



Application to Use or Purchase Real Property

Right of Way Property Management -- Form# 734-5527

Name

Company Name

Address

Address Line 1

Address Line 2

City

State

Zip Code

Daytime Phone

Evening Phone

Email

Reason for applying:

Please indicate what you intend to do with the property. This box expands, so please give a full explanation.

Please indicate your interest:

☐ Lease

☐ Buy

☐ Short term rental

☐ Permit (limited uses, landscaping, grazing, access, etc.)

With this application, please include a map, drawing, photos or any documentation that may assist us in determining the property you are seeking to use or buy. Once we have received your application, you may be asked to provide additional information or documents about the property or your proposed use.

Signature

Date

Contact Information:

ODOT - Mill Creek Bldg.

Attn: Property Management Unit

555 13th Street NE

Salem, OR 97301

Email: ODOTPropertyManagement@odot.oregon.gov

Right of Way Property Management

Thank you for your interest in ODOT property.

In order to assist you in your request, it is important that you read through the accompanying material and submit your application with as much information completed as possible.

The information provided with this application is there to provide you with guidance on what is possible for ODOT to do for you and to help you understand how we process your request.

Although you are submitting your request to the Property Management Unit, depending on what your needs are, we may forward your application to others at ODOT who may be better able to assist you. We will strive to keep you informed of the status of your application.

Please understand that ODOT owns thousands of properties across the state and we receive many requests to buy or use our property. We strive to provide good service to the citizens of our great state, but it is simply not possible to meet everyone's needs. It is our goal to help you understand what we can do for you and let you know as soon as possible if we are able to move forward on your request.

The Property Management Staff

Right of Way Property Management

Requesting to Use or Buy ODOT Property

The following information is provided to help you understand the process when you request to use or buy ODOT property.

How and Why ODOT Owns Property

ODOT is a public agency, responsible for managing properties in support of the development of transportation needs in the state.

How We Pay for Property

ODOT receives public funding, primarily from the gas tax, as well as other sources, all of which is deposited into the Highway Trust Fund. Because our funding comes from a trust fund, ODOT has very strict rules governing the use of disposal of properties acquired with these funds. One of our main responsibilities is to ensure that when we no longer need a property, any usage or sale returns fair market value to Oregon's taxpayers and the Highway Trust Fund.

Why We Own Property

ODOT owns property for the purpose of developing and maintaining the state highway system for various mission supporting reasons. These include roads, maintenance facilities to maintain those roads, stockpile sites to store road material, quarries to obtain rock or fill to build or maintain roads, and wetland mitigation sites to offset wetlands that may have been damaged while building roads. As such, in addition to the roadway itself, we have various other purposes for property usage. While we typically aim to purchase only the necessary property intended for our immediate use, we may acquire more, due to sellers' circumstances or project changes. It is also important to note that we may possess property for intended future use as well. Under certain circumstances, we are able to allow the temporary use of portions of these properties as long as it does not compromise the safety of our transportation system or the value of taxpayer assets.

What Happens When You Request to Use ODOT Property

When you submit an inquiry to use or buy ODOT property, several things may happen:

- We review what you are requesting of us
- We determine the specific location of the property
- We verify whether we own it
- We determine the current status of the property
- We log information about your request into our queueing system
- Our inquiry review team reviews your request and the information that has been obtained through additional research
- We may request additional information from you
- We respond back to you based on the review process

Our Goal is to Give You a Timely Response to Your Request

After the Property Management Unit's initial review is complete, you will be notified of our decision, usually within 30 days. If your request is denied, our decision at this point is final; there is no appeal process. You are, of course, free to make the same request sometime in the future. Circumstances can change, but our decision is usually based on regulatory constraints, workload projections and associated costs. Therefore, you may want to wait before submitting your request again.

The most commonly requested transactions include a lease agreement or a surplus sale of property.

The Lease Agreement Process

If your lease request is accepted, and after preliminary research is completed, the process of creating a lease agreement for ODOT property can begin. The following items are the responsibility of the lessee to

provide and pay for. these are the most commonly needed items, but they are not limited to this list:

- Survey and design plans (if applicable)
- Creation of legal description and map
- Fair Market Value Rent Study completed by an appraiser from the ODOT Qualified Appraiser List (QAL)
- First lease payment paid in advance of lease start date
- Certificate of Insurance

The Purchase of Surplus Property

If your surplus request is accepted, the sale will commonly fall into one of two categories: A direct sale or a sale in which a public auction is required.

The Direct Sale Process

There may be physical or other developmental constraints affecting a property that would preclude it from being sold by public auction. When a property qualifies as a direct sale, the following items are the responsibility of the purchaser to provide and pay for. These are the most commonly needed items, but they are not limited to this list:

- Survey and design plans (if applicable)
- Creation of legal description and sketch map
- Fair Market Value Appraisal completed by an appraiser selected from the ODOT Qualified Appraiser List (QAL)
- Completion of any land use planning actions to create a legal lot of record
- Drafting the deed (for property line adjustments)
- Payment in full of fair market value purchase price

The Public Auction Process

After preliminary approvals are completed, a decision is made to move forward with selling the property through a 30-day sealed bid process, which is open to the public. In this case, ODOT will complete the necessary procedures to prepare the property for sale. In the case of a public auction, the following are the most common costs that the purchaser may be responsible for, but is not limited to this list:

- Submission of bid during the 30-day auction period
- Completion of any land use planning actions to create a legal lot of record (if applicable)
- Payment in full of fair market purchase price as agreed to in a successful bid

How Long Do These Processes Take?

Depending on staff availability and the volume of property inquiries, it sometimes takes up to a year for an agent to be assigned a file. Once assigned, the timeline for a lease or a direct sale will depend on the complexity of the request, and unforeseen circumstances affecting the property, and the applicant's response time. It can take time to contract with surveyors and appraisers, who are also involved in the

process. On average, when everything progresses smoothly, the process typically takes between 2-12 months for a lease, and 1-2 years for a surplus sale, with these timeframes starting once the file is assigned to an agent.

File Closure and Resubmission Period

If an individual or entity initiates an inquiry with ODOT and fails to maintain communication for a minimum period of 30 days during the open file period, their file will be closed, requiring them to resubmit their inquiry and be placed at the end of the queue.

For Informational Purposes Only

This information packet does not represent an acceptance of your inquiry. It was designed to provide you with a general understanding of our processes, costs and responsibilities you may incur as a result of pursuing ODOT property for lease or purchase.

We appreciate your interest in ODOT property and hope this information is helpful to you. For additional information, please visit our website at: ODOTProperty.com or scan the QR code below.



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