

STATE OF VERMONT  
AGENCY OF TRANSPORTATION

May 20, 2021

Re: Huntington BO 1445(38)  
Parcel # 2 – Keith, Helen  
12j630

JUSTIFICATION OF ADMINISTRATIVE SETTLEMENT

In reviewing negotiations on this parcel, a settlement was affected, subject to the Agency's approval, in the amount of \$17,906.00. This exceeds by \$7,606.00 the Right of Way Appraisal Chief's determination of Fair Market Value of \$10,300.00.

Justification for the settlement is based on consideration to the following:

The fair market value offer of \$10,300.00 was made to the owner. The offer included an explanation of the construction and the rights needed from their property to complete this work. Ms. Keith had many concerns about the valuation and the project in general. There had been multiple meetings over a number of years to explain every aspect of construction activities on her parcel. These discussions included Ms. Keith's requesting to be relocated during project construction, something the State did not feel was warranted in this situation. She was also able to provide two recent appraisals of her property that supported a higher land value than was used to calculate her original offer. Negotiations continued and a counteroffer of \$17,906.00 was received. The State considered this and agreed to accept if Ms. Keith dropped her demands for relocation. She agreed to this and a settlement was reached. The acceptance by both parties of compensation in the amount of \$17,906.00 concludes negotiations.

This settlement eliminates further negotiations and incidental costs and the need for the eminent domain process. The [modest] settlement would also eliminate a potential costly condemnation and compensation appeal. Therefore, this settlement is deemed reasonable, prudent, and in the public interest under the provisions of 49CFR, Part 24, 24.102(I).

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Trey Polk, Right of Way Acquisitions and Utilities Manager

Orig - ROW Property Owner File  
Patrick Kirby, FHWA