\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Insert district letterhead/ODOT logo

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Certification of Right of Way Control Letter 1**

Insert date *(date of letter)*

Insert addressee

Re: C/R/S:

PID:

Federal Project Number:

Dear (insert addressee):

I certify that:

1. **STATUS OF THE REQUIRED RIGHT OF WAY:** The acquisition of right of way was not required. All work proposed is within the existing right of way.

**or**

1. **STATUS OF THE REQUIRED RIGHT OF WAY:** All necessary rights of way, including control of access rights when pertinent, have been acquired including legal and physical possession. Trial or appeal cases may be pending in court but legal possession has been obtained. There may be some improvements remaining on the right of way but all occupants have vacated the lands and improvements and the Agency has physical possession and the right to remove, salvage, or demolish these improvements and may enter on all land as follows:

**PARCEL COUNT OF ALL PARCELS NEEDED FOR THE PROJECT**

|  |  |  |  |
| --- | --- | --- | --- |
| Acquisition Parcels | | | |
| Fee Owners |  |  | |
| Tenant Owners (BS parcels) |  |
| **Total** |  |  |  |
|  | |  | |
| Relocation Parcels |  |
| Residential Owners (O parcels) |  |
| Residential Tenants |  |
| Business Owners (OB parcels) |  |
| Business Tenants (B parcels) |  |
| Personal Property Only, Owner (OP parcels) |  |
| Personal Property Only, Tenants (P parcels) |  |
| **Total** |  |  |  |
|  | | | |
| **Total Number of Parcels** |  | |  |

**STATUS OF ALL PARCELS NEEDED FOR THE PROJECT**

**Parcels Appropriated:**

Quick Take Parcels:

|  |  |  |  |
| --- | --- | --- | --- |
| Parcel No. | Case No. | Filing Date | Comments |
|  |  |  |  |
|  |  |  |  |

Structure Parcels/Order of Possession Issued

|  |  |  |  |
| --- | --- | --- | --- |
| Parcel No. | Case No. | Filing Date | Date Agency Obtains Right of Possession |
|  |  |  |  |
|  |  |  |  |

**Relocation Parcels**:

|  |  |  |
| --- | --- | --- |
| Parcel No. | Post Move Inspection Date | Comments |
|  |  |  |
|  |  |  |

**Acquisition Parcels That Are Acquired:**

|  |  |  |  |
| --- | --- | --- | --- |
| Parcel No. | Date Rec. | Vol. / Pg. | Comments |
|  |  |  |  |
|  |  |  |  |

1. **COMPLIANCE WITH RELOCATION ASSISTANCE PROGRAM REQUIREMENTS**

*(Select either*)

For this project, there were no displacements of individuals, personal property, residences, businesses, farms or not for profit organizations.

or

There were occupants in the right of way required for this project resulting in their displacement/relocation. All relocations have been done in compliance to 23 CFR 635.309. All steps relative to relocation advisory assistance and payments as required by current FHWA directives covering the administration of the Highway Relocation Assistance Program have been taken. The occupants displaced were personal property, businesses, farms, not for profit organizations and/or residential displacements. If there were residential occupants, all individuals and families have been relocated to decent, safe and sanitary housing.

1. **STATUS OF REQUIRED UTILITY RELOCATIONS**

*(Select either)*

No utility relocation required.

or

There are utilities within the construction limits of the project. The status of these arrangements for the completion of the work prior to or in coordination with the physical construction is shown on the Utility Note below.

*(INSERT UTILITY NOTE)*

1. **STATUS OF RAILROAD OPERATING FACILITIES**

None affected.

or

The project will impact the following railroad operating facilities and the Agency has secured a Railroad Agreement from the railroad corporations operating these facilities. This Agreement allows the Agency onto the railroad facilities to construct the project.

|  |  |  |
| --- | --- | --- |
| Railroad Facility | Railroad Agreement No. | Date of Agreement |
|  |  |  |
|  |  |  |

1. **ENCROACHMENTS**

There are no improvements or obstructions located within the limits of this project.

or

All right of way clearance work has been completed and there are no improvements or obstructions remaining within the right of way area required for construction.

or

All necessary arrangements have been made for remaining right of way clearance work to be undertaken and completed as required for proper coordination with the construction schedule as follows:

|  |  |  |
| --- | --- | --- |
| Parcel No. | Description of Encroachment | How the Encroachment has been Addressed |
|  |  |  |
|  |  |  |

1. **COMPLIANCE STATEMENT**

All right of way acquisitions, if any, and all relocation activities, if any, have been done in compliance with 23 CFR 635.309(c)(1) and are also compliant to:

● 42 United States Code, Chapter 61 – The Uniform Act.

● All pertinent federal directives and regulations – to include 49 CFR Part 24.

● The current Real Estate Manual of the Ohio Department of Transportation which has been approved by FHWA.

Respectfully,

(Type name)

Real Estate Administrator, District (insert district)