



E. Gayla Driving Center is described on its website as a “carriage driving jewel” “nestled in the heart of the Bluegrass State.” The website says that “the welfare of the horse, attention to safety and building confidence are of the utmost importance” at the farm. Facilities listed include a converted historic barn, 16 stalls, two grooming stations, an indoor wash area, two outdoor Dressage Arenas, “a Cross Country course with permanent obstacles”, and “many miles of scenic, mowed trails.” The website also states that “learning opportunities will be available for many educational purposes” and the website contains a link to the U.S. Driving for the Disabled website.<sup>32</sup>

F. The location of Gayla Driving Center is shown on the map below.

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<sup>32</sup> <http://www.gayladrivingcenter.com/>



G. The photo (from the website for the facility) and satellite map below show the transmission line adjacent to the Gayla Driving Center.





## SUMMARY AND CONCLUSIONS

43. Our analysis indicates that the intervenors have misrepresented the published literature concerning the impact of proximity to transmission line corridors and power lines on adjacent property prices and values. When considered in its entirety, the published studies do not support the various claims by the intervenors that past studies have consistently shown anywhere from a 10% to a 39% adverse impact on prices and values. Actually, more than half of the published research has found no adverse impact on prices and values. When studies do find impacts, the range is typically between 1% and no more than 10%.

44. Our research into Sugar Ridge and River Ridge in South Elgin indicates that there has been no adverse impact since 1995 on the prices of homes located either adjacent to the existing transmission line corridor or with views of the power lines.

45. Our research into three other townhouse projects (Coventry in Lake in the Hills, Concord Pointe in Carol Stream, and Hampton Park in Naperville) indicates there has been no impact on prices of townhomes located in proximity to the transmission line corridors and power lines located adjacent to them. One of the townhouse communities we investigated (Hampton Park in Naperville) is an age restricted, 55 and older community. Our research indicates that the Bowes Creek townhouses will not experience any decrease in price or value as a result of the installation of the monopoles and power lines adjacent to them.

46. Our research into the “Bluegrass Region” of Kentucky indicates that there are transmission line corridors adjacent to, and even crossing, nationally and even internationally known horse breeding and training centers. One of the facilities notes that it provides education to all types of carriage driving students, and has a link to the U.S. Driving for the Disabled website, an indication that it’s educational programs are also geared to persons with disabilities. Our Kentucky research indicates that the proposed ComEd transmission line will not adversely impact the business operations of an equestrian facility that includes breeding and boarding of horses as well as equestrian training that includes training for persons with disabilities.

47. The development of the transmission line corridor, including the installation of a second set of monopoles in the portions of the corridor that already contains a 138kV line on 95 to 110 foot monopoles is unlikely to have an adverse impact on the market value of the single family homes and townhouses either currently located adjacent to the corridor, or to be developed in the future. Market value for purposes of the fee simple interest in single-family homes, townhomes and undeveloped land considered in this assignment is defined as follows: “Market value is the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at the time of the appraisal.” (Interagency Land Acquisition Conference, *Uniform Standards for Federal Land Acquisitions*, Washington, D.C. 2000, Section B-2, p. 30)

48. This expert report is subject to the Certification and Statement of Assumptions and Limiting Conditions in the Addenda (Exhibit G).

49. I, Richard J. Roddewig, certify under penalty of perjury that this report and the items attached to it are true and correct.

**By:**



Richard J. Roddewig, MAI, CRE

**Date:**

March 13, 2014

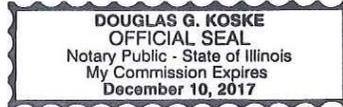
**NOTARY PAGE**

State of Illinois

County of Cook

This instrument was acknowledged before me on the 13<sup>th</sup> day of March  
20 14, by Richard J. Roddewig.

(SEAL)



Douglas G. Koske  
Illinois Notary Public

**ADDENDA**

**EXHIBIT A:**  
**SUMMARY OF RODDEWIG QUALIFICATIONS**

**RICHARD J. RODDEWIG**  
**PROFESSIONAL QUALIFICATIONS**

Richard J. Roddewig, MAI, CRE, FRICS is President of Clarion Associates, Inc., a national real estate counseling and appraisal firm with affiliated offices in Chicago, Denver, Cincinnati, Philadelphia, and Chapel Hill. He is a real estate appraiser/counselor as well as a land use and zoning attorney. He has wide ranging experience in evaluating the effect of various environmental conditions and sources of environmental risk on real estate prices, markets and values.

