

Ohio Department of Transportation
State Infrastructure Bank

**OVERVIEW OF THE RIGHT OF WAY ACQUISITION PROCESS TO BE
COMPLIANT WITH ODOT POLICY AND PROCEDURES AND THE UNIFORM ACT**

1. Notification:
 - a. The property owner must be notified of their interest to be acquired, of their basic rights, and of the agency's obligation to secure an appraisal.

2. Titles:
 - a. Property ownership must be researched and title reports prepared for all properties to be acquired.
 - b. All titles must be prepared by an ODOT pre-approved agent.

3. Appraisals:
 - a. Fair market value estimates (FMVE) must be established for properties to be acquired.
 - b. The appraisal format must be ODOT compliant.
 - c. The owner shall be given the opportunity to accompany the appraiser during the inspection of the property.
 - d. All appraisals must be done by an ODOT pre-approved appraiser.
 - e. The appraisal must be reviewed by an ODOT approved review appraiser for compliance; it is the reviewer who establishes FMVE - which shall not be less than the approved appraisal amount and shall account for damages to the part not taken.

4. Offers:
 - a. Review right of way and construction plans with the property owner.
 - b. Communicate the appraisal process to the owner, provide a copy of the appraisal to the property owner.
 - c. Make the offer based on established FMVE; offer to include a Summary Statement based on Uniform Act and ODOT policy and procedures.
 - d. Offers are to be updated as plans change or substantial time has elapsed.
 - e. The acquiring agency shall not take any coercive action to induce an agreement.
 - f. Administrative settlements may exceed the offered amount when reasonable and when in conformance with ODOT policy and procedures.
 - g. The owner must be paid the agreed on sale price to taking possession, or, deposit in court the agency's estimated FMVE (appropriation action).
 - h. The agency must offer to buy any uneconomic remnants.
 - i. Occupants of structures are given at least 90 days to vacate.
 - j. Owners are afforded the opportunity to retain structure or improvements.
 - k. All negotiations must be performed by an ODOT pre-approved agent.

5. Relocation Assistance Benefits:
 - a. Must be afforded to all qualified individuals and businesses.
 - b. Relocation benefits are very complex. If a structure or personal property is encountered on a project, it is recommended that the LPA contact ODOT for further guidance.
 - c. All relocation activities are to be performed by ODOT pre-qualified agents.

6. Closings:
 - a. All funds are received and dispersed. All taxes, liens, mortgages, etc., are addressed.
 - b. All closings are to be handled by ODOT pre-approved agents.

This brief overview of ODOT's acquisition process is to be used for illustration purposes only. This listing does not attempt to account for every step in the acquisition process, and is only meant to illustrate the basic requirements in the process. All acquisition projects present their own set of variables that must be taken into consideration when determining the best course of action. Any LPA that is contemplating a highway project that involves right of way acquisition, and includes state or federal funding, must contact their ODOT district office for further guidance.