



# Right of Way Review Guide

## ODOT Certification Compliance and Oversight Plan (C&O)

CERTIFIED LOCAL PUBLIC AGENCY	DATE OF REVIEW	FEDERAL PROJECT #  KEY #
PROJECT NAME		<input type="checkbox"/> LOCAL NON-NHS <input type="checkbox"/> LOCAL NHS <input type="checkbox"/> STATE HIGHWAY
PROJECT DESCRIPTION		
INDIVIDUAL(S) CONDUCTING REVIEW		CERTIFICATION PROGRAM MANAGER REVIEW  NAME:  DATE:
ADDITIONAL C&O REVIEW GUIDE(S) USED FOR THIS REVIEW (LIST ALL)		

**Review Guide is only applicable if project includes acquisition of real property with federal funds. Select a minimum of one real property acquisition (parcel) with federal participation for review.**

1. Complete all questions in the C&O Review Guide. Do not modify questions. Additional ODOT Specific questions may be added at the bottom of the guide.
2. Provide comments for each NO, N/A or Don't Know answer.
3. Directly verify all answers with source documentation.
4. Ensure source documentation is retained by the Local Public Agency (LPA) and available as necessary for quality assurance reviews or audits.

#	CORE QUESTIONS	CITATION	ANSWER	COMMENT
RW1	Was the owner(s) notified in writing of the LPA's interest in acquiring their real property and the basic protections provided to them by law?	23 CFR 710.201(k)  49 CFR 24.102(b)	<p><b>Yes</b>, the owner(s) was notified in writing of the LPA's interest in acquiring their property and the basic protections provided to them by law.</p> <p><b>No</b>, the owner(s) was not provided written notification of the LPA's interest in acquiring their property and the basic protections provided to them by law. (Comment required)</p> <p><b>N/A</b>, requirement does not apply. (Comment required)</p>	

#	CORE QUESTIONS	CITATION	ANSWER	COMMENT
			<b>Don't Know</b> , could not be verified at the time of review. (Comment required)	
RW2	Was the real property to be acquired appraised or a waiver valuation prepared (if over \$10,000, was the opportunity for an appraisal offered), prior to the initiation of negotiations by an appraiser on the State's Qualified Appraiser list?	23 CFR 710.309 49 CFR 24.102(c) ODOT Right of Way Manual, Chapter 4, Section 4.130	<b>Yes</b> , an appraisal(s) or a waiver valuation was prepared prior to the initiation of negotiations by an appraiser on the State's Qualified Appraiser list. <b>No</b> , neither an appraisal(s) nor a waiver valuation was prepared prior to the initiation of negotiations by an appraiser on the State's Qualified Appraiser list. (Comment required) <b>N/A</b> , requirement does not apply. (Comment required) <b>Don't Know</b> , could not be verified at the time of review. (Comment required)	
RW3	Did the appraiser document that he/she inspected the subject property and provided the owner or his/her duly appointed representative the opportunity to accompany the appraiser during the inspection of the property?	23 CFR 710.309 49 CFR 24.102(c)(1) ODOT Right of Way Manual, Chapter 4, Section 4.140	<b>Yes</b> , the appraiser documented in the appraiser's certification with supporting information in the appraisal that he/she offered the owner the opportunity to accompany the appraiser during the appraisal inspection and whether the owner or appointed representative attended the inspection. <b>No</b> , there was no documentation in the appraiser's certification nor supporting information in the appraisal that he/she offered the owner the opportunity to accompany the appraiser during the appraisal inspection and whether the owner or appointed representative attended the	

