

Sub-part 8401 – Right of Way

Chapter 03000 Acquisition

Purpose

100 Designate rules for acquisition agents

Rules for acquisition

200 MDOT shall conduct its acquisition functions in compliance with Section 43-37-1, et seq., of the Mississippi Code of 1972, as amended, and with 49CFR Part 24, as amended.

Conflict of Interest

300 Acquisition agents shall not have any interest, direct or indirect, in the real property being acquired that would in any way conflict with the acquisition. The Miss Dept of Transportation shall comply with 49CFR Part 24, as amended, and with 49-37-1, et seq., of the Mississippi Code of 1972, in the acquisition of property.

Initial Contact and Offer

400 MDOT shall make reasonable efforts to contact the property owner(s) or the authorized representative(s) to discuss: (1) MDOT's Fair Market Value Offer (FMVO) to purchase the property, including the basis for the amount of just compensation; and (2) MDOT's acquisition policies and procedures.

Value Determination Acquisitions

500 MDOT may determine that an appraisal is unnecessary because the valuation problem is uncomplicated and the fair market value is estimated at low value, based on a review of available data. Low value is defined as not exceeding \$10,000. A Value Determination acts as the offer of just compensation. When the acquisition agent provides a Value Determination offer of just compensation, the property owner is advised of their right to an appraisal.

501 An offer to buy an uneconomic remnant property shall expire in ninety (90) days, unless extended by MDOT.

502 All cites to the Mississippi Code are available at www.state.ms.us and all cites to the CFR are available at www.gpoaccess.gov.