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ACQUISITION PROCEDURES

1974, 1976, and 1980 State Bond Act Grant Programs

Local Assistance

State of California

Resources Agency

Department of Parks and Recreation

Recreation and Local Services Office

August 1981 (Rev.)

Introduction

Acquisitions of real property funded by grants created by the 1974, 1976, and 1980 Bond Acts will be reviewed for compliance with provisions of Chapter 16 of Division 7, Title 1, Government Code (see Attachment E).

Grant funds are administered by the Recreation and Local Services Office of the State Department of Parks and Recreation. This Office has a responsibility to ensure that funds are expended in a manner consistent with state law and that the title to property acquired with the grant funds is sufficient to ensure the integrity of the proposed project.

The following procedures have been developed to create a framework that will permit the orderly and expeditious processing of material and documents requiring review and approval.

The following documents should be submitted to the state for review as necessary:

1. An appraisal of the property by a qualified appraiser (one copy).

2. A preliminary title report (one copy).

3. A site map (one copy).

4. Relocation plan and advisory services program; if none involved, a statement to that effect (one copy).

5. DPR-48 Statement of Just Compensation, or equivalent.

6. Administrative Settlement Summary or Statement of Differences in Value (if necessary).

7. Statement of Partial Donation (if necessary).

8. Recorded Grant Deed or other appropriate title document (one copy).

The applicant will be notified of state approval of the acquisition documents. The State may waive any of its documentation or payment requirements upon request or upon its own initiative when in the opinion of the State a requirement or set of requirements serves no useful purpose.

Appraisals

Real property should be appraised prior to negotiations. The appraisal should be submitted to the Office Land Agent for review and approval. The law requires that the owner or his designated representative shall be given the opportunity to accompany the appraiser during his inspection of the property. Please include evidence of compliance with this provision in the appraisal or as an attachment. It is advisable that negotiations not be commenced prior to State review of the appraisal.

Generally, the formality and detail of the appraisal report should be determined by the value of the property involved. Depending on value, the Office will require formal narrative appraisals, abbreviated appraisals, or simple written findings of value. Regardless of the type of report all reports must qualify as appraisals, i.e., value conclusions prepared by qualified appraisers.

1. Types of Reports

   a. Formal narrative reports. If an acquisition will cost $40,000 or more a full narrative appraisal will be necessary. Detail on specific items may be deleted by the appraiser as appropriate but the report should explain omissions. Generally the standards recognized by the American Institute of Real Estate Appraisers or the Society of Real Estate Appraisers will constitute sufficient guidance. When federal funding is anticipated or if the appraiser seeks detailed specifications he should be referred to the specifications outlined in Attachment A. In the event negotiations for purchase have already commenced prior to review, this office must still review the report. Negotiations commenced prior to State review are at your own risk.

   b. Abbreviated Reports. An abbreviated appraisal report prepared by a qualified appraiser is generally acceptable for a project with a value estimate between $5,000 and $40,000. The report would normally include:

      1. Date of value.

      2. Ownership information, property description and plat or other suitable map.

      3. Assumptions and limiting conditions as necessary.

      4. Comparable sales and analysis with location map.

      5. Highest and best use analysis.

      6. Qualifications of the appraiser.

      7. Certification and signature

8. Five years history of subject sales (except for federal LWCF matching projects which require ten years - see LWCF procedures).

c. Findings of Value. Where a parcel has a value of less than $5,000 and the appraisal problem does not warrant the extensive process of a full appraisal, a written finding of value (i.e., letter appraisal), by a qualified appraiser will be acceptable. The letter should include a statement of the appraiser's qualifications and an explanation of how he reached the conclusion of value. The office will review the finding to judge the appropriateness of the method used.

2. Periodic Appraisal Updating

In order to assure equitable payments, it may be necessary for participants to update the appraisal report. This is the best way to protect the uninformed seller. Normally, an appraisal report will require updating at the same rate as the acceleration of value for the type of property indicated. Certain properties change in value over shorter periods of time than others. It is the responsibility of the acquiring agency to ensure that appraisals are timely. Therefore, it is not advisable to obtain premature appraisal reports. Reports should be obtained when the participant is prepared to and is authorized to, initiate negotiations. In certain circumstances, once negotiations have begun, the agency may discover that an owner has in his possession his own appraisal report. This report could be used to provide justification for a Statement of Differences in Value (to be described later). It must be remembered, however, that the owner's appraisal is not the appraisal upon which to base the offer. The appraisal upon which the offer is to be based is the approved appraisal prepared at the request of the participant to state standards. In certain cases, however, a report prepared for the owner may be acceptable as the basis for acquisition. It must still have state approval.

3. Statement of Just Compensation

This statement is made by the participant at the initiation of negotiations with the landowner. It reflects the fair market value (appraised value) of the property. The statement is not an offer to purchase but may be combined with one. The statement also establishes the possibility of a need for relocation assistance. If signed by the owner as an acknowledgement of receipt, it certifies that he (owner) has been advised of the benefits due him or his tenants under the law. A suggested format for the statement is shown in Attachment B. One copy to the owner, one copy to the State. It is not necessary to provide the owner with the actual appraisal.

4. Administrative settlements. The office recognizes that negotiations, especially if justifiably delayed, can result in higher payments. Those payments can be eligible for reimbursement if the price over appraised value is justified. You should be prepared to explain how the negotiated

price was arrived at. The Office Land Agent will determine if the price represents a reasonable and equitable settlement. A preferred approach is an appraisal update but the office recognizes that this sometimes may not be necessary. Examples of support for administrative settlement include such considerations as:

a. Sales information since the date of value which support the price paid.

b. Evidence of inflating real estate prices supported by qualified professional opinion.

c. Evidence of higher court settlements for similar properties.

d. Minor increases which would exceed further appraisal costs.

e. Appraisals prepared on the owner's behalf when the support data is reasonable, valid and otherwise acceptable.

f. Other minor increases judged to be prudent and reasonable.

g. The range of probable testimony when stipulated judgments are used.

h. Opinion of legal counsel, if appropriate.

What is not acceptable are automatic increases just to induce agreement and complete the negotiations. There must be some real and reasonable justification for higher payment. (Our Land Agent reviews such settlements using the CALTRANS Right-of-Way Manual and Federal Highway's policy directives as general guidelines.)

When LWCF funds are used for matching State grants follow the procedures outlined under the federal program (see Statement of Differences In Value in the federal instructions).

5. Acquisition at less than Just Compensation. Only in unusual circumstances will real property be acquired at less than established just compensation as determined, at the minimum, by an approved appraisal.

Nothing in these regulations is to be construed to prevent or deter a property owner from making a full or partial donation of property. In the case of donations, full compliance is not practicable with regard to making a prompt offer to acquire the property for the full amount so established as just compensation.

In those circumstances involving a partial donation, documentation must include evidence that the owner has been provided with a statement of just compensation. A written statement by the owner that he is making a partial donation is also required. A written offer to purchase and a statement of just compensation are not necessary when acquisition is by full donation-the legal act of donation itself precludes the necessity for these actions. This documentation relates only to acquisition. Relocation benefits as provided by these regulations must still be compiled with in full under all circumstances.

6. Legal Settlements - Stipulated Judgments. When acquisition is accomplished through judicial proceedings, the price determined by the court will be accepted in lieu of the approved appraisal. If, however, the price is determined by stipulation you may be required to present justification if grant funds are to be affected. If judgment is by stipulation you should furnish, as appropriate:

   a. Appraisal information used for arriving at the settlement.

   b. Testimony supporting higher payment.

   c. Evidence regarding compensability of elements compensability of elements which may not have been covered in the appraisal.

   d. Explanations of the differences between appraisals.

   e. Legal counsel opinions.

   The extent of written explanation and/or support in judgmental and should be consistent with the circumstances and amount of money involved.

NEGOTIATIONS POLICIES

All acquisition procedures should conform to Sections 7267 at seq Governmental Code. Outlined below are some of the more important concerns dealing with the negotiations for purchase:

1. Negotiations for purchase should give the property owner the full measure of compensation authorized by law, promptly and without forcing the owner to prolonged negotiation or to costly litigation.

2. The acquisition agent should not use the replacement housing payment, if any, to induce agreement on price. Relocation assistance payments should be kept separate from acquisition offers. (See Relocation Requirements.)

3. The ordering of updated appraisal should not be delayed on the chance that an owner might sign. It is the acquisition agent's responsibility to ensure the timeliness of his offer.

4. If an agreement does not appear possible after a reasonable period of negotiation, the participant may, if authorized by law, institute condemnation proceedings. Condemnation, however, should not be advanced (or delayed) in order to induce an agreement on price.

5. If a partial taking would leave the owner with an uneconomic remnant, an offer should be made to acquire the entire property.

6. In determining project boundaries, the participant should take into account human considerations such as the economic and social effects of the acquisition and subsequent development on owners and tenants in the adjacent area.

7. If an owner is required to pay incidental costs of acquisition, the participant should offer to reimburse the owner for those costs. Incidental costs are eligible grant costs.

TITLE DOCUMENTATION

1. Preliminary Title Report

Ideally, this should be ordered in the early planning stages to ascertain whether or not adequate title can be obtained. Submit a copy to the Office for review. It is also advisable to furnish one to your appraiser. Include a listing of the title exceptions/encumbrances which will be eliminated and the proposed method of elimination. For items which will be "taken subject to", present adequate explanations why the encumbrance does not affect the value or park usage and the Grants Office will determine if the item is acceptable. For example, a public utility easement.

2. Policy of Title Insurance

Final Policy of Title Insurance (as required) should be submitted to the State for review. In an acquisition under eminent domain, a Final Order of Condemnation may be sufficient if all interests have been cleared.

a. All taxes due and payable must be paid and, upon acquisition, future taxes and assessments cancelled in accordance with Revenue Code. General and special tax liens should not appear in the Policy of Title Insurance.

b. Privately held easements, conditions of ownership and restrictive covenants on the lands to be acquired should normally not appear in the Policy of Title Insurance. If there are restrictions such as a public utility easement that the participant feels will not conflict with the proposed recreation use or facilities, then the participant must so assure this Office in writing.

c. Title exceptions (easements, conditions, restrictions, etc.) exercise of which would be remote may be acceptable. It must be clear that the elimination of such items would be an unreasonable burden. In such cases there should be some guarantee that the project will be protected from adverse claims. Mitigation may be required in cases of conversions to other uses.

3. Evidence of Record Title.

a. Grant Deed - After the acquisition, submit a copy of the recorded grant deed or lease agreement or other appropriate title document along with a sufficient map for verification of the legal description. The map should also depict locatable easements, etc.

b. Condemnation Documents - Furnish a copy of the recorded Final Order and the Judgment In Condemnation. If there is a Stipulated Judgment see preceeding pages on Legal Settlements.

RELOCATION ASSISTANCE GUIDELINES

Federal and state law require that an acquiring agency will furnish relocation assistance to persons or businesses displaced by the acquisition of property for public purposes.

In providing relocation services, your agency may find it advisable to contract with recognized central type relocation agencies. Such contracts tend to provide uniform and effective administration of relocation assistance programs and are eligible for reimbursement.

The following guidelines are meant to assist you in complying with Government Code Chapter 16, Section 7260, et. seq. You may also refer to the "California Relocation Assistance and Real Property Acquisition Guidelines (California Administrative Code, Title 25, Chapter 6" prepared by the Department of Housing and Community Development for more detailed guidance.

You should not proceed with your project if there is any relocation involved until it has been determined that "decent, safe, and sanitary housing" will be available prior to displacement.

1. Relocation Plan

   If there is to be significant displacement and the homeowner, tenant, farm operation, or business is eligible for relocation assistance, the acquiring agency should provide a Relocation Plan and Advisory Services Program. A copy of the plan and the name of the local individual responsible for an Advisory Services Program should be supplied to the Grants and Local Assistance Office.

   The Relocation Plan is a statement that describes how your agency intends to comply with the provisions of Chapter 16, Government Code (Braithwaite Act). Include such items as a description of your Advisory Services Program and the steps that will be taken to provide the benefits due to the property owner or tenant under the above legislation. Also the plan should include the following information:

   (a) The estimated number of individuals, families, businesses, farms and nonprofit organizations which are to be relocated;

   (b) The probable availability of decent, safe and sanitary replacement housing within the financial means of the individuals and families being displaced;

   (c) The estimated total cost of payments to displaced persons for all benefits under the Act for replacement housing; and

   (d) The estimated cost of administering required relocation services to displaced persons.

