

St. Johns County Community Development Block Grant — Disaster Recovery Uniform Relocation Assistance (URA) Policies and Procedures

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1.0 OVERVIEW

This document outlines St Johns County's policy for Uniform Relocation Assistance (URA) for all programs utilizing CDBG-DR funding.

2.0 SUMMARY

For any activities undertaken with the CDBG-DR funding which may cause displacement of occupants, either residents or businesses, those displaced tenants will be eligible for relocation assistance. St Johns County (the County) will work with a URA specialist to assist the tenants occupying the property or whom Hurricane Matthew displaced. If any CDBG-DR funded activities require the tenants, through either purchase, rehabilitation, or elevation, to relocate, or if that property had tenants that were displaced by Hurricane Matthew, those tenants are considered displaced tenants who may be eligible for relocation benefits under URA.

As a displaced tenant under URA, a tenant is eligible to receive two types of assistance: Moving Assistance and Replacement Housing Assistance. The Moving Assistance can be an actual reasonable moving and related expenses reimbursement or a fixed payment for moving expenses determined by a schedule published by the Federal Highway Administration. The Replacement Housing Assistance can take two forms, Rental Assistance or Down Payment Assistance. If the displaced tenant chooses to continue to rent a dwelling, the award amount they are eligible for is 42 months times the difference in rent/utilities of their new home and their CDBG-DR assisted housing unit (including lot rent, if a mobile home unit). Rental Assistance is capped at \$7,200 for 90-day tenant occupants, except in situations where housing of last resort applies. Another option is for the displaced tenant to purchase a new home and receive a lump sum Down Payment Assistance. If the displaced tenant elects to receive lump sum Down Payment Assistance, their award cannot exceed what they would have been eligible for had they continued to rent a unit.

For displaced businesses, Non-profit Organizations and Farms displaced as a result the CDBG-DR projects see the Section 6.0 of this document.

If, as a matter of course, easements through a property have to be acquired either with or without compensation, to support HUD funded activities through this Grant, the process is detailed in Section 9.0

3.0 VERSION HISTORY

St. Johns County CDBG-DR URA Policy and Procedure

Version	Date	Page	Description
#1	2/5/2019	NA	NA
#2	4/12/2022	NA	Updates and add Easement Process

3.1 VERSION POLICY

policy review and changes for the St Johns County Infrastructure Program are considered through a change control process. When policy clarifications, additions, or deletions are needed to more precisely define the rules by which the Program will operate, Program staff will discuss potential changes with Grant Administrator who will review and approve updates as needed.

4.0 PURPOSE

St Johns County is undertaking a program funded through the U.S. Department of Housing and Urban Development (HUD) which may result in the relocation of persons from their current residences as well as persons who were displaced by the Hurricane Matthew. The County is providing CDBG-DR funds for Voluntary Residential Buyouts and other housing assistance activities under the Housing Program that would permanently displace a tenant, such as a reconstruction for a rental unit. The County's Housing Program may result in tenants of residential rental properties being displaced as properties are acquired by the County for demolition, clearance and conversion to open space. The properties are being voluntarily sold to the County by the property owners, however, some properties contain residential rental units making the tenants eligible for assistance under the Uniform Relocation Act of 1979.

Moreover, the CDBG-DR allocation funding the St Johns County CDBG DR Programs is subject to 414 of the Stafford Act and 49 CFR 24.403(d). Compliance under this requires the County to undertake efforts to locate and qualify former tenants who were displaced by Hurricane Matthew, if CDBG-DR funds are invested in the formerly tenant occupied housing unit.

St Johns County understands that it must provide the options for assistance to those who may be involuntarily displaced from their current residence due to programs or projects funded by HUD, in addition to tenants who were displaced by Hurricane Matthew.

