GDOT Agenda

✓ Organizational Structure

✓ Policies, Procedures, & Statutory Regulations

✓ Historical Revenue – Sales and Leases

✓ Current and Prior Initiatives

✓ Different Right of Way Uses

✓ Questions/Statements/Concerns?
GDOT Policies, Procedures, & Statutory Regulations
How Does GDOT Operate?

1. GDOT Policy (ROW Manual)
2. Official Codes of Georgia Annotated
   - GA Code Title 32
3. Code of Federal Regulations
   - CFR 23, Part 710
16 Property Management - Surplus Property and Disposal

16.1 General

Surplus Property and Disposal is under the Property Management Unit of the Right of Way Department supervised by the Assistant State Right of Way Administrator. Parcel disposal activities are completed under the direction of the Property Unit Manager (“Manager”). The steps and procedures for individual property disposals are assigned to a Right of Way Specialist (“Specialist”) for internal disposals. In the event an outside consultant resource is utilized for disposal activities, the word “Specialist” should be replaced with “Consultant” within the procedures of chapter 16.

16.2 Purpose

The purpose of Surplus Property and Disposal is to operate a program which pursues both proactive and reactive disposal of the surplus property owned by the Department. The Property Management Unit will ensure every effort is made to accommodate the requestors of surplus property applications in an efficient and timely manner. The program will also continuously evaluate the surplus property inventory to identify potential disposals with a proactive approach. These disposal activities will be completed in a manner that conforms to O.C.G.A. § 32-7-4, 23 C.F.R. 710, Federal Highway Administration Regulations, Department Policy, and other Governing Codes.

16.3 Policy

It is the policy of this unit to represent the Department in a professional and consistent manner that assures the citizenry of the State that their applications are processed in a competent and efficient manner.

It is the policy of the Department to create an environment conducive to the disposal of property.

It is the policy of the Department to establish and publish written priority for the disposal of surplus property as an essential function for reinvesting funds to the overall program.

It is the policy of the Department to establish clear direction for each Office outlining their responsibilities and authority related to disposal activities and opinion for surplus.

16.4 Application Procedures

A. Application Request for Disposal of Surplus Properties

When the Department declares a parcel surplus or when an applicant inquires about a parcel, the Specialist will mail or email (applicant decides) a request letter and request form to the applicant. Applicant information is to be logged for tracking purposes. Application forms shall be mailed within one business day.

B. Application Request Received

1. If the Department is not actively disposing of a parcel at their discretion and the parcel is being requested by an Applicant, the submittal of the application should be accompanied by a check for $150.00 as an application fee.

2. When the application and supporting documents are received in the Property Inventory and Disposal Department the Specialist will log them in and forward to the Manager. Disposal actions are as follows:

   a. Surplus request by application; or
   b. Department declared surplus; or
   c. Request to lease/rent; or
   d. Request to convey to another state or local government agency; or
   e. Transfer by Order of Commissioner; or
   f. Request for Exchange of property
   g. Request for change in Limited Access Right of Way

3. The Manager will assign the request to a Specialist based on the current assigned caseload.

4. The request application and supporting documents shall be reviewed by the Specialist within one day of assignment; written correspondence (Applicant Response Letter) shall be sent to the applicant. Any information deemed required, and not furnished with application, should be requested with the response letter. This is to include any plat information or changes.

   The application should include:

   a. Recorded Deed and plat granting the parcel(s)
   b. Copy of property tax data of parcel(s)
   c. Plat or tax map highlighting parcel(s) requested
   d. Copy of pending or approved development plans for parcel(s) (if available)
   e. Copy of map showing nearest intersection to parcel(s)
   f. Recorded deeds of property owned by applicant adjacent to the requested parcel when applicable.
Official Codes of Georgia Annotated
(GA Code Title 32)
• O.C.G.A. § 32-7-4 – PROCEDURE FOR DISPOSITION OF PROPERTY

• Title 32 - HIGHWAYS, BRIDGES, AND FERRIES

• Chapter 7 - ABANDONMENT, DISPOSAL, OR LEASING OF PROPERTY NOT NEEDED FOR PUBLIC ROAD PURPOSES
Official Codes of Georgia, Annotated

(GA Code Title 32)

- Previous Owners Rights
- Valuation of Property
- Negotiation & Bids
- Real Estate Broker
- Public Auction
Official Codes of Georgia, Annotated

(GA Code Title 32)

- Owner held title more than 30 years
- If sold, then notify the abutting land owner
- If not purchased, then GDOT proceeds with the sell.
Valuation of Property

- No Less than the price paid
- Remnants or portions may be acquired for market value
- May use an appraiser
Negotiation & Bid

- If the value is less than $75,000, the Dept may negotiate the sale.
- Highest bidder after advertisement of 2 weeks
- Have the right to reject, readvertise or abandon the sale
List the property with a Real Estate Broker

Listed no less than Fair Market Value

Must be advertised for 2 weeks in local organ

May advertised in traditional publications
Public Auction

- Sold to the highest bidder at the Public Auction
- Sold at no less than Fair Market Value
- Must be advertised for 2 weeks in local organ
Code of Federal Regulations (CFR 23, Part 710)

- Disposal to other Agencies
- Management
- Market Value
Disposal to Other Agencies

(CFR 23, Part 710)