   The Relocation Plan must provide assurance that there will be adequate replacement housing within a reasonable period of time prior to

displacement. Such housing must be within the eligible displacee's means and reasonably accessible to his place of employment.

2. Informational Brochure

If the property owner and/or tenant is eligible for relocation assistance, they must be kept informed of their rights and benefits. To assist in fulfilling this requirement, a brochure "Relocation Assistance Informatin for the Landowner, Tenant, Farmers and Businesses", Attachment C, or a similar brochure, should be made available to the landowner or tenant when the Statement of Just Compensation is delivered.

3. Notifications

Notification of benefits should be done in a timely manner. The following criteria are to be used:

(a) For owner occupants of more than 180 days prior to initiation of negotiations: Simultaneous with fair market value offer, an owner should be furnished an explanation of eligibility requirements to receive payments including replacement housing, moving costs, increased interest and incidentals and of the option to rent. The explanation should include a description of the manner of computation.

(b) For owner occupants of 90 days or more but less than 180 days prior to initiation of negotiations: Simultaneous with fair market value offer, an owner in this category should be advised as to eligibility for a rental differential payment, the manner of computation and an explanation of his option to receive down-payment assistance for replacement housing and eligibility and particulars on moving costs, incidental expenses and other appropriate benefits.

(c) For tenants of 90 days or more: Within 15 days of the offer, each tenant should be personally contacted and furnished in writing:

1. The date of initiation of negotiations.

2. Explanation of eligibility for rental differential payment.

3. Explanation of down-payment option.

4. All other appropriate benefits including moving costs and incidental expenses.

(d) Owners and tenants of less than 90 days: Within 15 days of the offer, each owner and/or tenant of less than 90 days should be personally contacted and furnished in writing:

1. The date of initiation of negotiations.

2. An explanation of eligibility for moving expenses.

4. Relocation Documentation

The participant may be required to submit completed forms identified as Exhibits 1 through 7 of Attachment D, whenever relocation is involved. IT IS PERMISSIBLE FOR PARTICIPANT TO USE DIFFERENT FORMS PROVIDING THEY ARE EQUIVALENT. Contact the Grants and Local Assistance Office Land Agent at (916) 322-9575 for assistance. If federal LWCF funds are involved, refer also to the LWCF acquisition instructions.

SUMMARY OF REQUIRED DOCUMENTATION

1. The following documentation should be submitted to the State for review before acquisition:

   (a) Preliminary Title Document, including explanations - 1 copy

   (b) Appraisal Report - 1 copy

   (c) Relocation Plan and Advisory Services Program (if necessary) - 1 copy

   (d) Exhibit 4 or equivalent form if property is occupied - 1 copy

   (e) Statement of Just Compensation - 1 copy

   (f) Copy of offer or purchase agreement - 1 copy

   (g) Parcel maps - 1 copy

2. The following documents are required after the acquisition project is completed:

   (a) Policy of Title Insurance or Title Abstract - 1 copy

   (b) Administrative Settlement Summary or Statement of Differences in Value (if necessary) - 1 copy

   (c) Statement of Partial Donation (if necessary) - 1 copy

   (d) Recorded Grant Deed - 1 copy

   (e) Relocation Forms as appropriate - 1 copy

   (f) Condemnation documents if necessary - 1 copy

Attachment A

FEDERAL SPECIFICATIONS FOR NARRATIVE APPRAISAL REPORTS

The participant and his contract appraiser or staff appraiser must realize that all appraisals submitted will be reviewed by the State Department of Parks and Recreation and, in the case of federally assisted projects, may be subject to final review and analysis by one or more federal agencies. Appraisers should be issued a copy of these instructions and be informed of the requirements for appraisals prior to contracting with the participants. The format of the appraisal report should comply with the appraisal requirements set forth in the attached pages. After review, the participant will be notified what action, if any, must be taken to make the appraisal report and/or the title acceptable to the State.

It may be desirable to obtain a copy of "Uniform Appraisal Standards for Federal Land Acquisition" from the U.S. Government Printing Office, if federal funds are involved. If no federal funds are involved the professional standards of the institute or society are acceptable alternate specifications.

It is the responsibility of the acquiring agency and is a requirement of law to see that the property owner or his agent is given the opportunity to accompany the appraiser in his inspection of the property. A letter or written statement should be included in the appraisal indicating compliance with this provision.

GENERAL:

In the preparation of his report, the appraiser shall follow professional appraisal practices, giving consideration to three approaches to value, namely: The Cost - Less Depreciation, the Income and the Comparative (or Market) approaches unless otherwise specified. Should certain approaches or requirements covered in these specifications not be applicable to the assignment, identify that approach or requirement together with a brief explanation of its omission (i.e., an appraisal involving land valuation only).

FORMAT:

To provide uniformity for files, the text should be set forth insofar as possible, as outlined below. The report should be labeled on the outside cover, essentially in the following manner:

APPRAISAL REPORT

Name of Property
Name of Project
General Location
Date of Valuation

Name of Appraiser

Location of Appraiser

CONTENTS OF APPRAISAL REPORT:

Part I - Introduction

1. TITLE PAGE. This includes (a) the name and street address of the property, (b) the name of the individual making the report, and (c) the effective date of the appraisal.

2. TABLE OF CONTENTS.

3. LETTER OF TRANSMITTAL.

4. PHOTOGRAPHS. Pictures should show at least the front elevation of the major improvements, plus any unusual features. There should also be views of the abutting properties on either side and that property directly opposite. When a large number of buildings are involved, including duplicates, one picture may be used for each type. Views of the best comparables should be included whenever possible. Except for the overall view, photographs may be bound as pages facing the discussion or description which the photographs concern. All graphic material should include captions.

5. STATEMENT OF LIMITING CONDITIONS AND ASSUMPTIONS.

6. REFERENCES. If preferred, may be shown with applicable approach.

Part II - Factual Data

7. PURPOSE OF THE APPRAISAL. This shall include the reason for the appraisal, and a definition of all values required, and property rights appraised.

8. LEGAL DESCRIPTION. This description shall be so complete as to properly identify the property appraised. If lengthy, it should be referenced and included in Part IV. If furnished by the Government and would require lengthy reproduction, incorporate by reference only. If a partial taking, identify the larger parcel.

9. AREA, CITY AND NEIGHBORHOOD DATA. This data (mostly social and economic) should be kept to a minimum but should include such information as directly affects the appraised property together with the appraiser's conclusions as to significant trends.

10. PROPERTY DATA:

    a. Site. Describe the soil, topography, mineral deposits, easements, etc. A statement must be made concerning the existence or non-existence of mineral deposits having a commercial value. In case of a partial taking, discuss access both before and after to remaining tract. Also, discuss the detrimental and hazardous factors inherent in the location of the property.

b. Improvements and Equipment. This description may be by narrative or schedule form and shall include dimensions, cubic and/or square foot measurements, and where appropriate, a statement of the method of measurement used in determining rentable areas such as full floor, multi-tenancy, etc. Major improvements should be diagrammed with rooms identified and measurements shown.

State briefly the purpose for which the improvements were designed, dates of original construction and major renovation and/or additions.

Include a statement of the type and purpose of any 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 property to usable condition.

Any related personalty 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 by separately valued.

c. History of Conveyances. For privately-owned property, include a ten-year record as to each parcel, of all sales and, if possible, offers to buy or sell, and recent lease(s); if no sale in the past ten years, include a report of the last sale. (Federal funded projects only.)

d. Assessed Value and Annual Tax Load. Include the current assessment and dollar amount of real estate taxes. 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.

e. Zoning. Describe the zoning for subject and comparable properties (where Government owned, state what the zoning probably will be under private ownership), and if rezoning is imminent, discuss further under item 11.

Part III - Analyses and Conclusions

11. ANALYSIS OF HIGHEST AND BEST USE. The report shall state the highest and best use that can be made of the property (land and improvements, and where applicable, machinery and equipment) for which there is a market. Highest and best use is defined as the most profitable likely use of a property.

Elements affecting value which depend upon events or a combination of occurrences which, while in the realm of possibility, are not clearly shown to be reasonably probable, should be excluded from consideration. If the intended use is dependent upon an uncertain act of another person the intention cannot be considered.

Assumptions and generalizations by the appraiser relating to the existence of utilities, access and an estimated highest and best use which differs from the present use and present zoning are unsatisfactory in reports to be submitted for eventual review. These items must be confirmed or justified by patterns of growth and demand, trends as indicated in the area, city and neighborhood analysis. The impact of the proposed project upon the highest and best must be ignored. Any increase or decrease in value caused by the project must be disregarded in arriving at fair market value.

12. 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 uses. Differences shall be weighed and explained to show how they indicate the value of the land being appraised. The appraisal shall state the value of the land as if vacant and shall report the method used to arrive at such value; i.e., comparative, anticipated use, abstractive or residual with such documentation as needed.

13. VALUE ESTIMATE BY COMPARATIVE (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 should be weighed and explained in relation to the subject property to indicate the reasoning behind the appraiser's final value estimate from this approach.

14. VALUE ESTIMATE BY COST APPROACH, IF APPLICABLE. This section shall be in the form of computative data, arranged in sequence beginning with reproduction or replacement cost, and shall state the source (book and page if a national service) of all figures used. 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.

15. VALUE ESTIMATE BY INCOME APPROACH, IF APPLICABLE. This shall include adequate factual data to support each figure and factor used and shall be arranged in detailed form to show at least (a) estimated gross economic rent or income; (b) allowance for vacancy and credit losses; (c) an itemized estimate of total expenses including reserves for replacements.

    Capitalization of net income shall be at 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 rates and factors.

16. INTERPRETATION AND 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 (13), (14), and (15) are indicative of the market value of the property.

17. BEFORE AND AFTER STUDIES. In the case of partial taking the after value shall be supported to the same extent as the before value of the whole and the part taken. This support shall include comparable sales, any

change in highest and best use and any other appraisal methods as needed to support such after value of the remainder. To assist the review appraiser, the appraiser shall in the appraisal or separately analyze and tabulate the difference showing a reasonable allocation to land, improvements, damages and benefits.

18. CERTIFICATION. This shall include statement that appraiser has no undisclosed interest in the property, that he has personally inspected the premises, date and amount of value estimate, etc. The appraiser must certify that the property owner or his designated representative was invited to accompany the appraiser during his inspection of the property.

Part IV - Exhibits and Addenda

19. LOCATION MAP. (Within the city or area).

20. COMPARATIVE MAP DATA. Show geographic location of the appraised property and the comparative parcels analyzed.

21. DETAIL OF THE COMPARATIVE DATA.

22. PLOT PLAN.

23. FLOOR PLANS. (When needed to explain the value estimate).

24. OTHER PERTINENT EXHIBITS.

25. QUALIFICATIONS. (Of all Appraisers and/or Technicians contributing to the report).

APPRAISALS - A WORD ABOUT ADJUSTMENTS

It is sometimes the case that properties are not sufficiently comparable to apply the traditional direct comparison and adjustment for differences. In most cases however, a bracketing or banding of sales indicators can be developed. Following the rationale of the informed buyer and seller one can effectively use a banding of value technique to reasonably predict a fair market value. In normal circumstances there is usually a variety of properties of the same general character as the subject. When a pattern of similarities can be extracted from the data the extracted pattern becomes a band of value indicators and this is often more realistic than the piecemeal adjustment process. In this technique adjustments need not be made but the appraiser points out his interpretation of the relationship of the data to the subject.

When there is sufficient market data available which lends itself to realistic adjustments for differences then the traditional direct comparison approach may prove to be the best method. Adjustments, however, should not be arbitrary but should be supportable.

C-0002G

STATEMENT OF JUST COMPENSATION

Pursuant to _____.
(Authority)

_____ is now in the process
(Acquiring Agency)

of acquiring private property necessary for _____.
It is necessary to acquire your property, since it is within the project area.

We are prepared to commence negotiations with you for the purchase of your property subject to any existing Easements or Restrictions of record and excepting and reserving the following interests which will not be acquired and for which no value is included in our estimate of just compensation: _____
_____.