The process for relocation assistance for persons displaced by the CDBG-DR funded programs will include the following:

- Identification of Tenants to be Displaced AND Tenants who were Displaced by Hurricane Matthew
- Notification to Residents of Impending Displacement AND Tenants who were Displaced by Hurricane Matthew
- Notification of Availability of Assistance
- Application Review
- Work with Tenants to be Displaced AND those who were displaced by Hurricane Matthew
- Temporary Relocation
- Permanent Relocation

- Record Keeping

5.0 HOMEOWNER URA PROCESS

No entity will receive any payment for Relocation benefits under these regulations if that entity receives a payment under Federal, state, or local law which is determined to have the same purpose and effect as such payment under these regulations. The County is not required to conduct an exhaustive search for such other payments, only to avoid creating a duplication based on the County's knowledge at the time the payment is computed.

5.1 DUPLICATION OF PAYMENT

No entity will receive any payment for Relocation benefits under these regulations if that entity receives a payment under Federal, state, or local law which is determined to have the same purpose and effect as such payment under these regulations. The County is not required to conduct an exhaustive search for such other payments, only to avoid creating a duplication based on the County's knowledge at the time the payment is computed.

5.2 IDENTIFICATION OF PERSONS/BUSINESSES TO BE DISPLACED

St Johns County will keep records of all structures which contained rental units containing tenants who may requires relocation assistance under a Housing Program. Name and contact information for current tenants and tenants displaced by Hurricane Matthew will be collected during the application phase. The URA specialist will then work with property owners to identify those properties containing tenants who will be displaced, as well as properties which had tenants displaced by Hurricane Matthew. Records documenting the properties and persons requiring assistance must include the following:

- Property address
- Unit identification if applicable
- Number of rooms in unit
- Name of property owner (applicant)
- Number of male and female adults in family; number of children by age and sex
- Property type (single detached, multi-family, etc.)
- Monthly rent
- Names of all persons residing in the unit at the time of displacement
- Names of all persons seeking relocation assistance
- Certification of legal residency for all persons seeking assistance

5.3 NOTIFICATION TO TENANTS

Property owners participating in the CDBG-DR programs must submit an **Occupancy Form** during the application phase identifying tenants (if any) that occupied the property during the time of the storm as well as any current tenants. If a property owner cannot locate tenant information, the **URA** specialist will attempt tracking of the tenant information using various methods such as site visits, reviewing public records of the property or tenant, checking project records for employment or other contact telephone numbers and checking with local utility companies for contact information. In the instance of a tenant needing tracking, all tracking processes and outcomes will be documented in a memo and placed in the property file. Tenant tracking will occur if a tenant cannot be located once the Occupancy Form has been submitted by the property owner, at the time of initiation of negotiations (ION) and/or closing. As soon as feasible, the URA specialist will then ensure that tenants are informed of the potential **acquisition** by receiving a General Information Notice (GIN) and URA HUD handbook once identified, utilizing certified mail or hand delivery. Once ION has occurred between the County and the property owner (signing of pre-offer letter documents) tenants will be provided with a Notice of Eligibility. The Notice of Eligibility should not be utilized unless the ION for the parcel has occurred between the County and the property owner. At the time of the offer letter signing, every effort should be made to commence negotiations as soon as practical to prevent possible subsequent occupancy and/or minimize rental problems for the owner.

5.3.1 notification of availability of assistance

The URA specialist will notify all tenants who may be displaced, or who were displaced by Hurricane Matthew, by providing them with information informing them of the benefits and services available to them. Tenants residing in the structure at the time that negotiations are initiated between the homeowner and the County, and those that resided there during the time of the Hurricane Matthew, can be notified of the relocation program. Tenants who resided in the structure at the time of a written agreement between the County and the owner to purchase the real property, and those who were displaced by Hurricane Matthew, are fully eligible for assistance (see § 24.2(a)(15)(i) and (ii) and [§ 24.2\(a\)\(15\)\(iv\)](#)). The URA specialist will be in contact with all of the tenants affected by the program to discuss their needs. The documents provided to the tenants will, at the least, provide a general description of the relocation program including the following:

1. Informs the person that he or she may be displaced for the project and generally describes the relocation payment(s) for which the person may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s).
2. Indicates that any person displaced will be given reasonable relocation advisory services including housing referrals, help in filing payment claim(s), and other necessary assistance to help the person successfully relocate.
3. Informs any person to be displaced from a dwelling that he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available to the displaced person. No person will be required to move without at least 90 days advance written notice.
4. Describes the person's right to appeal the County's determination as to eligibility for or the amount of any relocation payment for which the person is eligible. It also describes the

person's right to disagree with the County's determination to whether or not the person qualifies as a "displaced person."

