



GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# State of Utah Department of Commerce

## OFFICE OF THE PROPERTY RIGHTS OMBUDSMAN

FRANCINE A. GIANI  
Executive Director

BRENT N. BATEMAN  
Lead Attorney, Office of the Property Rights Ombudsman

To: Utah Land Use and Eminent Domain Advisory Board  
From: OPRO Staff  
Date: January 14, 2014  
Re: OPRO Activity Report for December 2013

### OPRO Activity since January 1, 2013

<b>Total Cases 2013:</b>	224 <sup>1</sup>
<b>Total Open Cases as of December 31, 2013:</b>	(Avg/Month = 67)
Land Use:	(Avg/Month = 16)
ED/Taking:	(Avg/Month = 51)
Total Closed Cases for 2013:	162
Total "Information Only" Cases for 2013:	481
Total New cases for 2013:	157
Mediations/ADR held for 2013:	72
Advisory opinions issued for 2013:	17
Pending Advisory Opinions as of December 31, 2013:	(Avg/Month = 8)
Pending Formal Arbitrations as of December 31, 2013:	(Avg/Month = 37)
Training and Legal Education Presentations for 2013:	21

### Highlights for 2013:

- Brent worked many hours with legislators regarding bills which may impact the Office and testified multiple times before legislative committees.
- Brent chaired the Eminent Domain Interim Task Force, and with the assistance of Rep. Lee Perry and many others, crafted a compromise Eminent Domain Bill, HB25. In the process Brent often appeared before and reported to the Political Sub Interim Committee.
- Brent was a guest of, and participated, on the "County Seat" program. The program was aired on television.
- Office Attorneys assisted several City and County government agencies in drafting land use ordinances and impact fees.
- Brent, Elliot and Jim continue to provide education and training to property owners and governmental agencies as well as creating and participating in various training seminars regarding this Office and the

<sup>1</sup> Total determined by adding the number of closed cases and the number of current open cases.

substantive law: Those groups include the Utah State Bar, the International Right of Way Association, the Utah Land Use Institute, Acquisition agents for various entities such as Rocky Mountain Power and UDOT, the Utah Local Government Trust Group, the Utah County Indemnity Pool, the Utah Municipal Attorney's Association, the Real Estate Division of Jones/Waldo, Water Coalition, APA Fall Conference and various neighborhood groups and property owners.

- Brent continues to be involved as a director of the Utah Land Use Institute and as a member of the Land Use Task Force.
- Elliot managed all content and updates to the OPRO webpage.
- Jim participated in advanced mediation, eminent domain and relocation training and has developed extensive expertise on those matters.
- The Office continues to provide internship opportunities for law students.