In compliance with Section 301 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and/or Chapter 16 of Division 7 of Title 1 of the Government Code, an estimate of just compensation in the amount of $ _____ has been made for the interest to be acquired in your property (See "Legal Description"). This amount is based upon an approved appraisal and is not less than the appraiser's opinion of fair market value which he determined after a personal inspection of your property, at which time, you or your representative were given the opportunity to accompany him.

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, i .e., _____
_____.

Just compensation includes amounts for the land, improvements, severance, if any, and other elements as follows:

LAND	$_____	
IMPROVEMENTS:		
Buildings	$_____	
Structures	$_____	
DAMAGE TO THE REMAINDER	$_____	
OTHER	$_____	
TOTAL		$_____

Any increase or decrease in the market valuation caused by the public improvement or project for which the property is to be acquired, or by the likelihood that the project 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.

Attached is a brochure entitled "Relocation Assistance Information for Landowners, Tenants, Farmers and Businesses." This brochure provides information about relocation benefits that you may be eligible for under Public Law 91-646 and State statutes.

STATEMENT OF OWNER

I have been informed of my rights under Public Law 91-646 and State statutes.	(Initials) _____
I have read and understand the Statement of Just Compensation.	(Initials) _____
There are persons living on the property.	Yes ____ No _____
There are businesses being conducted on the property by others.	Yes ____ No _____

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The following are living or are conducting business on the property (including owner if in occupancy): (Give name and address.)

_____

_____

Signed _____ Signed _____
(Agency Representative) (Owner)

_____
(Representative of Owner)

Date _____ _____
(Address)

Signatures on this form do not constitute agreement on value, but only serve to indicate receipt of the form. Signature by owner regarding relocation assistance information does not in any way obligate owners, but only serves to provide the agency with information for relocation planning.

LEGAL DESCRIPTION

ATTACHMENT C

State of California
Resources Agency
Department of Parks and Recreation
Office of Grants and Local Assistance
Post Office Box 2390
1416 - 9th Street
Sacramento, California 95811

RELOCATION ASSISTANCE INFORMATION

for

LANDOWNERS, TENANTS, FARMERS AND BUSINESSES

January 1977

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RELOCATION ASSISTANCE INFORMATION FOR LANDOWNERS AND TENANTS

GENERAL

Relocation Assistance: What Is It?

In order to help people who qualify for assistance when they must move because their property is required for a public project, the Congress of the United States passed the Uniform Relocation Assistance and Real Property Acquisition Act (Public Law 91-646) and the California State Legislature also passed appropriate legislation. The legislation provides for both payments and relocation services. The payments will help pay your moving costs and the increased buying or renting cost of replacement housing. In addition to these payments, relocation services are provided to help you find a replacement house or apartment. You will also be assisted in solving many problems which will occur during your relocation period.

Time Limitations for Filing Claims:

Within 18 months from the date displaced person moves from the property or final payment is made, whichever is later.

When Must You Move:

At least 90 days after receiving written notice to move.

How to Obtain Help:

Contact your local acquiring agency.

PAYMENTS

Moving Expense Payments

Who Is Eligible?

Any "displaced person" is eligible to receive payment for moving expenses. A displaced person is one who moves as the result of the acquisition or as the result of a written order of the acquiring agency to vacate. You will be contacted and advised of your eligibility within a reasonable period of time after the contact with the owner is made. Please look at the section under "Moving Expenses" for payments and necessary qualifying procedures.

Replacement Housing Payments

Who Is Eligible?

If you owned and occupied or rented the property at least 90 days before the first contact with the owner of the property

Who Is Eligible? (cont.)

where price was discussed, then you may be eligible for payment to assist you in securing replacement housing. You will be contacted and advised of your eligibility. Please refer to the section under "Replacement Housing Payments" for information.

MOVING EXPENSES
INDIVIDUALS OR FAMILIES

What Are Moving Expense Payments?

A moving expense payment is the payment for the cost of moving personal property and may include the cost of dismantling, disconnecting, crating, loading, insuring, temporary storage, transporting, unloading, and reinstalling the personal property.

Method of Payment

Room Count Method of Payment:

The "Room Count" Method of payment provides for a flat payment based on the number of rooms of furniture and personal belongings in the house which must be moved. If the Room Count Method is chosen, the following schedule applies where the household furniture or equipment is owned by the displaced person or family:

1 Room .....$ 75	5 Rooms $250
2 Rooms $100	6 Rooms
3 Rooms $150	or more.....$300
4 Rooms $200	

Where the personal household furniture or equipment is owned by the landlord or where the displaced person or family furnishes none or only a minimum amount of his own household equipment, payment will be as follows:

1 Room ....$25; plus $15 for each additional room up to a maximum of 6 rooms.

In addition to these payments, a displaced individual or family who elects to receive payments based on these schedules shall receive a dislocation allowance of $200.

Actual Cost Moves:

If a displaced individual or family does not use the Room Count Method of payment, then they will be paid their actual reasonable moving expenses based on paid, receipted and itemized bills from the

Actual Cost Moves: (cont.)

Who Is Eligible?

Payments:

moving company performing the move. In this case the $200 dislocation allowance will not be paid.

REPLACEMENT HOUSING PAYMENTS

If you lived in the property 90 consecutive days prior to the time of the first contact with the owner of the property to be acquired where price was discussed, then you are eligible for a replacement housing payment, if you purchase or occupy a decent, safe and sanitary dwelling within one year after you receive final payment for the property being acquired by the agency or one year from the date on which you move, whichever is later.

The Act provides that the acquiring agency shall verify the fact that adequate replacement housing is available; and a list of such replacement dwellings will be made available to you prior to authorizing clearance of the land. This means that you will not be forced to move unless we are able to offer you decent, safe and sanitary housing which is available for your immediate occupancy.

The following sections define the specific categories of eligibility as to time before the first personal contact with the agency where price was discussed and as to the type of tenancy of the occupant.

OWNER-OCCUPANT FOR
180 DAYS OR MORE WHO PURCHASE

A displaced owner-occupant of a dwelling may receive additional payments up to but not exceeding $15,000. These payments are for: (1) the additional cost to purchase replacement housing; (2) to compensate the owner for the loss of favorable financing on his existing mortgage; and (3) to reimburse the owner for incidental expenses.

An owner-occupant is eligible for such payments if he was (1) <u>in occupancy</u> at the time of the first contact where price was discussed and such occupancy has been for at least (2) <u>180 consecutive days</u> immediately prior to the initiation

Payments: (cont.)

of negotiations for the parcel and (3) the property was acquired from him by the agency or he received a written order from the acquiring agency to vacate and he (4) purchases and occupies a decent, safe and sanitary dwelling not later than the end of a one-year period beginning on the date on which he receives final payment for the property or on the date on which he moves from the acquired dwelling, whichever is the later date.

Replacement Housing Differential:

The Replacement Housing Differential Payment in the amount which when added to the amount for which the agency purchased the property equals the (1) actual cost which the owner is required to pay for a decent, safe and sanitary dwelling or (2) the amount determined by the agency as necessary to purchase a comparable replacement dwelling, whichever is less. Your Land Agent will inform you of the amount determined by the agency as necessary to purchase a comparable replacement dwelling at his initial contact with you. This amount may change, however, and you should keep in close contact with your Land Agent.

Interest Differential Payment:

Increased interest cost payments are provided to pay a displaced person for the increased interest cost he is required to pay for financing a replacement dwelling. In order to be eligible for this payment, the existing mortgage or deed of trust must be a valid lien on the acquired dwelling for not less than 180 days prior to the date of the first written offer and the mortgage on the replacement dwelling must bear a higher effective rate of interest than the stated rate on the deed of trust or mortgage encumbering the replacement dwelling. Your Land Agent will secure estimates for you of this interest differential payment.

Incidental Expenses:

The incidental expenses payment is the amount necessary to reimburse the homeowner for the actual costs incurred by him incident to purchasing the replacement dwelling.

Payment Limitation:

The combination of the housing differential, the interest differential, and the incidental payments will not exceed $15,000.

OWNER-OCCUPANT FOR
180 DAYS OR MORE WHO RENTS

Payment Amounts:

An owner-occupant eligible for a replacement housing payment, as described above, who elects to rent a replacement dwelling, is eligible for a rental replacement housing payment not to exceed $4,000. This payment shall be determined by subtracting from the amount necessary to rent a comparable replacement dwelling for the next four years, 48 times the economic rent as established by the agency. This amount, however, may not exceed the amount of the payment for the additional cost to purchase replacement housing as previously explained.

Disbursement of Payment:

The payment will be in a lump sum except when the displaced person requests installments.

OWNER-OCCUPANT FOR LESS THAN
180 DAYS BUT NOT LESS
THAN 90 DAYS WHO PURCHASES

Payments:

A displaced owner-occupant who has owned and occupied the dwelling for less than 180 consecutive days but not less than 90 consecutive days and is in occupancy at the first time price is discussed, may receive a payment not to exceed $4,000 to enable him to make a down payment on the purchase of a replacement dwelling and to reimburse him for actual expenses incident to such purchase, or to rent a replacement property.

Eligibility Requirements:

The owner-occupant must be in (1) occupancy at the initiation of negotiations and such (2) occupancy must be for less than 180 days but not less than 90 days immediately prior to the initiation of negotiations for the parcel, (3) the property must be acquired by the agency, or he received a written order from the acquiring agency to vacate and he (4) purchases and occupies a decent, safe and sanitary dwelling not later than the end of a one-year period beginning on the date on which he receives final payment for the property or on the date on which he moves from the acquired dwelling, whichever is the later date.

Amount of Down Payment:

The amount of the down payment shall be determined by the agency as the amount required as a down payment on a comparable property if such property was financed with a conventional loan. Consult your Land Agent as to the determination of this amount.

Expenses:

The down payment may also include the expenses incident to the purchase of replacement housing.

Method of Payment:

The full amount of the down payment (as determined by the agency as the amount required for the down payment on a comparable dwelling and the incidental expenses) up to $2,000 will be paid by the agency. If the amount of the down payment determined exceeds $2,000, then the agency will pay 50% of the amount in excess of $2,000 providing the relocatee contributes 50% of the amount in excess of $2,000. In no event may the combined payments exceed $4,000. The full amount of the down payment must be applied to the purchase price as the down payment and incidental costs.

OWNER-OCCUPANT FOR LESS THAN 180 DAYS BUT NOT LESS THAN 90 DAYS WHO RENTS

Who Is Eligible?

A (1) displaced owner-occupant who is (2) in occupancy at the initiation of negotiations for the acquisition of real property and who has been (3) in occupancy for at least 90 consecutive days but less than 180 days immediately prior to the date of initiation of negotiations and (4) whose property is acquired or who moves as a result of a written order from the acquiring agency to vacate and (5) rents and occupies a decent, safe and sanitary dwelling (6) within one year after the property is acquired or within one year of the date on which he moves from the acquired property, whichever is later, is eligible for a rental replacement housing payment not to exceed $4,000.

Payment:

This payment shall be determined by subtracting from the amount necessary to rent a comparable replacement dwelling for the next four years, 48 times the

Payment: (cont.)

economic rent as established by the agency. In no event may the total payment exceed $4,000.

Disbursement of Payment:

The payment will be in a lump sum except when the displaced person requests installments.

TENANT-OCCUPANT FOR NOT LESS THAN 90 DAYS WHO RENTS A REPLACEMENT DWELLING

Who Is Eligible?

A (1) displaced tenant is eligible for a rental replacement housing payment not to exceed $4,000 if he is (2) in occupancy at the beginning of negotiations and such (3) occupancy has been for at least 90 consecutive days immediately prior to the initiation of negotiations, the (4) property was acquired by the agency or he receives written notice to vacate and he (5) rents and occupies a decent, safe and sanitary replacement dwelling (6) within one year after the property is acquired or within one year of the date on which he moves from the acquired property, whichever is later.

Amount of Payment:

The payment, not to exceed $4,000 shall be determined by subtracting from the amount necessary to rent a comparable replacement dwelling for the next four years, 48 times the average monthly rental paid by the relocatee during the last three months.

Low-Income Individuals:

Under special circumstances where the average monthly rental being paid by the relocatee is more than 25% of the total monthly gross income of such relocatee, the payment may be figured differently. Should your rent be more than 25% of your income please advise your Land Agent and he will make the necessary calculations and inform you of the proper payment.

Disbursement of Payment:

The payment will be in a lump sum except when the displaced person requests installments.

