

Summary of Land Acquisition Process

Land Survey: A field survey crew will establish the centerline of the roadway, the existing right of way (ROW), the various property lines, and record the location of buildings, signs, lights, trees, etc. This is done at an early stage of the project development. The survey crew will perform their work with care while on private property. They are easily recognized by the brightly colored vests that they wear. The survey crew may be IDOT employees or they may work for a private consulting firm hired by IDOT.

Right of Way Plan Preparation: ROW plats and plans are prepared for the project. These drawings will show the existing and proposed ROW, property lines, and will specify the area (square feet or acres) that IDOT needs to acquire from each owner for the project. A written legal description is also prepared which describes the area that IDOT needs to acquire from each property owner.

Appraisal: An appraisal or valuation is prepared for each property that IDOT needs to acquire. These are generally prepared by a licensed appraiser hired by IDOT but may also be done by an IDOT staff appraiser or waiver valuation preparer. The appraiser will contact the property owner and offer the opportunity to inspect the property together. The property is appraised by the “comparable sales method”. This means that the recent sale prices paid, for similar properties in the area, are used to establish the fair market value for the property that IDOT needs to acquire. The appraiser will consider the contributory value of all improvements within the area to be acquired such as trees, structures, landscaping, etc. Also considered is the cost to relocate items when feasible such as fences, signs, light poles, parking, etc. The appraiser will also consider any reduction in value of the remaining property due to IDOT’s acquisition.

Acquisition: A Realty Specialist (RS) will make an offer to purchase to the property owner for the needed right of way (ROW) either in person or thru the mail. The RS will generally be an IDOT employee but may be a qualified private RS hired by IDOT. The RS will be able to explain the project and conveyance documents and answer questions from the property owner. IDOT is required by law to pay fair market value for property to be acquired. The offer made by the RS will be the total amount from the appraisal. Tenants on the property will need to sign a release/consent document. This typically is requested after the property owner has signed the conveyance documents. After all conveyance documents are signed, it takes about 8 to 10 weeks for the owner to receive payment. Once IDOT delivers the payment and records the documents, IDOT then becomes owner of the needed ROW portion of the property.

Relocation: If IDOT’s acquisition will require an owner or tenant to relocate from a residence or business, then IDOT’s Relocation Manager will explain the relocation benefits that the owner or tenant are eligible for. This is done during the initial meeting between the RS and the property owner or as soon after as possible.

Eminent Domain: If an agreement for acquisition of the property cannot be reached between IDOT and the owner, then the State of Illinois does have the authority to acquire private property through the use of eminent domain. Eminent domain is a tool by which the compensation paid to the owner is determined through the courts. IDOT and the owner present their evidence to a judge, for preliminary compensation, and eventually to a jury, as needed, to decide the final compensation. The RS will fully explain this process and answer any questions that the owner may have.