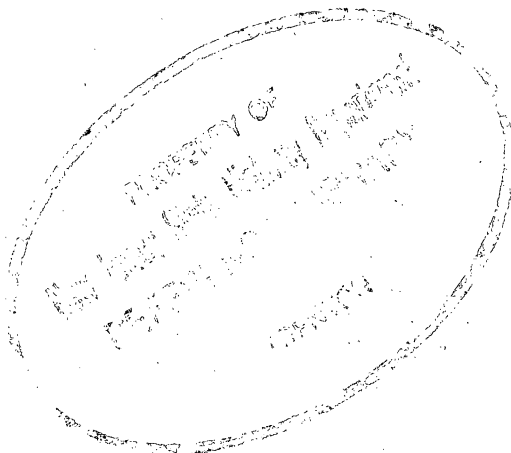


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OPERATIONAL
GUIDE LINES FOR
RELOCATION ADVISORY SERVICE
AND
REIMBURSEMENT OF MOVING COSTS



DIVISION OF RIGHT OF WAY ACQUISITION & TITLES
NEW JERSEY STATE HIGHWAY DEPARTMENT

JANUARY 1963

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REQUIREMENTS

The Federal Highway Act of October 23, 1962 requires that State Highway Departments shall provide Relocation Advisory Assistance for eligible persons displaced by acquisition or clearance of Rights of Way for Federal-Aid Highways, and shall compensate eligible persons for their reasonable and necessary moving expenses caused by their displacement from real property acquired for any Federal-Aid Highway project where State Law permitted such relocation payments.

New Jersey State Assembly Bill 818 dated January 9, 1963 authorizes the New Jersey State Highway Commissioner to make payments for reimbursement of moving costs to eligible persons displaced by acquisition or clearance of Federal-Aid Highways.

The Bureau of Public Roads P.P.M. 21-4.4 dated November 9, 1962 prescribes the requirements to be met by the States and the extent of Federal participation in costs incurred by the States in providing Relocation Advisory Assistance and Relocation Payments.

PURPOSE

The purpose of these Guide Lines is to outline the Procedures and Policies to be followed in complying with the intent of the Federal and State Laws and the requirements of the Bureau of Public Roads contained in P.P.M. 21-4.4.

ORGANIZATION AND STAFF

The Property Section of the Bureau of Appraisals and Negotiations of the Division of Right-of-Way Acquisition and Titles of the New Jersey State Highway Department presently maintains records of matters concerning improved properties from initial programming status to vacation and final disposition of the improvements on these properties. Its organization includes not only personnel in the Central Office at Trenton but

one or more Representatives in each District Office who is nearby and available to each Right-of-Way Project.

The Property Section shall be assigned the basic additional responsibility for carrying out the Relocation Assistance and Payment Procedures hereinafter specified. To provide for these additional responsibilities it shall be reorganized to contain two coordinating offices as follows and its staff and facilities shall be enlarged as work requirements demonstrate the necessity.

1. Improvement Office
2. Relocation Office

To provide a Master Control the Property Section Master Log Book page, Form RE85, has been revised into two parts:

Form RE85A - Improvement Office Master Log Book Page

Form RE85B - Relocation Office Master Log Book Page.

The Relocation Office form is designed to provide for pertinent control data and shall be kept in individual log books by District, Route, Section and Project at the Central Office at Trenton.

The Supervisor of the Relocation Office shall have the responsibility of coordinating with the Improvement Office Supervisor the arrangements necessary to maintain the Relocation Office log book data concurrent with that of the Improvement Office log book data.

All other Property Section procedures presently in operation shall remain as defined in the Property Section's existing Guide Lines unless hereinafter otherwise revised.

PROCEDURES
(Programming)

Programming and submissions to the State Highway Commissioner or to the Bureau of Public Roads is the concern of the Director's Office and shall be made in the same manner and over the same signatures as all Program and Project Certifications are now made with the exception that in addition to the parcel by parcel Right-of-Way Cost Estimates which accompany processing requests, the District Right-of-Way Office preparing the estimate shall include by separate amount an estimate of the cost that will be incurred in providing moving costs to eligible persons on the project and a summarized list of affected eligibles by category.

The amount of this additional estimate shall accompany the project approval submission to the State Highway Commissioner with the usual request for approval together with a further request that authority be granted to make incidental payments to eligible persons for moving costs against this account as such payments become an obligation of the State.

The intention of this Procedure is to not only provide necessary moving cost funds on each Federal-Aid Highway Project but to provide an accounting process which will eliminate the necessity of an individual Commission Action for each payment made to an Owner or Tenant.

At all required Public Hearings concerning the adoption of a Federal-Aid Highway alignment, the Assistance and Relocation Program will be discussed. This phase shall be handled by a Public Relations Bureau Representative (assigned to the Division of Right-of-Way Acquisition and Titles to assist in such matters).

If plans are not finalized or negotiations are not begun on a project until considerable time after the public hearing, the Public Relations Bureau Representative shall arrange for such additional notices or News Releases as may be deemed necessary to keep the Public advised as to availability of the Assistance and Relocation Program.

