FREQUENTLY ASKED QUESTIONS

When will I know if my property is going to be purchased?

The location and design of a project must first be determined before preliminary land acquisition activities can begin. You will not be approached to discuss the specific sale of your property until a thorough analysis and a sound appraisal have been made to protect your interests.

What happens if only part of my property is acquired?

You will be compensated fairly and equitably, if the loss of a portion of your property reduces the value of the remaining property.

Will I have time to find a new home?

As with other real estate transactions, a month or two is needed to complete sale details after you sign the conveyance documents. If your property is needed immediately, you will have time to relocate; if your property is not needed immediately, arrangements to continue living on your property may be made.

What if I need financial help in relocating?

IDOT's Relocation Assistance and Payments Program can help you when displaced by highway and railroad activities. IDOT will send you a letter outlining in detail the benefits available.

When will I receive payment?

In most cases, payment will be made within three months from the date you signed the deed.

How is the loan on my property affected?

Your lending institution may require part or all of the proceeds of the sale. Your actual situation will depend on the status of your loan and the portion of your property sold to the State.

Will I have to pay income tax on the sale of my property?

IDOT cannot provide tax advice; you should consult a tax advisor. Relocation payments, however, are not considered as income.

Division of Public and Intermodal Transportation

James R. Thompson Center
100 W. Randolph Street, Suite 6-600
Chicago, IL 60601-3229
(312) 793-2111

Division of Highways

Harry Hanley Building
2300 S Dirksen Parkway, Springfield, IL 62764
(217) 785-0888

District 1
201 West Center Court, Schaumburg, IL 60196
(847) 705-4000

District 2
819 Depot Ave., Dixon, IL 61021-3546
(815) 284-2271

District 3
700 East Norris Dr., Ottawa, IL 61350-0697
(815) 434-6131

District 4
401 Main St., Peoria, IL 61602-1111
(309) 671-3333

District 5
13473 IL Hwy 133, P.O. Box 610
Paris, IL 61944-0610
(217) 465-4181

District 6
126 East Ash St., Springfield, IL 62704-4792
(217) 782-7301

District 7
400 W Wabash, Effingham, IL 62401-2699
(217) 342-3951

District 8
1102 Eastport Plaza Dr., Collinsville, IL 62234-6198
(618) 346-3100

District 9
State Transportation Building
P.O. Box 100, Carbondale, IL 62903-0100
(618) 549-2171

State of Illinois
Illinois Department of Transportation

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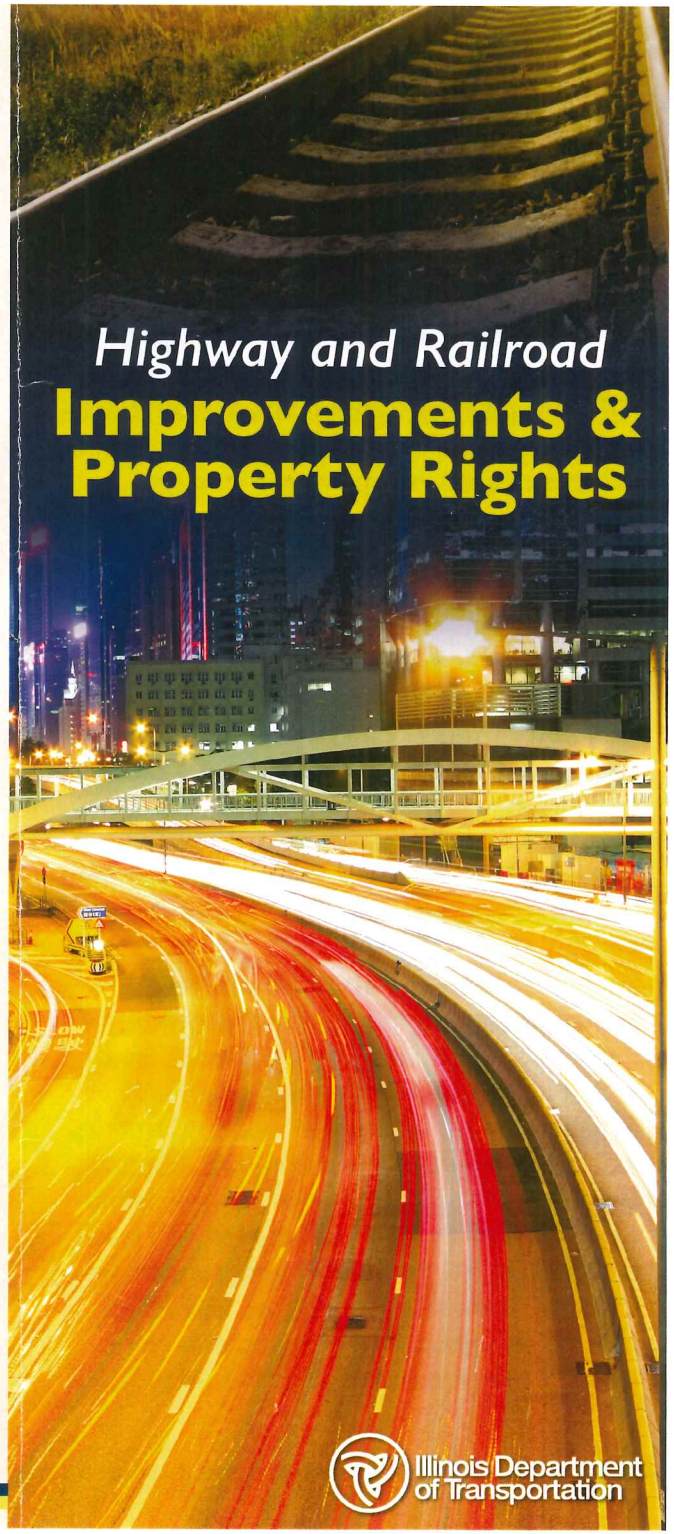

