



Attachment 9-9
SAMPLE NOTICE TO OWNER
REQUEST FOR DONATION

GUIDEFORM NOTICE TO OWNER
[Acquisitions under Subpart B of 49 CFR 24]

Grantee or Agency Letterhead

(date)

Dear _____:

The (City, County, State, Tribe, other) _____, identified herein as the Agency, issued you a letter expressing its interest in acquiring your property at (address) _____ for a project that might receive federal funding. The letter and the information that accompanied the letter advised you of your rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA).

This information informed you that in order to determine just compensation for your property that an appraisal of your property will be required unless the value is less than \$10,000 and the valuation is believed to be uncomplicated. (Just compensation for properties whose values are estimated to be less than \$10,000 can be established under the waiver valuation guidance found at 49 CFR 24.102(c)(2)(ii).) If your property is selected for acquisition, you are to be offered just compensation for your property. While you have the right to be offered and to receive just compensation for your property, the Agency can request that you consider donating your property for the proposed project. This request is in compliance with the regulations at 49 CFR 24.108 Donations:

“An owner whose real property is being acquired may, after being fully informed by the Agency of the right to receive just compensation for such property, donate such property or any part thereof, any interest therein, or any compensation paid therefore, to the Agency as such owner shall determine. The Agency is responsible for ensuring that an appraisal of the real property is obtained unless the owner releases the Agency from such obligation, except as provided in Sec. 24.102(c)(2).”

With respect to the Agency’s request that you donate your property for the project, we ask that you consider selecting one of the two options listed on the attached Property Donation Agreement. Please keep in mind that you are not required to set aside any of your rights, and

that the attached Property Donation Agreement does not need to be returned unless you do voluntarily decide to select one of the Donation choices listed.

If you have any questions about this letter and the referenced Property Donation Agreement, please contact (name) _____, (title) _____, (address) _____, (phone) _____.

Sincerely,

(name and title)

Enclosure

NOTES.

1. There is no requirement for an Agency to issue a donation letter to a property owner.
2. This donation letter is a guideform. It should be revised to reflect the circumstances.
3. This donation letter does not set aside the requirement that a notice to the owner, as required under 49 CFR 24.102(b) for acquisitions subject to 49 CFR Part 24, Subpart B, be issued as soon as possible to notify the owner in writing of the Agency's interest in acquiring the real property and of the basic protections that are provided to the owner by law and Subpart B.