TENANT-OCCUPANT FOR NOT LESS THAN 90 DAYS WHO PURCHASES A REPLACEMENT DWELLING

Who Is Eligible?

A (1) displaced tenant is eligible for a rental replacement housing payment not

Who Is Eligible? (cont.)

to exceed $4,000 if he is (2) in occupancy at the beginning of negotiations and such (3) occupancy has been for at least 90 consecutive days immediately prior to the initiation of negotiations, the (4) property was acquired by the agency or he receives written notice to vacate from the acquiring agency and he (5) purchases and occupies a decent, safe and sanitary replacement dwelling (6) within one year after the property is acquired or within one year of the date of his move from the acquired property, whichever is later.

Amount of the Down Payment:

The amount of the down payment shall be determined by the agency as the amount required as a down payment on a comparable property if such property was financed with a conventional loan. Consult your Land Agent as to the determination of this amount.

Expenses:

The down payment may also include the expenses incident to the purchase of replacement housing.

Method of Payment:

The full amount of the down payment as determined by the agency as the amount required for the down payment on a comparable dwelling and the incidental expenses up to $2,000 will be paid for by the agency. If the amount of the down payment determined exceeds $2,000, then the agency will pay 50% of the amount in excess of $2,000 providing the relocatee contributes 50% of the amount in excess of $2,000. In no event may the combined payments exceed $4,000. The full amount of the down payment must be applied to the purchase price of the replacement dwelling as such down payment and incidental costs.

MOBILE HOMES

Who Is Eligible?

Eligible owners of mobile homes or a mobile home site and eligible tenants of a mobile home or a mobile home site are qualified for replacement housing payments in the same condition and same circumstances as the owners or tenants of any other dwelling. Because of the varied number of types of occupancies, please contact your Land Agent for specific information.

MOVING EXPENSES FOR MOBILE HOMES

Eligibility:

An individual or family owning or occupying a mobile home who moves or moves his personal property and the property is acquired, or the move is a direct result of a written order to vacate from the acquiring agency, is eligible for moving payments.

Owners of Mobile Homes:

The owner of a mobile home may be reimbursed for the actual cost of moving the mobile home or other personal property.

Amount of Payment:

The owner-occupant of a mobile home who moves both the mobile home and his personal property shall be paid based on the extreme external dimensions including towing gear which is an integral part of the mobile home as follows:

A. If not more than eight feet wide or forty feet long - $200.00

B. If more than eight feet wide or more than forty feet long - $300.00.

Mobile Home Tenants:

Tenants who are displaced from a mobile home may elect to be reimbursed for moving their personal property on an actual reasonable moving cost basis or a room count basis. Please contact your Land Agent for specific information.

RELOCATION ASSISTANCE INFORMATION FOR FARMERS AND BUSINESSES

PAYMENTS

Who Is Eligible?

The owner of a displaced business or farm operation who moves his personal property from real property as a result of the acquisition of such real property or as the result of a written notice to vacate from the acquiring agency, is eligible for the actual reasonable expenses in moving his business or other personal property.

Actual Cost Move Payment:

The owner of a business or farm operation may be paid the actual reasonable cost of moving his business or farm equipment or other personal property based upon receipted bills from a commercial mover. A business may, however, perform the move itself and be paid a reasonable amount to be agreed upon in writing in advance of any such move by the agency and the displaced business. The amount agreed upon shall not exceed the lower of at least two firm bids or estimates obtained by the owner from qualified firms or estimators. Either the self-move or the actual cost by commercial mover requires the prior written authorization by the agency.

What are Moving Expense Payments?

A moving expense payment is the payment for the cost of moving personal property and may include the cost of dismantling, disconnecting, crating, loading, insuring, temporary storage, transporting, unloading, and reinstalling the personal property.

Actual Direct Loss of Tangible Personal Property:

The owner of a business or farm is entitled to receive a payment for the actual direct losses of tangible personal property in moving or discontinuing his business. Payments for the actual direct losses may be made only after a bona fide effort has been made by the owner to sell the particular item. In no event will the payment exceed the estimated cost of moving.

Actual Expenses in Searching for a Replacement Business or Farm:

The owner of a displaced business or farm may be reimbursed for the actual reasonable expenses in searching for a replacement business or farm not to exceed $500. Such

Actual Expenses in Searching for a Replacement Business or Farm: (cont.)

expenses may include transportation, lodging away from home and the reasonable value of time actually spent in the search, including the fees of real estate agents and real estate brokers if actually required and paid by the displaced business. All expenses claimed must be supported by receipted bills or on a certified statement of the time spent in search and the hourly wage rate of the person conducting the search.

What to do if You Elect Actual Moving Costs:

When you are ready to move, you should do the following things:

1. Secure moving cost estimates from two licensed moving companies.
2. Mail or deliver the estimates to your Land Agent.
3. Your Land Agent will give you a letter authorizing the move based on the lowest reasonable estimate received.
4. Move, pay the mover, and get receipted bills.
5. Submit the receipted bills together with the Claim Form within 18 months of vacating the premises.

IN-LIEU PAYMENT OPTION

In-Lieu Payments:

In lieu of actual moving expenses, an owner of a discontinued or relocated business or farm operation is eligible to receive a payment equal to the average annual net earnings of the business or farm except that such payment may not be less than $2,500 nor more than $10,000.

Determination of Amount of Payment:

The amount of the payment is determined by an audit of the income tax statements of the business or farm for the two taxable years immediately preceding the taxable year in which the business or farm operation moves from the real property acquired.

How are Average Annual Net Earnings Determined?

The earnings will be established by voluntary submission of substantiating Federal or State Income Tax returns or by allowing audit of business accounts by a qualified public accountant.

Requirements for Entitlement to In-Lieu Payment:

1. The business cannot be relocated without a substantial loss of existing patronage.

2. The business is not part of a commercial enterprise having at least one other establishment which is not being acquired and which is engaged in the same or similar business.

3. The business contributes materially to the income of the displaced owner.

How to Claim the Discontinued Business or Farm Operation Option:

1. Before you move, contact your Land Agent.

2. Mail or deliver the appropriate form and required documents to the address shown on the cover of this booklet.

3. You will be notified of the amount you are entitled to shortly after the application is received.

APPEALS

Who May Appeal?

All persons dislocated by a public project may appeal for a determination of their eligibility or the amount of their payment.

How to Appeal:

Ask your Land Agent for an Appeals Form. He will help you fill it out and see that it is directed in the proper manner.

Unresolved appeals at the acquiring agency level can also be referred to the State Department of Parks and Recreation at the following address:

Office of Grants and Local Assistance
Post Office Box 2390
1416 - 9th Street
Sacramento, California 95811

When May Appeals Be Made?

Appeals may be made up to 24 months after the local agency has purchased your property or you have moved, whichever is later.

DEFINITIONS

1. The term "person" means any individual, partnership, corporation, or association.

2. The term "displaced person" means any person who moves from real property, or moves his personal property from real property, as a result of the acquisition of such real property, in whole or in part, or as the result of the written order of the acquiring agency to vacate real property, for a program or project; and as a result of the acquisition of or as the result of the written order of the acquiring agency to vacate other real property, on which such person conducts a business or farm operation, for such program or project.

3. The term "business" means any lawful activity, excepting a farm operation, conducted primarily--

   (A) for the purchase, sale, lease and rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or any other personal property;

   (B) for the sale of services to the public;

   (C) by a nonprofit organization; or

   (D) for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of an outdoor advertising display or displays, whether or not such display or displays are located on the premises on which any of the above activities are conducted.

4. The term "farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

5. The term "mortgage" means such classes of liens as are commonly given to secure advances on, or the unpaid purchase price of, real property, under the laws of the State in which the real property is located, together with the credit instruments, if any, secured thereby.

RELOCATION FORMS AND EXHIBITS

1. Exhibit 1:

This form is useful to demonstrate the manner of computing the amount of replacement housing payment made. Information from Exhibit 2 (Valuation Report) is essential for accurate completion of Exhibit 1. The displacee will also need to furnish information. Block 6 of Exhibit 1 requires that certain appropriate attachments be completed depending on the nature of replacement. Complete only what is appropriate. For example, for a tenant who is re-renting, only Attachment 1-C would be required as support for Exhibit 1. (Block 6, Line F, may include one or more of Lines A-E. For example, a purchase differential claim might include A, D and E.)

(a) Exhibit 1-"A" is used when a displaced person is eligible for a purchase differential payment. For example, if the owner occupant received $40,000 for his property but replacement is expected to cost $50,000 he may be entitled to a $10,000 replacement benefit. Line 6(f) of Exhibit 1-"A" would also be entered on Block 6(A) of Exhibit 1.

(b) Exhibit 1-"B" is used when a displaced person is eligible for down payment assistance. (Enter (m) in Block 6(B) of Exhibit 1.)

(c) Exhibit 1-"C" is used when a displaced person chooses to rerent.

2. Exhibit 2:

This form shows the availability and probable costs of adequate replacement housing. It is divided into two sections:

Section A is used when the claimant may be eligible for replacement housing on a purchase basis. It can also be used for down-payment determinations. Indicate the value of the subject and show the cost of three available comparables. The differences, if any, between the subject and the most probable selling price of replacement dwelling is the amount of purchase differential. The entry for the line showing "Probable Selling Price of Replacement Dwelling" is the same figure which should appear in Exhibit 1-"A" first line (a) (1). For a down-payment claim (Exhibit 1-"B") the figures would be entered at (b) on Exhibit 1-"B".

Section B of Exhibit 2 is used for displaying the cost of available replacement rentals for tenants or owners choosing to rent. The actual rent of the subject should be used unless the economic rent is more appropriate (for example rent free caretaker). The difference between the rent paid and the most probable monthly rent is the amount of rental differential. This figure is used for Exhibit 1-"C".

3. Exhibit 3:

This form is a certification by the acquiring agency as to the adequacy of the replacement housing.

4. Exhibit 4:

This form is useful for complying with the informational requirements. This

form should be completed at the time of contact by the relocation agent and serves to demonstrate that the informational brochure was received by the occupant. It also furnishes basic information helpful in determining claims. This form and Exhibit 5 relate to the notification requirements.

5. Exhibit 5:

The form would be useful for notification of owners and tenants. Page 1 applies to all occupants. The proper Page 2 depends upon the status of the occupant. Page 2A is for a tenant who has been in occupancy for at least 90 days prior to the offer to the owner. Page 2B is for an owner occupant who has occupied the property for more than 180 days preceding the offer. Page 2C is for an owner occupant of more than 90 days but less than 180.

If the dollar amounts on the form are uncertain at the time of notification, suitable language may be inserted in place of specified amounts such as "up to $4,000" or whatever is appropriate.

Please remember these forms are to assist you. If you find them unworkable or not as appropriate as the forms you are in the habit of using you may substitute your own forms so long as they comply with the law and the regulations. In addition to these 5 Exhibits, attached are certain other forms which may be of benefit.

Most importantly, make sure your acquisition and relocation agents have copies of these instructions.

0-Spec/1-3

COMPUTATION AND CERTIFICATION OF REPLACEMENT HOUSING PAYMENT

1. Project No.

2. Agency Name and Address (Include Zip Code) 3. Identification No.

Full Names of Claimants

2. OCCUPANCY COVERED BY THIS CLAIM

Home Owner	TENANT			DURATION	
	Home	Sleep. Rm.	Trail Pk.	Years	Months Days

3. ACQUIRED PROPERTY

Address:

4. REPLACEMENT HOUSING

Address:

Date First Occupied		Date Inspected and Found DS & S	
Date of First Offer		Date Claimant Moved In	
Date of Escrow Close, FOC		Claimant Must Occupy Before	
Date Claimant Vacated		Last Day to Claim Payment	

5. PREVIOUS REPLACEMENT HOUSING PAYMENTS CLAIMED

Purchase Differential	$
Down Payment	$
Rental Payment	$
Incidental Expense	$
Interest Differential	$
Total Previous Payments	$

6. REPLACEMENT HOUSING PAYMENTS BEING CLAIMED (See Attachments for Computations as appropriate)

A. Purchase Differential (Use Exhibit 1-A)	$
B. Down Payment (Use Exhibit 1-B)	$
C. Rental Payment (Use Exhibit 1-C)	$
D. Incidental Expense (Use Exhibit 1-D)	$
E. Interest Differential (Use Exhibit 1-E)	$
F. AMOUNT DUE UNDER THIS CLAIM	$

7. TOTAL PAYMENTS (Incl. this claim) $

Payment of this claim in the amount shown in Box 6 is requested. Claimant acknowledges that CLAIMANTS CERTIFICATION on the reverse side hereof has been read and this claim is signed under said CERTIFICATION.

