

## 5401.12 Dower Interest

- A. ~~It is the policy of the Ohio Department of Transportation to acquire the release of dower interest on all conveyances from a married person whose spouse is not a coowner.~~ This requirement may be waived by the District Office after reviewing the particular circumstances of the dower release issue. The general procedure is as follows:
1. ~~The negotiator is to determine if the release of dower is a concern for the property owner. If it is an issue, the negotiator is to report this to the District Office.~~
  2. ~~The negotiator or the closing agent is to document the circumstances of unreleased dower interests.~~

A release of dower interest is not required. A spouse who is not named on any of an acquisition parcel's legal documents holds only an inchoate dower interest and this inchoate right of dower only takes effect once the spouse having the valid ownership interest is deceased.