ELIGIBLE
PERSONS
(Advisory
Service)

Eligibles for Advisory Assistance are limited to families displaced by acquisition or clearance of rights-of-way for any Federal-Aid Highway.

ELIGIBLE
PERSONS
(Moving cost
Payments)

Are defined to mean any individual, any family, any business concern (including operating farms) or any non-profit organizations to be displaced by construction of a Federal-Aid Highway Project from the real property they have occupied as an owner or tenant for at least 60 days prior to the date that the State Highway Commissioner gives written notice to the record owner that said property is to be acquired for a Federal Highway Project.

WRITTEN NOTICE
TO RECORD OWNER
(Prior to
Negotiations)

The written notice to the record owner referred to in the law shall be construed to be the "standard" letter which the Supervisor of the Bureau of Appraisals and Negotiations customarily forwards to owners whose properties are to be affected by a Highway Project.

This letter shall be so timed as to approximate the start of active property inspections and appraisals on a particular project or section of a larger project. On those properties where occupied improvements are taken thus affecting eligible persons, the letter shall be forwarded by certified mail to each owner of record thereby establishing an incontrovertible record of the date of notice to said owners.

This letter shall contain a reference to the availability of the State's Assistance and Relocation Program as well as a copy of the State Highway Department's booklet "Right of Way." Attached to the booklet will be an explanatory supplement concerning the details of the Assistance and Relocation Program (see attached booklet and supplement).

Distribution of the letter shall be as follows:

1. Original to owner.
2. First copy to Property Section Office.
3. Two copies to Property Section's District Office Representative.

Notation of the mailing of this letter of notice shall be the first work status item listed on the Relocation Office Master Log Book.

WRITTEN NOTICE
TO TENANTS
(Prior to
Negotiations)

Upon receipt of copies of letters to record owner, the Property Section's District Representative has the responsibility to prepare an occupancy report (form attached) furnishing details concerning occupancies and usage of property. The intent of this form is to establish a written record of eligible persons. It shall be distributed as follows:

1. Original to Property Section - Trenton.
2. First copy to District Supervisor responsible for acquisitions on the Right-of-Way Project.
3. Second copy to be retained by the Property Section District Representative.

Upon receipt of Occupancy Report, the Relocation Office shall enter the details in the appropriate log book and notify eligible tenants by letter of the Assistance and Relocation Program and services available to them. This process will serve to complete the notification to all eligible persons of

the State's Assistance and Relocation Program prior to negotiations as is required by the procedures outlined in the Federal Bureau of Public Roads P.P.M. 21-4.4.

RECORD OF
ELIGIBLE
PERSONS

The records of eligible persons shall be recorded in the appropriate log books. All Price Approval Sheets prepared by the District Offices concerning properties on which eligible persons are located shall contain, under tenant data, a summary of the occupancy report and item No. 1 under "call data" on the Price Approval Sheet shall contain reference data to the written notices sent to eligible owners and tenants prior to institution of negotiations.

ALERT NOTICES
TO PROPERTY
SECTION

Through the insertion of these notations on the Price Approval Sheets, the Property Section shall automatically be alerted whenever cases, pertaining to eligible persons who may wish to utilize the relocation services, have been acted on. Also, by reason of the established Property Section operating procedures, the case files on all such cases will automatically be forwarded to the Property Section for processing.

ASSISTANCE DATA
SURVEYS
(Responsibility)

The Supervisor of the Relocation Office shall have the responsibility of coordinating and assembling information relating to the offering of Assistance and Relocation Payments to those eligible persons displaced.

Special files shall be prepared for the maintenance of information which is assembled. All material and data are to be kept up to date, and reviewed at periods no greater than (2) weeks. The Supervisor may delegate any phase of this survey but he has the ultimate responsibility to see that it is up to date and that assistance data is available for each project by or before the date the first property involving eligible persons presented to the State Highway Commissioner for formal action.

(Agencies to
be Surveyed)

The Supervisor shall maintain a written resume of the services which the following organizations may offer in the area of a project:

1. Urban Renewal
2. Redevelopment
3. Public Housing
4. Social Welfare
5. Chamber of Commerce
6. Federal Housing Authority
7. Veterans Administration
8. Public Loan Agencies
9. Citizens Advisory Committee
10. Real Estate Boards (Liaison Officers)
11. Plus Additional Agencies

SURVEY OF
AVAILABLE
LISTINGS
(Use of
Newspapers)

Practically every newspaper, urban or rural, carries real estate advertising of rentals and sales. Files shall be maintained in the Central Office of newspaper listings by County and Municipality.

The Bureau of Public Relations maintains subscriptions to the more prominent publications throughout the State. The Supervisor shall arrange with the Bureau of Public Relations to have the real estate listings contained in these publications delivered to the Property Section Office of the Right of Way Division on a daily basis so that there will be a current file of real estate listings contained in all major daily publications in the State.

If experience shows that the publications received by the Public Relations Bureau do not sufficiently cover the area of a specific Project, subscriptions for such additional publications as the Property Section Supervisor may deem necessary may be ordered for the active duration of a Project.

