

301 US 301 Project Development

Protective Acquisitions

- DeIDOT has acquired a number of properties along the US 301 Preferred Corridor indicated in the 1993 Draft Environmental Impact Statement (DEIS).
- How will DeIDOT ownership affect the evaluation of alternatives in the current Project Development Effort?
 - ▶ Ownership WILL NOT affect selection of an alternative. Such consideration is NOT permitted under the National Environmental Policy Act (NEPA).
- These acquisitions occurred to protect the 1993 DEIS Preferred Corridor from development and increased costs to DeIDOT should the corridor ultimately be selected. The protective acquisitions prevented development of homes or businesses in the corridor, including:
 - ▶ Proposed residential developments
 - ▶ Proposed gas station
- The protective acquisitions were reactive, and occurred only when development in the potential corridor was imminent, and NOT proactive
- Protective Acquisitions - South of the Canal:
 - ▶ Extending from south of Armstrong Corner Rd., between Choptank Road and US 301, to Old School House Rd.
 - ▶ Extending 0.46 miles north from Churchtown Rd. between Choptank Rd. and the Chesapeake Meadow subdivision
 - ▶ Adjacent to US 301 near State Line
- DeIDOT knowingly enters into protective acquisitions assuming all risks. Should DeIDOT not use the land purchased for a transportation need, it will be disposed of in accordance with State law.



- Parcel Boundaries
- Right-of-Way
- Protective Acquisitions
- Reserved for Future Right of Way

Data sources for this display:
New Castle County, 2005
State of Delaware, 2002

Property Acquisition Process

Note: Normally, property acquisition does not occur until after the selection, and approval of the preferred

- HOW WILL I LEARN WHAT DeIDOT NEEDS?**
- A DeIDOT real estate representative or an appraiser will contact you to explain the project and what property interests are required.
- IF ANY PART OF MY PROPERTY IS TO BE PURCHASED, HOW WILL THE VALUE BE DETERMINED?**
- You will receive the Fair Market Value for any property interest required including land and/or improvements, required to build the project.
 - To determine Fair Market Value, a licensed, qualified and certified appraiser will contact you and offer you an opportunity to accompany him/her during the inspection of your property.
 - Once the appraisal is complete, it must be reviewed and approved under the direction of the Department's Chief Review Appraiser.
- WHAT IF I ACCEPT DeIDOT'S OFFER?**
- If you accept the offer, you will be asked to sign a binding agreement between you and DeIDOT, called a "purchase contract."
 - The contract commits you to sell your property for the amount of the offer and commits DeIDOT to pay you that amount.
- WHAT HAPPENS IF I CANNOT ACCEPT THE OFFER?**
- Negotiations are a crucial part of the acquisition process.
 - If you do not accept the purchase offer, you have the option of hiring your own licensed, qualified and certified appraiser.
 - If an agreement cannot be reached, law allows DeIDOT to acquire the property through a process called "eminent domain."
 - This process allows DeIDOT to proceed with the project even though an agreement has not been reached. DeIDOT's offer will still be available through the court.
 - Negotiations between you and DeIDOT may continue in an effort to reach a settlement.
 - If a settlement still is not reached, a three-member commission will determine the amount of just compensation.
 - After hearing testimony and viewing the property, the commission establishes a value binding to you and DeIDOT.
 - You or DeIDOT may appeal if a legal error has been made or if the award is deemed unacceptable by the judge.
- WHAT IF I HAVE TO MOVE BECAUSE OF THE PROJECT?**
- Unfortunately, transportation facilities cannot always be routed around homes, businesses, farms or non-profit organizations.
 - It may be necessary for you to move, however state and federal Relocation Assistance Acts try to minimize any inconvenience caused by relocation.
 - DeIDOT provides compensation as well as many services to assist you in moving.

