

1 **I. INTRODUCTION**

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3 **A. Witness Identification**

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5 **Q:** Please state your name?

6 **A:** **Terry Lynn Traster.**

7 **Q:** Please state your current address of residence?

8 **A:** **706 East 2700 North Road, Moweaqua, Illinois, 62550.**

9 **Q:** Have you intervened in this docket?

10 **A:** **Yes. I petitioned to intervene on September 22, 2014.**

11 **Q:** What properties does ATXI Transmission Company of Illinois (“ATXI”) seek to
12 take from your family?

13 **A:** **ATXI is petitioning the Commission to take a portion of land belonging to**
14 **me, commonly referred to by ATXI as A_ILRP_PZ_SH_207. A true, correct and accurate**
15 **picture depicting these properties and ATXI’s proposed route was provided in ATXI’s**
16 **Landowner Specific Narrative Summary, Exhibit 2.3 (Part A), page 4.**

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18 **B. Itemized Exhibits to Direct Testimony**

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20 **Q:** Are you sponsoring any exhibits to your testimony?

21 **A:** **Yes. The following exhibits are attached to my testimony:**

22 **Traster Exhibit 1.01—Copy of Appraisal for the property;**

23 **Traster Exhibit 1.02—ATXI Initial Offer for the property;**

25 **C. Witness Background**

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Q: What do you do for a living?

A: **I am a pharmacist.**

Q: Where are you employed?

A: **I work at Moweaqua Pharmacy in Moweaqua, Illinois.**

Q: How long have you worked there?

A: **I have worked there for 12 years, and owned it for 11 of those years.**

Q: What is your highest level of education?

A: **I have a doctorate of pharmacy.**

Q: When you are not working, what do you do for fun?

A: **Fishing is my passion. Every minute I'm not working I try to spend fishing at my pond.**

Q: Do you have experience in land values in Shelby County?

A: **Generally speaking, I do not pay much attention to the land values in the area, as I had no intention of ever selling my property. However, I am aware that my neighbors recently sold their property. Their land is roughly 155 acres, comparable to mine, and it was sold for approximately \$14,000 per acre. ATXI did not factor this recent comparable sale into its offer to me.**

Q: Are you familiar with what types of things that drive farmland prices in Shelby County?

A: **I am aware that the value of a piece of land use for growing crops, like some of my property, is dependent largely on the quality of soil. My property contains a very high quality soil and is extremely useful for growing crops. The 5 acres of my land used for growing crops yielded 1,250 bushels of corn this year.**

54 **II. THE PROPERTY**

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56 Q: Please describe the property at issue.

57 A: **A_ILRP_PZ_SH_207 consists of 14.21 acres of land with a retention pond in**
58 **the southwest corner. The pond is 40 feet deep. The property also contains 5 acres of**
59 **tillable land. The 5 acres of land is rented to a farmer who uses it to grow corn. As stated**
60 **before, the tillable land on my property is highly desirable to farmers.**

61 **Between the highway and the pond is a barrier of trees. There are**
62 **approximately 150 trees that I planted about 10 years ago. The trees have grown from**
63 **about 3 feet in height to over 30 feet. They are Rocky Mountain Austree trees that are**
64 **specifically designed to protect against wind.**

65 Q: Why did you purchase this property?

66 A: **The property was specifically purchased for use of the pond. I wanted a**
67 **place where I could go to relax after a stressful week at work and that is primarily what I**
68 **use the land for. My plan was eventually to build a home on the acreage surrounding the**
69 **pond, but if ATXI is allowed to remove the trees the land will have little value to me.**

70 Q: Is the pond only used for recreational fishing?

71 A: **I also use the pond to research my new recipe for fish bait. I use the pond to**
72 **run controlled tests with different formulas. I am attempting to obtain a patent for my fish**
73 **bait recipe. I have spent quite a bit of money and time attempting to perfect it, and being**
74 **able to fish at my pond is necessary if I want to accomplish my goals. The trees serve as a**
75 **wind break, which allows me to control the feeding cycle for the fish in the pond.**

76 Q: Do you believe the Commission should grant ATXI the power to proceed to
77 circuit court to take a section of your property?