(Use of
Organizations)

Lists of properties offered for sale or available for rent shall be assembled from advice secured from Federal Housing Authority (if available) and from State, County or Local Real Estate Boards, Multiple-Listing Bureaus, Local Housing Authorities and other public organizations. This information is to be correlated by price range, type of property and by location. It is to be kept current.

Under no circumstances is information to be secured and listed from an individual real estate broker, builder, person or corporation.

The use of information secured in the above survey categories should make it possible for the State to offer positive and effective Advisory Assistance when requested and there should be little or no grounds for an owner or tenant to claim he has no place to go. The Relocation Service can therefore be expected to serve the dual purpose of improving Public Relations through aid and cooperation with owners and tenants and of aiding the State in the expeditious clearing of the rights of way needed for highway construction or improvement.

PROCEDURES FOR
OFFERING
ASSISTANCE

In order to facilitate an understanding of the several steps required to comply with the Federal Bureau of Public Roads P.P.M. 21-4.4, the following sections cover the steps to be followed in offering Relocation Advisory Assistance and arranging for Reimbursement of Moving Costs.

APPLICATIONS

Immediately following formal action by the State Highway Commissioner, the Relocation Office shall furnish all eligible persons to be displaced from a property with applications and accompanying instructions as to how they

may apply for Advisory Assistance and Moving Cost Payments. The instructions shall inform the applicants that they may contact the local Property Section District Office for any clarifications desired. The instructions shall be prepared in triplicate and distributed as follows:

1. Original to eligible person.
2. First copy to Central Office.
3. Second copy to District Property Section Representative.

PROCESSING
APPLICATIONS

(Advisory
Assistance)

All applications received shall be promptly processed and documented as part of the individual parcel file.

Applications received for Advisory Assistance shall be correlated by comparing the applicant's stated requirements with the survey data that has been assembled. While exact requirements may not always be met, it should be possible to indicate where and in what price range property for rent or sale, suitable to the applicant's requirements, is available.

As soon as possible thereafter, Public Agencies or Advisory Committees offering services which would appear helpful to the owner should be notified.

The individual should then be supplied with such pertinent information as the files disclose. He can quite properly be referred to the newspaper real estate listings on file and also be referred to the Secretary or President of local Real Estate Boards or to their liaison representative, or to the headquarters of any other organization which has filed property information or offered services to the Highway Department.

Every reasonable effort shall be made to bring to the attention of eligible persons housing suitable to their needs and desires. It is to be emphasized that the Relocation Advisory Service is in the interest of good Public Relations and that it is the intention of the State to fully comply with all Federal and State laws, rules and regulations.

However, it is to be understood that Relocation Advisory Assistance is not intended in any way whatsoever to be a Real Estate Brokerage Service. It is a referral service to assist affected persons and under no circumstances are applicants to be referred to individual brokers, builders or persons offering brokerage service for a fee or profit.

REIMBURSEMENT
OF MOVING
COSTS
(Limit of
Reimbursement)

New Jersey Assembly Act No. 818 limits maximum relocation payments to \$200 for residential furnishings. The number of reimburseable removals from a same property is limited only by the number of eligible persons.

Reimbursement of moving costs for commercial properties (including operating farms) is limited to \$3,000. No allowances are to be made for construction or improvements at the new location or for removal of trade fixtures (items considered as a part of the realty, or such items as are not the personal property of the eligible person). Moving costs for commercial properties is limited to removals not greater than 50 miles as measured in a straight line. Where an eligible individual or family occupies bona-fide living quarters on the same premises as a business or operating farm, such persons or families are considered a separate eligible person in determining the maximum amount of payment for relocation costs.

No payments shall be made until the following documentations and certifications have been furnished and the eligible person or family has vacated the premises to the State.

REMOVAL COST
APPLICATIONS

Applications for reimbursement of moving costs shall be processed and documented on the basis of the following procedures:

Eligible persons must obtain at their own expense and forward to the State two (2) estimates of the cost of removal. These estimates shall be from reputable movers and shall be made a part of the permanent case documentation.

Before approval of a moving cost estimate, the Property Office District Representative shall inspect the goods and property to be moved and transmit his findings to the Property Section Supervisor. Should the estimates appear inflationary, the Supervisor at his discretion may request further estimates. Following the approval of the estimates, the Supervisor shall notify the eligible party concerned in writing that he is authorized to proceed to move on the basis of the low estimate.

Any disagreement between the State and eligible person as to the amount of relocation costs to be paid, or as to eligibility, shall be submitted to the Director of the Division of Right of Way Acquisition & Titles for a determination in accordance with State Law. The records shall be documented in writing concerning any disagreements or denial of claims with the reasons therefor. Such documentation shall be made a part of the individual case file.

PAYMENT OF
REMOVAL COST
APPLICATIONS
(Documentation)

No payment for moving costs will be allowed unless the Relocation Supervisor has previously notified the applicant in writing of the approval of his moving cost estimate submitted to the State.

