

Sample Final Offer Letter - County Acquisition (Page 1 of 2)

Date:

County:

Parcel No.:

Highway:

RE: Purchase of your property at _____
_____ being
_____, more or less, out of and a part
of that certain _____ acre tract of
land out of the _____ Survey
No. _____, Abstract No. _____,
in _____ County, Texas.

Mr. and Mrs. John Doe
123 Blank Street
Some Town, Texas 12345

Dear Mr. and Mrs. Doe:

The Commissioners' Court of _____ County has authorized me to make a final offer of \$ _____ for the _____ acre(s) of land to be acquired for right of way purposes for the improvement of Highway _____ in _____ County, Texas.

If this offer is not accepted within ten (10) days from the date of this letter, or an Administrative Settlement request is not received, within 10 days from the date of this letter, it must be considered as having been rejected and the right to submit an Administrative Settlement forfeited, and condemnation proceedings will be instituted for the acquisition of the _____ acre tract for right of way purposes. Thereafter, the Court will appoint three disinterested freeholders to serve as Special Commissioners, a date will be set for a hearing, and you will be notified of the time and place set for the hearing at which the Special Commissioners will hear the evidence presented and arrive at an award which will be filed with the court. The Commissioners' Court of _____ County may then deposit the amount of the award with the court, at which time the Commissioners' Court of _____ County will be entitled to take possession of the property involved. After the deposit is made, you may withdraw your share of the award. If the award exceeds the amount of any subsequent judgment, any excess amount not repaid to the State may be deducted from eligible payments, if any, due to you as the property owner under the acquiring agency's Relocation Assistance Program. If either you or the Commissioners' Court of _____ County is dissatisfied with the amount of the award, objections may be filed within the time prescribed by law, and the case subsequently tried before the Court as in other civil cases.

Sincerely,

Signature of Appropriate Official

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[Note: If the initial offer letter with the above paragraph in it is not accepted and/or the property owner won't sign the removal agreement, then a final offer letter should be sent with the first paragraph being replaced with the following modified paragraph]:

In cooperation with the Texas Department of Transportation, to improve a highway which requires the purchase of the property referred to above, and an initial offer letter was sent to you on [date of initial offer letter]_____, the terms of which offer not being accepted by you. Inasmuch as negotiations to purchase this property have not been successful to date, a final offer is hereby submitted to you. According to authorization by the Texas Transportation Commission, a total sum of \$ _____ is offered for the required property rights, save and except oil, gas and sulphur, with no right of exploration on the above described property, subject to clear title being secured, and further this final offer is subject to and contingent upon your execution of the attached "*Petroleum Storage Tank Removal Agreement*" (as previously detailed and explained in the initial offer letter referred to above). If you desire to accept the dollar amount of this final offer, but are not willing to execute the attached tank removal agreement, the acquiring agency must consider the offer rejected. Any compensation that may be due to you from the acquiring agency's Relocation Assistance Program is not included in this offer because such funds are paid to eligible persons separately.