#	CORE QUESTIONS	CITATION	ANSWER	COMMENT
			<p>inspection. (Comment required)</p> <p><b>N/A</b>, requirement does not apply. (Comment required)</p> <p><b>Don't Know</b>, could not be verified at the time of review. (Comment required)</p>	
RW4	Did the appraisal meet the criteria for appraisals in accordance with applicable federal requirements?	<p>23 CFR 710</p> <p>49 CFR 24.103(a)</p> <p>ODOT Right of Way Manual, Chapter 4, Section 4.300</p>	<p><b>Yes</b>, the appraisal met the criteria for appraisals in accordance with applicable federal requirements.</p> <p><b>No</b>, the appraisal did not meet the criteria for appraisals in accordance with applicable federal requirements. (Comment required)</p> <p><b>N/A</b>, requirement does not apply. (Comment required)</p> <p><b>Don't Know</b>, could not be verified at the time of review. (Comment required)</p>	
RW5	Did a review appraiser on the State's Qualified Appraiser list review the report and document the review with a signed certification of the parameters of the review, the findings and conclusions, and the recommended value?	<p>23 CFR 710.309</p> <p>49 CFR 24.104</p> <p>ODOT Right of Way Manual, Chapter 4, Sections 4.220 &amp; 4.700</p>	<p><b>Yes</b>, a review appraiser on the State's Qualified Appraiser list reviewed the report and signed a certification of the parameters of the review, the findings and conclusions, and the recommended value.</p> <p><b>No</b>, a review appraiser on the State's Qualified Appraiser list did not review the report and sign a certification of the parameters of the review, the findings and conclusions, and the recommended value. (Comment required)</p> <p><b>N/A</b>, requirement does not apply. (Comment required)</p> <p><b>Don't Know</b>, could not be verified at the time of review.</p>	

#	CORE QUESTIONS	CITATION	ANSWER	COMMENT
			(Comment required)	
RW6	Was just compensation established by the LPA prior to the initiation of negotiations, and did the LPA, through an authorized right of way agent, provide the owner with a written summary statement that separately identified the just compensation being offered for land, damages and improvements?	23 CFR 710.201(j) 710.309 49 CFR 24.102(d) 24.104 24.105 Appendix A, 24.102(d) 24.104(c) ODOT Right of Way Manual, Chapter 4, Section 4.145	<p><b>Yes</b>, just compensation was established by the LPA prior to the initiation of negotiations and the LPA, through an authorized right of way agent, did provide the owner with a written summary statement that separately identified the just compensation being offered for land, damages and improvements.</p> <p><b>No</b>, just compensation was not established by the LPA prior to the initiation of negotiations and the LPA, through an authorized right of way agent, did not provide the owner with a written summary statement that separately identified the just compensation being offered for land, damages and improvements. (Comment required)</p> <p><b>N/A</b>, requirement does not apply. (Comment required)</p> <p><b>Don't Know</b>, could not be verified at the time of review. (Comment required)</p>	
RW7	Was the offer made expeditiously and in good faith, and did the owner have a reasonable opportunity to consider the offer without coercive actions by the LPA?	23 CFR 710.309 49 CFR 24.102(f) 24.102(g) Appendix A, 24.102(f) ODOT Right of Way Manual, Chapter 5, Section 5.140	<p><b>Yes</b>, the offer was made expeditiously and in good faith, and the owner did have a reasonable opportunity to consider the offer without coercive actions by the LPA.</p> <p><b>No</b>, the offer was not made expeditiously and in good faith, and the owner did not have a reasonable opportunity to consider the offer without coercive actions by the LPA. (Comment</p>	

#	CORE QUESTIONS	CITATION	ANSWER	COMMENT
			required) <b>N/A</b> , requirement does not apply. (Comment required) <b>Don't Know</b> , could not be verified at the time of review. (Comment required)	
RW8	Did the LPA pay the expenses incidental to transferring the title to the LPA?	23 CFR 710.309 49 CFR 24.106 ODOT Right of Way Manual, Chapter 7	<b>Yes</b> , the LPA paid the expenses incidental to transferring the title to the LPA. <b>No</b> , the LPA did not pay the expenses incidental to transferring the title to the LPA. <b>N/A</b> , requirement does not apply. (Comment required) <b>Don't Know</b> , could not be verified at the time of review. (Comment required)	
RW9	Did the LPA, through an authorized right of way agent, plan the relocations and provide advisory services, including personal interviews of the displaced persons?	23 CFR 710.309 49 CFR 24.205 ODOT Right of Way Manual, Chapter 6	<b>Yes</b> , the LPA, through an authorized right of way agent, planned the relocations and provided advisory services, including personal interviews of the displaced persons? <b>No</b> , the LPA, through an authorized right of way agent, did not plan the relocations nor provide advisory services, including personal interviews of the displaced persons. (Comment required) <b>N/A</b> , requirement does not apply. (Comment required) <b>Don't Know</b> , could not be verified at the time of review. (Comment required)	
RW10	Did the LPA, through an authorized right of way agent, provide the	49 CFR 24.5 24.203 ODOT Right	<b>Yes</b> , the LPA, through an authorized right of way agent, provided the displaced person(s) with the required General Information Notice,	