Tenants will also be provided with an application for assistance for relocation costs. This application will act as the official request for relocation assistance. Tenants who choose not to complete the application will not be eligible for relocation assistance.

5.3.2 application review

Applications will be reviewed by the URA specialist and information provided the tenants for their case files will be evaluated to determine the tenant households housing needs. The URA specialist providing relocation services will personally interview each household to be displaced. The URA specialist will then determine the household's relocation needs and preference and explain the relocation payments and other assistance for which the household may be eligible, the related eligibility requirements, and the procedure for obtaining such assistance. Replacement housing payments determinations for tenants present at the time of the storm event and/or tenants to be displaced by the program occur during once tenants submit a completed application.

The URA specialist conducting the interviews and processing applications will need to gather data to help provide information on the estimated of the number of households to be displaced, including the family characteristics (e.g., minority, ethnic, handicapped, elderly, large family, income level, and owner/tenant status). Information should be gathered to allow for the comparison of available decent, safe, and sanitary housing in the area with the housing needs of the tenants being displaced. The comparison should include (1) price ranges, (2) sizes (number of bedrooms), and (3) occupancy status (owner/tenant) and type of housing single-family, multi-family, mobile home etc. Any information on special relocation considerations should also be gathered and evaluated such as the presence of elderly or disabled or children attending school. The URA specialist will make every effort not to relocate households in areas resulting in children being forced to change schools unless otherwise noted by the displaced household. If the information reveals that the existing housing inventory in a specific area being impacted by displacement is insufficient, does not meet relocation standards, or is not within the financial capability of the displaces then measures must be taken to address this issue.

5.3.3 work with tenants to be displaced

The URA specialist will work with displaced tenants to identify comparable replacement dwellings within a 50 miles area of their current dwelling. A comparable replacement dwelling includes the following:

- 1) Decent, safe and sanitary (DSS) which means a dwelling which meets applicable housing and occupancy codes. However, if any of the following standards are not met by an application code, such following standards shall apply, unless waived for good cause by the FHWA. The dwelling shall:
 - a. Be structurally sound, weather-tight, and in good repair.

- b. Contain a safe electrical wiring system adequate for lighting and other electrical devices.
 - c. Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees) for a displaced person, except in those areas where local climatic conditions do not require such a system.
 - d. Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced household. There shall be a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system. In the case of a housekeeping dwelling, there shall be a kitchen area that contains a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, and adequate space and utility service connections for a stove and refrigerator.
 - e. Contains unobstructed egress to safe, open space at ground level. If the replacement dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.
 - f. Displaced tenants who are handicapped must have access to a unit which is free of any barriers which would preclude reasonable ingress, egress, or use of the dwelling by such displaced person.
- 2) Functionally equivalent to the displacement dwelling. The term “functionally equivalent” means that it performs the same function, and provides the same utility while a comparable replacement dwelling need not possess every feature of the displacement dwelling, the principal features must be present. Generally, functional equivalency is an objective standard, reflecting the range of purposes for which the various physical features of a dwelling may be used. However, in determining whether a replacement dwelling is functionally equivalent to the displacement dwelling, reasonable trade-offs for specific features may be considered when the replacement unit is “equal to or better than” the displacement dwelling (see Relocation Manager for guidance).
- a. Adequate in size to accommodate the occupants.
 - b. In a location generally not less desirable than the location of the displaced person’s dwelling with respect to public utilities and commercial and public facilities, and is reasonably accessible to the person’s place of employment.
 - c. On a site that is typical in size for residential development with normal site improvements, including customary landscaping. The site need not include special improvements such as outbuildings, swimming pools, and greenhouses.
 - d. Currently available to the displaced person on the private market. However, a comparable replacement dwelling for a person receiving government housing assistance before displacement may reflect similar government housing assistance.
 - e. Within the financial means of the displaced person.

