

ATTACHMENT 6
REAL ESTATE EXHIBITS

EXHIBIT A



EXHIBIT B

ASSESSMENT OF NON-FEDERAL SPONSOR'S REAL ESTATE ACQUISITION CAPABILITY

Port of Freeport
Brazoria, Texas

Freeport General Reevaluation Report, Texas

I. Legal Authority:

a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes?
(yes/no)

YES

b. Does the sponsor have the power of eminent domain for this project?
(yes/no)

YES

c. Does the sponsor have "quick-take" authority for this project? (yes/no)

YES

d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? (yes/no)

NO

e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? (yes/no)

NO

II. Human Resource Requirements:

a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? (yes/no)

N/A

b. If the answer to II.a. is "yes", has a reasonable plan been developed to provide such training? (yes/no)

N/A

c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? (yes/no)

YES

d. If the sponsor's projected in-house staffing level sufficient considering its other work load, if any, and the project schedule? (yes/no)

YES

e. Can the sponsor obtain contractor support, if required in a timely fashion? (yes/no)

YES

f. Will the sponsor likely request USACE assistance in acquiring real estate? (yes/no) (If "yes", provide description)

NO

III. Other Project Variables:

a. Will the sponsor's staff be located within reasonable proximity to the project site? (yes/no)

YES

b. Has the sponsor approved the project/real estate schedule/milestones? (yes/no)

YES

IV. Overall Assessment:

a. Has the sponsor performed satisfactorily on other USACE projects? (yes/no)

YES

b. With regard to this project, the sponsor is anticipated to be: highly capable/fully capable/moderately capable/marginally capable/insufficiently capable. (If sponsor is believed to be "insufficiently capable," provide explanation)

FULLY CAPABLE

V. Coordination

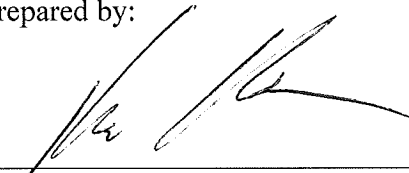
a. Has this assessment been coordinated with the sponsor? (yes/no)

YES,

b. Does the sponsor concur with this assessment? (yes/no) (If "no," provide explanation)

YES

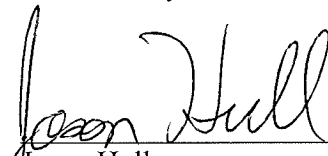
Prepared by:



Kenny Pablo
Realty Specialist
Galveston District
U.S. Army Corp of Engineers

11/9/16
Date

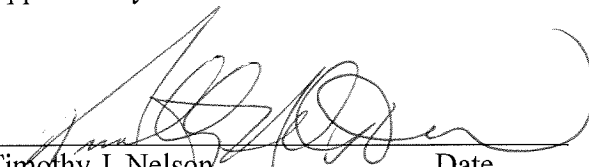
Reviewed by:



Jason Hull
Director of Engineering
Port of Freeport

11/9/16
Date

Approved by:



Timothy J. Nelson
Chief, Real Estate Division
Galveston District
U.S. Army Corp of Engineers

Date

EXHIBIT C

Contract B

FREEPORT -NON-FEDERAL COSTS			
		Amount	Contingency
102	Acquisitions (Easements)		
	Channel Improvement Easment for Bend Easing (2 Tracts)	\$20,000.00	\$5,000.00
	Perpetual Easments to Govt for PA 1 (4 Tracts)	\$40,000.00	\$10,000.00
105	Appraisals (6 Tracts)	\$6,000.00	\$1,500.00
112	Project Related Administration	\$10,000.00	\$2,000.00
1150	Land Payments (Land Value)*NFS already owns land for PA1 and bend easing; value needed for LERRD credting purposes.		
	*PA1 (4 tracts)	\$484,951.00	\$121,237.75
	*10 acre cut (Bend easing) (2 tracts)	\$3,005,320.00	\$751,330.00
117	LERRD Crediting	\$60,000.00	\$12,000.00
	Sub Total	\$3,626,271.00	\$903,067.75
	Total	\$4,529,339	
FREEPORT- FEDERAL COSTS			
		Amount	Contingency
102	Acquisitions Review		
	Channel Improvement Easment for Bend Easing (2 Tracts)	\$15,000.00	\$3,750.00
	Perpetual Easments to Govt for PA 1 (4 Tracts)	\$15,000.00	\$3,750.00
105	Appraisal Review (\$5,000 per tract assuming 6 tracts)	\$30,000.00	\$7,500.00
107	Temporary Permits/Licenses/R.O.W	\$0.00	\$0.00
112	Project Related Administration	\$10,000.00	\$2,500.00
117	LERRD Crediting Review	\$36,000.00	\$9,000.00
	Sub Total	\$106,000.00	\$26,500.00
	Total	\$132,500.00	

