

## Sample “Not Subject To” Letter

### Acquisition of a Permanent Easement, Temporary Construction Easement or Real Property with no Relocation Initial Notice to Owner

Dear \_\_\_\_\_:

[Name of city or county] is participating in a [water / wastewater] improvement project using federal funds from the Oregon Community Development Block Grant program. The [name of city or county] needs to acquire the following [easement / real property] from you for the project.

[Insert a description or reference an attachment that describes of the specific easement or real property to be acquired. A legal description should be used, if one is available.]

[Insert reason why the easement or real property is needed for the project and how it will be used.]

We believe the value of the easement / property needed from you is \_\_\_\_\_. Our determination is based upon [Insert description of the process used that meets the requirements in paragraph 5-1.a.(1)(c) on page 5-2 of the Handbook 1378.] Federal law does not require an independent appraisal of your property / permanent easement since we will not use the right of eminent domain to acquire your property if negotiations should fail.

You have the right to donate the easement or real property. To donate, you must sign a written statement that says you have been informed of your rights under federal law. It is very important to understand that the city cannot offer you any special benefits in connection with a donation. If you want to donate the easement or real property, please let us know within \_\_\_\_\_ days or no later than [insert deadline]. The city / county will include the donation language in an acquisition document specific for your property.

This notice is to inform you that, if assistance is provided and the easement / property is acquired you will not be displaced. Therefore we urge you not to move anywhere at this time. If you elect to move for reasons of your choice, you will not be provided with relocation assistance.

We will very much appreciate your cooperation in this matter because the project will benefit all residents of the community. These steps are essential for the [city or county] to receive the federal grant funds necessary to complete the project.

Please feel free to call [insert name] at [insert telephone number] if you have any questions or specific requests to make regarding the appraisal or a donation of your property

Sincerely,

Enc: Not Subject To Donation