(Payment
Approvals)

When a claimant has relocated on the basis of the approved estimate, payment may be authorized upon his presentation of the mover's receipted bill and the presentation of an invoice on a State Form, together with completed moving cost certification (attached), to the Property Section Office. Payment, however, shall be restricted to the actual cost provided it does not exceed the amount of the approved estimate.

Upon approval of the itemized documentation and certification that the premises are vacant, the invoice may be processed to the State Highway Department Comptroller's Office for payment. Copies of all supporting documentation concerning payment approvals are to be made a part of the individual case file.

(Alternate
Payment Plans)

It is permissible on written application to the State by the eligible person for such eligible person to submit certified unpaid bills of the moving concern to the State for direct payment, provided such certified unpaid bill does not exceed the amount of the estimate previously approved by the State.

An eligible person may apply to the State for authority to move himself and present certified invoice not to exceed the amount of the mover's estimate previously approved by the State.

MISCELLANEOUS
(Documentation)

All steps shall be documented in the files. The log book items and individual status forms, in both the Central Office and District Offices shall be kept current through daily coordination

between the Central Office and the District Representatives. All miscellaneous status data, not specifically herein mentioned shall be posted on the individual status sheets. (Form RE-71(c) attached).

(Reoccupancy of Premises)

Where an eligible person has vacated the property, no relocation payments may thereafter be made to any party with respect to the subsequent occupancy of the same property.

(Storage Costs)

In any instance when, before the State has legal right of possession, an eligible person moves at the specific request of the State and it is necessary to store his personal property pending the completion of replacement housing, the cost of such storage, not to exceed a period of 60 days, may be included as part of the relocation cost. However, the total of such storage and moving costs cannot exceed \$200 in the case of a residential eligible and \$3,000 in the case of a business eligible.

**EFFECTIVE
DATE**

This procedure shall become effective immediately upon approval by the State Highway Commissioner and acceptance by the Federal Bureau of Public Roads. It shall be retroactive to include those Federal Aid Projects where relocation costs have been approved as eligible by the Federal Bureau of Public Roads. It shall include those eligible persons who have not relocated as of the approval and acceptance date, provided said eligibles make proper application in accordance with the procedures hereinbefore specified. State approval must be secured prior to the date of the eligible's relocation.

(Limiting Conditions)

As these processes and procedures apply to new laws, it is possible that new rulings and interpretations in respect to them will be made from time to time. These changes and interpretations will be made in writing and no changes in procedures are to be made without written authorization.

Form RE-71 (a)

NEW JERSEY STATE HIGHWAY DEPARTMENT
Division of Right-of-Way

VACATION OF BUILDINGS

Route _____ Section _____ Parcel No. _____

Owner _____

Your cooperation is required so that final payment for your property will not be delayed. Your agreement provides for the vacation of the buildings on the premises. Our representative must be on hand to receive the keys and certify that any buildings included in the transaction have been properly vacated in accordance with the terms of the agreement. You will be responsible for the condition of the buildings until the keys to the premises have been turned over to our representative personally.

Please phone or write to the address indicated below and our representative will arrange to be available at the time you intend to vacate, which according to the agreement is on or before _____
_____ . Owner to retain _____

Date _____

Keys received and premises
properly vacated.

(Title)

Form RE-71 (b)

NEW JERSEY STATE HIGHWAY DEPARTMENT
Division of Right-of-Way

VACATION OF BUILDINGS

Route _____ Section _____ Parcel No. _____
Owner _____

Your cooperation is required so that final payment for your property will not be delayed. Your agreement provides for the vacation of the buildings on the premises. Our representative must be on hand to receive the keys and certify that any buildings included in the transaction have been properly vacated in accordance with the terms of the agreement. You will be responsible for the condition of the buildings until the keys to the premises have been turned over to our representative personally.

Please phone or write to the address indicated below and our representative will arrange to be available at the time you intend to vacate, which according to the agreement is on or before _____
_____. Owner to retain _____

Date _____

Keys received and premises
properly vacated.

(Title)

Form RE-71 (c)

NEW JERSEY STATE HIGHWAY DEPARTMENT
Division of Right-of-Way

VACATION OF BUILDINGS

Route _____ Section _____ Parcel No. _____

Owner _____

Your cooperation is required so that final payment for your property will not be delayed. Your agreement provides for the vacation of the buildings on the premises. Our representative must be on hand to receive the keys and certify that any buildings included in the transaction have been properly vacated in accordance with the terms of the agreement. You will be responsible for the condition of the buildings until the keys to the premises have been turned over to our representative personally.

Please phone or write to the address indicated below and our representative will arrange to be available at the time you intend to vacate, which according to the agreement is on or before _____
_____. Owner to retain _____

Date _____

Keys received and premises
properly vacated.

(Tide)

Form RE-71 (d)

NEW JERSEY STATE HIGHWAY DEPARTMENT
Division of Right-of-Way

VACATION OF BUILDINGS

Route _____ Section _____ Parcel No. _____

Owner _____

Your cooperation is required so that final payment for your property will not be delayed. Your agreement provides for the vacation of the buildings on the premises. Our representative must be on hand to receive the keys and certify that any buildings included in the transaction have been properly vacated in accordance with the terms of the agreement. You will be responsible for the condition of the buildings until the keys to the premises have been turned over to our representative personally.

