise, write in the word "None."

Item 9. Strike out if property is improved.

Items 10 and 11. Strike out if property is vacant.

The affidavit is to be executed (signed) by the individual noted on the first line of the Affidavit, either the Grantor(s) or authorized agent. For an authorized agent, the name and official capacity of the agent should be typed beneath the signature.

The Affidavit should be executed before a Notary Public.

STATE OF ILLINOIS)
)
COUNTY OF _____)

TITLE AFFIDAVIT

_____, being first duly sworn upon oath states as follows:
[Grantor(s) or Affiant]

1. That the Grantor(s) [Affiant] has/have personal knowledge of the facts averred herein.
2. There are no parties other than the Grantor(s) (and immediate family) in possession of any portion of the premises described as follows:

3. This affidavit is made for the purpose of inducing the _____ [local agency] to accept a deed of conveyance for the premises herein described from the record owner(s) thereof.
4. The Grantor(s) [affiant] has/have no knowledge of any unrecorded easements over, under, upon or across the herein described premises.
5. There are no encroachments, overlaps or boundary line disputes involving the aforesaid premises to the knowledge of the undersigned.
6. There are no chattel mortgages, conditional sales contracts or financing statements existing on or in connection with the premises herein described.
7. There are no taxes or special assessments that are not shown as existing liens by the public records involving the herein described premises.
8. That no material new or additional improvements have been made to or constructed upon the herein described premises within the past three years except as follows (if none so state):

9. The said premises are vacant and unimproved. (Or, in the alternative, if the premises are improved, the foregoing Item 9 should be omitted and Items #10 and #11 hereafter should be added as additional averment s.)
10. There have been no improvements made, or contracted for, on the premises within four (4) months immediately preceding the date of the affidavit, out of which a claim for Mechanic's Lien could accrue or has acc rued
11. All improvements now on the premises described herein comply with all local building and zoning ordinances.

Grantor(s) [Affiant] Signature

Subscribed and sworn to before me, a Notary Public,

this ____ day of _____, 20 ____ .

My commission expires: _____

Declaration of Use Restriction and Covenants on Property Deed

For all property acquired with LWCF grant assistance from the Illinois Department of Natural Resources, the following use restriction/covenant shall be filed with the deed at the time of recording:

“The real property described herein must be maintained for public outdoor recreation use purposes only as prescribed by the State of Illinois, Department of Natural Resources under terms of the federal Land & Water Conservation Fund (LWCF) grant program (17 IL Adm Code 3030) and shall not be sold or exchanged or have other encumbrances placed on the title, in whole or in part, which divests control or interest in the property to another party without prior approval from the State of Illinois, Department of Natural Resources or its successor and the U. S. Department of the Interior, National Park Service or its successor.”

Additional restrictions may be required depending on the outcome of your CERP review. You will be notified by the IDNR what exact wording to use.

Task 3

Project Billing Forms

**STATE OF ILLINOIS
DEPARTMENT OF NATURAL RESOURCES**

ACQUISITION PROJECT BILLING FORM
(LAND & WATER CONSERVATION FUND GRANT PROGRAM)

Project #: _____
 Project Sponsor: _____
 Project Title: _____
 Project Billing #: _____ 1 _____ Local Agency FEIN # _____

(Cost Category)	(Eligible Costs/Expenditures)
a) Land Purchased, including structures	
b) Land Donation (Approved CFMV Value) ATTACH: Acquisition Billing Certification Statement	
c) Relocation payments to individuals / businesses	
f) TOTAL	
g) Less Local Agency Share	
h) Amount of Grant Reimbursement Claimed	

CERTIFICATION STATEMENT

I hereby certify that this Billing is correct and just and based on actual payment(s) of record by the local project sponsor; that payment from the State of Illinois has not been received for these costs; and that the project acquisition, and any relocation benefits provided therewith, was in accordance with provisions of the Land and Water Conservation Fund (LWCF) program (17 Adm Code 3030), the signed Project Agreement, including amendments thereto, and general provisions of the federal Uniform Relocation Assistance & Real Property Acquisition Policy Act of 1970 (49 CFR, part 24) and/or state Displaced Persons Relocation Act (310 ILCS 40/et seq.).

BY: _____

NAME: _____
(Signature)

TITLE: _____

AGENCY: _____

DATE: _____

(Document must be attested to by local agency fiscal officer)

ATTESTED

BY: _____
(Signature)

(Title)

LWCF ACQUISITION PROJECT
BILLING CERTIFICATION STATEMENT

Project #: _____
Project Sponsor: _____
Project Title: _____

On behalf of the Project Sponsor, I hereby certify that I understand and agree that the real property acquired per the above referenced LWCF grant project must be used for public outdoor recreation purposes in general accordance with the signed Project Agreement, including amendments thereto; 17 IL Adm. Code 3030 and the federal Land & Water Conservation Fund Act (36 CFR, part 59); and that:

- 1) *all non-recreation uses of the site existing at the time of acquisition, including agricultural practices, are terminated;*
- 2) *recreational development of the site, in general accordance with the site development plan submitted with the approved grant application, shall commence within three (3) years following property acquisition unless otherwise approved by the DNR; and*
- 3) *relocation assistance, in general accordance with provisions of the federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (49 CFR part 24) and/or the state Displaced Persons Relocation Act (310 ILCS 40/et seq.), as applicable, was provided for any individuals, businesses and/or personal property displaced by the project acquisition.*

It is further understood and agreed, unless otherwise approved by the DNR, that the subject property will be appropriately signed as public parkland/open space and be available for interim public outdoor recreation use between the time of property acquisition and scheduled recreation development consistent with the property's resource capabilities.

Signature: _____
Name: _____
Title: _____
Date: _____

ATTESTED
BY:

(Signature)

(Name & Title: Chief Administrative Officer)

LWCF Billing Checklist

- Acquisition Project Billing Form**
- Billing Certification Statement**
- Parcel Tabulation**
- Statement of Just Compensation & Summary of Property Acquisition and Offer to Purchase**
- Waiver of Rights to Just Compensation**
- Title Affidavit**
- Copy of Deed with Covenants Recorded – including Declaration of Use Restriction if required**
- Copy of Closing Documents**
- Proof of Payment**
- Photo of LWCF sign at site**
- Other: _____**