



*Caltrans Eureka District 1 Office
Eureka, CA*

Mission VISION

Caltrans Improves Mobility Across California

An Overview Of The Right Of Way Process



Welcome to Willits Bypass Open House

Thank you for your participation and welcome!
If you have any questions, please direct them to
our Caltrans Right of Way staff who are here to
answer your questions.

Produced By:

The North Region Office of Right of Way

What is Right of Way?



At Caltrans, Right of Way is the organization that acquires the land, property, or an interest therein, for transportation projects.

The following slides will provide you with a brief overview of the steps involved in this process.

This presentation will last approximately [seven minutes](#).



Surveying: The First Step



Prior to any acquisition, Caltrans Right of Way Engineers survey the right of way that is required for the proposed transportation project.

After completing all survey field work, a set of Appraisal Maps and property descriptions are developed and provided to Caltrans Right of Way staff.



Appraisal of Your Property



Upon receipt of the appraisal maps, a Caltrans Right of Way Agent reviews the amount of land and type of property rights to be appraised, for example:

- Fee – full or partial acquisition,
- Easement – slope, drainage, utility, etc.,
- Access rights, or
- Temporary property rights.



Just Compensation



That payment required by law for the loss sustained by the owner as a result of an acquisition, or damaging, of private property for public purposes



The Principle of Fair Market Value



Fair Market Value is the highest price, in cash, or terms equivalent to cash, for which the appraised property will sell in a competitive market.



The Acquisition Process



After the Right of Way Agent determines the value of the property rights being acquired, and the appraisal has been approved, a written offer will be presented to you, the property owner. A Right of Way Agent will contact you to set up a time to meet in person to review the appraisal and make a written offer to purchase the property rights needed for the project.



The Right of Way Agent's Fiduciary Responsibility



The Caltrans Right of Way Agent plays a dual role in that he/she must ensure:
your rights as the property owner are protected and,
the taxpayers of the State of California are also fairly represented.



The Acquisition Process ~ Settling

If you agree to the terms of the offer, the State will enter into a Right of Way Contract with you, which sets forth the provisions and conditions of the acquisition.

If you believe items, which affect the value of your property, have been omitted in the State's valuation, you are urged to present them to the Right of Way Agent for review and consideration.



The Acquisition Process ~ Payment

For acquisitions totaling \$2500.00 or less, your Right of Way agent has the authority to pay you directly, at the time the written offer is made.

For all other transactions, the average period of time it takes to receive compensation is between 30 and 60 days. In large part, the length of time depends on the escrow and type of property rights being acquired.



The Acquisition Process ~ Closing Costs

All non-recurring costs associated with the sale & transfer of property rights are paid by the State.

For example:

- Escrow Fees,
- Title Fees,
- Reconveyance Fees,
- Document Fees,

Exception - any delinquent taxes are paid from the proceeds of the acquisition.



Eminent Domain

Eminent Domain or Condemnation, is the right of public agencies to acquire private property for public purposes. If you ultimately reject the State's offer for your property, you are entitled to have the amount of compensation determined by a court of law in accordance with the laws of the State of California



Eminent Domain



If it becomes necessary to proceed with an Eminent Domain lawsuit there are four possible means by which your case will be settled:

- reach agreement, settle by right of way contract and dismiss lawsuit.
- stipulated settlement-agreement is reached prior to jury or judge trial, but after lawsuit is filed, or
- trial by jury,
- trial by judge - jury trial waived by both you and Caltrans



The Residential Relocation Assistance Program



If the State's highway project causes you to be displaced from your residence, you are entitled to certain additional benefits. Your Right of Way Agent will provide you with a relocation package at the time the written offer to purchase your property is made.



The Residential Relocation Assistance Program ~ Continued



Your relocation assistance may include one or more of the following:

- relocation advisory assistance,
- a one time moving cost reimbursement,
- replacement housing payments,
- supplemental rental assistance.



The Residential Relocation Assistance Program ~ Continued



Business, Farm, and/or Non-Profit organizations are also entitled to certain relocation benefits, which may include:

- relocation advisory assistance,
- moving cost reimbursement,
- in lieu payments,
- certain reestablishment costs.



The Residential Relocation Assistance Program ~ Continued



Relocation assistance payments:

- will not adversely affect your social security eligibility, and
- are not subject to income taxation.

There are brochures available to you, which explain in greater detail, all of these benefits. Please see a Caltrans Right of Way Representative if you desire additional information.



The Residential Relocation Assistance Program ~ Conclusion



This concludes our overview of the Right of Way process. If you missed a portion of this presentation, it will start from the beginning again in approximately 30 seconds.

If you have additional questions, or desire further assistance, please feel free to ask one of the Right of Way representatives.

Thank you for attending this
Public Information meeting!

