

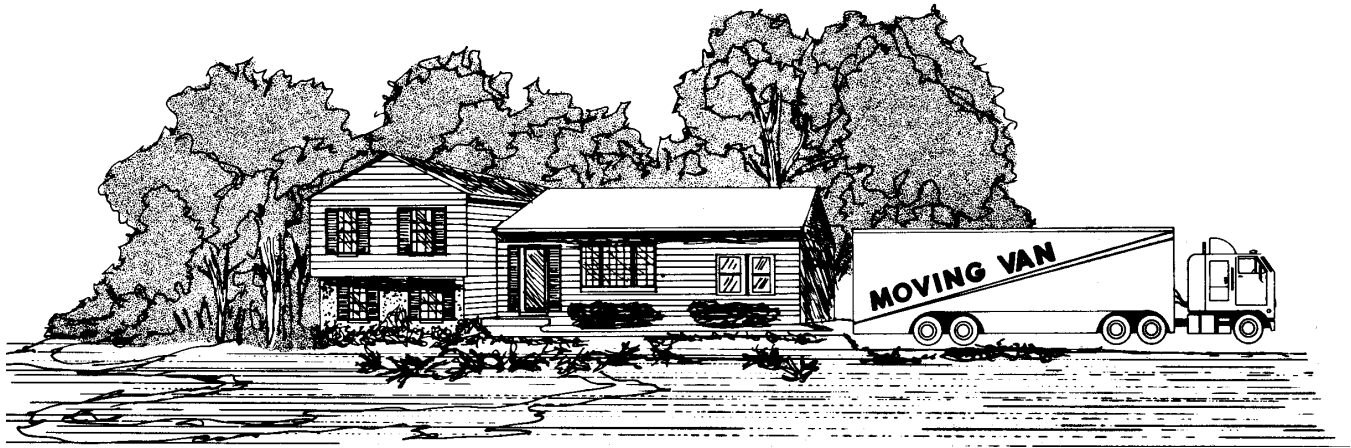
RELOCATION ASSISTANCE

As Administered by
The Right-of-Way Division
of the

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION



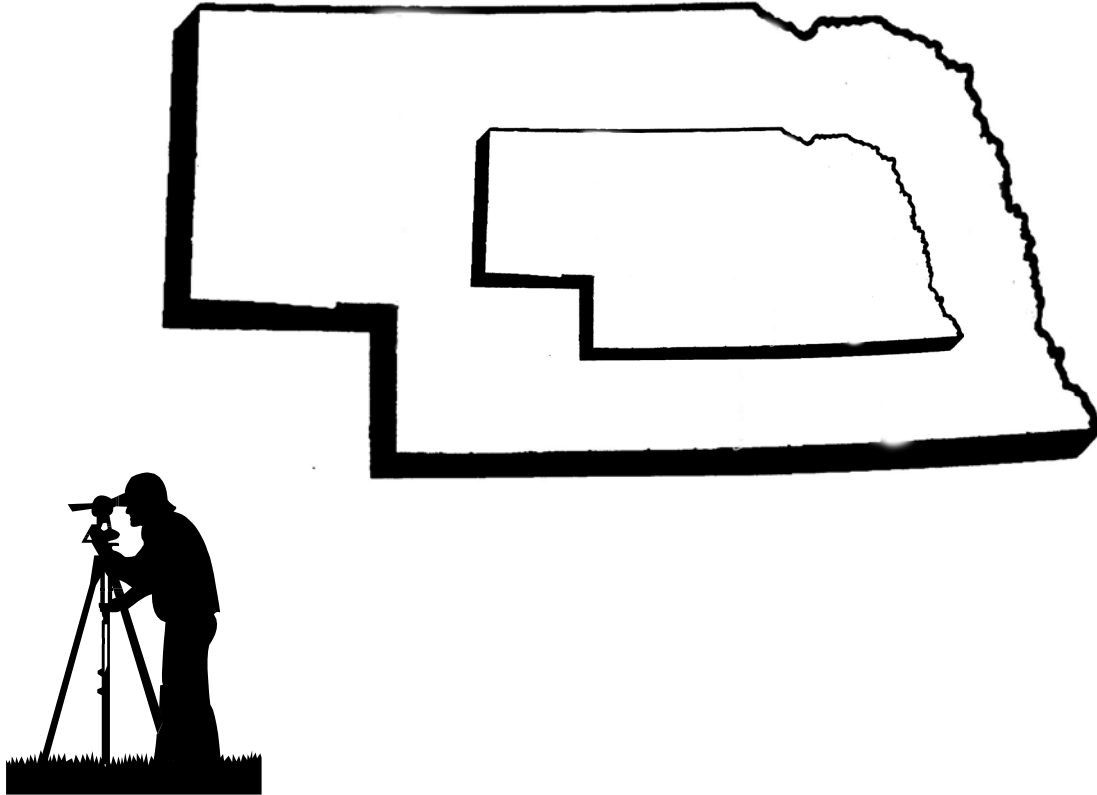
January 2018

Nebraska Department of Transportation
Relocation Assistance Section
PO Box 94759
Lincoln, NE 68509-4759
Phone: (402) 479-4761
Toll Free: 1-800-764-0422

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A Changing Nebraska



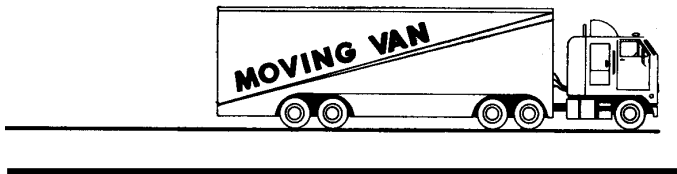
Introduction

In a changing America, government programs designed to benefit the public as a whole often result in acquisition of private property, and sometimes in the displacement of people from their residences, businesses or farms.

If you are required to move as the result of a publicly-financed construction project, you may be eligible for relocation assistance advisory services and payments provided by federal and state law.

It is the policy of the Federal Government, and our state, that displaced persons shall receive fair and humane treatment, and shall not suffer unnecessarily as a result of programs designed for the benefit of the public as a whole.

This brochure contains only general information, designed to acquaint you with the available relocation services and benefits. The relocation agent from the Nebraska Department of Transportation will be happy to explain them in detail.



The Basic Steps Necessary to Acquire Your Property and Get You Relocated

If you are an owner

1. The acquiring agency will appraise your property.
2. The appraisal will be reviewed.
3. You will be interviewed by the relocation agent.