EXHIBIT C

Contract 4			
FREEPORT -NON-FEDERAL COSTS			
		Amount	Contingency
102	Acquisitions (Labor to obtain easement;Labor to convey PA8 easement to Government)		
	Pipeline Easement	\$20,000.00	\$5,000.00
	PA8 Easement	\$20,000.00	
105	Appraisals (9Tracts)	\$9,000.00	\$2,250.00
107	Temporary Permits/Licenses/R.O.W	\$0.00	\$0.00
112	Project Related Administration	\$10,000.00	\$2,000.00
1150	Land Payments (Land Value)*NFS already owns land; value needed for LERRD crediting purposes.		
	*PA8 (1 tracts)	\$188,446.00	\$47,111.50
	Pipeline Easement Value(9 tracts)	\$367,606.00	\$91,901.50
117	LERRD Crediting	\$50,000.00	\$10,000.00
	Sub Total	\$665,052.00	\$158,263.00
	Total	\$823,315	
FREEPORT- FEDERAL COSTS		Amount	Contingency
102	Acquisitions Review		
	Pipeline Easement (9 Tracts)	\$10,000.00	\$0.00
	PA8 Easement	\$30,000.00	\$0.00
105	Appraisal Review (\$5,000 per tract assuming 8 tracts)	\$40,000.00	\$10,000.00
107	Temporary Permits/Licenses/R.O.W	\$0.00	\$0.00
112	Project Related Administration	\$10,000.00	\$2,500.00
117	LERRD Crediting Review	\$30,000.00	\$7,500.00
	Sub Total	\$120,000.00	\$20,000.00
	Total	\$140,000.00	

EXHIBIT C

Contract 8			
FREEPORT -NON-FEDERAL COSTS			
		Amount	Contingency
102	Acquisitions (labor to convey easements)	\$0.00	\$0.00
	Mitigation Site 3	\$20,000.00	\$0.00
105	Appraisals (3 Tracts)	\$3,000.00	\$750.00
107	Temporary Permits/Licenses/R.O.W	\$0.00	\$0.00
112	Project Related Administration	\$10,000.00	\$2,000.00
1150	Land Payments (Land Value)*NFS already owns land; value needed for LERRD credting purposes.		
	*Mitigation Site 3	\$767,968.00	\$191,992.00
11504	Other	\$0.00	\$0.00
117	LERRD Crediting	\$20,000.00	\$4,000.00
	Sub Total	\$820,968.00	\$198,742.00
	Total	\$1,019,710	
FREEPORT- FEDERAL COSTS		Amount	Contingency
102	Acquisitions Review	\$0.00	\$0.00
	Mitigation Site 3	\$10,000.00	\$0.00
105	Appraisal Review (\$5,000 per tract assuming 3 tracts)	\$15,000.00	\$3,750.00
107	Temporary Permits/Licenses/R.O.W	\$0.00	\$0.00
112	Project Related Administration	\$10,000.00	\$2,500.00
11504	Other	\$0.00	\$0.00
117	LERRD Crediting Review	\$15,000.00	\$3,750.00
	Sub Total	\$50,000.00	\$10,000.00
	Total	\$60,000.00	

EXHIBIT D



DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P. O. BOX 1229
GALVESTON, TEXAS 77553-1229

December 5, 2017

Real Estate Division

Mr. Jason Hull
Director of Engineering
Port Freeport
1100 Cherry Street
Freeport, TX 77541

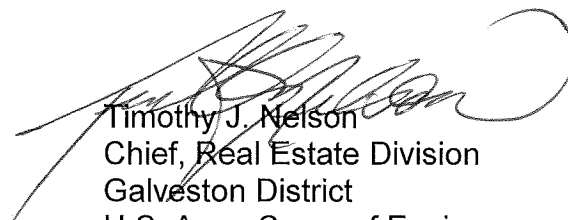
Dear Mr. Hull:

It is our understanding that there are currently no land acquisitions contemplated for the proposed project subject to the Freeport General Reevaluation Report. However, in the event that Port Freeport is required to acquire lands in the future, there are risks associated to these acquisitions if lands are acquired prior to execution of a Project Partnership Agreement (PPA) with the Federal Government. We appreciate your support for this proposed project, but our regulations require us to inform you that **IF FOR ANY REASON, THE PPA NEVER GETS SIGNED OR IF CONGRESS FAILS TO AUTHORIZE OR FUND THE PROJECT, ANY LAND YOU ACQUIRED OR ANY MONEY YOU SPEND IN YOUR EFFORTS TO ACQUIRE LAND WILL BE AT THE SOLE RISK OF PORT FREEPORT.** Furthermore, for any property that qualifies for Federal participation in the project, your acquisition efforts must be in compliance with all of the provisions of P.L. 91-646, the Federal Relocation Assistance Law.

Please ensure that records are kept regarding purchase price and real estate administrative expenses such as title evidence, surveys and appraisal fees. This will be necessary for you to receive credit in the event of Federal Authorization. Be advised that regulations dictate that credit will not be given for real estate administrative costs for properties acquired five years prior to execution of a PPA.

If you have any questions, please contact Mr. Kenny Pablo at (409) 766-3816 or Kenneth.Pablo@usace.army.mil.

Sincerely,


Timothy J. Nelson
Chief, Real Estate Division
Galveston District
U.S. Army Corps of Engineers