Mr. Roddewig is President of Clarion Associates, Inc., one of the most experienced firms in the United States in evaluating the relationship between sources of environmental contamination and environmental risks and real estate prices, values, and marketability.

Mr. Roddewig has determined the impact on market value and real estate markets of a wide variety of environmental conditions, contamination types and environmental risks resulting from both on-site and off-site sources. Among the states in which Mr. Roddewig has worked on such assignments are the following: Alaska, Hawaii, Washington, California, Colorado, New Mexico, Wyoming, Texas, Missouri, Kansas, Tennessee, Louisiana, Mississippi, Florida, Georgia, South Carolina, North Carolina, Maryland, Pennsylvania, Ohio, West Virginia, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Maine, Michigan, Indiana, Illinois, Wisconsin, Minnesota and Washington, D.C. He has investigated the real estate impacts of such environmentally sensitive activities as oil spills, industrial emissions and contamination, sanitary landfills, hazardous waste disposal sites, Superfund sites, quarries, power plants, electrical transmission lines, and airports. He has analyzed the impact on property values resulting from groundwater contamination, soil contamination, vapor intrusions, and air emissions. Among the types of hazardous or toxic materials potentially affecting the market values of properties he has analyzed to determine their real estate market impacts have been the following: lead, heavy metals, chlorinated solvents, PCBs, furans and dioxins, crude oil, fuel oil, diesel fuel, TCE/PCE, radon, and various polyaromatic hydrocarbons (PAHs) and volatile organic compounds (VOCs) including MTBE.

Mr. Roddewig holds the MAI designation from The Appraisal Institute (the largest organization of professional real estate appraisers in the United States) and the CRE designation from The Counselors of Real Estate, and has more than 35 years experience as a real estate appraiser. Mr. Roddewig has also been designated a Fellow with the Royal Institute of Chartered Surveyors (FRICS) headquartered in London.

The types of properties Mr. Roddewig has analyzed or appraised in relationship to environmental contamination or environmental risks potentially affecting their marketability or value include the following: single-family homes, apartment buildings, townhouses, hotels, nursing homes, office buildings, industrial plants, warehouses, gas stations, shopping centers, radio broadcasting facilities, restaurants and night clubs, landfills, and undeveloped land (residential, commercial, retail, industrial and agricultural).

In 1993, the Appraisal Institute selected Mr. Roddewig to develop its official educational seminar and course materials on valuation of contaminated properties, entitled *Environmental Risk and the Real Estate Appraisal Process*, and he has taught the course across the country. In 2001 he updated that Appraisal Institute seminar, now renamed *Appraising Environmentally Contaminated Properties: Understanding and Evaluating Stigma*. Much of that 2001 seminar was reincorporated into the 2010 version of that seminar. He has also been the regular environmental columnist in *The Appraisal Journal*,

and for his 1996 article entitled “Stigma, Environmental Risk and Property Values: 10 Critical Inquiries,” the Appraisal Institute awarded Mr. Roddewig the annual Sanders A. Kahn Award as “the author who develops the best example of a thought-provoking presentation on concepts and practical problems facing the appraisal and real estate industries.”

In 2000, Mr. Roddewig served on the Appraisal Institute *Special Task Group for the Development of Standards for Determining the Acceptability of Applications for Statistical and Market Survey Techniques to the Valuation of Real Property*.

In 2002, Mr. Roddewig was asked by the Appraisal Institute to edit an anthology of *Appraisal Journal* articles published by the Appraisal Institute in book form and titled *Valuing Contaminated Properties: An Appraisal Institute Anthology*.

Mr. Roddewig has also been a designated expert in many cases involving determination of the impact of environmental risks or contamination on property values and markets.