- 3) A replacement dwelling rented by an eligible displaced tenant is considered to be within his or her financial means if, after receiving rental assistance under this rule, the person's monthly rent and estimated average monthly utility costs for the replacement dwelling do not exceed the person's base monthly rental for the displacement dwelling.
- 4) For a displaced household who is not eligible to receive a replacement housing payment because of the person's failure to meet length-of-occupancy requirements, comparable replacement rental housing is considered to be within the person's financial means if the Uniform Relocation pays that portion of the monthly housing costs of a replacement dwelling which exceeds thirty percent (30%) of such person's gross monthly household income or, if receiving a welfare assistance payment from a program that designates amounts for shelter and utilities, the total of the amounts designated for shelter and utilities. Such rental assistance must be paid under Section XVIII, Housing of Last Resort.
- 5) All displaced persons, especially the elderly and handicapped, shall be offered transportation to inspect housing to which they are referred by the URA specialist. In addition, The URA specialist will assist with the following items:
 - a. Provide current and continuing information on the availability, purchase prices, and rental costs of comparable and suitable commercial and farm properties and locations. They will assist any person displaced from a business or farm operation to obtain and become established in a suitable replacement relocation.
 - b. Minimize hardships to persons in adjusting to relocation by providing counseling, advice as to other sources of assistance that may be available, and such other help as may be appropriate.
 - c. Supply persons to be displaced with appropriate information concerning Federal and State housing programs, disaster loan and other programs administered by the Small Business Administration, and other Federal and State programs offering assistance to persons to be displaced.
 - d. Provide referrals to appropriate agencies for displaced persons requiring social services, food stamps etc.
 - e. Provide each expected displaced person with a Relocation Assistance Brochure.
- 6) Moving costs associated with moving personal property from the existing dwelling unit to the new dwelling unit are eligible for relocation compensation.
- 7) If a displaced tenant otherwise qualifies for the replacement housing payments except that they have not yet purchased or occupied a suitable replacement dwelling, The URA specialist will inspect the proposed dwelling. If the proposed dwelling is found to meets the standards set forth for decent, safe and sanitary dwellings, the displaced tenant can submit a request for payment of the specific sum provided they purchase and occupy the inspected dwelling within the time limits specified.

5.3.4 temporary relocation

In cases where suitable long-term housing can't be immediately identified and secured, temporary housing arrangements may need to be secured. The housing arrangements and facility must meet all the housing criteria required under Uniform Relocation except that it is functioning as a temporary housing solution until a more permanent solution can be identified. This may include, but not be limited to, the utilization of hotels for temporary housing. In such cases the facility must be agreeable to the household residing on-site for an extended period of time.

5.3.5 permanent relocation

Any comparable dwelling which allows for the displaced tenant and their household to reside in the facility for one year or more is considered to be a permanent relocation site. Displaced tenants and their households are eligible for two types of assistance under URA: Moving Assistance and Replacement Housing Assistance (Rental Assistance or Down Payment Assistance).

Moving Assistance will be calculated using the fixed moving expenses method and are eligible for a moving claim reimbursement. Once a tenant has relocated to the replacement dwelling, The URA specialist will assist the tenant in submitting form HUD 40054 to the County for the reimbursement. The County may advance a portion of the relocation claim to cover necessary expenses such as application fees, security deposits or first month's rent.

In standard protocol, one payment will typically be processed for Moving Assistance. However, there may be specific cases when a displaced tenant requires two payments for Moving Assistance: 1) advance payment for necessary up-front costs and 2) the remaining amount of their moving costs.

In determining Rental Assistance per URA HUD regulations, if the total gross monthly household income qualifies as low income according to the [URA Low Income Limits](#), the County must compute 30% of the monthly household income and use it as one of the factors for comparison in the base monthly rental determination. The base monthly rental represents the amount the County will use as the rental amount for the displacement unit. The County will look at the lesser of three items:

The total amount for current monthly rent plus average monthly utilities;

If the displaced person meets the low income criteria, the agency will compute 30% of the person's average monthly gross household income;

If the displaced person's rent is paid through a State welfare program that designates an amount for shelter and utilities, then that amount is considered; eg: shelter, utilities designation, etc.

