



Mark Gordon
Governor

WYOMING Department of Transportation

"Provide a safe and effective transportation system"

5300 Bishop Boulevard, Cheyenne, Wyoming 82009-3340



Darin J. Westby, P.E.
Director

MEMORANDUM

TO: Sara Janes, Local Government Coordinator
Kevin Lebeda, Right of Way Administrator

FROM: Amy Jacoby
Assistant Administrator, Right of Way Program

DATE: 5/7/2025

SUBJECT: City of Mills Bike Path Project

To fully investigate the City of Mills compliance with Federal Regulations involving the Acquisition of Right of Way, the following questions should be asked to identify satisfaction of the Uniform Act in regards to the Valuation and Acquisition of Property.

Valuation of Property

- *Was the property appraised (by a certified general appraiser) or waiver valuations completed to determine fair market value?*
- *Was the landowner offered the opportunity to accompany the appraiser on the site inspection?*
- *Was an appraisal review completed on the Appraisal (by a certified general appraiser)?*

Acquisition of Property

- *Was Environmental clearance completed before the initiations of negotiations?*
- *Was a written offer of the approved estimate of just compensation and a summary statement of the basis of the offer sent to the landowner?*
- *Was a record of conversation (ROC) done for each contact with the landowner? Although a ROC is not specifically needed per CFR, it is a good idea to keep a record.*
- *Was the owner given reasonable opportunity to consider the offer?*

In the meeting with the City of Mills on April 28th, 2025 it was identified that the City did not complete appraisal reviews before offers were made to the landowners. The Uniform Act requires that the estimate of just compensation be not less than the agency's estimate of fair market value for the recommended appraisal. An appraisal becomes "recommended" through the appraisal review. It is our understanding that one landowner has signed the agreement and been compensated. It is the Right of Way Department's opinion that there is no mitigating or correcting this violation for the parcel that has signed the agreement and been compensated. For the remaining offers to landowners that have not yet signed, we recommend immediately rescinding the offers. Assuming the appraisals are over 6 months old, new appraisals will need to be completed, and reviewed, before new offers can be made.