Mr. Roddewig also regularly conducts appraisal assignments for a wide variety of clients including financial institutions, public entities, and attorneys in litigation, many of which involved appraisal, appraisal consulting and appraisal review assignments involving properties potentially impacted by contamination and environmental risks.

**EXHIBIT B:**  
**RICHARD J. RODDEWIG**  
**DEPOSITIONS AND TRIAL TESTIMONY: 2010 TO PRESENT**

**Richard J. Roddewig**  
**Depositions and Trial Testimony: 2010 - Present**

BB&A Ventures, et al., vs. WWLD Hotel Investors, LLC, et al., Lease Arbitration Proceeding, No. 51-115 Y 001227-09 (Deposition given February 15, 2010 and Hearing Testimony given May 17 and 18, 2010)

In re: Chinese-Manufactured Drywall Products Liability Litigation, United States District Court, Eastern District of Louisiana, MDL No. 2047, Section L, Judge Fallon (Deposition given June 10, 2010)

Allison, et al. v. Exxon Mobil, et al., Circuit Court for Baltimore County, Maryland, Case No. 03-C-07-003809 (Deposition given June 1, 2010; Testimony given in a Frye/Reed Hearing, November 3, 2010; Trial Testimony, June 1 and 2, 2011; Deposition on remand given December 4, 2013)

Johnson, et al. v. Prime Tanning Corp., Circuit Court of Buchanan County, Missouri, Case No. 09BU-CV06421 (Deposition given June 16, 2011)

Friesland Farms, LLC, et al. v. Big Sky Wind LLC, United States District Court for the Central District of Illinois, Case No. 10-01232 (Deposition given April 24, 2012)

City of Joliet v. Mid-City National Bank of Chicago, et al., United States District Court for the Northern District of Illinois, Case No. 05 C 6746 (Deposition given July 31, 2012)

John Johnson, et al. v. Orleans Parish School Board, et al., State of Louisiana, Division M, CDC No. 93-14333 (Trial Testimony given April 29, 2013)

Thomas Reep, et al. v. City of Milwaukee, State of Wisconsin, Milwaukee County Circuit Court, Case No. 09-cv-3483, Case Code 30201 (Deposition given September 11, 2013; Trial Testimony given September 25, 2013)

**EXHIBIT C:**  
**RICHARD J. RODDEWIG, MAI, CRE, FRICS**  
**GENERAL QUALIFICATIONS AND LIST OF PUBLICATIONS**



## REPRESENTATIVE MAJOR PROJECTS

Real estate appraisal and consulting assignments on projects in more than 50 cities and 30 states.

Qualified as an expert witness before arbitration panels and in federal and state courts in Arizona, Colorado, Alaska, Minnesota, Illinois, Maryland, West Virginia, Tennessee, Mississippi, Louisiana, Texas and Pennsylvania.

Directed appraisal of 1300 miles of railroad right-of-way for federal bankruptcy trustee.

Consultant to City of Chicago Department of Planning on revisions to Chicago Zoning Ordinance.

Valuation of more than 100 historic preservation easements donations for private developers and the Internal Revenue Service.

Valuation consultant and expert witness for \$20.0 million township open space acquisition program.

Analysis of impacts of contamination and environmental risks on neighborhoods, markets and properties in cities, towns and rural areas in approximately 25 states including Alaska, Hawaii, California, Washington, Wyoming, Colorado, Missouri, Minnesota, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania, West Virginia, Maryland, New Jersey, New York, Connecticut, Massachusetts, South Carolina, Georgia, Florida, Louisiana and Mississippi.

Analysis of appropriate methodology for determining impact of Hurricane Katrina on property prices and values in New Orleans, Louisiana.

Consulting and expert testimony for Exxon concerning impact of *Exxon Valdez* oil spill on land markets and property values in Alaska.

Valuation of landfills in Colorado and Pennsylvania.

Valuation of water storage and irrigation district properties in Colorado and Alberta, Canada.

Valuation of all privately owned real estate at the South Rim of Grand Canyon National Park.

Valuation of the Saturn integrated automobile manufacturing and assembly plant in Spring Hill, Tennessee.