Date of Claim Claimant's Signature For the Agency (Authorized Signature)

Exhibit 1
Page 1 of 2

CLAIMANTS CERTIFICATION

In claiming payment of the amount shown in Box 6, I CERTIFY THAT:

(1) I am eligible for the payment(s) requested and that all information submitted herewith or included herein is true and correct;

(2) I now occupy the housing identified as Replacement Housing which is decent, safe, and sanitary within the meaning of P.L. 91-646 and Chapter 16 of Division 7 of Title 1 of the Government Code.

(3) I have not submitted any other claim for, or received payment of, any compensation for the benefit claimed herein.

I understand that, in addition to the penalty provided for in Penal Code Section 72, falsification of any item in this claim as submitted herewith may result in forfeiture of the entire claim.

LOCAL AGENCY CERTIFICATION

In approving this claim, I CERTIFY THAT:

(1) The determination of the amount of the payment(s) shown in Box 6 is (are) correct;

(2) To the best of my knowledge no official of the Acquiring Agency has a direct or indirect, present or contemplated, personal interest in this transaction or will derive any benefit from the payment.

(3) I have examined this claim and the substantiating documentation and determined that:

(a) The dwelling occupied by the claimant meets decent, safe, and sanitary standards.

(b) This claim conforms in all respects to the applicable provisions and requirements of P.L. 91-646 and Chapter 16 of Division 7 of Title 1 of the Government Code.

Exhibit 1
Page 2 of 2

Project No. _____

Claimants _____

_____

Controlling Date	
Date Claimant Purchased Property	

6. COMPUTATION OF AMOUNT OF PURCHASE DIFFERENTIAL

(a) (1)	Amount Necessary to Purchase a Replacement Dwelling	$_____
(a) (2)	Actual Amount Paid for the Replacement Dwelling	$_____
(b)	Enter (a)(1) or (a)(2), whichever is least	$_____
(c)	Price Paid for Acquired Property or Segregated or Residential Value	$_____
(d)	Subtract Item (c) from Item (b)	$_____
(e)	Subtract Amount Previously Paid to Claimant	$_____
(f)	PURCHASE DIFFERENTIAL PAYMENT (enter on Line A, Block 6	$_____

REMARKS:

Exhibit 1-A

Project No. _____

Claimant _____

6. COMPUTATION OF AMOUNT OF DOWN PAYMENT REQUIRED TO PURCHASE A COMPARABLE REPLACEMENT DWELLING

(a) Effective date of replacement purchase commitment _____

(b) Probable selling price of most comparable dwelling $_____

(c) Percentage amount required as a down payment _____%

(d) Calculated amount of down payment /___ (b) x (c) ___/ $_____

(e) Loan Fee up to 1% and points (based on lesser balance) $_____

(f) Amount of eligible incidental expenses $_____

(g) Total /___(d) + (e) + (f) ___/ $_____

(h) Unmatched share (subtract) $_____

(i) Balance subject to matching by claimant /___ (g) - (h) ___/ $_____

(j) One-half of Item (i) $_____

(k) Allowed Funds Paid by Claimant $_____

(l) Amount Due under this claim, Item (m) will be:

(1) If Item (g) is $2,000 or less, enter amount of Item (g) on Line (m);

(2) If Item (g) exceeds $2,000 add $2,000 to the lesser of Items (j) or (k) and enter total in Item (m), not to exceed $4,000.

(m) AMOUNT DUE UNDER THIS CLAIM (enter on Line B, BLOCK 6. $_____

REMARKS:

Exhibit 1-B

Project No. _____

Claimant _____

_____

6. COMPUTATION OF REPLACEMENT RENTAL PAYMENT

(a)	Monthly rental required to obtain replacement unit or the amount of rent actually paid for replacement property, whichever is less	$_____
(b)	Monthly rental rate applied to unit vacated by claimant	$_____
(c)	Replacement rental cost difference, Item (a) minus Item (b)	$_____
(d)	Rental cost difference, Item (c) X 48 months	$_____
(e)	Amount of Payment: Enter amount of (d) on Line C, Block 6	$_____

REMARKS:

Exhibit 1-C

Project No. _____

Claimants _____

_____

6D COMPUTATION OF INCIDENTAL EXPENSES

(1) "Points" and loan origination fees paid. $_____

(2) Enter 1% of new loan or 1% of the probable replacement cost, whichever is less $_____

(3) Enter either (1) or (2), whichever is smaller $_____

(Items (1), (2) and (3) above only apply to the down payment option for <u>short-term owners and tenants</u>.)

(4) List of other eligible incidental expenses:

(a) $_____

(b) $_____

(c) $_____

(d) $_____

(e) $_____

(f) $_____

(g) $_____

(h) $_____

(i) $_____

(j) $_____

TOTAL $_____

(5) AMOUNT DUE UNDER THIS CLAIM = (3) + (4), enter on Line D of Block 6, Exhibit 1. $_____

REMARKS

EXHIBIT 1-D

Project No. _____

Claimants _____

_____

B. COMPUTATION OF INTEREST DIFFERENTIAL

Subject Property Loan Recorded _____
Replacement Property Loan Recorded _____
Effective Date of Replacement Loan _____

	Mortgage Data	
	Subject Property	Replacement Property
Interest Rate	_____%	_____%
Remaining Term (in months)	_____	_____
Remaining Principal Balance	$_____	$_____
Monthly Principal & Interest Payment	$_____	$_____

(1) Subject Property Computation (maximum payment)

Monthly P&I Payment $_____ for _____ years @ _____% is $ _____
Monthly P&I Payment $_____ for _____ years @ _____% is $ _____
Monthly Interest Difference is
Present Worth of $ _____ monthly for _____ years discounted
at _____% savings deposit rate
($ _____ x 12 months x _____) is $ _____

(2) Replacement Property Computation

Monthly P&I Payment $_____ for _____ years @ _____% is $ _____
Monthly P&I Payment $_____ for _____ years @ _____% is $ _____
Monthly Interest Difference is
discounted at _____% savings deposit rate
($_____ x 12 months x _____) is $ _____

(3)	Enter (1) or (2), whichever is least		$ _____
(4)	Enter amount of loan(s) on either the subject property or replacement property, whichever is least	$ _____	
(5)	Points Paid	_____%	
(6)	Normal points	_____%	
(7)	Points eligible lesser of (5) or (6) x (4)	$ _____	
(8)	Origination or service fees charged	$ _____	
(9)	1% of (4)	$ _____	
(10)	Enter (8) or (9), whichever is least	$ _____	
(11)	Enter amount total for (7) and (10)		$ _____

AMOUNT DUE UNDER THIS CLAIM IS (3) + (11) $ _____

Project No. _____

REPLACEMENT HOUSING VALUATION REPORT
3 COMPARABLE METHOD

Date _____ Initial Report ( ) Revision ( )

Owner _____

Address _____

Tenant _____ Apt. No. _____ Rm. Count _____ Bdrms-Subj. _____

Family Composition of: Owner( ) Tenant( ) Show Childrens' Ages

Male Adults	Female Adults	Male Children	Female Children	Bdrms-Required

A. Computation of PURCHASE DIFFERENTIAL (and basis for downpayment)

Comp. No.	No. of Bedrooms	Probable Selling Price		
Subject		$	(Appraisal)	(Settlement)
1.		$		
2.		$		
3.		$		

Probable Selling Price of Replacement Dwelling $ _____

Residential Value, Subject Dwelling - $ _____

PURCHASE DIFFERENTIAL = $ _____

B. Computation of REPLACEMENT RENTAL

Comp. No.	No. of Bedrooms	Monthly Rent		
Subject		$	(Actual)	(Economic)
1.		$		
2.		$		
3.		$		

Probable Monthly Rent of Replacement Dwelling $ _____

Average, Last 3 Mos. Rent, or Econ. Rent, Subj. - $ _____

Monthly Rental Difference $ _____

RENTAL DIFFERENTIAL: 48 X Difference = $ _____

REMARKS:

Exhibit 2

Project No. _____

REPLACEMENT HOUSING, REVIEW CERTIFICATION

Displacee	Appraised Value or Actual or Economic Rent	Replacement Value or Rent

The undersigned hereby certifies to the best of his knowledge based on review and analysis of the replacement valuation report that:

1. He is aware of the size and make-up of the displaced family and is familiar with the dwelling to be acquired.

2. The replacement value listed for each parcel accurately reflects the price for which the displacee can purchase or rent a comparable replacement dwelling which is:

   a. Decent, safe and sanitary;

   b. Functionally equivalent and substantially the same or better than the acquired dwelling.

   c. Open to all persons regardless of race, color, religion, sex or national origin;

   d. Located in areas not generally less desirable than the dwelling to be acquired in regard to public utilities and public commercial facilities;

   e. Reasonably accessible to the relocatee's place of employment;

   f. Adequate for the size and make-up of the displaced family.

   g. In an equal or better neighborhood;

   h. Available on the market to the displaced person;

3. He has no direct or indirect, present or contemplated future personal interest in these transactions nor will any benefits be derived from the replacement payments.

4. The amount approved is not a directed amount. It was arrived at fairly, without coercion, and is based upon factual data.

_____ Dated

_____ Signed (Relocation Agent)

Exhibit 3

Project No. _____

CERTIFICATION OF OCCUPANCY AND RECEIPT OF RELOCATION INFORMATION

To: Relocation Advisor

I have received the Relocation Information Brochure

I will file my claim for any benefits due me in accordance with the instructions as set forth in the Brochure

I certify that the following information is true to the best of my knowledge:

Number of Adults_____ Children_____

Age of Children M_____

F_____

☐ No persons displaced

I (We) first occupied the property (to be) acquired on

_____

Occupants Name

_____

Address

_____

_____

(Signature of Owner/Tenant

Date_____

(Agency Completes Below this Line)

I have personally verified the above occupancy and I certify possession of:

Date of first offer to acquire this property_____

☐ Non-Resid.

☐ No personal property to be moved

☐ Personal property only

Furniture owned by ☐ Tenant ☐ Owner

Bedroom(s)_____

Living Room_____

Dining Room_____

Den_____

Kitchen_____

Service Porch_____

Garage_____

Other_____

Total Room Count_____

APPROVED BY

_____

_____

Date

Exhibit 4

(Current Date) (File Reference)

DETERMINATION OF BENEFITS

(Inside Address)

Dear_____:

On _____, 19___, the _____ made an offer to purchase the property which you occupied on that date. As the eligible occupant of the property, you are entitled to certain benefits under the State's Relocation Assistance Program. These benefits are briefly outlined below and are discussed in further detail in the brochure which was given to you.

The dollar amounts shown below are subject to review from time to time and could increase or decrease as conditions change. Normally, a decrease would occur only under unusual circumstances.

You will not be eligible to receive any relocation payment until the Agency has completed the purchase of the property or has the right of possession of the property and you have moved.

You will be given at least 90 days written notice before you will be required to move from the property.

As the occupant of the property on the date of the first offer, you are entitled to:

1. RELOCATION ADVISORY ASSISTANCE:

   The Department will assist you in finding a replacement residence. If you wish assistance, contact your relocation advisor; AND,

2. MOVING EXPENSES:

   You may select payment based on:

   a. Moving Cost Schedule based on number of rooms, plus dislocation allowance. Your entitlement under this option is $_____; OR

   b. Actual Cost Move based on written estimates; OR

   c. Moving Service Authorization where the Department makes direct payment to an approved commercial mover.

Exhibit 5
Page 1 of 2

If you occupied the property for more than 90 days immediately preceding the date of the first offer, you may also qualify for additional benefits as follows:

1. IF YOU RENT REPLACEMENT HOUSING

   a. Replacement Rental Payment in the amount of $_____; OR

2. IF YOU BUY REPLACEMENT HOUSING

   a. Down payment allowance; AND

   b. Incidental costs.

(If you think you may wish to buy a replacement property, contact your relocation advisor and he will arrange a calculation of these optional benefits.)

