

The Chief Negotiator/Relocation Supervisor handles the process involved in the condemnation of the Board of Educational lands and Funds. The "Process Outline" is as follows:

Process for the Condemnation of the Board of Educational Lands & Funds

New Tenant Rights

1. The tenant information, to include a copy of the lease should be part of the appraisal. If it is not, call the Board of Educational Lands and Funds (BELF). Provided them with the Section, Township and Range and they will give you the name, contact information and a copy of the lease involved.

Negotiation of Tenant Rights

2. ROW agents negotiate with tenant. The ROW Manager signs the tenant contract, a copy of which is given to Chief Negotiator. If agreement can't be reached with the tenant, the tenant will be included with the condemnation BELF.

Approvals of Plat & Description (concurrent with negotiations of tenant interest)

3. Order Plat and Metes & Bounds description from ROW Design.
4. Prepare "State Surveyor's" letter and Plat Approval" form. The letter is then sent with one (1) copy of the Plat, Metes & Bounds description and Plat Approval form to the State Surveyor.
5. After the State Surveyor has OK'd and returned the signed Plat Approval form, order 13 copies of Plat and the Metes & Bounds description.

NDOR Director & Governor Approval – Certificate of Public Interest

6. Prepare "Governor's" letter and two (2) originals of the "Certificate of Public Interest" (CPI) form. The letter and both CPI's are sent to the Directors Office for review. After this review, the Governor's letter and both CPI's are signed by the Director and sent to the Governor. Both originals of the CPI's are to be signed by the Governor and returned to the Director's office.
7. The Director's Office then returns both CPI forms to the Chief Negotiator.

8. Prepare "Director of Administrative Services" (DAS) letter. This letter and one (1) original CPI, plus a copy of Plat, Metes & Bounds descriptions are sent to DAS.

Attorney General Reviews

9. Prepare "BELF Offer" letter.
10. Review and send documents to Attorney General's (AG) office at the Department of Roads. (The lists of this document's are at the bottom of these instructions).
11. Reviewed documents and the original Application for Appraisal Damages, prepared by Legal, are returned from the AG's office.

BELF Review, acceptance and approval

12. BELF letter is dated, signed by the ROW Manager, and sent to the BELF office.
13. ROW Manager sends memo to Legal stating amount of damages agreed to by BELF and the Department of Roads.
14. Legal receives Notice of Hearing from BELF
15. After this hearing, Legal will request the ROW Division to make payment to BELF.

Payment

16. BELF will send a certified Return of Appraisers after receipt of payment.
17. ROW Division will record the Return of Appraisers.

Documents sent to AG office:

- Basic Information sheet
- Appraisal or Compensation Estimate
- Call Reports and Correspondence with Tenant
- Offer Letter to BELF
- Signed Tenant Acquisition Contract
- Plat and Metes & Metes description
- Signed Plat Approval form by State Surveyor
- CPI signed by Director and Governor
- Copy of letter to DAS