**27.11(C) VERDICT FORMS: SEVERANCE DAMAGES, WITH SPECIAL BENEFIT ISSUES AND NO COST OF CURE ISSUES**

1. What was the fair market value of [Part T] as of [insert date of taking]?

 $

2. Were [Part T] and [Part NT] an integrated whole prior to when [government entity] took [Part T]?

Yes

No

If yes, answer Question 3.

If no, go to Question 8 and enter $0 for Severance Damages. Do not answer any other questions.

3. Did the fair market value of Part NT decrease as a result of [government entity] taking [Part T]?

Yes

No

If yes, answer Question 4.

If no, go to Question 8 and enter $0 for Severance Damages. Do not answer any other questions.

4. What is the dollar amount of the decrease in [Part NT’s] fair market value that was caused by [government entity] taking [Part T]?

$

This is the Initial Damage Amount.

Now answer Question 5.

5. Did completion of the project confer a special benefit on [Part NT] that increased [Part NT’s] fair market value?

Yes

No

If the answer is No, go to Question 8 and enter the same amount that you entered on Question 4 (the Initial Damage Amount) as your answer to Question 8, Severance Damages. Do not answer any other questions.

If the answer is Yes, answer Question 6.

6. What is the dollar amount of the increased value of [Part NT] from the special benefit to [Part NT] from completion of the project?

$

This is the Special Benefit Amount.

Now answer Question 7.

7. **Subtract** the Special Benefit Amount (Question 6) from the Initial Damage Amount (Question 4):

 Initial Damage Amount from Question 4 $

Special Benefit Amount from Question 6 - $

Remaining Amount $

If the Remaining Amount is zero or a negative number, enter $0 for Severance Damages on Question 8. If the Remaining Amount is a positive number, enter that number as your answer to Question 8.

8. Severance Damages $

**Use Note**

This verdict form may be used when there are severance damage issues and special benefit issues, but no issues regarding cost of cure. This verdict form corresponds to Instruction 27.06(A), Option B.

Question 1 is used when the jury must determine compensation for the value of the part *taken*. The rest of the questions on the verdict form are directed to compensation for severance damages to the part *not taken*. In a case where the value of the parcel taken is not at issue, Question 1 should be deleted and the remaining questions renumbered.

Question 1 asks the jury to determine the value of the part taken as of the date of taking. The question should be modified if the facts require greater precision to clarify that the value of the part taken should be assessed immediately prior to the severance and taking.