• May be sold or conveyed

• Parks, Conservation, Recreation or related purposes allowed by State law

• Retained to restore, preserve or improve scenic beauty and environmental quality
Disposal to Other Agencies
(CFR 23, Part 710)

- Less than FMV
  - Continued Public Use
  - Approved by FHWA
  - Reversion if discontinued public use

- Fair Market Value
  - No Reversion
Management (CFR 23, Part 710)

• Assure all real property is devoted to the purposes of that facility without other public or private alternative uses
  • Unless permitted by FHWA

• ROW Manual description of Surplus property and Disposal procedures

• Properties requiring FHWA Approval
  • Evaluate environmental effects of disposal and leasing action
Market Value

(CFR 23, Part 710)

• Charge current FMV or rent for use or disposals
• Proceeds used for Transportation System
• Exceptions
  • Overall interest of the public
  • Approved by FHWA
Milestones in the Surplus Property Disposal Process

1. Application
2. Engineer Review District/G.O.
3. Appraisal
4. Original Owner Offer
5. Advertise for Sealed Bids
6. Accept Highest Bid
7. Legal Review of Deed
8. Close Transaction
Historical Revenue
Sales and Leases
## Historical Revenue Data

<table>
<thead>
<tr>
<th>FISCAL YEAR</th>
<th>APPLICATIONS RECEIVED</th>
<th>PROPERTIES SOLD</th>
<th>REVENUE GENERATED</th>
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<tbody>
<tr>
<td>2014</td>
<td>92</td>
<td>58</td>
<td>$1,967,968</td>
</tr>
<tr>
<td>2015</td>
<td>110</td>
<td>64</td>
<td>$5,143,585</td>
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<tr>
<td>2016</td>
<td>76</td>
<td>41</td>
<td>$4,800,000</td>
</tr>
<tr>
<td>2017 YTD*</td>
<td>124</td>
<td>41</td>
<td>$3,130,585**</td>
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</tbody>
</table>
History of Sales

- NEW Applications Received
- Properties Disposed

<table>
<thead>
<tr>
<th>YTD</th>
<th>FY 2014</th>
<th>FY 2015</th>
<th>FY 2016</th>
<th>FY 2017</th>
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<tbody>
<tr>
<td>FY 2014</td>
<td>92</td>
<td>110</td>
<td>76</td>
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<tr>
<td>FY 2015</td>
<td>58</td>
<td>64</td>
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<tr>
<td>FY 2016</td>
<td>41</td>
<td>41</td>
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<td></td>
</tr>
</tbody>
</table>

**Total $**

- FY 2014: $1,967,968
- FY 2015: $5,143,585
- FY 2016: $4,800,000
- FY 2017: $3,130,585

- FY 2014: $0
- FY 2015: $250,000.00
- FY 2016: $500,000.00
- FY 2017: $750,000.00
- FY 2018: $1,000,000.00
- FY 2019: $1,250,000.00
- FY 2020: $1,500,000.00
- FY 2021: $1,750,000.00
- FY 2022: $2,000,000.00
- FY 2023: $2,250,000.00
- FY 2024: $2,500,000.00
- FY 2025: $2,750,000.00
- FY 2026: $3,000,000.00
- FY 2027: $3,250,000.00
- FY 2028: $3,500,000.00
- FY 2029: $3,750,000.00
- FY 2030: $4,000,000.00
- FY 2031: $4,250,000.00
- FY 2032: $4,500,000.00
- FY 2033: $4,750,000.00
- FY 2034: $5,000,000.00
- FY 2035: $5,250,000.00
- FY 2036: $5,500,000.00
## CURRENT LEASES

<table>
<thead>
<tr>
<th>Total</th>
<th>Government</th>
<th>Private</th>
<th>Annual Revenue</th>
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</thead>
<tbody>
<tr>
<td>53</td>
<td>25</td>
<td>28</td>
<td>$285,515</td>
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- Typically 5 year initial term with renewal options of 5 additional years

- Escalation clause, 3% - 5%

- State law requires a 30 day cancellation notice

- Leases are generally for use of GDOT owned land for parking, recreation or transportation related purposes.
Current and Prior Initiatives
Inventory and Disposal Initiatives

- GIS Database and Map Production
- GIS Database Enhancement and Updates
- Pro-Active Disposal Program
GIS Data Base and Map Production

- **2007 to 2012: INITIAL IDENTIFICATION AND MAP**
  - Consultant services to catalogue property inventory

- **2013 to 2014: DEMONSTRATION OF POTENTIAL**
  - Consultant firm used to sell 12 potential properties

- **2014 to Present: REFINEMENT AND EXPANSION**
  - GIS Expert for database refinement
  - GIS training

- **CURRENT: ACTIVE SALES**
  - Consultant Firm for vetting and disposal of 7,000 properties
Different Right of Way Uses
Surplus Property Use Considerations

Other States:

Mineral Rights
Solar Panels
Electrical Re-Charging Stations for Electric Cars
Cell Towers
Oil and Gas Rights
Fiber Optics
Parking
Public Play Areas
Carbon Credits
GDOT Surplus Property Actual Uses

✓ Parking
✓ Farming Leases (on one surplus site)
✓ Commercial Buildings (Lease)
✓ Recreational Local Use (parks & trails)
✓ Timber Harvest MOU/MOAs (GA Forestry Commission) on surplus sites
✓ Railroad Corridors (trails for Locals)