78 A: **No.**

79 Q: Why not?

80 A: **ATXI has not made a good faith offer for the property that reflects its unique**
81 **nature and purpose.**

82 Q: How has ATXI's offer failed to reflect the unique nature and purpose of the
83 property?

84 A: **ATXI produced an incomplete appraisal with inaccuracies.**

85 Q: Describe the appraisal ATXI produced.

86 A: **ATXI produced an appraisal that calculated an estimated value of the entire
87 land at a price per acre. The appraisal offers the difference between the current estimated
88 value and the estimated value after the easement is taken from the property. A true,
89 correct and accurate copy of the appraisal ATXI provided is attached hereto as Traster
90 Exhibit 1.02. The appraisal is incomplete because it does not account for the replacement
91 value of the trees or any value for the destruction of trees.**

92 Q: Do the trees on your property serve a specific function?

93 A: **Yes. A fisherman's worst enemy is the wind. The trees serve many
94 purposes, but most importantly to me they act as a wind break, allowing me to fish in the
95 pond. The trees also act as a visual, pollution, and noise break from the nearby highway.
96 The trees also help curtail soil erosion and increase the water quality of the pond.**

97 **The trees are the only barrier between the busy highway and my property. Right
98 now, the trees block the noise and sight of cars. Without them, I will hear every truck
99 passing by.**

100 **The trees also ensure a high water quality for the fish to thrive. Without the trees,
101 the soil will start to crumble, which will lead to more sediment in the pond. The sediment
102 can clog fish gills and generally has a negative impact on the fishes' habitat.**

103 Q: Will the lack of trees affect the crop production of your land?

104 A: **Yes. Trees are important for my property because of they serve as a wind
105 break and as an erosion control barrier. They also benefit the agricultural component of
106 my property. Without the trees acting as a wind break to protect seed, crops, and water
107 sources, my agricultural yields will diminish. ATXI did not place any value or offer any
108 compensation for the loss of the trees as it relates to the impact on my farming operations.**

109 Q: Do you have any other concerns about the destruction of the trees on your
110 property?

111 **A: The trees provide a much needed private setting for me and my family.**
112 **Without the trees, everyone passing by on the highway will be able to see what we are**
113 **doing. I am worried about trespassers who see the size and amount of fish we catch, and I**
114 **need a private setting to protect my proprietary interest while I work to perfect my fish**
115 **bait recipe.**

116 Q: Are large, mature trees, serving as a barrier, necessary to maintain the current
117 value of your property?

118 **A: Yes.**

119 Q: Did you obtain an estimate to replace the trees?

120 **A: Yes. Mr. Stephen Parker, with Heartland Forestry, completed an estimate**
121 **that would replace the current trees with the best replacement species.**

122 Q: What kind of education does Mr. Parker have?

123 **A: He has a master's degree in forestry.**

124 Q: Did any appraiser hired by ATXI visit your property to inspect it?

125 **A: I met with a representative from Contract Land Staffing. He is not an**
126 **appraiser.**

127 Q: Did any appraiser hired by ATXI speak with you about the property?

128 **A: No appraiser spoke to me directly about my property. When I spoke to the**
129 **Contract Land Staffing Representative, I explained to him the importance of the trees, but**
130 **it was not reflected in the appraisal or offer.**

131 Q: Did the appraisal factor any damage to the remainder?

132 **A: No. the appraisal did not include any damage to the remainder and ATXI's**
133 **initial offer did not include any damage to the remainder. A copy of ATXI's initial offer is**
134 **attached hereto as Traster Exhibit 1.03.**

135 Q: Do you believe ATXI made a good faith offer for your property?

136 **A: No. I do not believe that ATXI has made a good faith offer for the property**
137 **because of flaws in the appraisal.**

138 Q: Do you believe further negotiations will be useful?

139 **A: Yes. I believe further negotiations will be useful if ATXI uses an appraisal**
140 **that accurately depicts the unique features of the property and if ATXI makes an offer**
141 **based on the same.**

142

143 **III. CONCLUSION**

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145 **Q: Do you believe the Commission should grant ATXI's Petition?**

146 **A: No, at least as it relates to my property. I believe further negotiations as**
147 **outlined above would result in a compromise.**

148 **Q: Does this conclude your testimony?**

149 **A: Yes.**