**EDUCATION**

Master of Arts - University of Chicago

Juris Doctor - University of Chicago

Bachelor of Arts (Summa cum Laude) - University of Notre Dame

**PUBLICATIONS**

Author, co-author, or contributor to eleven books and more than fifty monographs and articles in publications such as Real Estate Review, The Appraisal Journal, Valuation, Urban Land, The Urban Lawyer, Real Estate Issues, and Real Estate Today. Featured speaker nationally on preservation law, environmental risk analysis, real estate economics, rehab feasibility, and appraisal practice.

**PROFESSIONAL  
MEMBERSHIPS**

Member, Appraisal Institute (designated MAI). Chair, Government Affairs Committee, Illinois Chapter, Appraisal Institute, 1991-92. Past Member, Regional Ethics and Counseling Panel. Member, Appraisal Institute Special Task Group for the Development of Standards for Determining the Acceptability of Applications for Statistical and Market Survey Techniques to the Valuation of Real Property, 2000. Member, Special Conservation Easement Valuation Task Force, 2005 to 2006.

Currently licensed as a Certified General Real Estate Appraiser in following states: Illinois, License No. 553-000129; Michigan, License No. 1201070816; Wisconsin, License No. 1166; Indiana, License No. CG40400323; Ohio, License No. 2009003123; Maryland, License No. 31824; Louisiana, License No. APR.0000002976-CGA; Florida, License No. RZ3166; Colorado, License No. CG01319904; Minnesota, License No. 40094488; Mississippi, License No. GA-839; and Alabama, License No. G00996. Previously permanently licensed in Alaska (No. 210), Georgia, License No. 274679, and Nebraska, License No. CG210047. Temporarily licensed in many other states including Missouri, New York, Connecticut, Texas, Tennessee, the District of Columbia, Pennsylvania, West Virginia, Maryland, North Carolina, Arizona, Nevada, and New Mexico.

Currently licensed as a Real Estate Broker in Illinois and formerly in Pennsylvania.

Member, Counselors of Real Estate (designated CRE). Chair, Midwest Chapter, 1991; Vice Chair, Midwest Chapter, 1992. Member, Editorial Board, *Real Estate Issues*, 2014.

Member of the Illinois Bar and American Bar Association.

American Bar Association: Chairman, Historic Preservation and Architectural Controls Subcommittee, 1984-1988; Vice Chairman, Land Use Law Committee, 1985-1987; Chairman, Land Use Law Committee, 1987-1990; Co-Chair, Waste Disposal and Land Use Law Subcommittee,

1991 to 1998; Member, Real Estate Damages Subcommittee of Environmental Litigation Committee, 2004 to present.

Member, Ely Chapter, Lambda Alpha International; Treasurer, 1987-1988; Vice President, 1988-1989; President, 1990.

Member, American Planning Association.

## HONORS

Elected to Phi Beta Kappa, University of Notre Dame (1970).

Second Annual Richard Nickel Award, Professional Preservationist of the Year (1985), Landmarks Preservation Council of Illinois.

Sanders A. Kahn Award (1996) as the author who develops the best example of a thought-provoking presentation on concepts and practical problems facing the appraisal and real estate industries, for article in *The Appraisal Journal*, published by the Appraisal Institute.

Regular contributing columnist (Environment and the Appraiser Department), *The Appraisal Journal* (1996 to 2002).

George L. Schmutz Award (2012) from the Appraisal Institute for the "the most outstanding Appraisal Institute Publication of 2011" for his book entitled *Appraising Conservation and Historic Preservation Easements*.

Co-recipient (2013) of the William S. Ballard Award as the "author whose work best exemplifies the high standards of content maintained by *Real Estate Issues*, the professional journal published by The Counselors of Real Estate."

## CIVIC INVOLVEMENT

Member, Board of Governors, Landmarks Preservation Council of Illinois, 1976-79 & 1982-85; Vice President, 1978-79 & 1983-84.

Member, Illinois Historic Sites Advisory Council, 1979-1982.

Member, Illinois Governor's Advisory Task Force on Historic Preservation, 1985.

Member, Board of Trustees, Illinois Hist. Pres. Agency, 1985-1991.

Member, Illinois Governor's Tourism Task Force, 1986-1987 (Chairman, Financing Subcommittee).

