**EXHIBIT A**

**PROCEDURE TO WAIVE THE APPRAISAL IN CASES INVOLVING ACQUIRING PROPERTY OF A LOW MARKET VALUE**

**Purpose of Procedure**

Pursuant to Government Code section 7267.1(b), Napa County (“County”) has adopted the following criteria and delegated the authority to waive an otherwise mandated appraisal in cases involving the acquisition by sale or donation of property with a low fair market value. (Note: The “Waiver Valuation” does not qualify as an appraisal and is to be used merely for documentation for support of the amount of just compensation to be paid to the property owner.[[1]](#footnote-1) A Waiver Valuation cannot be used in eminent domain proceedings.)

**Waiver Valuation In Lieu of an Appraisal**

An appraisal is not required if Napa County determines one is unnecessary because the valuation problem is uncomplicated and the fair market value is, based on a review of available data, estimated to be $10,000 or below.[[2]](#footnote-2)

Among the criteria to be considered in making the determination are:

1. There is no serious question as to highest and best use.
2. Adequate market data is available.
3. Substantial damages and benefits are not involved.
4. There is no substantial decrease in market value due to the presence of hazardous material/waste.

The Director of Public Works shall make the final determination as to which parcels are uncomplicated. When the Director of Public Works makes this determination a “Waiver Valuation” shall be prepared.

The Waiver Valuation may be based on a review of available relevant data such as: comparable sales and listings, comparable sales and listings from multiple-listing services, and commercial databases, opinions of assessor’s, appraisers, or real estate brokers, and other data sources.

Where federal or state funds are utilized as part of the acquisition, County staff shall follow any additional procedures and complete any other documentation required by the funding entity to utilize a Waiver Valuation.[[3]](#footnote-3)

**Person Performing the Waiver Valuation**

The person performing the Waiver Valuation need not be licensed to by the State of California to perform appraisals, but should have at least a sufficient understanding of the real estate maker to be qualified to make the Waiver Valuation.

1. 49 CFR 24.103(a) [↑](#footnote-ref-1)
2. Section 7.02.13.00 of the California Department of Transportation Right of Way Manual currently utilizes this same $10,000 estimate. (49 CFR 24.102(c)(2) similarly finds that an appraisal is not required for parcels estimated at $10,000 or less.) [↑](#footnote-ref-2)
3. See 7.02.13.02 of the California Department of Transportation Right of Way Manual. [↑](#footnote-ref-3)