| RE 64 | CRS |  |
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| Rev. December 2007 | PARCEL | - |
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| **AGREEMENT AND WAIVER OF DAMAGES**  WHEREAS, Ohio Revised Code §§ 5517.01 and 163.03 authorize the Ohio Department of Transportation (“ODOT”) to enter onto private property for the purposes of highway development activities (“ACTIVITIES”); and  WHEREAS, Ohio Revised Code §§ 5517.01 and 163.03 authorize ODOT to compensate the property owner(s) (“OWNER”) for damages done to their real and personal property as a result of these ACTIVITIES; and  WHEREAS, ODOT and OWNER desire an expedient and fair settlement of a claim for damages due to ODOT’s ACTIVITIES.  NOW THEREFORE, ODOT and OWNER hereby acknowledge and agree as follows:  OWNER, [\*Insert owner's name\*], owns  property described as [\*Insert a description of property; address, auditor's parcel - the description must be adequate to enable the reader to distinguish this particular property from all others\*].  ODOT has caused certain damage to OWNER’s property including:  [\*Insert description of the damage and a location of the damage on the property\*].  ODOT will compensate OWNER the sum of $[\*Insert the dollar amount\*] (“COMPENSATION”) as full and final satisfaction of all claims for DAMAGES to OWNER’s property incurred as of the date of execution of this Agreement.  It is expressly agreed and understood by the OWNER that by accepting the COMPENSATION, OWNER hereby releases ODOT from any and all future liability and waives any right to future claims or compensation for ODOT’S ACTIVITIES and the resulting DAMAGES. | | |
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| Owner acknowledges that the COMPENSATION received from ODOT may be reported as income to the Internal Revenue Service (IRS) unless the owner is reimbursed by ODOT for the actual cost of services rendered and completed by a contractor. | |
|  | Signature of Property Owner(s) |
|  |  |
|  | Date |
|  |  |
|  | Date |
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|  | Ohio Department of Transportation |
|  |  |
|  | Director’s Signature by Employee with Signature Authority |
|  |  |
|  |  |
|  | Date |
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