
REAL ESTATE APPRAISALTable of Contents

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REAL ESTATE APPRAISAL1. Program

.1 Policy and Objective: Real estate appraisal and land use planning services are to be provided for the benefit of the Indian owners of some 50 million acres of tribal and individual trust land. These services are provided in accordance with laws, regulations and tribal resolutions to support the trust responsibility of the Federal Government.

.2 Authority: The Department of the Interior requires appraisal of all lands or interests in lands to be purchased, sold, or exchanged. Appraisals are also required for lands which are otherwise involved in real property transactions under the jurisdiction of any Bureau of the Department.

CFR 121.12 Appraisal. Prior to making or approving a sale, exchange, or gift of trust or restricted land, an appraisal shall be made indicating the fair market value of such land.

CFR 161.14 Appraisal and Schedule of Damages. (Rights-of-way) *** the Superintendent shall cause an appraisal to be made of the damages due the landowners.

CFR 131.5 *** no lease shall be approved at less than the present fair annual rental.

2. Organization and Function

.1 Field Functions and Organizations: The technical field staff of this Branch consists of real estate appraisers, land use planners, and oil and gas and mining engineers. This staff is located mainly in area offices, although some are at agency level.

This Branch is assigned the technical staff duties of real estate appraisal, real estate counseling, and land use planning to support the Bureau of Indian Affairs' programs in marketing (leasing) and development of Indian lands.

Professional services offered to BIA administrators, Branches, and Indian organizations include:

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- a. Real estate appraisals
 - 1. Estimating economic rent
 - 2. Estimating market value
- b. Real estate counseling
 - 1. Preparing feasibility studies
 - 2. Preparing marketability studies
 - 3. Suggesting contract rent
- c. Land use planning
 - 1. Deals with ways of guiding the use of land in such a way that the maximum social and economic benefits may accrue to the people of the community through the improvement of the physical environment.
 - 2. Conceived as a process, planning embraces a series of steps taken in consort with BIA administrators and Indian leaders.
 - (1) Determination of objectives to be sought.
 - (2) Research to understand the problem.
 - (3) Discovery of alternative solutions.
 - (4) Policy making, choosing between alternatives.
 - (5) The detailed execution of the chosen alternative known as the layout or design work.
 - (6) Creating social mechanisms such as laws, resolutions, regulations, policies, and forms of local organization for review, implementation and enforcement of the plan.
- d. Review of appraisals by other agencies and by contract appraisers. Also, review and coordination of land use plans, site plans, etc., prepared by developers.
 - 1. Appraisers serve as expert witness on behalf of individual Indians and tribes in condemnation cases.
 - 2. Planners serve as advocates of the Indian position before city, county, state and regional planning boards.
- e. Other duties include:
 - 1. Negotiating and monitoring contracts with fee appraisers and private planning firms.
 - 2. Recruiting and training appraisers and land use planners and the necessary support staff.
 - 3. Aiding in preparation of budget documentation and forecasts.

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- .2 Washington Office Functions and Operations: The primary duties of the Washington Office Staff is to direct and supervise the staff responsibilities of the Commissioner in the execution of the Bureau's real estate appraisal and land use planning programs.

3. Interbranch Support Services and Program:

- .1 The Appraisal Activity: The appraisal activity is chiefly in support of several programs of the Bureau. Other Branches dependent on this support are: Real Property Management, Credit and Financing, Industrial Development, Housing, Roads, and Land Operations and Forestry.

The appraisers support the land use planning activities by gathering and interpreting economic and real estate market information needed by the land use planners.

- .2 The Real Estate Counseling Services: The real estate counseling services are used by a similar array of Branches and others.
- .3 The Land Use Planning Services: The land use planning services are necessarily coordinated with all Branches, all Divisions, all line officers of the Bureau, all other Governmental agencies at local and national level, all utility services, and initially and ultimately with all Indian people and their organizations.

It is the essence of the land use planning function to coordinate the use and development of the land by others.

4. Reference Material and Supplement:

- .1 Bureau of Indian Affairs Manual Supplement.
.2 Appraisal of Real Property, Handbook Supplement to Departmental Manual.

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