

Q: I am concerned about being adequately compensated for this property.

A: The State aims to offer fair market value in order to make property owners whole. Federal participation in the appraisal and acquisition process introduces the requirements of the Uniform Act (US Code Title 42 Chapter 61) and Title 49 Code of Federal Regulations Part 24 (49 CFR 24).

Q: I planned to sell this property in the future for a profit. Will the state compensate me in accordance with this plan?

A: DOT&PF does not consider the loss of potential future profit to be compensable.

Q: What is the proposed timing of the acquisition? Both myself and my tenants need to know.

A: At this time it is extremely difficult to predict the time of actual acquisition.

The timing of the actual acquisition could depend on a variety of factors such as:

1. The duration and results of the environmental process
2. Changes in airport project priorities
3. Changes in currently available funding
4. Changes in anticipated future funding levels
5. The availability of future funding
6. The property owner's acceptance of purchase offers
7. And, if necessary, the condemnation process

The standard practice is to make purchase offers following completion of the environmental process. In conjunction with presenting the purchase offer, the State will stipulate that properties must be vacated within 90 days (90 days is the minimum amount of notice time). Both property owners and tenants are to receive notice.

At this time the environmental process for this project is anticipated to take anywhere from 5 to 7 months to complete.

The State plans to use federal funds to reimburse itself for the costs of this project. Those funds may become available in October 2010 or some time thereafter.

However, even while the State moves forward with the project, until purchase offers are made for the properties it remains possible that acquisition may never happen.

Q: If my tenants move prior to the purchase date by ADOT then I will not be able to rent it out again and would need compensation equivalent to their monthly rent from the time they move out and it is purchased by ADOT.

A: DOT&PF does not consider rental revenue loss to be compensable.

Q: Is this plan set in stone or is it possible the plans will change prior to implementation?

A: An example of something that could change is the schedule.

Q: Should I or should I not make improvements/investments in my property?

Q: What happens to property owners who owe more on their property than the State can offer as fair market value?

Q: Who will perform the appraisals and title searches?

Q: How does the state deal with real estate market fluctuations?

Q: Who pays for moving costs?

Q: Will it be possible to do a 1040 exchange?

Q: Is the project fully funded?

Q: How might the project affect the market value of adjacent properties?