



*Property Acquisition
for
Transportation Projects in
Prince George's County*



Your home is one of your most valuable possessions.

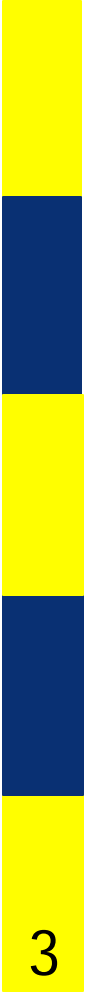
“There’s no place like home.”

As one of your most valued possessions, your home offers memories, tranquility and provides the stability required to meet your family’s future financial needs. When Prince George’s County decides to construct new roads and facilities as part of its Capital Improvement Program, decisions to relocate can be difficult. That is why we in the Department of Public Works and Transportation (DPW&T) have prepared this brochure to help explain the real estate acquisition process.

“Our Philosophy.”

First, we try to avoid the need to acquire property in connection with our projects. If property must be acquired in order for construction to occur, we believe that we must provide the maximum benefits allowable by law. Second, we believe that we must make full disclosure to our residents about all of their legal rights related to compensation for their property. We understand that moving from one’s home is unsettling. That is why we want to do everything we can to make the process easier.





When the County decides to construct new roads and facilities, it may be necessary to impact or displace established residences and businesses. This is never an easy or pleasant process. Our promise to you is that we will make every effort to assure that those who must be relocated are compensated fairly, and experience a minimum of distress and a maximum of understanding and assistance. Every attempt will be made to give you sufficient time for relocation, and you will not be required to move until replacement housing or business location is available.

The Acquisition Process

The County acquires property in the same manner in which you acquired your property, through negotiation and purchase. If your property is needed for public use, you will be contacted by the DPW&T's Right of Way Division. We will notify you of our intention to acquire your land. Once notified, information on your property will be obtained and used while appraising your property. If the appraised value of your property is acceptable to you, then a contract will be drawn up in which both the County and the property owner commit to the purchase price. If agreement is not reached, in accordance with County law, then the County may apply to the Court to acquire the property through eminent domain (condemnation) proceedings. The County may acquire a portion or all of your property, depending on its project requirements.

Partial Acquisition

In the event a partial acquisition of your property is necessary, the County will:

- Obtain title reports to determine ownership of property, liens and mortgages;
- Hire independent outside appraisers to appraise the property;
- Hire additional independent review appraisers to examine the appraisals; and
- Contact the property owner to begin negotiations to purchase the property needed for the project.

If the County's offer is satisfactory to the property owner, he/she will be asked to sign an option contract agreeing to the price and granting the County the right to begin construction on the property. Following this, a deed and/or easement agreement will be signed by the property owner after payment by the County.



Total Acquisition

In the event total acquisition of your property is necessary, the County will:

- Obtain title reports indicating ownership of the property to determine liens and mortgages;
- Hire independent outside appraisers to appraise the property;
- Hire additional independent appraisers to review the appraisals; and
- Contact the property owner to begin negotiations to purchase the property in full.

If the County's offer is satisfactory to the property owner, he/she will be asked to sign an option contract agreeing to the purchase price of the property. The County does not begin construction on the property until after the property owner moves.

DPW&T's Right of Way Division provides two services designed to ease problems which may result from the total acquisition of your property for public projects:

- Relocation Advisory Assistance will provide assistance in finding a new home or business location.

In addition to paying the fair market value for the property required, the County may reimburse owner occupants for certain relocation expenses. As applicable, these include:

- Moving costs;
- Replacement housing differential;
- Interest subsidy to defray cost of higher interest rates on replacement mortgage;
- Closing costs;
- Miscellaneous expenses; and
- Incidental expenses.

Relocation Assistance



Frequently Asked Questions

What is the first activity involving the acquisition of my property?

The name of the property owners and the amount of property required for the project will be determined. Title reports are obtained for each property, and the Land Records are researched to confirm ownership. The Land Records contain information such as: the date the property was acquired, the name of former owners, the purchase price, and where the deed can be found on record. Also, tax records are researched to determine the amount of assessed value and the amount of city, county and school taxes paid. All of the above information will help to determine the appraised value of your property.

How is the value of my property determined?

Appraisals will be made by qualified independent licensed appraisers. These appraisals will be based on the fair market value of your property. An owner is always given the opportunity to accompany the appraiser during the inspection of the property. Each appraisal is reviewed by a qualified independent review appraiser.

What is the “fair market” value of a property?

“Fair market” value is the price which would be arrived at by someone who is willing to buy from someone who is willing to sell without any compulsion on the buyer to buy or the seller to sell. The “fair market” value of a property is determined in the same manner as is the market value of any other commodity—by determining what other similar and comparable properties have sold for on the recent open market.

Frequently Asked Questions

How is income producing commercial property appraised?

The appraisal usually is based on the capitalization of the projected net income of the property. Net income is calculated by deducting from the gross or total income all items of expense such as taxes, management, maintenance, insurance, utilities, and other costs. The prevailing capitalization rate is then applied to the net income thereby establishing a realistic value of the property.

How is property appraised when only a part of it is required?

If only part of the property is needed, then the entire property is appraised to determine the unit value (per square foot or per acre) of the land. The unit value of the land is then applied to the part of the property to be acquired. Such an appraisal is founded on the “fair market” value of the property as it exists “before” the acquisition. The determination of the value of the acquisition is the fair market value of the partial acquisition, plus any damages, if any.

Can the acquisition of part of a property increase the value of the remainder?

Yes. It is possible that following the acquisition, the remaining portion of the property could demand a greater price than it would have before the acquisition because of better accessibility, development of corner influence, etc. If it is shown that the property will increase in value because of improved location or other reasons, then the amount of such benefits may only be deducted from damages caused by the acquisition, if any. The property owner will be paid for the actual fair market value of the partial acquisition, even if the acquisition increases the value of the remainder.



Frequently Asked Questions

How do I know that the offer made is in the amount of the approved appraisal?

Procedure requires that the offer made for the property by the negotiator be in the amount of the fair market value of the property as determined by the review appraiser. An owner must also receive a written statement and summary of the basis for the amount established as the fair market value by the approved appraisal.

If the offer is acceptable, what happens?

An option contract is drawn up in which the County and the owner commit to the purchase.

Must I accept the County's offer?

No. If agreement cannot be reached, or if clear title to the property can not be conveyed, then in accordance with County law, the DPW&T may apply to the Court to acquire the property through eminent domain (condemnation) proceedings.

What are my rights under the law of eminent domain?

Eminent domain is a formal, civil action and is tried before the Circuit Court, which will impanel a jury of six people. The judge will review the material and arrange for the jury to view the property. Following the review of the property, witnesses would be called by both the County and the property owners to testify as to the value of the property. Following presentation of the case, the jury makes a decision on the award. This amount becomes the payment to be made by the County for the property.

Detailed and complete information can be obtained by contacting the Right of Way Division, Office of Project Management at the address and telephone number listed below:

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