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

Insert district letterhead/ODOT logo

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

**Certification of Right of Way Control Letter 2**

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:** Although all necessary rights of way have not been fully acquired, the right to occupy and to use all rights of way required for the proper execution of the project has been acquired. Trial or appeal of some parcels may be pending in court and on other parcels full legal possession has not been obtained but right of entry has been obtained, the occupants of all lands and improvements have vacated and the Agency has physical possession and 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 |
|  |  |  |
|  |  |  |

**Right of Entry Parcels**

|  |  |  |
| --- | --- | --- |
| Parcel No. | Date ROE Contract Signed | 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 and all relocation activities, if any, have been done in compliance with 23 CFR 635.309(c)(2) 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.

Right of way remaining to be acquired will be acquired in accordance with FHWA directives.

Respectfully,

(Type name)

Real Estate Administrator, District (insert district)