Board of Directors, Preservation Action, Washington D.C., 1988-1990.

Board of Directors, Frederick Law Olmsted Society of Riverside, Illinois, 1986-1988.

Member, Advisory Board, John Marshall Law School Center for Real Estate Law, 2009 to Present.

## **PUBLICATIONS BY RICHARD J. RODDEWIG**

### **BOOKS (AUTHOR, CO-AUTHOR, EDITOR OR CONTRIBUTOR)**

"Australia: Land Banking as an Emerging Policy," in Neal Roberts (ed.), The Government Land Developers, (Lexington: D.C. Heath and Company, 1977).

Green Bans: The Birth of Australian Environmental Politics, (New York, N.Y.: Allanheld Osmun & Co./Universe Books, in conjunction with The Conservation Foundation, 1978).

"Preservation Law and Economics," Chapter 7 in A Handbook on Historic Preservation Law, (Washington, D.C.: The Conservation Foundation and the National Center for Preservation Law, 1983).

Rehab for Profit: New Opportunities in Real Estate, with Jared Shlaes, (Chicago: National Association of Realtors, 1984).

The Conservation Easement Handbook: Managing Land Conservation and Historic Preservation Easement Programs, with Cheryl A. Inghram et al., (San Francisco: Trust for Public Land and the Land Trust Exchange, 1988).

"The Office Building as an Economic Generator and Contributor," Chapter 3 in The Office Building: From Concept to Investment Reality, (Chicago: Counselors of Real Estate, the Appraisal Institute, and the Society of Industrial and Office REALTORS, 1993).

"Inverse Condemnation in Regulatory Takings," with Christopher J. Duerksen, Chapter 14E in Nichols on Eminent Domain, (New York: Matthew Bender & Company, Inc., updated release, 1996).

"Appraising Theme Parks," with Gary R. Papke and Steven Schiltz, Chapter 36 in David C. Lennhoff (ed.), A Business Enterprise Value Anthology, (Chicago: The Appraisal Institute, 2001).

"The EPA's Brownfields Initiative: Will It Improve the Market for Contaminated Properties?" and "Mortgage Lenders and the Institutionalization and Normalization of Environmental Risk Analysis," with Allen C. Keiter, in Thomas A. Jaconetty, (ed.), Issues Confronting Properties Affected by Contamination or Environmental Problems, (Chicago: International Association of Assessing Officers, 2002).

Valuing Contaminated Properties: An Appraisal Institute Anthology, (Chicago: Appraisal Institute, 2002).

Appraising Conservation and Historic Preservation Easements (Chicago: Appraisal Institute, 2011).

### **MONOGRAPHS**

"Components of a Good Historic Preservation Ordinance," (Chicago: Landmarks Preservation Council of Illinois, 1980).

Condominium Conversion Legislation: Separating Myth From Reality, (Washington, D.C.: National Association of Realtors, 1980).

Loft Conversions: Planning Issues, Problems and Prospects, Planning Advisory Service Report Number 362, (Chicago: American Planning Association, 1981).

Preservation Easements in Illinois, (Chicago: Landmarks Preservation Council of Illinois, 1982).

Preservation Ordinances and Financial Incentives: How They Guide Design, (Washington, D.C.: National League of Cities, 1982).

"The Uniform Condominium Act and Illinois Condominium Ordinances: A Comparison," ORER Report No. 1, (Urbana, Illinois: University of Illinois Office of Real Estate Research, 1982).

Preparing a Historic Preservation Ordinance, Planning Advisory Service Report Number 374, (Chicago: American Planning Association, 1983).

Analyzing the Economic Feasibility of a Development Project: A Guide for Planners, Planning Advisory Service Report Number 380, (Chicago: American Planning Association, 1983).

Economic Benefits from Rehabilitation of Historic Buildings in Illinois, (Springfield, Illinois: Illinois Historic Preservation Agency, 1984).

Transferable Development Rights Programs: TDRs and the Real Estate Marketplace, with Cheryl A. Inghram, Planning Advisory Service Report Number 401, (Chicago: American Planning Association, 1987).