Please phone or write to the address indicated below and our representative will arrange to be available at the time you intend to vacate, which according to the agreement is on or before _____
_____. Owner to retain _____

Date _____

Keys received and premises
properly vacated.

(Tide)



Route 280 (1953), Section 5
Northfield Avenue to Kenilworth
Place

State of New Jersey

Federal Project I-280-6-(4)

STATE HIGHWAY DEPARTMENT

Parcel 97

DWIGHT R. G. PALMER, COMMISSIONER

TRENTON 25

January 30, 1963

D.M.P., Inc.
c/o South Orange S. & L. Ass'n.
11 South Orange Avenue
South Orange, New Jersey

The East-West Freeway is a part of Interstate Route 280. It forms a vital connection between Interstate Route 80 in the vicinity of Parsippany-Troy Hills and the Newark-Metropolitan area. In addition to the carrying of Interstate traffic, this Freeway will collect, carry, and distribute local east-west traffic between Newark and the Oranges. It will greatly reduce the traveling time between these communities and it is expected that it will carry much of the transient traffic which presently crowds local streets.

Property acquisitions necessary for the construction of this highway are now under way at various locations including the Town of West Orange. Our property plans indicate you as being the owner of premises which will be affected. This letter is to serve as official written notice to you that the property is to be acquired for a Federal Aid Highway Project.

So that you will have an understanding of the Department's procedures, we are enclosing herewith a copy of our booklet, "Right of Way". This booklet outlines for you in brief the processes of evaluation and negotiation which you may expect, and when our negotiator calls upon you to personally discuss the matter, he will be prepared to answer any further questions which you may have. Your attention is called to the supplement attached to this booklet pertaining to the relocation advisory service and moving cost payments that are now available to eligible owners and tenants.

At this time we cannot be specific as to the dates our appraisers and negotiators will visit you for there are approximately 200 properties involved in West Orange alone. You may be assured, however, that it is our intention to conclude our negotiations with you at the earliest possible moment.

In the meantime our photographers will be photographing your property and several of our appraisers will call at your premises to look at it both inside and out. A Relocation Advisory Service representative will also call upon you to secure necessary information pertaining to the eligibility of yourself and any tenants that you may have. Your cooperation with these representatives in their work will be of benefit in our endeavor to see that fair and just evaluations are made and that mutually satisfactory settlements are reached. In all these activities we are anxious to reflect

Route 280 (1953), Section 5
Parcel 97

January 30, 1963

our concern for your personal problems. When negotiations have been completed, our Relocation Officer will forward to you applications for relocation advisory service and moving cost repayments.

H. N. Kramer
Director
Division of Right of Way Acquisition & Titles

ACQUISITION

1

The procedure for "right-of-way", property acquisition by the State Highway Department is frequently misunderstood since it is an operation that relatively few people are acquainted with. It is sometimes looked upon with apprehension and even suspicion.

THE PROCESS

Actually the process is a simple one, quite the same in most instances as any individual would experience in conducting a private person-to-person sale of property --the exception being that the State, because it is acting in the public interest, has the right to require that the owner sell his property at a fair price.

THE PUBLIC INTEREST

An appropriate illustration of what is meant by the term "public interest" was recently contained in a Departmental study concerning one section of a proposed new urban freeway. The study pointed out that about 591,000 people will come within the facility's area of influence ---but less than 2 percent of them will be involved in right-of-way transactions. The point illustrated is a basic tenet of government within a democracy ---the benefits to the majority must take precedence over the inconveniences to a few.

POLICY AND RIGHTS

The State Highway Department's policy makes certain that all transactions be eminently fair and as convenient to the property owner as is possible. Though occasionally deadlocks do arise the Department is glad to say this occurs in less than 5 percent of its dealings. In these instances the individuals, as well as the Department, have well defined

rights under the law. These rights safeguard the owner from getting less than fair market value and protect the tax funds appropriated for right-of-way purchases by the State from unrealistic demands.

2

RESEARCH

Several weeks before property owners are approached by Highway Department negotiators, the Department sends trained investigators into the field. They check each home and parcel of land that will be involved. In all instances buildings are photographed and lots are measured. The investigators also search county records and check recent bona fide land sales in the neighborhood in order to establish a basis for appraisal of each property's worth.

APPRAISALS

The investigator's reports are then turned over to experienced appraisers for their use when they examine the land and buildings prior to establishing what they believe to be the true value of the property. When only a portion of an entire property is to be acquired the effect of the proposed taking on the remainder of the property is also taken into account by the appraisers.

DOUBLE CHECK

To evaluate a property that is to be acquired one or more Department appraisers are assigned to work independently and each come up with an evaluation. Where required, at least one additional "outside" appraisal is obtained by the Department. This appraisal is made independently by a "fee appraiser" a qualified realtor experienced in evaluating the particular type of property involved in each instance. Often the Department will seek a further appraisal. This too is

made by an experienced appraiser from "outside" the Department.