#	CORE QUESTIONS	CITATION	ANSWER	COMMENT
	displaced person(s) the required relocation notices in person or via certified mail, including at least 90 days advance written notice of the earliest date by which they may be required to move?	of Way Manual, Chapter 6	<p>Notice of Relocation Eligibility and the 90 Day Notice, including at least 90 days advance written notice of the earliest date by which they were required to move and these notices were delivered in person or via certified mail.</p> <p><b>No</b>, the LPA, through an authorized right of way agent, did not provide the displaced person(s) with the required General Information Notice, Notice of Relocation Eligibility and 90 Day Notice including at least 90 days advance written notice of the earliest date by which they were required to move and/or these notices were not delivered in person or via certified mail. (Comment required)</p> <p><b>N/A</b>, requirement does not apply. (Comment required)</p> <p><b>Don't Know</b>, could not be verified at the time of review. (Comment required)</p>	
RW 11	Prior to being required to move, was the person(s) to be displaced from his or her dwelling provided with at least one comparable replacement dwelling by an authorized right of way agent?	49 CFR 24 ODOT Right of Way Manual, Chapter 6	<p><b>Yes</b>, the person(s) to be displaced from his or her dwelling was provided with at least one comparable replacement dwelling, by an authorized right of way agent, prior to being required to move.</p> <p><b>No</b>, the person(s) to be displaced from his or her dwelling was not provided with at least one comparable replacement dwelling, by an authorized right of way agent, prior to being required to move. (Comment required)</p> <p><b>N/A</b>, requirement does not</p>	

#	CORE QUESTIONS	CITATION	ANSWER	COMMENT
			<p>apply. (Comment required)</p> <p><b>Don't Know</b>, could not be verified at the time of review. (Comment required)</p>	
RW 12	<p>Were all eligible expenses provided by an authorized right of way agent to the displaced person once the LPA determined that such expenses are actual, reasonable and necessary through move inspections and monitoring?</p>	<p>49 CFR 24</p> <p>ODOT Right of Way Manual, Chapter 6</p>	<p><b>Yes</b>, all eligible expenses were provided by an authorized right of way agent to the displaced person once the LPA determined the expenses to be actual, reasonable and necessary through move inspections and monitoring.</p> <p><b>No</b>, all eligible expenses were not provided by an authorized right of way agent to the displaced person once the LPA determined the expenses to be actual, reasonable and necessary through move inspections and monitoring. (Comment required)</p> <p><b>N/A</b>, requirement does not apply. (Comment required)</p> <p><b>Don't Know</b>, could not be verified at the time of review. (Comment required)</p>	
RW 13	<p>Was the property owner paid the agreed upon purchase price, or in the case of condemnation, a deposit of not less than the LPA's approved appraisal of fair market value, or court award made before requiring the owner to</p>	<p>23 CFR 710.309</p> <p>49 CFR 24.102 (j)</p> <p>ODOT Right of Way Manual, Chapter 5, Section 5.170</p>	<p><b>Yes</b>, the property owner was paid the agreed upon purchase price or deposit / court award was made before the owner was required to surrender possession.</p> <p><b>No</b>, the property owner was not paid the agreed upon purchase price or a deposit / court award was not made before the owner was required to surrender possession of their property.</p> <p><b>N/A</b>, requirement does not apply. (Comment required)</p>	

#	CORE QUESTIONS	CITATION	ANSWER	COMMENT
	surrender possession?		<b>Don't Know</b> , could not be verified at the time of the review. ( Comment required)	
RW 14	Did the LPA acquire an adequate interest in the real property for the construction, operation, maintenance and safety of the right of way facility and its users?	23 CFR 24 23 CFR 710	<p><b>Yes</b>, the LPA acquired an adequate interest in the real property for the construction, operation, maintenance and safety of the right of way facility and its users.</p> <p><b>NO</b>, the LPA did not acquire an adequate interest in the real property for the construction, operation, maintenance and safety of the right of way facility and its users. (Comment required)</p> <p><b>N/A</b>, requirement does not apply. (Comment required)</p> <p><b>Don't Know</b>, could not be verified at the time of review. (Comment required)</p>	
<b>ADDITIONAL QUESTIONS</b>				
	Insert Question			
	Insert Question			