PROPERTY ACQUISITION PROCESS

The Millsboro-South portion of the US 113 North/South Study is currently in the DEIS stage. The project needs to complete a Final Environmental Impact Statement (FEIS) and a Record of Decision (ROD) in order to complete the environmental process and acquire Federal and State funding for the project. Design and construction for the project will occur in phases and only when it is needed. For a project of this magnitude, we anticipate that the process of right-of-way and property acquisition would not begin for several years.

If it is determined that all or a portion of your property is necessary for the project improvements, DelDOT will contact you well in advance of any construction activity and follow the process outlined below:

PUBLIC WORKSHOPS

DelDOT's Right of Way staff attends workshops when there are potential right of way imapcts. Staff begins to interact with property owners who may be impacted at the time.

APPRAISAL PROCESS

- Owners are given the opportunity to accompany the appraiser
- DelDOT *must* have a Fair Market Value, in writing, for all acquisitions.
- All appraisals are reviewed by a licensed appraiser

NEGOTIATIONS

- An Agent will contact the owner in person or via mail to begin the negotiation process
- The Owner will receive a copy of the State's appraisal or Waiver Valuation for non-complex acquisitions.
- The Owner will receive a written confirmation of the offer
- The Owner has the right to have their own appraisal performed, which will be reviewed by DelDOT
- DelDOT will review any counter offers by the owners to determine that it has merit
- DelDOT may enter into an Administrative Settlement if justified and documented

CLOSING

- If an agreement is reached, DelDOT and the owners move to a settlement process.
- If no agreement is reached, DelDOT can move to acquire the right of way need through eminent domain. Cases can still be settled without a trial.

RELOCATION PROCESS

THERE ARE TWO BASIC TYPES OF RELOCATION PROCESSES:

- Residential
- Non-Residential (Commercial/Industrial)

RESIDENTIAL

- Tightly controlled by 49 CFR Part 24 and Title 29, Chapter 93 (Federal Regulations) and Delaware Code
- Owners/Tenants are provided various options including houing/rental supplements and moving costs
- Owners/Tenants are not required to vacate until offer has been made, listings of available comparable housing has been provided, and the State has acquired legal ownership of the property

NON-RESIDENTIAL

- Moving costs and re-establishment expenses as well as advisory assitance is offered