|  |  |  |  |
| --- | --- | --- | --- |
| Letterhead Banner 2   |  |  |  | | --- | --- | --- | | 100 North Senate Avenue  Room N758-RE  Indianapolis, Indiana 46204 |  | **Eric Holcomb, Governor**  **Michael Smith, Commissioner** | |
|

Uniform Land or Easement Acquisition Offer

|  |  |  |
| --- | --- | --- |
| Date: |  | |
|  | |  |
| PROJECT: | |  |
| CODE: | |  |
| PARCEL: | |  |
| ROAD: | |  |
| COUNTY: | |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | | **Offer Delivery Method (Check one)** | | | |
|  | |  | | | |
|  | **In Person:** | |  | **Certified Mail:** |  |
|  | |  | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| TO: | NAME |  | NAME |
|  | Address Line 1 |  | Address Line 1 |
|  | Address Line 2 |  | Address Line 2 |
|  | Address Line 3 |  | Address Line 3 |
|  | Address Line 4 |  | Address Line 4 |
|  |  |  |  |
|  |  |  |  |

The State of Indiana, acting by and through the Indiana Department of Transportation is authorized by Indiana law to obtain your property or an easement across your property**,** for certain public purposes. The Indiana Department of Transportation needs  for a public highway improvement known as ROAD and needs to take the property and easement as described on the attached legal description.

It is our opinion that the fair market value of the property and easement we want to acquire from you is $0.00, and, therefore, the Indiana Department of Transportation offers you $0.00 for the above described property and easement. You have thirty (30) days from this date to accept or reject this offer. If you accept this offer, you may expect payment in full within ninety (90) days after signing the documents accepting this offer and executing the deed, grant or easement, and provided there are no difficulties in clearing liens or other problems with title to the land. Possession will be required thirty (30) days after you have received your payment in full.

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| --- | --- | --- | --- | --- |
| Project: | PROJECT # |  | Parcel: | PARCEL # |

# HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, the Indiana Department of Transportation is required to make a good faith effort to purchase your property and an easement across your property.
2. You do not have to accept this offer and the Indiana Department of Transportation is not required to agree to your demands.
3. However, if you do not accept this offer, and we cannot come to an agreement on the acquisition of your property and an easement across your property, the Indiana Department of Transportation has the right to file suit to condemn, and acquire the property and easement in the county in which the real estate is located.
4. You have the right to seek advice of an attorney, real estate appraiser or any other person of your choice on this matter.
5. You may object to the public purpose and necessity of this project.
6. If the Indiana Department of Transportation files a suit to condemn and acquire your property and an easement across your property and the court grants its request to condemn, the court will then appoint three appraisers who will make an independent appraisal of the property and easement to be acquired.
7. If we both agree with the court appraisers’ report, then the matter is settled. However, if either of us disagrees with the appraisers’ report to the court, either of us has the right to ask for a trial to decide what should be paid to you for the property and easement condemned.
8. If the court appraisers’ report is not accepted by either of us, then the Indiana Department of Transportation has the legal option of depositing the amount of the court appraisers’ evaluation with the court. And if such a deposit is made with the court, Indiana Department of Transportation is legally entitled to immediate possession of the property and easement . You may, subject to the approval of the court, make withdrawals from the amount deposited with the court. Your withdrawal will in no way affect the proceedings of your case in court, except that, if the final judgment awarded you is less than the withdrawal you have made from the amount deposited, you will be required to pay back to the court the amount of the withdrawal in excess of the amount of the final judgment.

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| --- | --- | --- | --- | --- |
| Project: | PROJECT # |  | Parcel: | PARCEL # |

1. The trial will decide the full amount of damages you are to receive. Both of us will be entitled to present legal evidence supporting our opinions of the fair market value of the property or easement. The court’s decision may be more or less than this offer. You may employ, at your cost, appraisers and attorneys to represent you at this time or at any time during the course of the proceeding described in the notice.
2. If you have any questions concerning this matter, you may contact us at:

ATTN: AGENT NAME & TITLE

AGENT COMPANY and ADDRESS

Phone: AGENT PHONE

Email: AGENT EMAIL

This offer was made to the owner(s):

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | of | County | on |  | (Date) |
|  | of | County | on |  | (Date) |
|  | of | County | on |  | (Date) |
|  | of | County | on |  | (Date) |

|  |  |
| --- | --- |
| BY: |  |
|  | (Signature) |

|  |
| --- |
| Agent Name, Agent Title |
| Agent of: The Indiana Department of Transportation | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Project: | PROJECT # |  | Parcel: | PARCEL # |

If you decide to accept the offer of $0.00 made by the Indiana Department of Transportation, sign your name below and mail this form to the address indicated above. An additional copy of this offer has been provided for your file.

ACCEPTANCE OF OFFER

I (We),  GRANTOR(S), owner(s) of the above described property or interest in property, hereby accept the offer of $0.00 made by the Indiana Department of Transportation on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

|  |
| --- |
| COMPANY NAME (or delete) |
|  |
| NAME, TITLE, IF APPLICABLE (or delete) |
| NAME, TITLE, IF APPLICABLE (or delete) |
| NAME, TITLE, IF APPLICABLE (or delete) |
| NAME, TITLE, IF APPLICABLE (or delete) |

Original Offer $0.00

Total Amount $0.00

**NOTARY’S CERTIFICATE**

**STATE OF:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SS:**

**COUNTY OF:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

Signature

Printed Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My Commission expires \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I am a resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County.