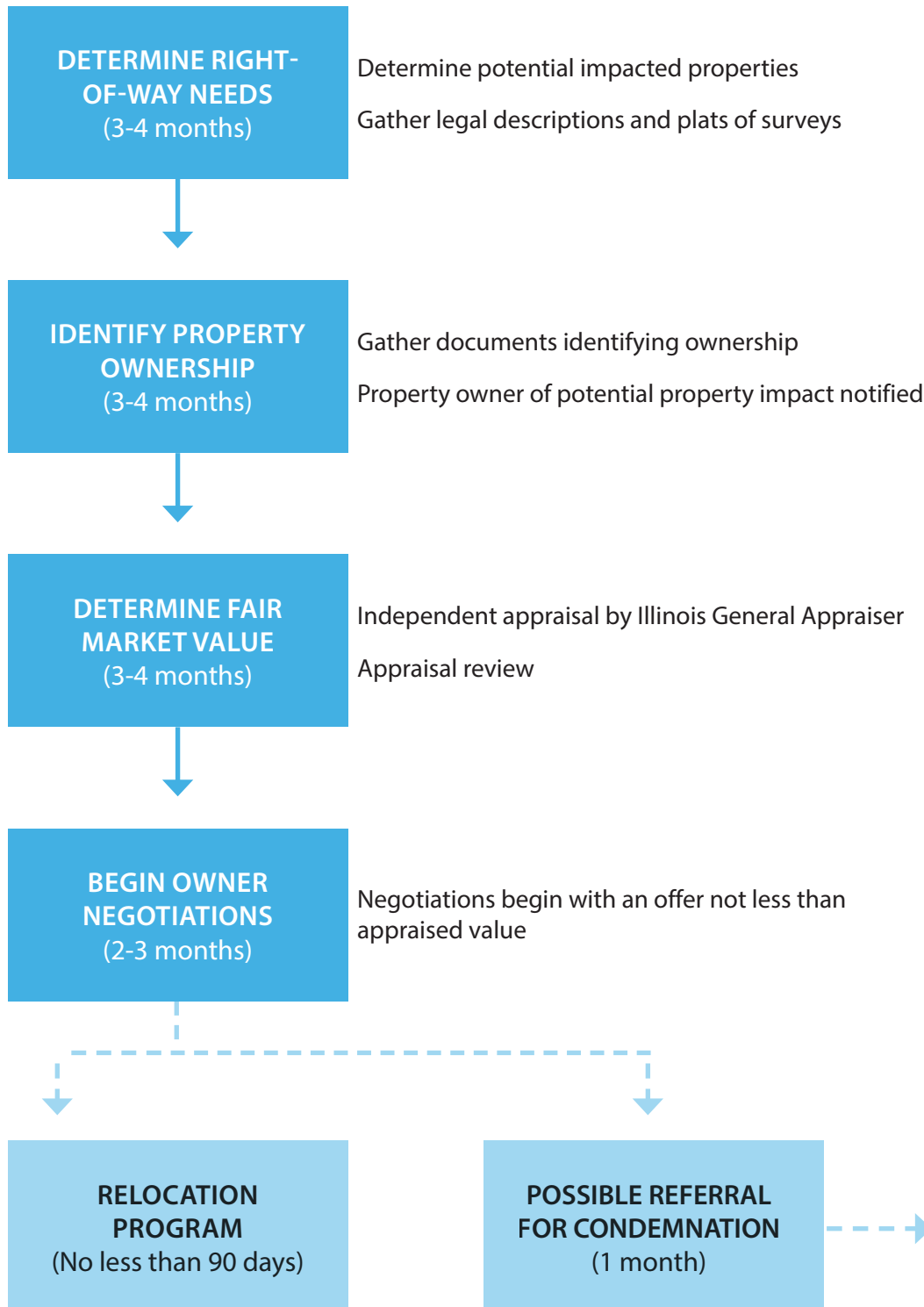




RIGHT-OF-WAY AND LAND ACQUISITION PROCESS



If required, relocation is in accordance with Uniform Relocation Assistance and Real Property Acquisition Policies of 1970 and 49 CFR Part 24.

If settlement cannot be reached or clear title cannot be obtained, matter is referred to court.

If required, a court proceeding will be held where a jury will resolve issue of just compensation.

IMPORTANT RESOURCES

Tollway Land Acquisition Policy and Right-of-Way Process

illinoistollway.com/outreach/projects-in-your-community/central-tri-state-tollway-i-294

Uniform Relocation Assistance and Real Property Acquisition Policies of 1970 and 49 CFR Part 24

ecfr.gov

Toll Highway Act

ilga.gov

Please email questions to:

294tristate@getipass.com

THE TOLLWAY LAND ACQUISITION

As part of its capital planning process, the Illinois Tollway may seek to acquire real estate needed for various public purposes, including the construction or expansion of the Tollway system. The Tollway has adopted policies that provide fair and equitable procedures for the acquisition process.

PROPERTY VALUE IS ESTABLISHED BY APPRAISAL

When a property is identified as being impacted by a Tollway project, the owner is advised in writing that the property may be needed for Tollway purposes. After the property is surveyed, an appraiser is assigned. The appraiser will visit the property and review recent comparable real estate sales in the area to establish the fair market value. Once the appraisal is completed, it is reviewed by an independent licensed appraiser. All appraisers used by the Tollway are Illinois Certified General Appraisers.

PROPERTY OWNER PARTICIPATION IN THE VALUATION PROCESS

Property owners are always encouraged to accompany the appraiser during the inspection of the property. The owner may also provide to the Tollway any information that is relative to the value of the property.

FORMAL OFFER AND NEGOTIATION PERIOD

After the appraisal is approved, the Tollway will make a formal written offer to the owner, identifying the needed property. The offer will not be less than the value determined by the appraisal. A negotiator for the Tollway is available to meet with the owner to explain the offer and receive any relevant property information. Once the offer has been made, there is a 60-day period for the owner and the Tollway to negotiate an agreed price. If no agreement has been reached during this negotiation period, the Tollway can file a condemnation suit to acquire the property.

RELOCATION ASSISTANCE AND BENEFITS

When it is necessary to acquire an occupied residence or business property the Tollway will offer relocation assistance to those displaced persons who apply for and qualify for benefits. Such benefits may include counseling in locating a replacement dwelling or business building, payment of moving expenses and costs, mortgage or rent assistance, and other financial assistance to offset the actual costs of relocating to a functionally equivalent space. The property owner will be given at least 90 days notice from the time of the Tollway's offer to purchase. A displaced person should not execute any sales contract or lease agreement until the relocation counselor has inspected and approved the replacement dwelling to assure it meets basic standards. Failure to have replacement property inspected jeopardizes benefit awards.

OWNER RIGHTS ARE PROTECTED

When the parties cannot reach agreement during the negotiating period, the Attorney General can, if necessary, file an eminent domain (condemnation) lawsuit to have the court vest title to the Tollway. The owner has the right to exchange documents and appraisals with the Tollway. The owner also has the right to appear in court, present witnesses and relevant information as to the value of the property, and have the jury decide fair market value. Even where the Tollway uses "quick-take" powers to acquire title immediately after filing suit, the owner may present evidence before a judge at the time the preliminary compensation is decided, and reserve the right to have a full jury trial to establish the final compensation for the property.