If the tenant is low income, the lesser of the three will be used to compare against present rent (and utilities) of market rent. If the tenant is not low income, the URA eligibility amount is the difference between the present rent (plus average utilities) and the replacement dwelling rent (plus average utilities) across 42 months.

Per HUD regulations, Rental Assistance is to be dispersed to the displaced tenants in three installments, rather than one lump sum. However, if a tenant will be using URA Rental

Assistance to purchase a home, the Down Payment Assistance is allowed to be dispersed in one lump sum to reduce or eliminate hardship. Rental Assistance for traditional displaced tenants (assistance with a new rental property) is to be dispersed in three installments. A payment will be dispersed to from the County to the displaced tenant every 14 months; 3 installments over 42 months. The first installment can be processed once the tenant has signed a year lease with the replacement dwelling landlord/property management company, moving has commenced and HUD Form 40058 is submitted.

To prompt the payments per tenant, the URA specialist will submit a payment plan (Payment Authorization Form) to the County to help schedule the payments to the displaced tenants. The URA specialist will also receive and submit the displaced tenant's W9 to the County. Once the household has signed a legally binding rental agreement such as a lease or obtained ownership of the property such as through a mortgage on the property the household is considered successfully relocated and further relocation serves, outside of follow-up support services, will no longer be available to the tenant.

6.0 BUSINESS, NON-PROFIT, AND FARM URA PROCESS

The Uniform Act also provides relocation protection, services, and financial support for residential and business owners or tenants who are temporarily relocated or permanently displaced because of a project utilizing Federal funds. For businesses, Non-profit Organizations and Farms displaced as a result of a federally funded project the affected entities are eligible for advisory services which includes referrals to suitable replacement locations, assistance in preparing claim forms, payment for moving and reestablishment expenses.

In general, the following steps will be followed when permanently displacing a business, non-profit, or farm

- General Information Notice (GIN)
- Notice of Eligibility
- 90-Day Notice
- Assistance in the selection of a comparable replacement business site
- Claim for Moving & Related Expenses. These expenses fall into two general categories:
 - 1) Payment for actual, reasonable moving and related expenses up to \$25,000. They include, but are not limited to the following:
 - a. Repairs or improvements to the replacement real property as required by Federal, State or local law, code or ordinance.
 - b. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.
 - c. Construction and installation costs for exterior signing to advertise the business.
 - d. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling, or carpeting.
 - e. Advertisement of replacement location.

- f. Estimated increased costs of operation during the first 2 years at the replacement site for such items as: Lease or rental charges; Personal or real property taxes; Insurance premiums; and Utility charges, excluding impact fees.
 - g. Other items that the Agency considers essential to the reestablishment of the business.
- 2) Certain businesses, nonprofit organizations and farms are eligible to obtain a Fixed Moving Payment, “in lieu of” receiving a payment for Actual, Reasonable Moving and Related Expenses and a Payment for Reestablishment Expenses. The Fixed Payment for a business or farm operation is based on the average annual net earnings of the business or farm operation; the Fixed Payment for a nonprofit organization is based on average annual gross revenues less administrative expenses. A Fixed Payment will not be less than \$1,000, nor more than \$40,000. For Businesses and Non-profits electing to use the Fixed Payment, the County retains the ability to issue the maximum benefit if expenses for relocation exceed \$40,000, with the approval of the Deputy County Administrator.

7.0 RECORD KEEPING

The URA specialist will be responsible for maintaining all files and documentation for tenants who were displaced by the CDBG-DR program. This includes, at a minimum, identification of tenants who were not assisted with relocation services. Tenants who were successfully assisted or began the assistance services but terminated activities on their own accord must have files which include the information identified in Section I of this document as well as their completed application. All data identifying comparable dwelling units must also be maintained in addition to any payment requests, evidence of payments made on behalf of the tenants, identification documentation and HUD forms. All files must be secured so as to protect the privacy of those persons and their households.