3

When the required appraisals have been submitted they are reviewed by a Department reviewer who upon completion of the review will establish a Fair Market Value Determination to be used as a basis of negotiations.

NEGOTIATION

With the appraisals at hand a Department negotiator then calls on the property owner, generally in the evenings or on Saturdays or Sundays when the owner of the property is at home. Often several calls may be necessary before a transaction terminates in agreement as to price and a date when the buildings, home or business may be vacated.

PAYMENT PLAN

As an aid to property owners who must relocate, the Highway Department evolved a new plan. Under it the State will pay, shortly after an agreement is readied and approved by the Highway Commissioner, up to 25 percent of the agreed upon price ---provided the 25 percent does not exceed 75 percent of the owner's equity in the property. If it does, this initial payment is scaled down until it does amount to 75 percent of equity.

BENEFITS

The benefits of this plan are that it provides the owner with ready funds to make his down payment on a new property. Formerly although an agreement was reached no money could be paid until the title was searched, proper papers filed and cleared, and the payment check authorized and drawn by the State Treasurer's office. This procedure frequently consumed weeks and months in some instances.

THE AGREEMENT

4

Sometimes the owner may prefer to move his house to another location. In the instance of one new freeway section it is estimated that 60 percent of the agreements will be reached on this basis. In such cases the purchase price makes a substantial allowance for the value of the house and the owner makes his own deal with a mover. In such instances the State insists on the agreement including a date when the structure will be off the property.

DISPOSAL OF BUILDINGS

If the owner does not desire to move his house the agreement total includes full value for the house and land, the specific date when they will be vacated and turned over to the State. The State then offers the buildings, usually along with several others in the vicinity, for sale at public auction. Failing its sale at the auction, which in most instances is held in the same town as the property's location, it is torn down as part of a Highway Department road construction contract.

THE MAJORITY

It is worthy to note that on a State-wide basis amicable agreements are arrived at between the Department's negotiators and property owners in better than 90 percent of all cases. About six percent of all cases cannot be settled because of legally involved titles, ownership by a minor, unknown owners, extreme illness and similar instances where the law requires the courts to set the price and hold payment in escrow.

THE MINORITY

In less than 5 percent of all acquisitions, price is the barrier to reaching an agreement. Occasionally the owner sincerely believes he should receive more than was offered because of some unusual feature of his grounds, or his building's architect-

ure. Where a vacant piece of land is concerned, failure to reach agreement may arise because of some special purpose to which the owner intended to put his property in the future. Sometimes it is simply an effort to make an extra profit.

CONDEMNATION

In these instances the Highway Department acquires the property by filing a complaint for condemnation in the State Superior Court. The court then appoints a three-member commission to establish the price to be paid by the State. The commission members view the property, hear testimony from both sides, and then arrive at their evaluation. If either the Highway Department or the property owner is dissatisfied with the price set by the commission, the matter is tried before a Superior Court judge and jury. The jury verdict is binding.

THE DIFFERENTIAL

Studies show that in most cases that go before a condemnation commission or even as far as a jury decision, the difference between the Highway Department's offer and the final price set is not material. In some instances the final price was even less than that offered originally.

RIGHT OF ENTRY

As far back as 1919 it was recognized by New Jersey laws that in some instances a considerable period of time might be required before even an amicable agreement might be reached between the Highway Department and property owners. Rather than have individual negotiations unnecessarily delay the date when a new facility could serve the general public the law provided that: "The State Highway Commission shall have the right and power to enter upon and take the property in advance of compensation therefor in any case where it cannot

acquire land or other property by agreement with the owner".

In 1923 the New Jersey Court of Errors and Appeals supported this right and its application to contractors of the Highway Department on its construction projects. This right of entry prior to compensation is restated in the revision of New Jersey statutes under N.J.S.A. 27:7-22.

THE POLICY

In the interest of maintaining harmonious relations with all property owners affected by its construction projects, the Department's policy is to enforce these rights of entry over individual objection only when absolutely necessary in the public interest. Where possible, prosecution of the work is arranged to by-pass buildings not yet vacated when construction must begin before acquisition is completed or agreement reached with all property owners.

THE SITUATION

The reasons why construction operations must often begin before acquisition of all necessary rights of way has been completed are basically time and money. Because of the relatively limited funds and limited staff the Department can ill-afford wasted effort. Therefore, it must definitely know funds will be available to carry a project through before it can concentrate on developing the construction and right-of-way plans that will be necessary for a given project.

APPROVALS

In anticipation of the fiscal year that is to begin on the succeeding July 1, early each year the Highway Department submits to the State's Chief Executive an extensive listing of essential state highway system improvements and additions needed. With this as a basis the Chief Executive then

recommends to the State Legislature, in his annual budget message, the extent of funds he believes should be appropriated for highway purposes.

