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# Right-of-Way Process

Transportation Tuesday  
May 25, 2021

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## Agenda

1. Welcome
2. Session Focus:  
Right-of -Way
3. What We Know Today
4. What Will Happen Next
5. How to Stay Involved
6. Close



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## Purpose

To provide a forum for stakeholders to learn about specific topics related to the Route 28 Bypass project.



## Outcomes

- Understanding of the Right-of-Way Process and Timeline of the Route 28 Bypass project.
- Opportunity to deep dive into questions about the project.

# Panelists

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## **Ricardo Canizales**

Director, PWC Department of Transportation

## **Khattab Shammout**

Assistant Director, PWC Department of Transportation

## **Paolo Belita**

Planning Manager, PWC Department of Transportation

## **Dagmawie Shikurye**

Engineering Manager, PWC Department of Transportation

## **Scott Hatten**

Chief of Property Acquisition and Right of Way, PWC Department of Transportation

# Project Overview

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## Route 28 Bypass

# Prince William Board of County Supervisors (BOCS) endorsed the Route 28 Bypass Option in September 2020

- This represents the Route 28 Bypass corridor concept.
- The specifics of the corridor will be **determined** during the Design and Engineering Phase (Phase 2).
- The actual Bypass will have a smaller footprint than currently represented on this map.



# Right-of-Way

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Route 28 Bypass

# Key Questions

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1. How will you determine which homes and businesses will be affected by the Route 28 Bypass?
2. What is the Right-of-Way Process?
3. When will you notify affected community members? Who will contact them?
4. What rights do affected community members have?
5. How will the County help families and businesses displaced by Route 28 Bypass construction?
6. How will the County determine the value of the property taken during the process?
7. How can the community stay involved? What opportunities are available to provide input?

# What We Know Today

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Route 28 Bypass

# How will you determine which homes or businesses are affected?

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During the Design and Engineering phase, which will last approximately 18-36 months, the following activities will be completed to determine the final alignment for the bypass that has the least negative impact on community homes and businesses.

- Engineering Design
- Traffic Analyses
- Surveying
- Right of Way and Utility Coordination
- Plan submission to Prince William and Fairfax County
- Design endorsement

There will be ample opportunity for the public to provide comments throughout this time, including

- At least **5** official public information meetings.
- **2** additional design public hearing meetings (one in PWC, one in Fairfax)
- Several other information sessions, events, and communications.
- A public information meeting at **30%** of the design and a formal public hearing at **70%** of the design.

# What is the Right-of-Way Process?

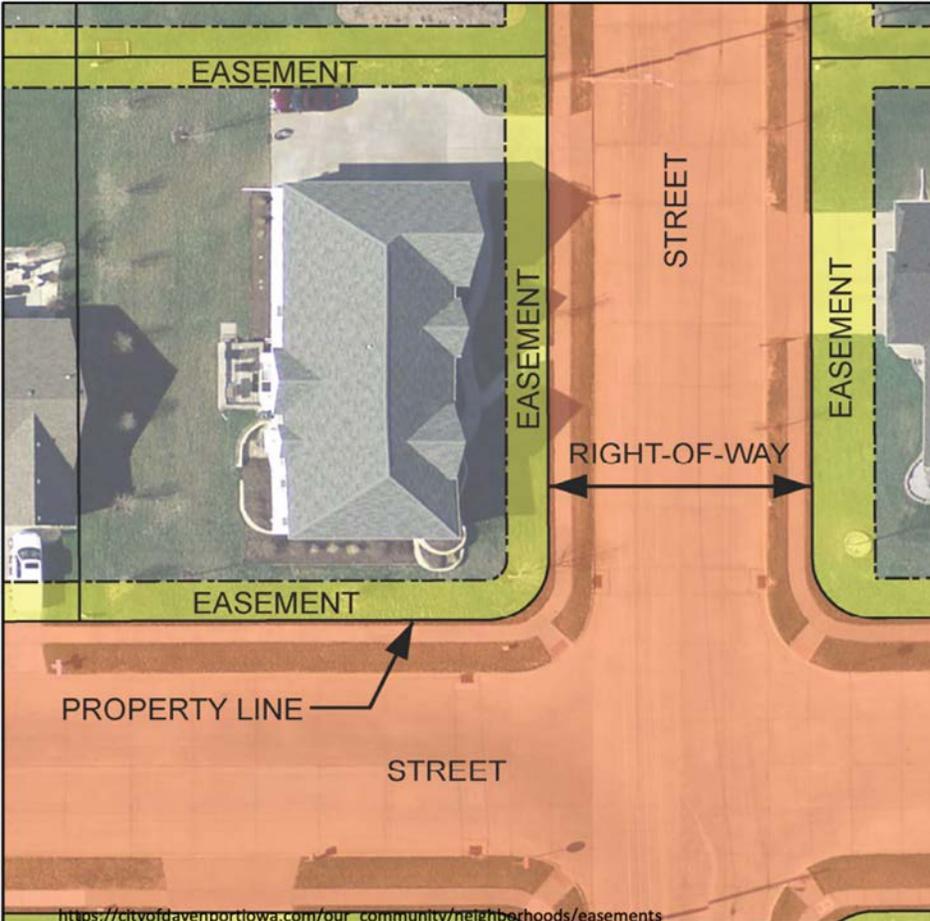
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It is often necessary to acquire land from private property owners to complete PWC DOT's transportation projects such as roadways, interchanges, sidewalks, and trails. This acquisition process is known as right-of-way.

