

(MR/MS) \_\_\_\_\_ : THANK YOU

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GOOD EVENING. MY NAME IS Frank Cirillo I AM  
A REAL ESTATE OFFICER WITH THE REAL ESTATE GROUP OF THE NEW  
YORK STATE DEPARTMENT OF TRANSPORTATION.

AS STATED EARLIER, THE PLANS UNDER DISCUSSION ARE PRELIMINARY.  
DESIGN PLANS WILL NOT BECOME FINAL UNTIL THE INPUT FROM  
TODAY'S (TONIGHT'S) PUBLIC HEARING IS REVIEWED AND ANALYZED AS  
TO HOW IT MAY AFFECT THE PROJECT. IF A "BUILD" ALTERNATIVE IS  
SELECTED, DESIGN ENGINEERS WILL ESTABLISH THE AMOUNT OF RIGHT-  
OF-WAY REQUIRED TO ACCOMMODATE THE PROJECT DESIGN.

TO BEGIN THE PROCESS, TITLE SEARCHES WILL BE CONDUCTED AND  
INDIVIDUAL ACQUISITION MAPS WILL BE DRAWN FOR EACH AFFECTED  
PROPERTY. IT IS AT THIS POINT THAT REAL ESTATE PROFESSIONALS  
BECOME INVOLVED AS IT IS THEIR RESPONSIBILITY TO ACQUIRE THE  
LAND NECESSARY FOR THE PROJECT.

AS THE FIRST STEP IN THE ACQUISITION PROCESS A REAL ESTATE  
PROFESSIONAL WILL CONTACT EACH AFFECTED PROPERTY OWNER TO  
SCHEDULE AN APPOINTMENT AT THEIR CONVENIENCE. THIS MEETING,  
WHICH IS USUALLY AT THE ACQUISITION SITE, IS TO PROVIDE  
PRELIMINARY INFORMATION REGARDING THE PROPOSED ACQUISITION  
AND TO VERIFY OWNERSHIP AND/OR OCCUPANCY OF THE PROPERTY. THE  
REAL ESTATE PROFESSIONAL WILL:

- DELIVER A COPY OF THE ACQUISITION MAP
- EXPLAIN THE PROJECT AND WHAT EFFECT IT WILL HAVE ON THE PROPERTY
- PROVIDE A PRELIMINARY TIME TABLE AND INFORMATION REGARDING THE ACQUISITION PROCESS.

THE NEXT STEP IS TO ORDER AN APPRAISAL FOR EACH AFFECTED PROPERTY. THIS ANALYSIS IS PREPARED BY APPRAISERS HAVING SPECIALIZED TRAINING AND EXPERTISE IN THIS FIELD.

IT IS REQUIRED TO HAVE THE APPRAISER CONTACT ALL AFFECTED PROPERTY OWNERS INDIVIDUALLY AND TO AFFORD EACH THE OPPORTUNITY TO ACCOMPANY THE APPRAISER DURING THE INSPECTION OF THE PROPERTY. THE APPRAISER WILL EXAMINE ALL FEATURES OF THE PROPERTY WHICH AFFECT ITS VALUE. ANY INFORMATION AN OWNER CAN PROVIDE WITH RESPECT TO THEIR PROPERTY IS WELCOMED AND OWNERS ARE ENCOURAGED TO ACCOMPANY THE APPRAISER DURING THE INSPECTION.

THE APPRAISAL REPORTS ARE SUPPORTED BY RECENT LAND AND/OR IMPROVED SALES, AS APPLICABLE. ALL LAND, LAND IMPROVEMENTS AND BUILDING IMPROVEMENTS WITHIN THE ACQUIRED AREA WILL BE PAID FOR. THESE ITEMS ARE REFERRED TO AS DIRECT DAMAGES. IN ADDITION, A THOROUGH ANALYSIS OF REMAINING PROPERTY, IF ANY, WILL BE CONDUCTED AS WELL. ANY ADVERSE AFFECT ON THE VALUE OF THE REMAINING PROPERTY WILL BE CONSIDERED AND IS REFERRED TO AS INDIRECT DAMAGES. INDIRECT DAMAGES ARE PAID OVER AND ABOVE DIRECT DAMAGES. NOT ALL PROPERTIES WILL INCUR INDIRECT

DAMAGES. RENTAL VALUE FOR ANY TEMPORARY EASEMENTS WILL ALSO BE INCLUDED.

WHEN THE APPRAISAL IS COMPLETED, IT UNDERGOES A REVIEW PROCESS BEFORE IT IS FINALLY APPROVED. ALL PROPERTY WILL BE ACQUIRED BASED ON A ONE-OFFER SYSTEM WHEREBY THE FULL APPROVED APPRAISAL AMOUNT IS OFFERED. ALSO INCLUDED WITH THE OFFER PACKAGE WILL BE A WRITTEN STATEMENT DETAILING THE OFFER. THE AGREEMENTS, THE ACQUISITION PROCESS, AND THE PAYMENT PROCESS WILL BE EXPLAINED IN GREATER DETAIL BY THE REAL ESTATE PROFESSIONAL ASSIGNED TO EACH CLAIM.

AFFECTED PERSONS ARE ENTITLED TO RECEIVE THE FULL OFFER OF COMPENSATION EVEN IF THEY DISAGREE WITH THE SETTLEMENT OFFER AMOUNT. ANY PROPERTY OWNER WHO DISAGREES WITH THE OFFER MAY ATTEMPT TO NEGOTIATE A SETTLEMENT BY PROVIDING APPROPRIATE DOCUMENTATION TO SUBSTANTIATE A REQUEST FOR AN INCREASE. IF SATISFACTORY RESOLUTION CAN NOT BE ATTAINED, OWNERS MAY SEEK TO HAVE THEIR CASE HEARD IN COURT.

