

Property Acquisition Monitoring Checklist

10/18/2011

Recipient: _____ Contract #: _____

<p><i>Determine if the acquisition was voluntary or not. If the acquisition was voluntary or a donation, only Sections I, II, III, IV, and IX must be completed. If the acquisition was involuntary, complete the entire form. Acquisition is governed by 49CFR24. This includes construction and utility easements that require no change in title as discussed in 49CFR24.101(c) Less-than-full-fee interest in real property.</i></p>	<input type="checkbox"/> Voluntary <input type="checkbox"/> Involuntary
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I. General

Check the appropriate box.

1. Is there an acquisition case file for the parcel?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the acquisition for an easement?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3. Is the acquisition for a specific project?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
• If yes , what is the intended use? _____	

II. Notification of Owner

4. Was a Preliminary Acquisition Notice sent to the owner informing him or her of the local government's interest in acquiring the property?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
• If yes , date sent: _____	
• If a Preliminary Acquisition Notice was not sent, was the owner provided a copy and explanation of the HUD informational brochure, When a Public Agency Acquires Your Property (HUD-1041-CPD)? <i>(If yes, go to III. Donations.)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
5. Did the notice outline the rights of the owner under the Uniform Relocation Act?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
6. Did the notice specifically mention the local government's responsibility to secure an appraisal?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p><i>(Note: If the local government does not want to trigger eligibility for relocation assistance at the time of this notice, it should clarify in the notice that it is not a "Notice of Intent to Acquire," but merely a notice that the local government is interested in acquiring the parcel.)</i></p>	
Comments: _____ _____ _____	

III. Donations

7. If the property is being donated, did the property owner sign a Waiver of Benefits?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
8. Was the value of the parcel determined to be less than \$10,000?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
• If yes , how was the value determined? _____ _____ _____ _____	
<p><i>(If the value was determined to be under \$10,000, no appraisal is required. Go to V. Purchase Offer.)</i></p>	

Property Acquisition Monitoring Checklist

Check the appropriate box.

9. Did the waiver include the following:	
<ul style="list-style-type: none"> Language releasing the local government from performing an appraisal and review appraisal? <i>(A formal appraisal and review appraisal is required unless the owner grants a waiver of his or her right to an appraisal, or if the value of the property is determined to be less than \$10,000.)</i> 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<ul style="list-style-type: none"> A property description? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<ul style="list-style-type: none"> Evidence that the fair market value was established? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<ul style="list-style-type: none"> The signature of the owner? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

IV. Appraisals *(If an appraisal was not required, skip to VIII. Deeds, Rent, and Terminated Acquisition.)*

10. Did the recipient follow its local procurement process in choosing the appraiser?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
11. Was the local policy also followed in choosing the review appraiser?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
12. Was the owner invited to accompany the appraiser on the inspection?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
13. Were the appraisals completed and placed in the file?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Comments: _____ _____ _____	

V. Purchase Offer

14. Was a written purchase offer sent to the owner? Date sent: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
15. Did the written purchase offer include:	
<ul style="list-style-type: none"> An offer of no less than the appraised fair market value (or other documented value if the property was determined to have a value less than \$10,000)? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<ul style="list-style-type: none"> Terms and conditions of the offer? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<ul style="list-style-type: none"> Date for negotiations to begin? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<ul style="list-style-type: none"> A statement of the Basis for Determination of Just Compensation? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Comments: _____ _____	

VI. Negotiation and Sale

16. If negotiation took place, is it documented?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
17. Is there documentation of the owner's acceptance of the offer? Date accepted: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
18. Is there a Contract of Sale on file? If yes , what was the date of the contract: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

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Check the appropriate box.

19. Did the owner receive the approved just compensation for the property? Date received: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
20. Is there proof of payment of the just compensation (such as canceled checks, etc.)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
21. Did the Recipient pay more than the appraised value for the parcel?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<ul style="list-style-type: none"> • If yes, did the Recipient receive written approval from the Department? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
22. Is a Statement of Settlement Costs on file?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
23. Did the Recipient pay all settlement costs?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Comments: _____ _____ _____	

VII. Eminent Domain

24. Is there an authorizing resolution adopted by the legislative body?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
25. Is there a petition to the court?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
26. Was the fair market value deposited with the court?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
27. Is the court's judgment on file?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
28. Is there documentation of an appeal, if it was filed?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
29. Is there documentation of any payment for incidental or litigation expenses?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Comments: _____ _____ _____	

VIII. Deeds, Rent, and Terminated Acquisition

30. Was the deed recorded in a timely manner?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
31. If the local government permitted an owner or tenant to occupy the acquired property, was the rent charged equal to the property's fair market rental value?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
32. For a terminated acquisition, was the owner sent a Notice of Intent Not to Acquire?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Comments: _____ _____	