Responding to the Takings Challenge: A Guide for Officials and Planners, with Christopher J. Duerksen, Planning Advisory Service Report Number 416, (Chicago: American Planning Association, 1989).

"Compensation for Temporary Takings After First English: Has a Taking Occurred and What Is the Measure of Damages?," in Section 1983 and Land Use, (Clifton, N.J.: Prentice Hall Law and Business, 1989, p. 153).

Economic Incentives for Historic Preservation, A Critical Issues Fund Report, (Washington, D.C.: National Trust for Historic Preservation, 1989).

Takings Law in Plain English, with Christopher J. Duerksen, produced for the American Resources Information Network, 1994.

Preparing a Historic Preservation Plan, with Bradford J. White, Planning Advisory Service Report Number 450, (Chicago: American Planning Association and National Trust for Historic Preservation, 1994).

Environmental Risk and the Real Estate Appraisal Process: Seminar Workbook, with Gary R. Papke, (Chicago: Appraisal Institute, 1994).

Special Purpose Properties: The Challenges of Real Estate Appraising in Limited Markets: Seminar Workbook, with Gary R. Papke, (Chicago: Appraisal Institute, 1995).

Appraising Environmentally Contaminated Properties: Understanding and Evaluating Stigma: Seminar Workbook, (Chicago: Appraisal Institute, 2001).

Appraising Historic Preservation Easements: Seminar Workbook (Chicago: Appraisal Institute, 2008).

Analyzing Effects of Environmental Contamination on Real Property: Seminar Workbook, (Chicago, Appraisal Institute, 2010). Prepared by Professor Thomas Jackson. Includes cases studies previously prepared by Richard J. Roddewig.

#### ARTICLES

"In Australia, Unions Strike for Environment," with John S. Rosenberg, in The Conservation Foundation Letter, November 1975.

"New Shelters in Old Properties: The Tax Reform Act of 1976," with Michael S. Young, in Real Estate Issues, Volume 3, Number 2, (Chicago: American Society of Real Estate Counselors, Winter 1978, p. 9).

"Neighborhood Revitalization and the Historic Preservation Incentives of the Tax Reform Act of 1976: Lessons from the Bottom Line of a Chicago Red Brick Three Flat," in The Urban Lawyer, Volume 11, Number 1, (Kansas City: University of Missouri at Kansas City School of Law, Winter 1979, p. 35).

"Real Estate Tax Impact of Condominium Conversions: A Chicago Perspective," with Michael S. Young, in The Appraisal Journal, January 1980.

"Creating a Workable Historic Preservation Ordinance," in American Planning Association, Illinois Chapter, Newsletter, May 1980.

"Condomania or Condophobia?," in Real Estate Issues, Volume 5, Number 1, (Chicago: American Society of Real Estate Counselors, Summer 1980, p. 16).

"Building on the Past," in Real Estate Today, (Chicago: National Association of Realtors, October 1980).

"The Changing Character of Chicago's Condominium Market," in Condominium: Chicagoland's Condominium Guide, First Edition, Summer-Fall 1981.

"Preservation Rulings Foster Development and Economic Growth," in Design, December 14, 1981.

"Appraising the Best Tax Shelter in History," with Jared Shlaes, in The Appraisal Journal, Volume L, Number 1, (Chicago: American Society of Real Estate Appraisers, January 1982, p. 25) .

"'Certified' Rehabilitation of Historic Buildings: Are the Tax Benefits Worth the Extra Cost?," in Real Estate Review, Volume 12, Number 3, (Boston: Warren, Gorham & Lamont, Autumn 1982, p. 67).

"Preservation Easements Reconsidered: An Alternative Approach to Value," with Jared Shlaes, in The Appraisal Journal, Volume LII, Number 3, (Chicago: American Society of Real Estate Appraisers, July 1984, p. 325).

"Appraising Theme Parks," with Steven P. Schiltz and Gary Papke, in The Appraisal Journal, Volume LIV, Number 1, (Chicago: American Society of Real Estate Appraisers, January 1986, p. 85).

"Preservation Easement Law: An Overview of Recent Developments," in The Urban Lawyer, Volume 18, Number 1, (Kansas City: University of Missouri at Kansas City School of Law, Winter 1986, p. 229).