LEGISLATIVE ACTION

It is often June before Legislative action definitely sets the amount of funds that will be available to the State Highway Department. The Department then, for the first time knowing its financial resources for the next fiscal year that is but a scant few weeks away, recommends to the Chief Executive specific projects to be undertaken. After review and possibly revision by the Chief Executive, the final listing constitutes the Department's construction program. Because of this compressed time element, work on both construction drawings and right of way plans must often proceed simultaneously.

FEDERAL ACTION

Another factor enters when the Federal Government shares in the cost of a construction project - as is the case in most major highway construction jobs. In these instances there is a mandatory review, parcel by parcel, of all proposed Highway Department acquisitions on the project's right of way by the Federal Bureau of Public Roads Right of Way representatives before actual negotiations for properties may be undertaken. This review may extend several weeks.

THE RESULT

As a result of these combined circumstances the acquisition of at least a portion of the right-of-way then frequently becomes concurrent with actual construction operations. In the vast majority of such instances the Department finds the property owners to be understanding and cooperative. Only occasionally is it otherwise.

right of way

NEW JERSEY
STATE HIGHWAY
DEPARTMENT

bureau of
public information

RELOCATION SERVICES

There are two new services which have been authorized by Federal Law to aid persons who must relocate their residences or businesses because of highway construction. The first service is Relocation Advisory Assistance, and the second service is Relocation Payments.

ADVISORY ASSISTANCE

Relocation Advisory Assistance is available to families (and to individuals who are not members of families) who must relocate because highway construction requires that their residences be acquired. This service is available to both property owners and tenants. It is offered for those families and persons who may desire assistance in finding new housing, financial advice, or home construction data. In needy cases, the Relocation Advisory Assistance service will establish contact with the appropriate public agency or organization best suited to provide the needed assistance. Those families and persons who are eligible for this service will at the proper time receive a letter and application from the Highway Department offering this Relocation Advisory Assistance and outlining the procedures.

RELOCATION PAYMENTS

The second service the Highway Department offers is Moving Cost Relocation Payments. Such Relocation Payments are authorized by Federal and State Laws for projects in which the Federal Government participates and are available to those individuals, families, business concerns (including the operation of a farm), and non-profit organizations who have occupied real property to be acquired for a Federal Aid Highway Project in New Jersey at least 60 days prior to written notice to the record owner that the property is officially to be taken for a Federal Highway. Both owners and tenants are eligible for Relocation Payments. In the case of families and individuals, payments of moving costs will be made up to a maximum of \$200. In the case of business concerns (including

the operation of farms) and non-profit organizations, payments of moving costs will be made up to a maximum of \$3,000 within a 50-mile radius of the point from which the move is made. Those eligible for Relocation Payments will receive application notices from the Highway Department at the proper time.

NEW JERSEY STATE HIGHWAY DEPARTMENT
PROPERTY SECTION

Advisory Section Occupancy Report

Route: _____ Section _____
Parcel: _____
Owner: _____
Date: _____

Relocation Office Supervisor
New Jersey State Highway Department
1035 Parkway Avenue
Trenton 25, New Jersey

In accordance with instructions I have personally visited the above premises and find that it is occupied and utilized as follows:

NAME OF OWNER: _____ DATE OF OCCUPANCY: _____

MAILING ADDRESS: _____

CITY AND STATE: _____ TELEPHONE NUMBER: _____

PROPERTY USE

Residential Business Operating Farm Non-Profit Organization

TYPE OF UNIT OCCUPIED

Dwelling Apartment Store Industrial Other _____

NAME OF TENANT: _____ DATE OF OCCUPANCY: _____

MAILING ADDRESS: _____

CITY AND STATE: _____ TELEPHONE NUMBER: _____

PROPERTY USE

Residential Business Operating Farm Non-Profit Organization

TYPE OF UNIT OCCUPIED

Dwelling Apartment Store Industrial Other _____

NOTE: Use other side for any additional occupancies and remarks.



Route 280 (1953), Section 5
Northfield Avenue to Kenilworth
Place

State of New Jersey

Federal Project I-280-6-(4)

STATE HIGHWAY DEPARTMENT Parcel 97

DWIGHT R. G. PALMER, COMMISSIONER
TRENTON 25

December 6, 1961

D.M.P., Inc.
c/o South Orange S. & L. Ass'n.
11 South Orange Avenue
South Orange, New Jersey

The East-West Freeway is a part of Interstate Route 280. It forms a vital connection between Interstate Route 80 in the vicinity of Parsippany-Troy Hills and the Newark-Metropolitan area. In addition to the carrying of Interstate traffic, this Freeway will collect, carry, and distribute local east-west traffic between Newark and the Oranges. It will greatly reduce the traveling time between these communities and it is expected that it will carry much of the transient traffic which presently crowds local streets.

Property acquisitions necessary for the construction of this highway are now under way at various locations including the Town of West Orange. Our property plans indicate you as being a tenant of premises which will be affected. We have previously informed the owner of this proposed acquisition.