Highway and Railroad Improvements & Property Rights

Illinois Department of Transportation

HIGHWAY AND RAILROAD IMPROVEMENTS

From time to time, the Illinois Department of Transportation (IDOT) will need to obtain private property for highway and railroad improvements, including, but not limited to, the addition of lanes to highways, the reconfiguration of existing roadways, or the installation of new rail lines and stations. Although every effort is made to avoid displacing landowners, IDOT will pay just compensation, plus relocation costs, if applicable, to individuals, families, and businesses that have their property acquired for these transportation purposes.

IDOT has established policies and procedures for the acquisition of property to ensure that both private and State rights are protected. These policies and procedures require a high standard of integrity and professionalism by IDOT and its agents in the acquisition process. In addition, the program allows for full consideration of social, economic, and environmental impacts and for meaningful input from the public and affected property owners.

Each year, IDOT develops a multi-year improvement program that is approved by the Illinois legislature. The program is used to appropriate money for the design and construction of transportation improvements, including highways and railroad facilities. However, prior to building new or relocating existing facilities, IDOT will confer with local officials and will hold public meetings in order to inform interested citizens, as well as to provide an opportunity for people to voice their opinions regarding the proposed projects.

PURCHASE OF PROPERTY

The State's authority to take private property for public purposes, upon payment of just compensation to the owner, is provided by eminent domain. This authority is granted by the laws of the Illinois and United States' constitutions. While the State of Illinois has the right to acquire property under these laws, the final decision to purchase your property can only occur after a thorough study and a determination that the selected location of the improvement is the best one to address a particular project's purpose and need.

When you sell your property to the State of Illinois, you are afforded some benefits within the process. Among these benefits are the following:

1. Your are offered fair market value, just as if you sold your property under normal sale conditions.
2. You will not pay settlement expenses, as the state pays for title evidence and accessory documents.
3. You will receive a cash payment for the property.
4. If you are displaced, relocation assistance and payments are available to eligible property owners.

Before property is acquired, IDOT works with government agencies and private entities to ensure that the project meets all applicable requirements, which may include, but are not limited to, the adherence to design standards, safety measures, and environmental regulations.

The following steps occur during a typical land acquisition process:

- **Selection of right of way or improvement location**
  After public meetings are held, and the railroad facility and / or roadway improvement location has been established, plans are completed based on the construction requirements for the particular type of improvement. Detailed plans are then prepared.
- **Establishing a property value**
  Real estate professionals assist IDOT with determining compensation, which is based on an analysis of the current real estate market. All appraisals are evaluated by a review appraiser.
- **Informing property owners**
  A real estate professional contacts each property owner, pointing out the area to be acquired, construction features, and other pertinent data for the relevant improvement. He or she will answer questions from the property owner.
- **Making an offer to purchase**
  The purchase offer will be made in writing and will match the established property value. This offer will not be modified, unless items affecting the real estate value were overlooked. An IDOT representative will be available for any questions from the property owner.
- **Deciding on the offer**
  Each property owner will have a reasonable amount of time to consider the offer for the property. The sale is concluded in a similar manner to other real estate transactions.
- **Receiving relocation assistance**
  If displaced, the occupant of an improved property (e.g. a house or business) may be eligible to receive relocation assistance and payments.