"Supreme Court Rules for Landowners," with Jared Shlaes, in The Inland Architect, (Chicago: The Inland Architect Press, September/October 1986, p. 4).

"Landmark Preservation: The New Chicago Ordinance," in Preservation Law Reporter, Volume 6, Nos. 1 and 2, (Washington, D.C.: National Trust for Historic Preservation, Spring/Summer 1987, 6 PLR 2017).

"Essential Elements of a Statewide Legislative Program for Historic Preservation," in Preservation Forum, Volume 2, Number 2, (Washington, D.C.: National Trust for Historic Preservation, Summer 1988, p. 11).

"Selling America's Heritage . . . Without Selling Out," in Preservation Forum, Volume 2, Number 3, (Washington, D.C.: National Trust for Historic Preservation, Fall 1988, p. 2).

"Measuring Regulatory Hardship: Dealing with Real Estate Questions in Takings Cases," with Christopher J. Duerksen, in Urban Land, Volume 48, No. 1, (Washington, D.C.: Urban Land Institute, January 1989, p. 21).

"Measuring Regulatory Hardship: Are California Elephants Pink?," with Christopher J. Duerksen, in Urban Land, Volume 48, No. 5, (Washington, D.C.: Urban Land Institute, January 1989, p. 15).

"Measuring Regulatory Hardship," with Christopher J. Duerksen, in Valuation, Volume 34, Number II, (Washington, D.C.: American Society of Appraisers, June 1989, p. 48).

"Recent Developments in Land Use, Planning and Zoning," in The Urban Lawyer, Volume 21, Number 4, (Chicago: American Bar Association, Fall 1989, p. 769).

"Recent Developments in Land Use, Planning and Zoning," in The Urban Lawyer, Volume 22, Number 4, (Chicago: American Bar Association, Fall 1990, p. 719).

"Report of the Subcommittee on Land Use and Solid Waste," with Richard V. Houpt and Glenn C. Sechen, in The Urban Lawyer, Volume 23, Number 4, (Chicago: American Bar Association, Fall 1991, p. 753).

"Measuring the Damages in Takings Cases: The Next Frontier," with Christopher J. Duerksen, in Zoning and Planning Law Report, Volume 15, Number 7, (New York: Clark Boardman Callaghan, July-August 1992, p. 49).

"Ready for Takeoff: Developing the 21st Century Airport," with Christopher J. Duerksen, in Urban Land, Volume 51, No. 11, (Washington, D.C.: Urban Land Institute, November 1992, p. 26).

"The Commerce Clause and Waste Disposal Management Plans," with Richard V. Houpt and Glenn C. Sechen, in The Urban Lawyer, Vol. 24, No. 4, (Chicago, American Bar Association, Fall 1992, p. 907).

"Market Value and Public Value: An Exploratory Essay," with Gary Papke, in The Appraisal Journal, Volume LXI, Number 1, (Chicago: Appraisal Institute, January 1993).

"A Better Way to Plan Airports," with Christopher J. Duerksen and Raymond L. Reaves, in Urban Land, Vol. 52, No. 3, (Washington, D.C.: Urban Land Institute, March 1993, p. 35).

"Recent Developments with RCRA Subtitle D and Commerce Clause Cases After the *Hunt* and *Fort Gratiot* Decisions," with Glenn C. Sechen, in The Urban Lawyer, Vol. 25, No. 4, (Chicago, American Bar Association, Fall 1993, p. 797).

"Historic Preservation and the Constitution: Dispelling the Thirteen Myths," Historic Preservation Forum, July/August 1993, p. 11.

"Municipal Solid Waste: The Uncertain Future of Flow Control -- A Municipal Perspective," with Glenn C. Sechen, in The Urban Lawyer, Vol. 26, No. 4, (Chicago: American Bar Association, Fall 1994, p. 801).

"Reduce Income Taxes with a Preservation Easement," with Victoria L. Allan, in Innkeeping, Vol. 14, No. 4, (Santa Barbara, Professional Association of Innkeepers International, April 1996, p. 1).