So that you, as a tenant, will have an understanding of the Department's procedures, we are enclosing herewith a copy of our booklet, "Right-of-Way". This booklet outlines for you in brief the processes of evaluation and negotiation. Your attention is called to the supplement attached to this booklet pertaining to the relocation advisory service and moving cost payments now available to eligible owners and tenants.

At this time we cannot be specific as to the dates our appraisers and negotiators will visit the property for there are approximately 200 properties involved in West Orange alone. You may be assured, however, that as soon as negotiations with the owner are completed, our Advisory Office will contact you with relocation service and moving cost applications.

In the meantime our photographers will be photographing the property and several of our appraisers will call at the premises to look at it both inside and out. Your cooperation with these representatives in their work will be of benefit in our endeavor to see that fair and just arrangements are made with the owner for the property required for the highway and in our desire to furnish you with the relocation services to which you are entitled.

H. N. Kramer
Director

Division of Right of Way Acquisition & Titles





Route _____, Section _____

Parcel _____

Owner _____

State of New Jersey

STATE HIGHWAY DEPARTMENT

DWIGHT R. G. PALMER, COMMISSIONER
TRENTON 25

January 31, 1963

Dear Mr. _____:

In our letter to you of _____, we informed you of the details of the relocation advisory assistance services and moving cost reimbursement that would be available to you following negotiations for the above parcel.

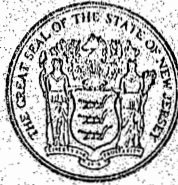
You may now take advantage of this relocation advisory assistance service by filling in one copy of the attached information sheets and returning them to this office. The information that you furnish will then be processed and as soon as possible thereafter we will contact you pertaining to your request for advisory assistance.

Whether or not you apply for relocation advisory assistance you are eligible for reimbursement for reasonable and necessary moving expenses incurred as a result of your displacement by the highway. You can make application for this reimbursement by submitting to this office two estimates from reputable movers. These estimates should give the details of your move, including the destination.

When they are received by us, they will be reviewed and if in order, you will be notified in writing of our approval and furnished with the necessary certification and voucher so that you can bill the State for payment upon completion of your relocation.

If there are any questions, please feel free to contact us either here in Trenton or at our Local District Office which is located at _____.

Division of Right of Way
Acquisition & Titles



State of New Jersey

Relocation Advisory
Assistance Information

STATE HIGHWAY DEPARTMENT

DWIGHT R. G. PALMER, COMMISSIONER
TRENTON 25

New Jersey State Highway Department
1035 Parkway Avenue
Trenton 8, New Jersey

Gentlemen:

We desire the service offered by you in respect to relocation advisory assistance and are forwarding you the following information pertaining to our requirements:

NAME _____

PRESENT ADDRESS _____

TELEPHONE NUMBER _____

NUMBER OF MEMBERS IN MY FAMILY - Adults _____ Children _____

NUMBER OF ROOMS DESIRED _____ Bedrooms _____ Bathrooms _____

SPECIAL FEATURES DESIRED (One family house? Two family? Apartment?
Near schools, etc.) _____

LOCATION OR AREA DESIRED _____

I AM PLANNING TO BUY

I AM PLANNING TO RENT

Price Range Desired \$ _____ to \$ _____

Rental Rate Desired
\$ _____

Amount of Down Payment \$ _____

Signature

RELOCATION CERTIFICATION CLAIM

I. Claim For Reimbursement Of Moving Costs

I (we) (owners) (tenants) of the above named property hereby certify:-
We have occupied this property since _____, 196 _____.
That, on the _____ day of _____, 196 ____, our personal property was removed from the above premises, located at _____
to _____
a distance of _____ miles, by _____

at a cost of \$ _____, including storage at _____
for _____ months. Said moving (and storage) was previously authorized by Right-of-Way Division of the State Highway Department on _____, 196 _____

Attached is my invoice for costs of removing personal property, as evidenced by the attached receipted bills \$ _____
Check is to be made payable to the undersigned and mailed to (Mailing Address): _____

II. Request For Direct Payment To Movers

I (we) (owners) (tenants) of the above named property hereby certify:-
We have occupied this property since _____, 196 _____.
That, on the _____ day of _____, 196 ____, our personal property was removed from the above premises, located at _____
to _____
a distance of _____ miles, by _____

at a cost of \$ _____, including storage at _____
for _____ months. Said moving (and storage) was previously authorized by Right-of-Way Division of the State Highway Department on _____, 196 _____

Attached is my invoice for costs of removing personal property as evidenced by the attached movers certified unpaid bill. In accordance with prior agreement, we request the State Highway to make direct payment to the mover.

III. Payment For Self-Relocation

I (we) (owners) (tenants) of the above named property hereby certify:
We have occupied this property since _____, 196 _____.
That, on the _____ day of _____, 196 ____, our personal property was removed from the above premises, located at _____
to _____
a distance of _____ miles, by _____

Said moving was previously authorized by the Right-of-Way Division of the State Highway Department. Attached is my invoice for removing personal property in amount of the estimate approved by the State. As we have completed our relocation and we request payment of this invoice.

Sworn and subscribed to
before me this _____ day
of _____, A.D. 19____

Notary Public of New Jersey

