

PROPERTY ACQUISITION

Background

Transportation projects designed to benefit the public often result in acquisition of private property and the displacement of people from their residences, businesses or farms. Part of implementing public infrastructure projects is acquiring properties necessary to build a project. The Regional Transportation District (RTD) only purchases properties that are necessary for the agency's transit projects. However, it isn't until a project reaches an advanced stage of design that RTD knows for sure what properties the agency definitely needs to purchase for a project.

To provide uniform and equitable treatment for persons whose property is acquired for public use, Congress passed the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act), and amended it in 1987. Rules for the Uniform Act are reprinted each year in the Code of Federal Regulations (CFR), Title 49, Part 24. All Federal, State and local government agencies receiving Federal financial assistance for public projects must comply with the policies and provisions set forth in the Uniform Act and the regulation.

Process for Acquiring Properties

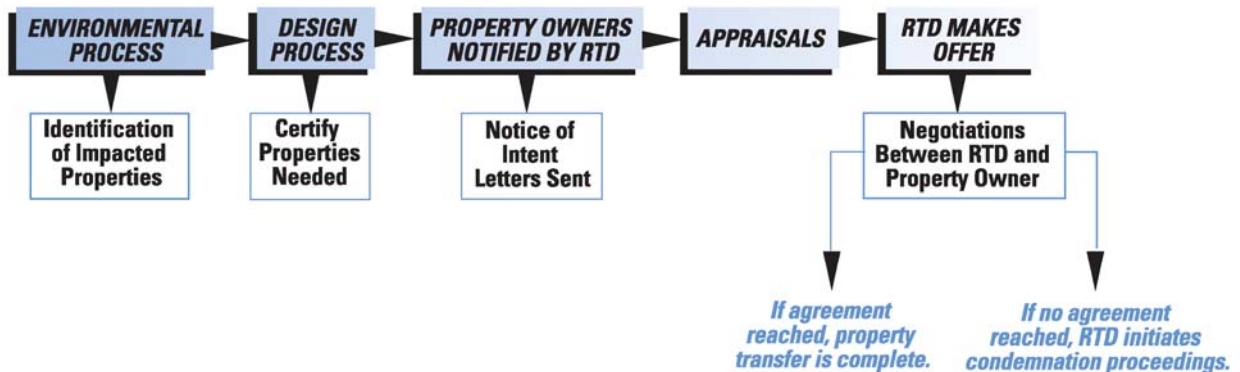
- Properties required for a project are preliminarily identified during the environmental process. During the design process, project engineers will determine and certify those properties required for the project.
- If property – or a portion of a property – needs to be acquired, the property owner will be notified as soon as possible.
- Actions required related to the acquisition of property include:
 1. Before making an offer to the property owner, market value of the parcel to be purchased must be established through a current appraisal and appraisal review.
 2. Colorado law provides that if the property to be acquired has an estimated value of \$5,000 or more, the property owner may employ an appraiser of its choice to appraise the property. The acquiring agency will pay for the appraisal providing it is made using sound, fair, and recognized appraisal practices.
 3. The agency's written offer will consist of the amount offered as just compensation and a description of the property.
 4. When the agency and property owner reach agreement on the offer, a purchase agreement will be signed and a closing date set.

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5. If an agreement is not reached, the agency will initiate condemnation proceedings. Negotiations may continue in an effort to reach mutual agreement.
 6. A Hearing of Immediate Possession will be scheduled through the court, at this time the amount of the agency offer will be deposited with the court for the benefit of the property owner
 7. A Valuation Hearing will be subsequently scheduled. At the Valuation Hearing the amount of compensation due the property owner will be determined by a commission, judge or jury after evaluating information presented to the court by the agency and the property owner.
- Every effort is made to acquire real property through negotiation and purchase.
 - In addition, any individual, family, business or farm displaced by a Federal or federally assisted program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by the agency. It is their goal and desire to be of service to property owners, and assist in any way possible to help successfully relocate displacees.

This is a general breakdown of the property acquisition process:



- For more information on RTD's property acquisition process, contact Susan Altes, RTD Manager of Real Property, at susan.altes@rtd-fastracks.com or at 303-299-2440.
- For complete information on the Uniform Act, you can also visit the federal government's Web site at <http://www.fhwa.dot.gov/realestate/act.htm>.