

# PROPERTY ACQUISITION PROCESS

INFORMATION SHEET

MAY 2019



## THE PROCESS

### DESIGN SHOWS NEED FOR PROPERTY RIGHTS

The Project Designers (U.S. Army Corps of Engineers, Diversion Authority consultants, or the P3 Developer) inform the Program Management Consultant (PMC) of required property rights needed for the Project.

### DIVERSION AUTHORITY APPROVAL TO BEGIN

The Diversion Authority Finance Committee reviews the need for property rights, along with the budget, and if approved, approves a Land Acquisition Directive. Cass County Joint Water Resource District (CCJWRD) is the designated acquiring agent for property rights in North Dakota for the Project. The City of Moorhead and Clay County will form a Joint Powers entity (the MCCJPA) to acquire property rights in Minnesota.

### INITIAL CONTACT WITH PROPERTY OWNER

The PMC directs Land Agents, who are contracted to CCJWRD or MCCJPA to make initial contact with property owners, and serve as a point of contact through the acquisition and relocation process. The Land Agents will guide the property owners throughout the process.

### RIGHTS OF ENTRY REQUESTED TO SURVEY PROPERTY

A Right of Entry may be needed to conduct a boundary survey, which defines the exact location of the necessary property rights.

### DETERMINATION OF FAIR MARKET VALUE

An appraisal of the property rights required for the project is ordered from a qualified and licensed appraiser. The appraisal must follow state and federal standards. The draft appraisal report is submitted for review to ensure consistency of methodology, quality assurance, and conformance with state and federal standards.

### OFFER OF JUST COMPENSATION

The reviewed appraisal report and the value of Just Compensation is approved by the CCJWRD or MCCJPA in accordance with state and federal law prior to submitting an offer of Just Compensation to the property owner.

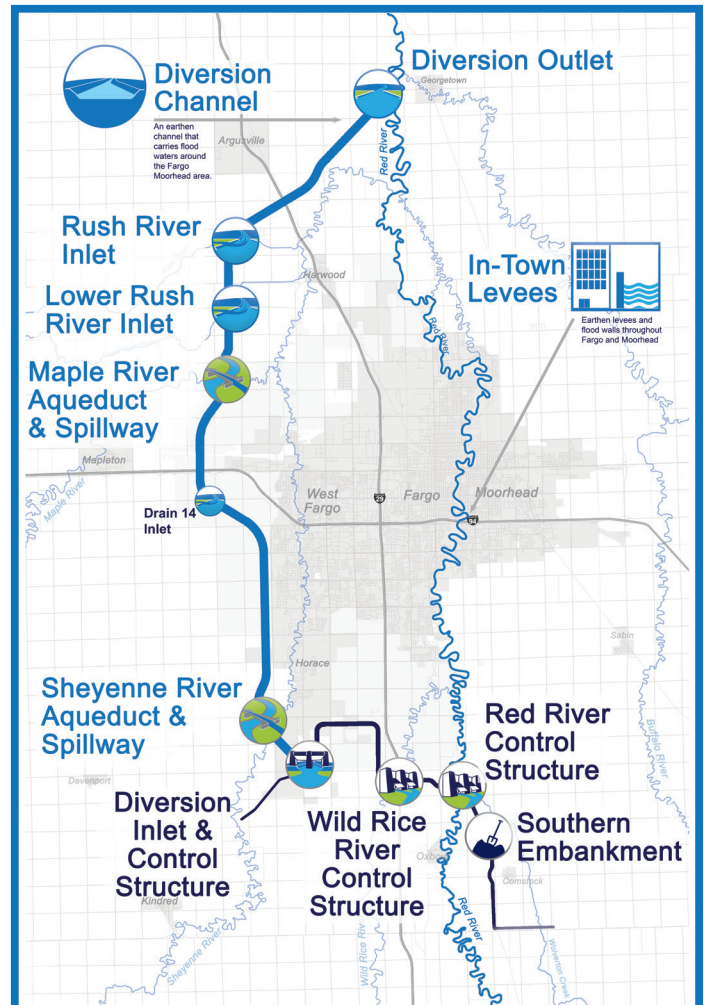
### RELOCATION & REESTABLISHMENT BENEFITS

If the property rights require acquisition of a residence, relocation benefits will also be offered to the displaced person(s). Relocation benefits include the cost to move into a similar home that is decent, safe, and sanitary. If the property rights require acquisition of a commercial property the relocation benefits will also be available to assist with the reestablishing the business

### PURCHASE AGREEMENT AND NEGOTIATIONS

The Land Agent will present a Purchase Agreement to the property owner for review and consideration. The Land Agent will work with property owners to review the Purchase Agreement and negotiate the most equitable acquisition terms for all parties involved. If the owner accepts the offer, the purchase agreement is signed and a closing date is set.

## THE PROJECT



#### Diversion Outlet

Water exiting the channel and entering the Red River.



#### River or Drain Inlet

Water from surrounding drainage areas that enter the Diversion Channel.



#### Aqueduct & Spillway

A structure that allows a river normally to cross the Diversion Channel and "spill" into the Channel during flood events.



#### Diversion Inlet & Control Structure

During times of extreme flooding, water behind the Southern Embankment will enter the Diversion Channel through the inlet.



#### Southern Embankment

The southern embankment is an earthen structure that temporarily holds water during extreme flood events.



#### River Control Structure

Control structures safely regulate the flow of water.

For more information visit  
[www.FMDiversion.com](http://www.FMDiversion.com)  
or call  
AE2S at (701) 364-9111.