# Offer Letter – Tenant Owner – No Disclaimer

(For tenant-owned structures and tenant has right or obligation to remove structures, when owner has not executed a deed or disclaimer.)

***(Basis For Just Compensation Or Payment Estimate Should Not Be Attached)***

## USE DISTRICT LETTERHEAD

**(Date)**

**(Name and Address of Tenant Owner)**

Dear :

The Missouri Highways and Transportation Commission has approved a project to improve Route . In order to complete this improvement, it is necessary that we acquire your property as indicated on the engineering plans and described in the enclosed deed.

We encourage you to read the enclosed brochure, Pathways for Progress, and welcome your input regarding our offer. Should you have knowledge of additional factual data that affects the value of your property, we would be glad to take it into consideration.

Information presently available to us indicates that you are the owner of, and therefore have the right to remove, (a) certain structure(s) located on this property. We have asked the other parties having interests in this property for a written disclaimer stating they no longer have any interest in the structure(s). Because we have been unable to obtain a signed disclaimer, we are enclosing copies of a blank disclaimer form so that you may attempt to obtain it. The form should be completed by all present owners of the property. If your right to erect and maintain the structure was obtained from a tenant, the tenant must also complete the disclaimer.

In the event that you obtain the written disclaimer from the present owner(s) of the property, we are authorized to offer you $ in settlement for the structure(s) and property rights that we require. This amount has been estimated to be full and just compensation. In determining just compensation, consideration was given to the cost of reconstructing the structure(s) based on its (their) age, condition, utility and the amount by which it (they) contribute(s) to the overall value of the property.

This offer is subject to your success in obtaining a document from the present owner(s) disclaiming interest in the designated structure(s). This offer is also made with the understanding that upon payment of the just compensation, structures shall be delivered in their present condition (with the exception of normal wear and tear), to the Missouri Highways and Transportation Commission.

If you wish to remove any or all of the structures within the acquisition limits indicated on the deed, you may do so with the understanding that our offer will be decreased by an amount equal to the salvage value of each structure as follows:

 (Identify structure(s)) (Salvage Value)

 $

We wish to remind you that there are several rules and regulations that must be complied with when moving oversized objects on or over state highways, county roads or city streets. We recommend that you make yourself fully aware of these rules and regulations prior to retaining oversized structure(s). Should you elect to retain and remove any structure(s) listed above, you should notify the Highways and Transportation Commission’s right of way representative.

When you are prepared to accept or reject this offer, please contact your representative.

(Use the following paragraph when it is a requirement that the owner provide a TIN to MHTC.)

Regardless of your response, federal law requires that you provide the Missouri Highways and Transportation Commission with your correct taxpayer identification number (TIN), which is usually your social security number. We have attached a form for this purpose. Please complete the form and return to your commission representative or mail to: District Engineer

Should you decline to provide the requested information, the department is required to file Form 1099S with the Internal Revenue Service based on available information. Failure to provide us with your correct TIN may subject you to civil or criminal penalties imposed by federal law.

Use the following paragraphs when it is a requirement that the owner provide a TIN to an Escrow Agent.)

Federal law requires that you provide your correct taxpayer identification number (TIN), which is usually your social security number.

Should you decline to provide the requested information, the escrow agent is required to file Form 1099S with the Internal Revenue Service based on available information. Failure to provide your correct TIN may subject you to civil or criminal penalties imposed by federal law.

As explained in the enclosed Pathways for Progress brochure, you may be entitled to reimbursement for a portion of the current year’s realty taxes. To claim reimbursement, you must submit to this office the attached Prorata Real Estate Tax Claim form, properly completed, along with copies of paid tax receipts.

We greatly appreciate your cooperation in this matter. If you have any questions regarding the information in this letter or how to proceed, please contact (name of representative) at (phone#).

Sincerely,

Right of Way Manager

(County, Route, Job Number, Federal Project Number, Parcel Number)

(The brochure Pathways for Progress shall be delivered with this letter.)