

Pickering, John

From: Pickering, John
Sent: Thursday, April 29, 2004 4:44 PM
To: May, Ricky
Cc: 'David Foster'; Peyton, Lockett
Subject: RE: Easements

Ricky – After much discussion, the decision has been made to buy right of way for the silt basins instead of temporary easements. This is not just for the recent project in your District, but all projects in all six Districts. The reasons for buying right of way are as follows:

1. Right of Way Division can not easily put a true value on an easement.
2. In the past, with easements, every time MDOT was taken to court, MDOT lost and had to pay a lot of money to the property owner.
3. There have been temporary easements acquired in the past that ran out due to the time limit before the project was built; therefore, another easement had to be acquired. This could still be the case the way projects are moved about in the project schedule.

MDOT's decision to buy ROW instead of temporary easements is the result made at the present time. Your request to buy temporary easements instead of ROW can still be pursued in the future along with the other District Engineers. For consistency, we certainly do not want to buy easements in one District and ROW in another District.

-----Original Message-----

From: May, Ricky
Sent: Thursday, April 22, 2004 8:28 AM
To: David Foster
Cc: Pickering, John
Subject: Easements

What is the final decision on not buying ROW for temporary easement needs.

i.e.Hwy 19 Meridian to Philadelphia493.....Lauderdale

We don't need to buy it and turn around and sell it surplus after project is over