To avoid loss of possible benefits, DO NOT commit yourself to purchase or rent a replacement property or move without first contacting your relocation advisor.

Sincerely,

_____
Relocation Advisor

Phone_____

ACKNOWLEDGMENT

I was personally contacted by the above agent for_____ _____. I have had the services and entitlements available explained to me. I was further advised that Relocation Services will be available to me as assistance is needed. I have been given a copy of this form letter.

Date_____, 19___ _____

(90-Day Tenant)
Alternate Page 2

If you occupied the property for more than 180 days immediately preceding the date of first offer, you may also qualify for additional benefits as follows:

1. IF YOU BUY REPLACEMENT HOUSING

   a. REPLACEMENT PURCHASE DIFFERENTIAL in the amount of $_____

   b. INCIDENTAL EXPENSES

      Qualifying incidental expenses will be determined after you have purchased (or are purchasing) replacement housing.

   c. INTEREST DIFFERENTIAL PAYMENT

      If you qualify, your entitlement will be determined after you have purchased replacement housing and the necessary information regarding your old and new loans has been obtained or submitted.

Your relocation advisor will explain how these payments are computed.

2. IF YOU RENT REPLACEMENT HOUSING

   REPLACEMENT RENTAL PAYMENT

   (If you think you may wish to rent a replacement property, contact your relocation advisor and he will arrange a calculation of this optional benefit.)

To avoid loss of possible benefits, DO NOT commit yourself to purchase or rent a replacement property or move without first contacting your relocation advisor.

Sincerely,

_____
Relocation Advisor

Phone_____

ACKNOWLEDGEMENT

I was personally contacted by the above agent for the _____ _____. I have had the services and entitlements available explained to me. I was further advised that Relocation Services will be available to me as assistance is needed. I have been given a copy of this form letter.

Date_____, 19___ _____

(Long-Term Owner)
Alternate Page 2

If you occupied the property for more than 90 days but less than 180 days, immediately preceding the date of the first offer, you may also qualify for additional benefits as follows:

1. IF YOU BUY REPLACEMENT HOUSING

DOWN PAYMENT ALLOWANCE AND INCIDENTAL EXPENSES

Your exact entitlement will be determined when you have purchased (or are purchasing) replacement housing. The following is an estimate of the amount for a down payment which you could receive if you moved today and were found eligible.

Probable selling price of comparable housing $_____

Present _____% required as down payment $_____

Estimated payment for which you may be eligible $_____

(Any payment in excess of $2,000 requires a contribution of matching funds by the displacee.)

In addition, you may qualify to receive certain incidental expenses and loan costs. Your relocation advisor will discuss these benefits with you.

OR

2. IF YOU RENT REPLACEMENT HOUSING

REPLACEMENT RENTAL PAYMENT

(If you think you may wish to rent a replacement property, contact your relocation advisor and he will arrange a calculation of this optional benefit.)

To avoid loss of possible benefits, DO NOT commit yourself to purchase or rent a replacement property or move without first contacting your relocation advisor.

_____
Relocation Advisor

Phone_____

ACKNOWLEDGMENT

I was personally contacted by the above agent for the _____ _____. I have had the services and entitlements available explained to me. I was further advised that Relocation Services will be available to me as assistance is needed. I have been given a copy of this form letter.

Date_____, 19___ _____

(Short-Term Owner)
Alternate Page 2

CLAIM FOR ACTUAL MOVING EXPENSE

CLAIM MUST BE FILED WITHIN 18 MONTHS OF DATE OF MOVE. PRINT OR TYPE ALL INFORMATION

TO:	Agency _____ Project _____ Parcel No. _____ Grantor _____

1. Full Name of Claimant	2. Date Moving Agreement Signed	3. Date of Move

4. Address Moved From Apt. No.	5. Address Moved to Apt. No.
6. Mover's Name and Address Phone	7. Distance Moved _____ Miles 8. Amount of Claim $ _____

9. Payment of this claim in the amount shown above is requested.

I CERTIFY that I have not submitted any other claim for, or received, reimbursement or compensation for any item of expense in this claim, and that I will not accept reimbursement or compensation from any other source for any item of expense paid pursuant to this claim. I further certify that all information submitted herewith or included herein is true and correct. I understand that, in addition to the penalty provided by Penal Code Section 72, falsification of any item in this claim as submitted herewith may result in forfeiture of the entire claim. (NOTE: Section 72 of the Penal Code provides: "Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, town, city, district, ward or village board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is guilty of a felony.")

Date of Claim _____ Claimants Signatures _____

_____

SPACES BELOW TO BE COMPLETED BY AGENCY

I CERTIFY that I have examined this claim, and substantiating documentation, and have found it to conform to the applicable provisions of State law, and Order Adopting Regulations of the Board of Control pursuant thereto. I further certify that the determinations required under Subchapter 6, Chapter 3, Title 2 of the California Administrative Code have been made with respect to this claim. This claim is approved and payment is authorized as follows:

Payment $ _____ _____
Authorized Signature

_____
Date

Vacancy Verified on (Date) _____

By _____
Signature

Date Paid _____

EXHIBIT 6-A

CLAIM FOR MOVING EXPENSE BY SCHEDULE AND DISLOCATION ALLOWANCE

CLAIM MUST BE FILED WITHIN 18 MONTHS OF DATE OF MOVE. PRINT OR TYPE ALL INFORMATION

TO:

Agency _____

Project _____

Parcel No. _____

Grantor _____

1. Full Name of Claimant	2. Claimant's Phone No.	3. Date of Move

4. Address Moved From	5. Address Moved To
Apt. No.	Apt. No.

6. Amount of Claim:

_____	Rooms – Unfurnished	$ _____
_____	Rooms – Furnished	_____
	Overall size of Mobile Home	_____
	Dislocation Allowance	+ 200.00
	TOTAL CLAIM	$ _____

7. Payment of this claim in the amount shown above is requested.

I CERTIFY that I have not submitted any other claim for, or received, reimbursement or compensation for any item of expense in this claim, and that I will not accept reimbursement or compensation from any other source for any item of expense paid pursuant to this claim. I further certify that all information submitted herewith or included herein is true and correct. I understand that, in addition to the penalty provided by Penal Code Section 72, falsification of any item in this claim as submitted herewith may result in forfeiture of the entire claim. (NOTE: Section 72 of the Penal Code provides: "Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, town, city, district, ward or village board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is guilty of a felony.")

Date of Claim _____ Claimants' Signatures _____

_____

SPACES BELOW TO BE COMPLETED BY AGENCY

I CERTIFY that I have examined this claim, and substantiating documentation, and have found it to conform to the applicable provisions of State law, and Order Adopting Regulations of the Board of Control pursuant thereto. I further certify that the determinations required under Subchapter 6, Chapter 3, Title 2 of the California Administrative Code have been made with respect to this claim. This claim is approved and payment is authorized as follows:

Vacancy Verified (at Date) _____

By _____

Signature

Final Payment $ _____ _____

Authorized Signature

Dislocation Allowance $ 200.00

TOTAL $ _____ _____

Date

Date Paid _____

EXHIBIT 6-B

REQUEST FOR DETERMINATION OF ENTITLEMENT
For Payment in Lieu of Moving Expense
Business or Farm Operation

TO:	Agency
	Project
	Parcel No.
	Grantor
1. Name and Address of Applicant	2. Name and Address of Business or Farm Operation
3. Date Property Acquired	4. Occupany of Property

5. Kind of Operation		Dates of Occupancy		Time Occupied	
		From	To	Years	Months
Business	Farm				
Retail Marketing	Wholesale Marketing				
Manufacturing	Service				
Other. State here or add extra page					

6. If a Business, Does Applicant	Yes	No
(a) Operate under franchise or as a consignee?		
(b) Operate any other similar establishment?		

If answer to 6a or 6b is yes, attach statement of explanation.

7. Principal Product, Commodity or Service

8. The undersigned owner or authorized representative of the business or farm operation named above hereby requests that the within application be reviewed to determine if said business or farm owner is entitled to receive a payment in lieu of actual moving expense, and to determine the amount to which such farm or business owner may be entitled under the regulations contained in Subchapter 6, Chapter 3, Title 2, of the California Administrative code. I understand that this determination may be used in connection with a State project; that this application and all data submitted herewith or included herein shall become a part of any claim for payment made subsequent to the determinations requested herein and based hereon as if the same were part of such claim; that all financial statements and accounting records of the business or farm operation named above shall be made available for audit by the State during normal business hours. I CERTIFY that all information submitted herewith or included herein is true and correct. I understand that, in addition to the penalty provided by Penal Code Section 72, falsification of any item in this request as submitted herewith or included herein may result in forfeiture of any subsequent claim based on this information in its entirety. (NOTE: Section 72 of the Penal Code provides: "Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, town, city, district, ward or village board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher or writing, is guilty of a felony.")

Applicant's Signature _____ Title _____

_____ Title _____
(Owner, Partner, Corporate Officer)

Date _____

Note to Applicant: If review of this application determines the business or farm operation to be entitled to receive payment based on average annual net earnings in lieu of actual moving expense, you will receive notice of the amount which may be claimed. If the business or farm operation is found to be ineligible for such payment, your notification will contain the reasons for the ineligibility.

CLAIMANT'S JUSTIFICATION OF
REQUEST FOR DETERMINATION OF ENTITLEMENT
FOR PAYMENT IN LIEU OF MOVING EXPENSE

INSTRUCTIONS TO CLAIMANT: Several factors must be considered to establish your eligibility for payment in lieu of moving expenses. Please answer the questions below in as much detail as necessary to explain your situation.

1. WHY DO YOU FEEL YOUR BUSINESS CAN NOT BE RELOCATED WITHOUT A SUBSTANTIAL LOSS OF ANNUAL AVERAGE DOLLAR VOLUME IN TERMS OF:

(a) Type of business?

(b) Clientele?

(c) Importance of present and proposed location?

2. IS YOUR BUSINESS PART OF A COMMERCIAL ENTERPRISE HAVING AT LEAST ONE OTHER ESTABLISHMENT ENGAGED IN THE SAME BUSINESS WHICH IS NOT BEING ACQUIRED BY THE STATE? IF SO, EXPLAIN.

3. HOW MUCH DOES YOUR BUSINESS CONTRIBUTE TO YOUR INCOME?

I certify under penalty of perjury that the information given above is correct to the best of my knowledge.

_____ _____
DATE SIGNATURE

FORM 4506 (12-68)	DEPARTMENT OF THE TREASURY - INTERNAL REVENUE SERVICE **REQUEST FOR COPY OF TAX RETURN** *(Prepare a separate form for each request)*	
NAME AND ADDRESS OF TAXPAYER(S) AS SHOWN ON RETURN:	SOCIAL SECURITY OR EMPLOYER IDENTIFICATION NUMBER	DOCUMENT LOCATOR NUMBER *(If known)*
	KIND OF TAX *(Income, Estate, Excise, Gift, etc.)*	TAX PERIOD
MAIL PHOTOCOPIES TO:	TAX FORM NUMBER	INTERNAL REVENUE OFFICE WHERE RETURN WAS FILED
	PHOTOCOPIES *(Number Desired)*	CERTIFICATIONS *(Number Desired)*

THE INTERNAL REVENUE SERVICE WILL ENCLOSE A BILL WITH THE ITEM(S) SENT TO YOU.

I agree to pay the Internal Revenue Service for the reproductions noted above, at the following rates:

- The basic rate for reproduction of a tax return or other document is $1 per page. The cost per page increases in multiples of 50¢ for pages substantially larger than an 8½" X 11" tax return.
- The cost of certification (confirmation that the reproduction is a true and correct copy) is $1.

Signature of Taxpayer (or requester) *Date*

Please enclose a certified copy of your authorization to receive this material if you are not the taxpayer.

GPO : 1969 O - 108-133 FORM 4506 (12-68)

EXHIBIT 7-C

Date _____

State of California
Franchise Tax Board
P.O. Box 1468
Sacramento, CA 95807

Attention: Administrative Services Section

Gentlemen:

Please forward a copy of the California Income Tax return designated below, complete with all supporting schedules to:

Bills for your service charges are to be forwarded with the certified copies.