SHORTLY AFTER THE OFFER IS MADE, THE PROPERTY WILL BE ACQUIRED IN THE LEGAL SENSE BY FILING A MAP IN THE ERIE COUNTY CLERK'S OFFICE. EVERY EFFORT IS MADE TO COMPENSATE EACH OWNER PRIOR TO ACTUAL TRANSFER OF PROPERTY. SHOULD THIS NOT BE POSSIBLE, A DEPOSIT OF THE OFFERED AMOUNT WILL BE MADE IN THE OWNER'S NAME.

THE REAL ESTATE PROFESSIONAL ASSIGNED TO EACH CLAIM WILL ASSIST AFFECTED PERSONS IN RECEIVING THEIR MONEY, WHICH IS PAID AFTER SIGNING AN AGREEMENT AND SATISFACTORY COMPLETION OF CLOSING PAPERS

**WITH RELOCATION:**

*THIS PROJECT WILL REQUIRE VARIOUS RELOCATIONS CORRESPONDING TO EACH PROJECT ALTERNATIVE:*

*ALTERNATIVE 1 REQUIRES:*

*\_\_\_\_\_10\_\_\_\_\_ COMMERCIAL PROPERTIES AND  
\_\_\_\_\_89\_\_\_\_\_ RESIDENTIAL PROPERTIES.*

*ALTERNATIVE 3, OPTION 13G-R1 REQUIRES:*

*\_\_\_\_\_8\_\_\_\_\_ COMMERCIAL PROPERTIES AND \_\_\_\_\_73\_\_\_\_\_ RESIDENTIAL  
PROPERTIES.*

*ALTERNATIVE 3, OPTION 23B-R1 REQUIRES:*

*\_\_\_\_\_3\_\_\_\_\_ COMMERCIAL PROPERTIES AND \_\_\_\_\_2\_\_\_\_\_ RESIDENTIAL  
PROPERTIES.*

*ALTERNATIVE 3, OPTION 23B-R2 REQUIRES:*

*\_\_\_\_\_3\_\_\_\_\_ COMMERCIAL PROPERTIES AND \_\_\_\_\_2\_\_\_\_\_ RESIDENTIAL  
PROPERTIES.*

*/THESE PROPERTIES MUST BE ACQUIRED IN ORDER TO ACCOMMODATE \_VARIOUS DIFFERENT DESIGN FEATURES WHICH ARE DESCRIBED IN MORE DETAIL IN THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND SHOWN IN VARIOUS DISPLAYS HERE TODAY (TONIGHT)*

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*RELOCATION SERVICES WILL BE PROVIDED IN ACCORDANCE WITH TITLE II OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 AS AMMENDED - COMMONLY REFFERED TO AS THE UNIFORM ACT.*

THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION RULES FOR FEDERAL AND FEDERALLY-ASSISTED PROGRAMS IN 49 CFR PART 24 ARE THE RULES AND REGULATIONS THAT ARE FOLLOWED IN DETERMINING WHAT BENEFITS DISPLACED INDIVIDUALS, FAMILIES, BUSINESSES, FARMS AND NON-PROFIT ORGANIZATIONS ARE ENTITLED TO. THE RULES AND REGULATIONS DIFFER BETWEEN RESIDENTIAL AND BUSINESS DISPLACEMENT. DUE TO NEW YORK STATE LAWS, SOME PROVISIONS MENTIONED IN FEDERAL RULES DO NOT APPLY IN NEW YORK STATE.

RESIDENTIAL BENEFITS INCLUDE ADVISORY SERVICES, MOVING EXPENSES, SUPPLEMENTAL HOUSING PAYMENT TO ASSIST IN PURCHASING OR RENTING A REPLACEMENT HOME, INCIDENTAL EXPENSES, AND INCREASED MORTGAGE INTEREST COSTS.

BUSINESS BENEFITS INCLUDE: ADVISORY SERVICES, RE-ESTABLISHMENT EXPENSES, AND SEVERAL MOVING EXPENSE OPTIONS.

MORE INFORMATION REGARDING THESE BENEFITS IS PROVIDED IN THE RELOCATION BROCHURE AVAILABLE HERE TODAY (TONIGHT).

BENEFITS AND ELEGIBILITY REQUIREMENTS WILL BE DISCUSSED ON AN INDIVIDUAL BASIS.

**OPTIONAL PER PBA:**

**ADDITIONAL BENEFITS BEYOND THOSE CONTAINED WITHIN FEDERAL AND STATE LAWS WILL BE MADE AVAILABLE TO AFFECTED PERSONS AS PROVIDED FOR BY AGREEMENT BETWEEN THE PBA, ELECTED OFFICIALS AND VARIOUS STAKEHOLDERS.**

IN CONCLUSION, I WOULD LIKE TO SAY THAT WE REALIZE THIS IS NOT THE TYPICAL BUYER/SELLER RELATIONSHIP. ALTHOUGH THE EMINENT DOMAIN PROCESS ALLOWS FOR THE ACQUISITION OF PRIVATE PROPERTY FOR PUBLIC USE, THOSE AFFECTED ARE ENTITLED TO “JUST COMPENSATION”. THE GOAL OF THE REAL ESTATE PROFESSIONAL IS TO MAKE THIS PROCESS PROCEED AS SMOOTHLY AS POSSIBLE FOR ALL CONCERNED. THANK YOU FOR YOUR TIME AND ATTENTION.