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MANUAL 500-2

SECTION 03.1

GLOSSARY

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BUREAU OF MANAGEMENT ANALYSIS AND PROJECTS

September 2006

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DEFINITIONS

Account Owners are those individuals or entities that have been issued permits by, or entered into leases with, the Thruway Authority.

Advertising Plan is a part of the Auction Plan that describes how the auction will be marketed in order to reach as many potentially interested parties as possible to permit full and free competition consistent with the value and nature of the property such as through letters, newspaper advertisements and other means.

Acquisitions are Transactions whereby the Authority acquires and holds in the name of the State by purchase or appropriation, real property or rights or easements therein. Acquisitions also include permits and contracts entered into by the Authority to use real property not under the jurisdiction of the Authority.

Auction Plan is a plan developed for an auction and approved by the Contracting Officer that contains the terms and conditions of the sale, registration and deposit requirements, auction information package, and advertising plan.

Delinquent Account is any permittee or lessee who has not made payments due under the permit or lease terms.

Disposals include the sale of real property, the transfer of any beneficial interest in real property such as leases or easements, and the exchange of real property of at least equal value, in the public interest, and necessary for Authority purposes. Disposals do not include the transfer of real property secured by a loan or other financial obligation of another party. Disposals do not include Permits or Transfers of Jurisdiction.

Encroachment is when a building or structure or part thereof is erected, placed, maintained, or otherwise occupying Authority property as a result of (i) a revoked permit or terminated lease, or (ii) an illegal occupation without an earlier permit or lease.

Environmental Concerns are any on-site conditions which could potentially cause a detrimental environmental impact. These conditions include, but are not limited to: improper or un-permitted storage tanks; un-permitted operations including boat, car or other maintenance operations; unauthorized removal of vegetation; soil and sediment erosion (including gullying); un-permitted discharges (non-SPDES permit), etc.

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Fair Market Value is the amount at which property would change hands between a willing buyer and willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of relevant facts. Fair market value is the price in cash or equivalent, that the property would have brought at the time of taking, considering its highest and most profitable use, if then offered for sale in the open market, in competition with other similar properties at or near the location of the property taken, with a reasonable time allowed to find a purchaser. Normally, the fair market value is the appraised value.

Permits issued by the Authority are agreements granting temporary occupancy or use of lands or structures of the Authority. Permits are used for transactions where the real property has not been declared surplus to the Authority's needs, but may be used on a revocable basis as specified in the permit. Permits do not transfer a beneficial interest in real property. Permits are revocable in part to assure availability upon demand of the real property for Authority or public purposes. Permits include Occupancy and Work Permits.

An **Occupancy Permit** is a revocable permit that authorizes the temporary, restricted use of real property under the jurisdiction of the Authority.

A **Work Permit** is a revocable permit that authorizes construction, maintenance, inspection, survey, or other type of work on real property under the jurisdiction of the Authority.

Rate Schedule Fee is an occupancy permit fee based on a preauthorized list of fees for specific types of uses and size of uses.

Request for Interest (RFI) is an issued document that solicits expression of interest or ideas for a parcel(s) of property under the jurisdiction of the Authority. RFIs are used when it is not clear whether there is interest in the parcel or when input or ideas are desirable. RFIs do not result in the selection of a proposal.

Request for Proposals (RFP) solicits competitive proposals from prospective contractors for particular work or services, such as development of a particular parcel of property under the jurisdiction of the Authority.

Sale Notice describes auction logistics including the time, place and location of the auction, registration requirements, property information and relevant information related to the auction of the real property parcel.

SEQRA is the State Environmental Quality Review Act.

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Surplus Authority Real Property is that real property that, in the opinion of the Authority, is or may become unnecessary for transportation, maintenance, reconstruction and/or development of the Thruway system.

Transactions shall include, but not be limited to, acquisitions, disposals, the issuance of permits, and transfers of jurisdiction.

Transaction Analysis is a review conducted prior to carrying out a transaction to determine whether the property is needed for Authority purposes and conditions that affect the proposed use, the best type of transaction, and if a competitive process, survey and/or appraisal is required.

Transaction Reference Number is a number assigned to a real property transaction by the Division Permit Coordinator for tracking purposes. The number consists of eight (8) characters, beginning with a letter for the Division (A-Albany, B-Buffalo, N-New York, S-Syracuse), followed by a "T" (for Thruway), then the 2 digit year (06-for 2006) and finally a 4 digit sequential number (Example: The first number assigned in 2006 by the Albany Division would be AT060001).

Transfers of Jurisdiction are transactions between the Authority and other state governmental entities where jurisdiction over the real property is transferred and reassigned, but the title to the real property remains in the name of the People of the State.