Taxpayer's Signature _____ *Spouse's Signature (If Joint Return)* _____

PLEASE PRINT OR TYPE ALL INFORMATION REQUIRED BELOW

TAX YEARS WANTED (SHOW DATES OF FISCAL YEAR IF USED) 19 _____ AND 19 _____	TYPE OF RETURN _____ INDIVIDUAL _____ JOINT _____ OTHER (EXPLAIN)
NAME OF TAXPAYER AS SHOWN ON RETURN (IF JOINT RETURN OF HUSBAND AND WIFE, GIVE FIRST NAMES AND MIDDLE INITIAL OF BOTH)	SOCIAL SECURITY NUMBERS TAXPAYER _____ SPOUSE _____
ADDRESS UNDER WHICH RETURN FILED	TAXPAYER'S PRESENT MAILING ADDRESS

ADDITIONAL INFORMATION

EXHIBIT 7-D

CLAIM FOR PAYMENT
INCOME BASIS IN LIEU OF MOVING EXPENSE
Business or Farm Operation

CLAIM MUST BE FILED WITHIN 18 MONTHS OF DATE OF MOVE. PRINT OR TYPE ALL INFORMATION

TO:	Agency
	Project
	Parcel No.
	Grantor
1. Claimant's Name and Address	2. Name and Address of Business or Farm
3. Date In Lieu Agreement Signed	4. Date of Move
5. Address Moved to (if applicable)	6. Controlling Dates

6. Controlling Dates	Month	Day	Year
a. Property vacated on			
b. Last day to file claim			
c. Claim filed on			

7. I CERTIFY that I have examined the income tax returns submitted with the Request for Determination of Entitlement by the above named claimant. I have found the net earnings for each year and the average annual net earnings to be as follows:

19 _____, $ _____; 19 _____, $ _____; Annual net earnings $ _____.

_____ Date _____ Authorized Signature

8. Payment of this claim is requested in the amount of $ _____.

I CERTIFY that I am the owner or authorized representative of the business or farm operation; that no other claim for reimbursement or compensation for payment of moving expense or in lieu of moving expense has been submitted, or payment received, or will be accepted from any other source by me or on behalf of said business or farm operation. I understand this claim for payment is based on information previously submitted to the Department of General Services and that all such information is true and correct and is a part of this claim. I understand that, in addition to the penalty provided by Penal Code Section 72, falsification of any item in this claim as submitted herewith may result in forfeiture of the entire claim. (NOTE: Section 72 of the Penal Code provides: "Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, town, city, district, ward to village board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is guilty of a felony.")

Claimant's Signatures _____ Title _____

_____ Title _____

SPACES BELOW TO BE COMPLETED BY AGENCY

I CERTIFY that I have examined this claim and the request for determinations of entitlement with substantiating documentation submitted in connection with this claim and have found it to conform to the applicable provisions of State Law. The determinations required under Subchapter 6, Chapter 3, Title 2, of the California Administrative Code have been with respect to this claim. This claim is approved and payment is authorized in the amount of $ _____.

Vacancy Verified on (Date) _____

By _____

Signature

Date _____ _____ Authorized Signature

Date Paid _____

EXHIBIT 7-E

CLAIMANT'S INCOME STATEMENT

TO:	Agency
	Project
	Parcel No.
	Grantor

1. FULL NAMES OF CLAIMANTS	2. Home Phone No.	3. Date of Move
4. ADDRESS OF STATE ACQUIRED PREMISES APT. NO.	5. Husband's Occupation 6. Wife's Occupation	
7. HUSBAND'S EMPLOYER AND ADDRESS ZIP Phone	8. Wife's Employer and Address ZIP Phone	

9. Source of Income (Put an "X" in all Boxes which do not apply)	HUSBAND'S INCOME		WIFE'S INCOME		Total Monthly Equivalent
	Amount	How Often	Amount	How Often	
a. Gross salary or wages before any deductions	$		$		$
b. Gross income from commissions tips, rents and royalties					
c. Social Security payments					
d. Civil service and other pensions, annuities					
e. Interest, dividends					
f. Unemployment and disability insurance, benefits					
g. Veterans payments or benefits					
h. Public Assistance or welfare payments. (List programs and amounts on reverse side)					
i. Any other income. (Explain on reverse side)					
j. TOTAL MONTHLY GROSS INCOME					$

I (We) certify, under the penalities of perjury, that our average monthly gross income, including salaries, wages, tips, commissions, rents, royalties, dividends, interest, profits, pensions and annuities, irrespective of expenses and voluntary or involuntary deductions, is correctly stated above. I (We) understand that this information may be used in connection with a state project.

Claimant _____ Claimant _____ Date _____

EXHIBIT 7-F

ATTACHMENT E

GOVERNMENT CODE

CHAPTER 16 - RELOCATION ASSISTANCE*

Sec. 7260. Definitions

As used in this chapter:

(a) "Public entity" includes the state, the Regents of the University of California, a county, city, city and county, district, public authority, public agency, and any other political subdivision or public corporation in the state when acquiring real property, or any interest therein, in any city or county for public use.

*Please note that this Chapter applies to acquisition projects even where there is no relocation required (i.e. Sections 7267).

(b) "Person" means any individual, partnership, corporation, or association.

(c) "Displaced person" means any person who moves from real property, or who moves his personal property from real property, as a result of the acquisition of such real property, in whole or in part, or as the result of a written order from a public entity to vacate the real property, for public use.

(d) "Business" means any lawful activity, except a farm operation, conducted primarily:
(1) For the purchase, sale, lease, or rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or any other personal property;
(2) For the sale of services to the public;
(3) By a nonprofit organization; or
(4) Solely for the purpose of Section 7262 for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of an outdoor advertising display, whether or not such display is located on the premises on which any of the above activities are conducted.

(e) "Farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

(f) "Affected property" means any real property which actually declines in fair market value because of acquisition by a public entity for public use of other real property and a change in the use of the real property acquired by the public entity.

(g) "Public use" means a use for which real property may be acquired by eminent domain.

(h) "Mortgage" means such classes of liens as are commonly given to secure advances on, or the unpaid purchase price of, real property, together with the credit instruments, if any, secured thereby.

Sec. 7261. Relocation advisory assistance by public entity; local offices

(a) A public entity shall provide relocation advisory assistance to any person, business, or farm operation displaced because of the acquisition of real property by that public entity for public use.

(b) In giving such assistance, the public entity may establish local relocation advisory assistance offices to assist in obtaining replacement facilities for persons, business, and farm operations which find that it is necessary to relocate because of the acquisition of real property by the public entity.

(c) Such advisory assistance shall include:
(1) Determining the need, if any, of displaced persons for relocation assistance.

(2) Providing current and continuing information on the availability, prices, and rentals of comparable decent, safe, and sanitary housing for displaced persons, and of comparable commercial properties and locations for displaced businesses.
(3) Assuring that, within a reasonable period of time, prior to displacement, to the extent that it can be reasonably accomplished, there will be available in areas not generally less desirable in regard to public utilities and public and commercial facilities, and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced persons who require such dwellings and reasonably accessible to their places of employment, except that, in the case of a federally funded project, a waiver may be obtained from the federal government.
(4) Assisting a displaced person displaced from his business or farm operation in obtaining and becoming established in a suitable replacement location.
(5) Supplying information concerning federal and state housing programs, disaster loan programs, and other federal or state programs offering assistance to displaced persons.
(6) Providing other advisory services to displaced persons in order to minimize hardships to such persons.

(d) The public entity shall coordinate its relocation assistance program with the project work necessitating the displacement and with other planned or proposed activities of other public entities in the community or nearby areas which may affect the implementation of its relocation assistance program.

Sec. 7261.5 Contracts with private entity for services; use of other governmental entities

In order to prevent unnecessary expenses and duplications of functions, and to promote uniform and effective administration of relocation assistance programs for displaced persons under this chapter, a public entity may enter into a contract with any individual, firm, association, or corporation for services in connection with such program, or may carry out its functions under this chapter through any federal, state, or local governmental agency having an estabilished organization for conducting relocation assistance programs. Any public entity may, in carrying out its relocation assistance activities, utilize the services of state or local housing agencies or other agencies having experience in the administration or conduct of similar housing assistance activities.

Sec. 7261.6 Relocation Assistance Coordination (Section 7261.6 is added to the Government Code effective January 1, 1974)

7261.6 Notwithstanding any other provision of this chapter, any city, county, or city and county may establish a central relocation agency to coordinate all relocation activities within the jurisdiction of the local agency. A county relocation agency shall have jurisdiction only over those relocation activities which take place within the unincorporated areas of the county. Every public entity within the local agency's jurisdiction (required to do so) shall file the relocation rules and regulations, which it is required to adopt pursuant to Section 7267.8 with the central relocation agency and shall file annually its relocation plans by June 1st of each year for the subsequent fiscal year. The central relocation agency shall approve or disapprove the public entity's relocation plan by July 1 or the plan will automatically become effective.

If the agency disapproves the plan or finds that the plan conflicts in the use of relocation resources with those plans filed by other public entities or that adequate resources are not available in places and at times necessary to meet the relocation needs as set forth in one or more of the plans it shall call a meeting of the public entities concerned as soon as possible. At such meeting, the agency shall try to resolve such conflicts as exist or insure that adequate relocation resources are developed to meet such needs.

The agency may direct modifications of a plan in the case of unresolved conflicts and may extend its approval deadline by 30 days to determine whether such modifications affect such relocation plans. Additional extensions may be granted for periods of 30 days with the consent of all affected parties. Where modification to a relocation plan is directed by the agency, the public entity may appeal to the relocation appeals board established pursuant to Section 33417.5 of the Health and Safety Code. If no such relocation appeals board has been established, the public entity may appeal to the legislative body creating the central relocation agency.

Approval of a relocation plan will constitute a finding by the agency that it has reasonable assurance that adequate relocation resources exist within the requirements of law which will be available at the times required by the plan.

The central relocation agency shall coordinate the execution of each public entity's relocation plans and shall share with each public entity making a request the relocation information of all other public entities. The central relocation agency may contract with adjoining cities or counties to perform relocation and central relocation services.

Public entities with displacement of less than 5 percent of the local agency's total local annual displacement based on all relocation plans filed and state agencies shall be exempt from the requirement of approval of their relocation plan prior to its execution.

A public entity may amend its relocation plan during any fiscal year by filing an amended plan with the central relocation agency and obtaining its approval. All amended plans must have approval before execution may occur and the central relocation agency shall approve or disapprove amended plans within 30 days or approval will be automatic.

Execution of any relocation plan must be in accordance with the approved relocation plan or the public entity may not displace any persons. Failure to file a relocation plan and obtain approval when required, prior to displacement, may subject the public entity to an order from the central relocation agency to desist from any displacement.

Sec. 7262. Compensation for displaced person; amount

(a) As a part of the cost of acquisition of real property for a public use, a public entity shall compensate a displaced person for his:
(1) Actual and reasonable expense in moving himself, family, business, or farm operation, including moving personal property.
(2) Actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not to exceed an amount equal to the reasonable expenses that would have been required to relocate such property, as determined by the public entity.

(3) Actual and reasonable expenses in searching for a replacement business or farm.

(b) Any displaced person who moves from a dwelling who elects to accept payments authorized by this subdivision in lieu of the payments authorized by subdivision (a) shall receive a moving expense allowance, determined according to a schedule established by the public entity, not to exceed three hundred dollars ($300), and in addition a dislocation allowance of two hundred dollars ($200).

(c) Any displaced person who moves or discontinues his business or farm operation who elects to accept the payment authorized by this subdivision in lieu of the payment authorized by subdivision (a), shall receive a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, except that such payment shall not be less than two thousand five hundred dollars ($2,500) nor more than ten thousand dolalrs ($10,000). In the case of a business, no payment shall be made under this subdivision, unless the public entity is satisfied that the business cannot be relocated without a substantial loss of patronage and is not a part of a commercial enterprise having at least one other establishment not being acquired, which is engaged in the same or similar business. For purposes of this subdivision, the term "average annual net earnings" means one-half of any net earnings of the business, or farm operation, before federal, state, and local income taxes, during the two taxable years immediately preceeding the taxable year in which such business or farm operation moves from the real property being acquired, or during such other period as the public entity determines to be more equitable for establishing such earnings, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such two-year or such other period. To be eligible for the payment authorized by this subdivision, the business or farm operation shall make available its state income tax records, and its financial statements and accounting records, and for audit for confidential use to determine the payment authorized by this subdivision. In the case of an outdoor advertising display, the payment shall be limited to the amount necessary to physically move or replace such display.