"Stigma, Environmental Risk and Property Values: 10 Critical Inquiries," in The Appraisal Journal, Volume LXIV, Number 4 (Chicago: Appraisal Institute, October 1996, p. 375).

"Environment and the Appraiser: Temporary Stigma: Lessons from the *Exxon Valdez* Litigation," in The Appraisal Journal, Volume LXV, Number 1 (Chicago: Appraisal Institute, January 1997, p. 96-101).

"Environment and the Appraiser: Using the Cost of Environmental Insurance to Measure Contaminated Property Stigma," in The Appraisal Journal, Volume LXV, Number 3 (Chicago: Appraisal Institute, July 1997, p. 304).

"EPA's Brownfields Initiative: Will It Improve the Market for Contaminated Properties?" in Valuation Insights & Perspectives, Volume 2, Number 3 (Chicago: Appraisal Institute, Third Quarter 1997, p. 46).

"Environment and the Appraiser: Contaminated Properties and Guide Note 8: Questions, Answers, and Suggestions for Reform," in The Appraisal Journal, Volume LXVI, Number 1 (Chicago: Appraisal Institute, January, 1998, p. 99).

"Environment and the Appraiser: Choosing the Right Analytical Tool for the Job," in The Appraisal Journal, Volume LXVI, Number 3 (Chicago: Appraisal Institute, July, 1998, p. 320).

"Environment and the Appraiser: Classifying the Level of Stigma and Risk Affecting Contaminated Property," in The Appraisal Journal, Volume LXVII, Number 1 (Chicago: Appraisal Institute, January, 1999, p. 98).

"Environment and the Appraiser: Adjusting Environmental Case Study Comparables by Using an Environmental Risk Scoring System," in The Appraisal Journal, Volume LXVIII, Number 4 (Chicago: Appraisal Institute, October, 2000, p. 371).

"Junk Science, Environmental Stigma, Market Surveys, and Proper Appraisal Methodology: Recent Lessons from the Litigation Trenches," in *The Appraisal Journal*, Volume LXVII, Number 4, (Chicago: Appraisal Institute, October 1999, p. 447).

"Environment and the Appraiser: Mortgage Lenders and the Institutionalization and Normalization of Environmental Risk Analysis," in *The Appraisal Journal*, Volume LXIX, Number 2 (Chicago: Appraisal Institute, April, 2001, p. 119).

"Testing the Reliability of Contingent Valuation in the Real Estate Marketplace," with James D. Frey, CRE, FRICS, in *The Appraisal Journal*, Volume LXXIV, Number 3 (Chicago: Appraisal Institute, Summer 2006, p. 267).

"Law as Hidden Architecture: Law, Politics, and Implementation of the Burnham *Plan of Chicago* Since 1909," in *The John Marshall Law Review*, Volume 43, Number 2 (Chicago: John Marshall Law School, Winter 2010, p. 375).

"Determining Real Estate Damages from Natural Disasters: Real Estate Counseling in Class Action Litigation – Lessons from Hurricane Katrina," with Charles T. Brigden and Gary R. Papke, in *Real Estate Issues*, Volume 37, Issues 2 and 3 (Chicago: The Counselors of Real Estate, December 2012, p. 77).

#### **BOOK REVIEWS**

*Federal Historic Preservation Case Law*, Charlotte R. Bell, in *The Appraisal Journal*, Volume LIV, Number 2, (Chicago: American Society of Real Estate Appraisers, April 1986, p. 306).

*Landmark Justice: The Influence of William J. Brennan on America's Communities*, Charles M. Haar and Jerold S. Kayden, in *The Urban Lawyer*, Volume 21, Number 2, (Kansas City, Missouri: University of Missouri at Kansas City School of Law, Spring 1989, p. 399).

*Icons and Aliens*, John Costonis, in *Inland Architect*, Volume 34, No. 1, (Chicago: January/February 1990, p. 81).

*Environmental Engineering Dictionary*, 3d ed., compiled and edited by C.C. Lee, PhD., in *The Appraisal Journal*, Volume LXVII, Number 2, (Chicago: Appraisal Institute, April 1999, p. 224).

**EXHIBIT D:**  
**DETAILED MAPS OF COMED PROPOSED RIGHT OF WAY**

