

Right of Way (ROW) Acquisition Process

A NYSDOT REAL ESTATE SPECIALIST WILL CONTACT EACH AFFECTED PROPERTY OWNER TO SCHEDULE AN APPOINTMENT AT THE OWNER'S CONVENIENCE. AT THE MEETING, THE REAL ESTATE SPECIALIST WILL ACCOMPLISH THE FOLLOWING:

- DELIVER A COPY OF THE ACQUISITION MAP.
- EXPLAIN THE PROJECT AND THE EFFECT THAT IT WILL HAVE ON THE PROPERTY.
- PROVIDE A PRELIMINARY TIMETABLE AND INFORMATION REGARDING THE DEPARTMENT'S ACQUISITION PROCESS.

NYSDOT WILL ORDER AN APPRAISAL FOR EACH AFFECTED PROPERTY. THE APPRAISAL REPORTS ARE SUPPORTED BY RECENT LAND AND/OR IMPROVED SALES, AS APPLICABLE.

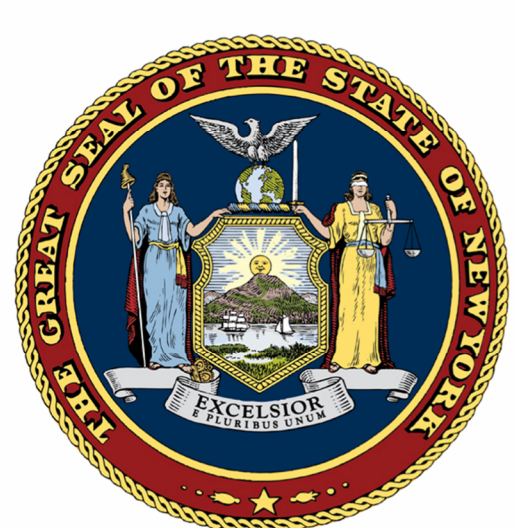
- PER DEPARTMENT OF TRANSPORTATION POLICY, THE APPRAISER IS REQUIRED TO CONTACT ALL AFFECTED PROPERTY OWNERS INDIVIDUALLY, AND TO AFFORD EACH THE OPPORTUNITY TO ACCOMPANY THE APPRAISER DURING THE INSPECTION OF THE PROPERTY.
- THE APPRAISER WILL EXAMINE ALL FEATURES OF THE PROPERTY WHICH AFFECT ITS VALUE. ANY INFORMATION THAT YOU CAN PROVIDE WITH RESPECT TO YOUR PROPERTY IS WELCOMED. YOU ARE ENCOURAGED TO ACCOMPANY THE APPRAISER DURING THE INSPECTION.
- PROPERTY OWNERS WILL BE PAID FOR ALL LAND, LAND IMPROVEMENTS, AND BUILDING IMPROVEMENTS WITHIN THE ACQUIRED AREA. A THOROUGH ANALYSIS OF THE REMAINING PROPERTY WILL ALSO BE CONDUCTED. ANY ADVERSE EFFECT ON THE VALUE OF THE REMAINING PROPERTY WILL BE CONSIDERED.
- IF A TEMPORARY EASEMENT IS ACQUIRED, PAYMENT FOR THE RENTAL VALUE OF THE TEMPORARY EASEMENT WILL ALSO BE INCLUDED.

NYSDOT WORKS UNDER A ONE-OFFER SYSTEM WHEREBY THE FULL APPROVED APPRAISAL AMOUNT IS OFFERED. THE REAL ESTATE SPECIALIST WILL DELIVER THE OFFER PACKAGE WHICH WILL BE A WRITTEN STATEMENT DETAILING THE OFFER.

- PROPERTY OWNERS ARE ENTITLED TO RECEIVE THE STATE'S FULL OFFER OF COMPENSATION, EVEN IF THEY DISAGREE WITH THE SETTLEMENT OFFER AMOUNT.
- ANY PROPERTY OWNER WHO DISAGREES WITH THE NYSDOT OFFER MAY ATTEMPT TO NEGOTIATE A SETTLEMENT BY PROVIDING APPROPRIATE DOCUMENTATION TO SUBSTANTIATE A REQUEST FOR AN INCREASE IN HIS OR HER CLAIM.
- FAILING THAT, THE PROPERTY OWNER MAY ELECT TO FILE A CLAIM AGAINST THE STATE IN THE COURT OF CLAIMS.

THE DEPARTMENT OF TRANSPORTATION WILL LEGALLY ACQUIRE THE PROPERTY BY FILING A MAP AND NOTICE OF APPROPRIATION SHORTLY AFTER THE OFFER IS MADE IN THE ERIE COUNTY CLERK'S OFFICE.

THE REAL ESTATE SPECIALIST WILL ASSIST YOU IN RECEIVING YOUR COMPENSATION, WHICH WILL BE PAID AFTER AN AGREEMENT IS SIGNED AND SATISFACTORY COMPLETION OF THE CLOSING PAPERS PREPARED BY THE NEW YORK STATE DEPARTMENT OF LAW.



**Office of the
Governor**

KATHY HOCHUL
Governor



MARIE THERESE DOMINGUEZ
Commissioner

**Department of
Transportation**

