***Drafter’s Note: To be Sent Following Preliminary Plan Approval***

(date)

(name)

(address)

(city, state, zip)

RE: Written Notice of the Intended Acquisition

Project: Parcel:

Dear (name):

The Missouri Department of Transportation (MoDOT)/ the Missouri Highways and Transportation Commission (MHTC) has planned an improvement project along *(Route and County, for example, U.S. Route 36 in Macon and Shelby Counties).* The improvement includes the *(Type of improvement and general location, for example, construction of two additional lanes along U.S. Route 36 from the east end of the divided lanes east of Macon to Shelbina).*

The project affects a portion of your property located on the *(For example, south side of Route 36, approximately 1.5 miles east of Olympic Avenue).* MoDOT is hopeful that because of the benefits derived from the project improvements that an agreement can be reached with you for the *(interest to be acquired, for example, land and temporary easements)* needed to improve *(route \_\_\_\_, highway \_\_\_\_\_, or interstate \_\_\_).*

In the next few months, a representative from the Missouri Department of Transportation will contact you to discuss the impacts to your property and schedule an in-person meeting at a time that is convenient for you.

Our records show that a Written Notice of Alternative Location and Design Letter was mailed to you on XX/XX/XXX.

This letter represents the written notice of the intended acquisition/60-day letter which you are entitled to by Chapter 523 of the Revised Statutes of Missouri. This means that if eminent domain is needed, there will be no action taken by the MoDOT towards condemning your property prior to 60 days from the date of this letter. Under Missouri Law, you are entitled to the following:

1. Regardless of whether eminent domain proceedings are necessary, you have the right to seek legal counsel at your own expense.
2. An appraisal determining just compensation will be prepared by MoDOT and provided to you for the affected area of your property, however you have the right to obtain your own appraisal at your own expense.

(Please be advised; if you choose to obtain an appraisal of your own, MoDOT requests submittal of the appraisal report for consideration at least 60 days from the date of this letter).

1. After consideration of the offer from MoDOT, which is based on just compensation, you have the right to make a counteroffer and engage in further negotiations.
2. If eminent domain proceedings are necessary, you have the right to receive just compensation determined preliminarily by court-appointed condemnation commissioners and, ultimately a jury trial.
3. If eminent domain proceedings are necessary, you have the right to seek assistance from the Office of Ombudsman for property rights, which is located in the Office of Public Counsel, as created under Section 523.277 RSMo.
4. If eminent domain proceedings are necessary, you have the right to contest the right to condemnation during the condemnation proceeding.
5. You have the right to exercise the right to request vacation of an easement as defined in the Missouri State Statutes under procedures and circumstances.

MoDOT is looking forward to working with you on this project. Should you have any questions please feel free to call (name) at (telephone number).

Respectfully,

(name)

Right of Way Manager

Phone number, email

**Form 236.10.7.3A (4/04/23)**