8.0 URA APPEALS PROCESS

Any person(s) has a right to submit an appeal to the County if they disagree with the Moving Assistance eligibility amount, the Rental Assistance eligibility amount or the determination from the County of whether or not a person(s) is qualified as displaced.

If a person(s) wishes to appeal their Moving Assistance eligibility amount or their Rental Assistance eligibility amount they can notify the County of their wish to appeal the amount of either assistance. In such case, the County will re-review the assistance calculations for any potential errors in assistance and respond within 15 days of receipt. If no errors are found, they will represent the amount of assistance the tenant. If a tenant continues to not agree, the County will allow the tenant to submit up to three comparable dwelling they find more compatible with their needs, under URA regulations, and submit the County for determination to recalculate eligibility determination. If upon final conclusion, from the tenant does not agree with the County’s decision, they may submit an official appeal to the HUD Field Office, if the person(s) is considered low income.

If a tenant finds their Rental Assistance insufficient, a tenant can ask for and receive local bids from moving companies to submit to the County, seeking for additional assistance. The County decision will be determined within 15 days of receipt. If upon final conclusion, from the tenant does not agree with the County's decision, they may submit an official appeal to the HUD Field Office, if the person(s) is considered low income.

If a person(s) disagrees with the County's determination of whether or not they have been properly qualified as a "displaced" person(s) or household, the person(s) can submit an official claim to the County seeking an appeal of the determination, submitting any supporting documentation they see fit. The County decision will be determined within 15 days of receipt. If upon final conclusion from the person(s) one does not agree with the County's decision, they may submit an official appeal to the HUD Field Office, if the person(s) is considered low income.

9.0 EASEMENT ACQUISITION

Due to the time constraints of the CDBG-DR Grant Program only Voluntary Easements will be pursued as part of this Grant. As such there are two types of easements expected to be needed under this Grant: Compensated and Uncompensated. Each of those processes is outlined below.

9.1 COMPENSATED VOLUNTARY EASEMENT ACQUISITION

The Project Manager typically identifies that an easement is needed during the design phase of project. Any environmental permits typically require that any identified easements be cleared before the permits can be granted and the Environment Review Records approved. Typical steps follow:

9.1.1 Review Ownership:

- Parcel Account Number
- Owner (from Tax Rolls):
- Zoning:
- Future Land Use
- Historic (Parcel Account Number)
- Attach copy of deed
- Visit site

9.1.2 Contact Owner:

Contact can be via call, letter, or person. Highlight description of the work being done and provide a map.

9.1.3 Order an appraisal as basis of price for the Purchase and Sale Agreement (P&SA):

- Cost code (Provided by requesting department):
- Task Order (Office Manager will prepare): Need to send them the Project Number and map of the parcel.

9.1.4 Prepare and Executed P&SA:

From the P&SA template fill in:

- Buyer and address (from deed and tax roll)
- Acres and legal (from deed or survey if provided for project)
 2. Purchase price (if set by appraisal or per/acre)
 3. Name and address of escrow agent, 90, 120, or 180 days to close (Negotiable)
 6. Seller or Buyer to pay cost of the owner's title policy, recording the deed, document stamps, property taxes to day of closing and other recording fees. St Johns County to pay for recording fees for documents related to clearing the title of the property for closing. (Negotiable). Each party will pay their own legal expenses
 7. Right to inspect for 90/120 days (Negotiable)
 17. Add seller and address, Escrow agent and address
 26. Add other conditions as warranted: Based on appraised value (if no appraisal performed ahead of time), use requirements requested by seller, etc.
- Witness: Add seller and escrow agent
- Have P&SA executed with signature and 2 witnesses.

9.1.5 Processing Signed Documents (see also agenda guidelines checklist):

- Prepare Resolution, Agenda Cover for Department Head to review in Agenda Manager and Dept Head will send to legal for review.

- Legal & Dept Head reviews 15 days prior to Board of County Commissioners (BoCC)
- If funding is required will need Office of Management and Budget initialed sign off in Agenda Manager
- Provide originals to Office Manager for the Clerk of Courts Office. Include the Billing/Escrow account sheet for each Agenda.