(d) Whenever the acquisition of real property used for a business or farm operation causes the person conducting the business or farm operation to move from other real property, or to move his personal property from other real property, such person shall receive payments for moving and related expenses under subdivision (a) or (b) and relocation advisory assistance under Section 7261 for moving from such other property.

Sec. 7263. Additional payment to displaced dwelling owner; amount

(a) In addition to the payments required by Section 7262, the public entity, as part of the cost of acquisition, shall make a payment to the owner of real property acquired for public use which is improved with a dwelling actually owned and occupied by the owner for not less than 180 days prior to the initiation of negotiation for the acquisition of such property.

(b) Such payment, not to exceed fifteen thousand dollars ($15,000), shall be based on the following factors:
(1) The amount, if any, which, when added to the acquisition payment, equals the reasonable cost of a comparable replacement dwelling determined, in accordance with standards established by the public entity, to be a decent, safe and sanitary dwelling

adequate to accommodate the displaced owner, reasonably accessible to public services and the displaced person's place of employment, and available on the market.

(2) The amount, if any, which will compensate the displaced owner for any increased interest costs which he is required to pay for financing the acquisition of a comparable replacement dwelling. The amount shall be paid only if the acquired dwelling was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than 180 days prior to the initiation of negotiations for the acquisition of such dwelling. The amount shall be equal to the excess in the aggregate interest and other debt service costs of that amount of the principal of the mortgage on the replacement dwelling which is equal to the unpaid balance of the mortgage on the acquired dwelling, over the remainder term of the mortgage on the acquired dwelling, reduced to discounted present value. The discount rate shall be the prevailing interest rate paid on savings deposits by commercial banks in the general area in which the replacement dwelling is located.

(3) Reasonable expenses incurred by the displaced owner for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

(c) Such payment shall be made only to a displaced owner who purchases and occupies a replacement dwelling that meets standards established by the public entity within one year subsequent to the date on which he moves from the dwelling acquired by the public entity or the date on which he receives from the public entity final payment of all costs of the dwelling acquired by the public entity, whichever is the later date.

Sec. 7263.5 Lease of condominium deemed purchase

For the purposes of Section 7263, the leasing of a condominium for a 99-year period, or for a term which exceeds the life expectancy of the displaced person as determined from the most recent life tables in Vital Statistics of the United States, as published by the Public Health Service of the Department of Health, Education, and Welfare, shall be deemed a purchase of the condominium.

Sec. 7264. Additional payment to displaced individual or family renters; amount

(a) In addition to the payments required by Section 7262, as a part of the cost of acquisition, the public entity shall make a payment to any displaced person displaced from any dwelling not eligible to receive a payment under Section 7263 which was actually and lawfully occupied by such person for not less than 90 days prior to the initiation of negotiation by the public entity for the acquisition of such property.

(b) Such payment, not to exceed four thousand dollars ($4,000), shall be the additional amount which is necessary to enable such person to lease or rent for a period not to exceed four years, or to make the down-payments on the purchase of, a decent, safe, and sanitary dwelling of standards adequate to accommodate such person in areas not generally less desirable in regard to public utilities and public and commercial facilities.

(c) If the payment is to be used as a downpayment for the acquisition of a decent, safe, and sanitary dwelling of such standards, the payment shall not exceed two thousand dollars ($2,000), unless the amount in excess thereof is equally matched by such person.

Sec. 7264.5 Comparable replacement housing; use of funds; tax assessment information

(a) If comparable replacement housing is not available and the public entity determines that such housing cannot otherwise be made available, the public entity shall use funds authorized for the project for which the real property, or interest thereof, is being acquired to provide such housing.

(b) No person shall be required to move from his dwelling because of its acquisition by a public entity, unless there is replacement housing, as described in paragraph (3) of subdivision (c) of Section 7261, available to him.

(c) For purposes of determining the applicability of subdivision (a), the public entity is hereby designated as a duly authorized administrative body of the state for the purposes of subdivision (c) of Section 408 of the Revenue and Taxation Code.

Sec. 7265. Additional payment to contiguous property owner; amount

(a) In addition to the payments required by Section 7262, as a cost of acquisition, the public entity shall make a payment to any affected property owner meeting the requirements of this section.

(b) Such affected property is immediately contiguous to property acquired for airport purposes and the owner shall have owned the property affected by acquisition by the public entity not less than 180 days prior to the initiation of negotiation for acquisition of the acquired property.

(c) Such payment, not to exceed fifteen thousand dollars ($15,000), shall be the amount, if any, which equals the actual decline in the fair market value of the property of the affected property owner caused by the acquisition by the public entity for airport purposes of other real property and a change in the use of such property.

(d) The amount, if any, of actual decline in fair market value of affected property shall be determined according to rules and regulations adopted by the public entity pursuant to this chapter. Such rules and regulations shall limit payment under this section only to such circumstances in which the decline in fair market value of affected property is reasonably related to objective physical change in the use of acquired property.

Sec. 7265.3 Payments and advice to person who moves as result of rehabilitation or demolition program

A public entity may make payments in the amounts prescribed in this chapter, and may provide advisory assistance under this chapter, to a person who moves from a dwelling,

or who moves or discontinues his business, as a result of a rehabilitation or demolition program, or enforcement of building codes, by the public entity.

Sec. 7265.4 Expenses of owner; reimbursement

In addition to the payments required by Section 7262, as a cost of acquisition, the public entity, as soon as practicable after the date of payment of the purchase price or the date of deposit in court of funds to satisfy the award of compensation in a condemnation proceeding to acquire real property, whichever is the earlier, shall reimburse the owner, to the extent the public entity deems fair and reasonable, for expenses the owner necessarily incurred for recording fees, transfer taxes, and similar expenses incidental to conveying such real property to the public entity.

Sec. 7266. Review by public entity; finality

Any person aggrieved by a determination as to eligibility for a payment authorized by this chapter, or the amount of a payment, may have his application reviewed by the public entity, and the decision of the public entity shall be final.

Sec. 7267. Guidelines for public entities

In order to encourage and expedite the acquisition of real property by agreements with owners, to avoid litigation and relieve congestion in the courts, to assure consistent treatment for owners in the public programs, and to promote public confidence in public land acquisition practices, public entities shall, to the greatest extent practicable, be guided by the provisions of Sections 7267.1 to 7267.7 inclusive.

Sec. 7267.1 Acquisition by negotiation; appraisal

(a) The public entity shall make every reasonable effort to acquire expeditiously real property by negotiation.

(b) Real property shall be appraised before the initiation of negotiations, and the owner, or his designated representative, shall be given an opportunity to accompany the appraiser during his inspection of the property.

Sec. 7267.2 Just compensation; offer of fair market value; written statement

Before the initiation of negotiations for real property, the public entity shall establish an amount which it believes to be just compensation therefor, and shall make a prompt offer to acquire the property for the full amount so established. In no event shall such amount be less than the public entity's approved appraisal of the fair market value of such property. Any decrease or increase in the fair market value of real property to be acquired prior to the date of valuation caused by the public improvement

for which such 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 or occupant, will be disregarded in determining the compensation for the property. The public entity shall provide the owner of real property to be acquired with a written statement of, and summary of the basis for, the amount it established as just compensation. Where appropriate, the just compensation for the real property acquired and for damages to remaining real property shall be separately stated.

Sec. 7267.3 Scheduling construction or development; written notice; time

The construction or development of a public improvement shall be so scheduled that, to the greatest extent practicable, no person lawfully occupying real property shall be required to move from a dwelling, assuming a replacement dwelling will be available, or to move his business or farm operation, without at least 90 days' written notice from the public entity of the date by which such move is required.

Sec. 7267.4 Fair rental value; short-term occupier

If the public entity permits an owner or tenant to occupy the real property acquired on a rental basis for a short term, or for a period subject to termination by the public entity on short notice, the amount of rent required shall not exceed the fair rental value of the property to a short-term occupier.

Sec. 7267.5 Coercion to compel agreement on price

In no event shall the public entity either advance the time of condemnation, or defer negotiations or condemnation and the deposit of funds in court for the use of the owner, or take any other action coercive in nature, in order to compel an agreement on the price to be paid for the property.

Sec. 7267.6 Condemnation proceedings; institution by public entity instead of by owner

If any interest in real property is to be acquired by exercise of the power of eminent domain, the public entity shall institute formal condemnation proceedings. No public entity shall intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his real property.

Sec. 7267.7 Acquisition of entire property; avoidance of uneconomic remnant

If the acquisition of only a portion of a property would leave the remaining portion in such a shape or condition as to constitute an uneconomic remnant, the public entity shall offer to and may acquire the entire property if the owner so desires.

Sec. 7267.8 Rules and regulations of public entities; priority of federal law

(a) All public entities shall adopt rules and regulations to implement payments and to administer relocation assistance under the provisions of this chapter. Such rules and regulations shall be in conformity with the guidelines adopted by the Commission of Housing and Community Development pursuant to Section 7268. Such rules and regulations shall, to the fullest extent possible, also be consistent as to federal and nonfederal projects.

(b) Notwithstanding the provisions of subdivision (a), with respect to a federally funded project, a public entity shall make relocation assistance payments and provide relocation advisory assistance as required under federal law.

Sec. 7268. Guidelines by commission of housing and community development for payments and relocation assistance; assistance to public entities

(a) The Commission of Housing and Community Development shall adopt guidelines for the implementation of payments under this chapter and for the uniform administration of relocation assistance by public entities carrying out the provisions of this chapter.

(b) The Commission of Housing and Community Development shall, to the fullest extent possible, conform such guidelines to the Presidential Guidelines promulgated by the executive office of the President of the United States, Office of Management and Budget, the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), and the rules and regulations promulgated pursuant thereto.

(c) Such guidelines shall provide that the payments and assistance required of a public entity under this chapter shall be administered in a manner that is fair and reasonable and as uniform as practicable. The guidelines shall also provide that the payments shall be made as promptly as possible or, in hardship cases, in advance. In addition, such guidelines shall provide a reasonable mileage limitation in determining the actual and reasonable expense in moving a business for purposes of Section 7262.

(d) In adopting such guidelines the Commission of Housing and Community Development shall consult with the public entities carrying out the provisions of this chapter.

(e) The Department of Housing and Community Development shall provide consulting and technical assistance to public entities in drafting and amending rules and regulations to implement payments and to administer relocation assistance under this chapter.

Sec. 7269. Status of payments; income tax and public assistance

No payment received by any person under this chapter shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax Law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code, nor shall such payments be considered as income or resources to any recipient of public assistance and such payments shall not be deducted from the amount of aid to which the

recipient would otherwise be entitled under Part 3 (commencing with Section 11000) of Division 9 of the Welfare and Institutions Code.

Sec. 7270. Existence of damages on date of enactment of chapter

Nothing contained in this chapter shall be construed as creating in any condemnation proceedings brought under the power of eminent domain any element of damages not in existence on the date of enactment of this chapter.

Sec. 7271. Severability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

Sec. 7272.3 Legislative intent; minimum requirements; federal funds

It is the intent of the Legislature, by this chapter, to establish minimum requirements for relocation assistance payments by public entities. This chapter shall not be construed to limit any other authority which a public entity may have to make other relocation assistance payments, or to make any relocation assistance payment in an amount which exceeds the maximum amount for such payment authorized by this chapter.

Any public entity may, also, make any other relocation assistance payment, or may make any relocation assistance payment in an amount which exceeds the maximum aount for such payment authorized by this chapter, if the making of such payment, or the payment in such amount, is required under federal law to secure federal funds.

Sec. 7272.5 Existent elements of damage

Nothing contained in this article shall be construed as creating in any condemnation proceeding brought under the power of eminent domain, any element of damages not in existence on the date the public entity commences to make payments under the provisions of this article as amended by the act which enacted this section at the 1971 Regular Session of the Legislature.

Sec. 7273. Relocation assistance for displaced persons

Funds received pursuant to Sections 2106 and 2107 of the Streets and Highways Code may be expended by any city to provide relocation advisory assistance, and to make relocation assistance payments, to displaced persons displaced because of the construction of city highways or streets.

Sec. 7274. Construction of sections 7267 to 7267.7

Sections 7267 to 7267.7 inclusive, create no rights or liabilities and shall not affect the validity of any property acquisitions by purchase or condemnation.