

Jack T. Bodine
Re: Incidental Business Change -
R/W Acquisition

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June 29, 1976

I would recommend this procedure:

1. Continue to have appraisals made as you have in the past; that is, without regard to possible business damage.

2. Consider the matter of loss of profits due to temporary disruption after the length of the disruption is known or can be reasonably estimated, and only when the owner can show proof of such loss.

3. Consider no other incidental business losses except the type of loss specifically allowed in Kito. If Kito is to be enlarged it should be on a case by case basis by the Supreme Court, not by State employees trying to out-distance the Court.

RPK/smk

cc: Ray C. Preston
Ross Kopperud
Jack Cookman
Donald E. Beitinger