9.1.6 After BoCC approval:

- Due diligence begins (stamp folder with dates) or use check list sheet
 - Director of Land Management reviews packet
 - Legal reviews
 - Administration reviews
 - BoCC Approval
 - Recording:
 - Appraisal:
 - Phase 1 Environmental :(If not part of scope from consultant)
 - Deposit Check:
 - Title Binder:
 - Taxes:
 - Survey:
 - Closing Statement:
 - Closing Check:

- Scan approved P&SA and Resolution
- Order deposit check and send to Finance Office with approved P&SA, Resolution, map of property and check request with the amount and the name of Title Company check is to be paid to
- Order Title Commitment – Send P&SA and Resolution to Title Company (Laurie will review title commitment if any questions arise after receipt)
- Order Appraisal from continuing contract list. Have the consultant prepare a scope, with their fees itemized as to their contract with the County
- Office Manager will prepare Task Orders, and when completed provide bill to Office Manager to pay
- Order Phase I-(if not part of Consultant scope to order). Use the continue contract to chose an environmental consultant to perform report. Have consultant prepare a scope, give to Office Manager to request Task Order, provide bill to Office Manager when completed to pay
- Order Survey-Check with County Survey department first to perform the survey. If they cannot do it check continuing contract to order survey and have consultant prepare scope, County Surveyor to review the scope, Office Manager requests Task Order
- Tax Request, send to Property Appraiser, legal description, owner's name, survey if you have one, and PIN for taxable amount on the property being purchased. Once you receive the information from Property Appraiser send to Tax Collector, Kimberly King, requesting the tax per diem to be collected on the HUD/Closing Statement.

9.1.7 Closing

Order Closing statement/HUD from Title Company, 2 weeks prior to closing, review the HUD/Closing Statement and description (i.e. taxes, purchase price deposit check, etc.). Order closing check Send Closing Statement/HUD and a map to Connie McDaniels or (Finance Clerk) and request they order the closing check by date and time. Follow up with Finance for confirmation a week before closing

9.1.8 At Closing

Obtain a Title Commitment that is marked up releasing everything from Schedule B1. When the actual policy comes, there should be no exceptions unless SJC has agreed to them. This process can be a mail-away or done in person at closing agent's office

9.1.9 After Closing

Once the Policy and recorded Easement are returned, make a copy for the file and add the property to the County's property ownership list.

9.2 VOLUNTARY UNCOMPENSATED EASEMENT ACQUISITION

Voluntary Uncompensated Easement Acquisition refers to no consideration (compensation) easement acquisition where there is a tangible non-monetary benefit to the grantee. In these cases the Real Estate Department is asked to pursue getting easements for a certain County projects from County Departments (i.e. Engineering, Road and Bridge, Disaster Recovery). The following steps are generally followed:

9.2.1 Meet with Project Manager

This meeting is to go over maps or plans to make a list of how many easements are needed and the location of the easements. The goal is to get as much information about the project as possible for the easements. In this process the goal is to determine if the project improvements will be a direct benefit to the property that we are asking for easements on. Land Management will conduct a site visit to be familiar with the project.

9.2.2 Review Ownership and Contact Owner

Next, the property ownership documents are pulled from the tax rolls. Ownership is checked to make sure it is up to date. The completed package is sent to property owner – including a letter

explaining the project and offering a meeting with the Project Manager. Also included in the package is a copy of the grant of easement and a map or sketch to show the easement location. A follow up phone call or in person meeting. Include the Project Manager's name in the letter. Offer to assist in notarizing and witnessing the easement.

9.2.3 Signed Grant of Easement

Once Land Management has the signed easement(s), prepare a resolution for a consent agenda item to accept the easement(s) and recording of the easement(s). The original recorded easement(s) will be returned to Minutes and Records and they will send us a recorded copy of the easement and a signed copy of the Resolution. Let Project Manager know that you have all the necessary easements and send copies.

9.2.4 Letter of Value

Once all easements have been returned Land Management will prepare a letter of value for the easement(s) to send to Finance. Prepare file to be scanned.