

Land Acquisition Process Overview (negotiated acquisition)

- A Combined Design report is prepared for the project. This report determines the needed right of way requirements for the project.
- Right of way requirements are sent to the Bureau of Land Acquisition.
- Title reports are ordered for each property for which right of way will be acquired.
- Highway right of way plats and legal descriptions are prepared.
- Necessary engineering specialty reports are prepared.
- Appraisals are prepared for all acquisitions.
- Each appraisal is reviewed by a separate review appraiser.
- Each parcel acquisition is assigned to a negotiator for acquisition.
- Negotiator contacts property owner and makes written offer to acquire right of way.
- Approximately 30 days after the written offer is presented to the owner the negotiator sends the property owner a 60 day notice letter.
- The owner and the Department reach an acquisition agreement and the owner submits signed conveyance documents. This should occur within 90 days from the date of the written offer.
- Office of Chief Counsel reviews the conveyance and title documents for submittal and approval of the Attorney General's Office.
- The Attorney General's Office reviews conveyance and title documents for final approval.
- Once approved by the Attorney General the Department orders the warrant (funds) for the specific parcel acquisition.
- Once the warrant is received it is forwarded to the property owner and the specific parcel is clear for awarding the contract.

Land Acquisition Process Overview (Condemnation)

- A Combined Design report is prepared for the project. This report determines the needed right of way requirements for the project.
- Right of way requirements are sent to the Bureau of Land Acquisition.
- Title reports are ordered for each property for which right of way will be acquired.
- Highway right of way plats and legal descriptions are prepared.
- Necessary engineering specialty reports are prepared.
- Appraisals are prepared for all acquisitions.
- Each appraisal is reviewed by a separate review appraiser.
- Each parcel acquisition is assigned to a negotiator for acquisition.
- Negotiator contacts property owner and makes written offer to acquire right of way.
- Approximately 30 days after the written offer is presented to the owner the negotiator sends the property owner a 60 day notice letter.
- The acquisition is submitted to condemnation referral. If within 90 days from the date of the written offer the owner and the Department cannot reach an acquisition agreement or if the Office of Chief Counsel or the Attorney General cannot approve submitted conveyance and title documents
- Office of Chief Counsel reviews the condemnation referral file for submittal and approval of the Attorney General's Office.
- The Attorney General's Office reviews the condemnation referral file and assigns an attorney (SAAG) to file the condemnation case in the pertinent county circuit court.
- The SAAG prepares a condemnation complaint and submits it for review and signatures.
- Once the SAAG receives the executed complaint it is filed in the circuit court. The SAAG request a quick take hearing and a jury trial.

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- A quick take hearing is held for the specific acquisition and the judge determines the preliminary compensation amount to be paid to the property owner.
- The Department orders the warrant for the acquisition.
- Once the warrant is received it is deposited in the pertinent county treasurer's office.
- The SAAG obtains the order vesting title of the specific parcel from the circuit court and the specific parcel is clear for awarding the contract.
- The condemnation case continues until a trial for final compensation occurs or the owner and the Department reach a settlement agreement.

Land Acquisition Flow Chart (1 of 2)