- Private property rights are protected by the Virginia Code and United States Constitution.
- Prince William County adheres to these fundamental rights and is committed to treating all residents, tenants, and property owners with fairness and respect.

# Key Definitions



- **Acquisition:** Process of acquiring property.
- **Quick-Takes:** Enables the County to acquire property in lieu of typical condemnation, allowing for property compensation.
- **Appraisal:** Written statement independently prepared by a qualified third-party appraiser which provides a defined value of a property supported by information provided by the owner and analysis of relevant market information and comparables.
- **Easement:** An easement is a property right to use all or part of the land for some specific purpose and can be permanent or temporary
  - Ex. Permanent Easements for utilities, drainage structures, maintenance
  - Ex. Temporary Easement for Construction
- **Condemnation:** Legal process of acquiring private property for public use or purpose through the power of eminent domain.
  - Condemnation is typically not used until all attempts to reach a mutually satisfactory agreement through negotiations have been exhausted.

# What Will Happen Next?

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Route 28 Bypass

# When will affected Community Members be Notified? By whom?

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- Potentially affected residents will be notified of the official public meetings ahead of time, as well as provided updates on the proposed route during the meetings
- Once the Right-of-Way level design of the Route 28 Bypass is endorsed by the PWC Board of County Supervisors, County representatives will reach out to affected community members - property owners, tenants, and business owners.
- County representatives will conduct preliminary interviews to determine the needs of displaced home and business owners and tenants, for housing that meets the legal standards for decent, safe and sanitary housing.

# What Rights do I Have?

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If you are displaced by the Right-of-Way Process, you have the right to the following:

- Replacement housing that has been inspected and approved as decent, safe and sanitary.
- Comparable housing based on the features of your current home and its proximity to work, schools, shopping and churches.
- A housing supplement if the cost of the comparable housing exceeds the appraised value of your current home
- Full transparency and County assistance during the process

# How will the County help families and businesses displaced by the Route 28 Bypass Construction?

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- A County representative will contact and interview property owners/tenants to find out needs.
- Relocation services and payments will be explained in accordance with the property owner's eligibility.
- During the initial interview, housing needs and desires will be determined as well as need for assistance.
- The property owners will be provided with a current listing of comparable properties and a written determination of the amount of replacement housing payment.
- If necessary, transportation will be offered to inspect replacement housing.
- The County will provide information or help property owners get assistance from other sources as a means of minimizing hardships in adjusting to the new housing.
- The property owner or tenant is not required to move unless at least one comparable decent, safe, and sanitary replacement dwelling is made available.

# How will the County determine the value of my land or property?

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- During the design phase, PWC DOT determines specific property impacts required.
- After property impacts are identified, owners and tenants will be notified by the County's representatives.
- An independent third-party appraiser will inspect the property and make an attempt to contact the property owner for additional information about the property.
- The appraiser develops/provides a report which will be used as the basis for compensation to be offered for the property.
- After the compensation offer is approved, and the right-of-way authorization is approved, the County representatives will begin negotiations with the property owner which will include a written offer of just compensation for the purchase of the property.
- County representatives will provide adequate time to consider the written offer. The property owner has the ability to present additional information including requesting modifications to the proposed terms and conditions of the purchase.

# How to Stay Involved

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Route 28 Bypass

# What opportunities are available to provide input?

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Reach out to [Route28Bypass@pwcgov.org](mailto:Route28Bypass@pwcgov.org).



Attend and provide input at additional public information sessions.

**Virtual Information Session next Wednesday, June 2nd at 7pm**



Connect with your County Supervisor and other local elected officials.

# How can I find the latest information about the project?

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**The following efforts will continue throughout the entire project lifecycle.**

## **1. Public Information Meetings**

Upcoming Virtual Information Meeting on June 2nd

## **2. Route28Bypass.com Website**

## **3. Social Media/Listservs**

Board of County Supervisor Listserv, PWC DOT Listservs, Website Listserv, Facebook, Twitter.