

State Route 76 East

Right of Way Fact Sheet

This fact sheet discusses the land acquisition process. In building a modern transportation system, the displacement of a small percentage of the population is often necessary. However, it is the policy of Caltrans that those displaced persons shall not suffer unnecessarily as a result of programs designed to benefit the public as a whole.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

The purpose of this Act is to provide for uniform and equitable treatment of persons who are displaced from their homes, businesses, or farms by federal and federally assisted programs and to establish uniform and equitable land acquisition policies for federal and federally assisted programs.

Your Rights If You Are Displaced

All eligible displacees have a freedom of choice in the selection of replacement housing, and Caltrans will not require any displaced person to accept a replacement dwelling. You may secure a replacement dwelling of your choice, providing it meets "decent, safe & sanitary" housing standards. Caltrans will not pay more than your calculated entitlement benefits on any replacement property.

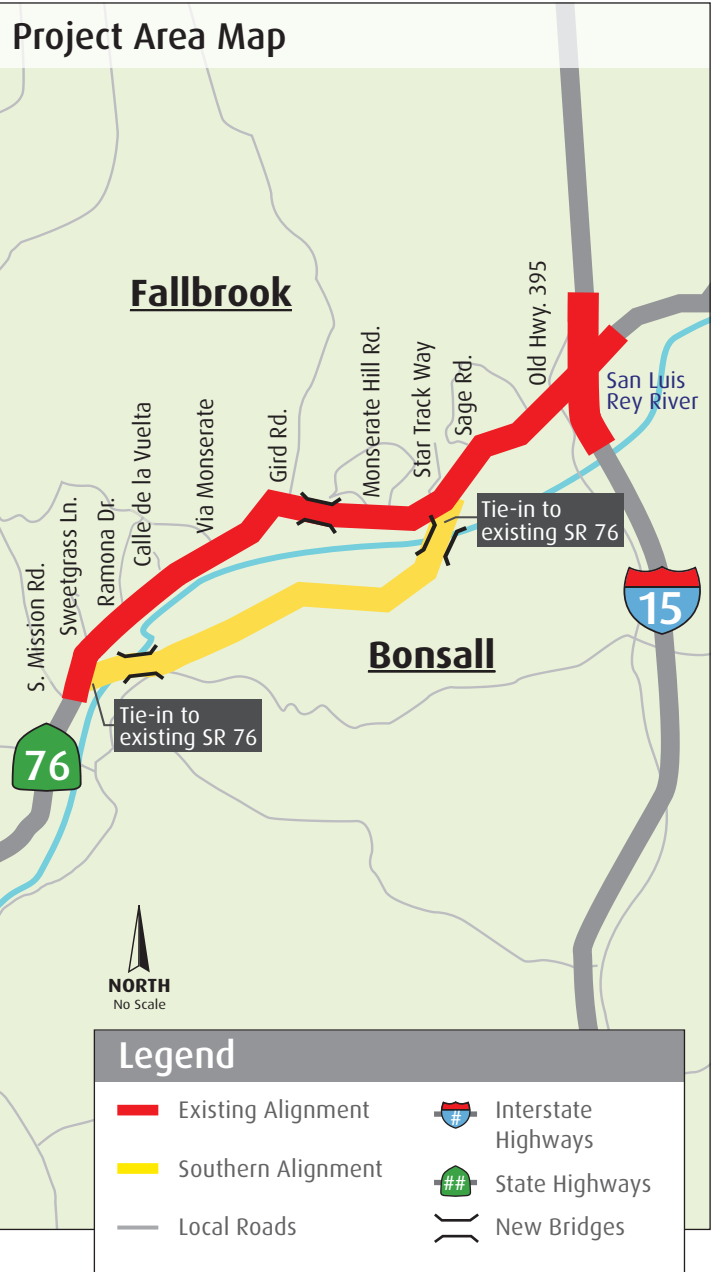
Do not execute a purchase agreement or a rental agreement until a representative from Caltrans has inspected and certified in writing that the dwelling you propose to occupy meets these basic standards. DO NOT jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

A benefit of the relocation program is that payments will not have an adverse effect on your:

- ▶ Social Security Eligibility
- ▶ Welfare Eligibility
- ▶ Income Taxes

Caltrans' Non-Discrimination Policy ensures that all services and/or benefits will be administered to the general public without regard to race, color, national origin, or sex in compliance of the Civil Rights Act (42 USC 2000d. et seq.).

You always have the right to appeal any decision by Caltrans regarding your relocation benefits and eligibility.



Contact Information:

For general information about the SR 76 East project, please contact the Project Manager, Ann Fox, at 619-688-6803.

What are the Steps in the Land Acquisition Process?

Land Acquisition Process Flow Chart



1 Property Appraisal:

Caltrans normally determines what specific property needs to be acquired for a public project or program only after the project has been planned and government requirements have been met. Caltrans will also review public records and other information about property in the area.

You, the property owner, will be notified as soon as possible of (1) Caltrans' interest in acquiring your property, (2) Caltrans' obligation to secure any necessary appraisals, and (3) any other useful information.

When Caltrans begins to acquire private property for public use, the first personal contact with the property owner should be no later than during the appraisal of the property.

2 Negotiations:

Caltrans will begin negotiations with you or your designated representative by delivering the written offer of just compensation for the purchase of the real property. Caltrans' written offer will consist of a written summary statement that includes all of the following information:

- ▶ The amount offered as just compensation.
- ▶ The description and location of the property and the interest to be acquired.

- ▶ The identification of the buildings and other improvements that are considered to be part of the real property.

Sometimes, Caltrans does not need all the property you own and only purchases what is required. In this case, Caltrans must state the amount to be paid for the part to be acquired. In addition, an amount will be stated separately for damages, if any, to the portion of the property you will keep. If Caltrans determines that the remainder property will have little or no more value or use to you, this remainder will be considered to be an uneconomic remnant and will offer to purchase it.

3 Payment & Possession:

As soon as all of the necessary paperwork has been completed for transferring title of the property, Caltrans will pay any liens that may exist against the property and pay your equity to you. Your incidental expenses will also be paid or reimbursed. Caltrans may not take possession of your property unless both of these conditions have been met:

- ▶ You have been paid the agreed purchase price.
- ▶ All persons occupying the property have received a written notice to move at least 90 days in advance of the required move.

4 Settlements:

Caltrans will make every effort to reach an agreement with you during negotiations. You may provide additional information, and make reasonable counter offers and proposals for Caltrans to consider. When it is in the public interest, most agencies may use the information provided as a basis for administrative and legal settlements, as appropriate.

5 Condemnation:

If an agreement cannot be reached, Caltrans can acquire the property by exercising its power of eminent domain. It will do this by instituting formal condemnation with the appropriate State or Federal court.

References Used in Documenting this Right of Way Fact Sheet:

- ▶ Your Rights and Benefits as a Displacee Under the Uniform Relocation Assistance Program (Residential). Caltrans-revised June 2006.
- ▶ Acquisition Real Property for Federal and Federal-Aid Programs and projects. Publication No. FHWA-PD-95-005.

For more information, log-on to:
<http://www.keepsandiegomoving.com>

For questions, call:
Caltrans Public Affairs: 619-688-6670