|  |  |  |
| --- | --- | --- |
| COLORADO DEPARTMENT OF TRANSPORTATIONRIGHT OF WAY SETTLEMENT CHECKLIST | Project Code:       | Parcel No:       |
| Project No:       |
| Location:        |
| Name:       |
| **1. Title information** **Yes No TC\* Explanation** A. Is date of title information within 90 days of the agreement date? [ ]  [ ]  [ ]        B. Have all encumbrances been taken care of on the Agreement? [ ]  [ ]  [ ]        C. Have utility bills or other assessments been paid to date of closing?**[ ]** **[ ]** **[ ]**      **2. Agreement** A. Does the amount of settlement agree with Fair Market Value or Administrative Settlement? [ ]  [ ]  [ ]        B. Have unusual conditions under “other conditions” been approved by ROW Services or Attorney General’s Office? [ ]  [ ]  [ ]        C. Are proper documents called for? (Deeds, Releases, Etc.) [ ]  [ ]  [ ]        D. Is Agreement signed and dated? [ ]  [ ]  [ ]         E. Have copies of agreements been distributed? [ ]  [ ]  [ ]        F. Does the name(s) for the warrant(s) match title information and W-9? [ ]  [ ]  [ ]        G. Is the amount of the warrant(s) correct? (Are all parties to be paid and are the amounts listed?) [ ]  [ ]  [ ]        H. Is a Statement of Authority, Power of Attorney, Declaration of Trust, Appointment of Personal Representative or similar document needed? [ ]  [ ]  [ ]        I. Does agreement call for withholding of money for fixtures, specific  performance, removal of improvements? [ ]  [ ]  [ ]        J. Is an Administrative Settlement Approval included?  Have proper parties dated and signed the Administrative Settlement? [ ]  [ ]  [ ]       **3. Negotiator’s diary** A. Has demographic information form been provided? [ ]  [ ]  [ ]        B. Has ROW information brochure been provided? [ ]  [ ]  [ ]       C. Has negotiator indicated who was present at the first negotiator’s contact? [ ]  [ ]  [ ]        D. Has the diary been signed? [ ]  [ ]  [ ]        E. Have all contacts been listed? [ ]  [ ]  [ ]       **4. Taxes** A. Is tax certificate included? [ ]  [ ]  [ ]        B. Is tax pro-ration included? (not necessary on small amounts) [ ]  [ ]  [ ]        C. Are withholding tax and DOR Forms 1083 and 1079 applicable? (Only required non-Colorado entities and property valued above $100,000 which is closed by agent) [ ]  [ ]  [ ]        **5. Miscellaneous** A. Is offer letter included? [ ]  [ ]  [ ]        B. Is copy of FMV signed by the Region attached? [ ]  [ ]  [ ]        C. Has the parcel been filed for Condemnation? [ ]  [ ]  [ ]         **6. IRS requirements** A. Attached original W-9, signed by owner. [ ]  yes [ ]  no       B. 1099-S required [ ]  yes [ ]  no  If no, check exceptions: [ ]  Corporation or Insurance Co. [ ]  Volume Transfer [ ]  Governmental Unit [ ]  Gift or Donation [ ]  Escrow Agent/Title Co. C. 1099-MISC. [ ]  yes [ ]  no (required for TEs over $600) If no, check exceptions: [ ]  under $600 [ ]  Corporation or Insurance Co. [ ]  Volume Transfer [ ]  Governmental Unit [ ]  Gift or Donation [ ]  Escrow Agent/Title Co.  |
| Real Estate Specialist signature | Date      |

 \*TC – Responsibilities of the Title Company