4. While contracts and deed are being prepared, a relocation study will be completed.
5. The acquisition and relocation offers will be made to you together. At this time, you will receive a 90-day vacating notice.
6. If you accept the acquisition offer, and are satisfied with the relocation offer:
 - a. then you need to locate a replacement property.
 - b. in the meantime, the acquisition payment will be prepared and delivered to you.
 - c. a final 30-day vacating notice will be issued, when appropriate and if necessary.
 - d. advance relocation payments will be readied, if necessary.
 - e. you will close on your replacement property, and then move.
 - f. final relocation payments will be made.
7. If you don't accept the acquisition offer, and an agreement can't be reached:
 - a. eminent domain procedures will begin.
 - b. relocation activities may be put on hold.
 - c. issuance of the 30-day notice will be delayed.
 - d. upon the award of the court; refer to Step 6 above, except Part b.

If you are a tenant

1. The acquiring agency will appraise your property.
2. The appraisal will be reviewed.
3. The acquisition offer will be made to the property owner.
4. A relocation agent will interview you, the tenant.
5. Ownership of the property will transfer to the acquiring agency, either through agreement or by eminent domain procedures. (You will now pay your rent to the agency.)
6. A relocation study will be completed.
7. A relocation offer will be made to you, along with being issued a 90-day vacating notice.
8. Locate your desired replacement property and make arrangements.
9. Advance relocation payments will be readied, if necessary.
10. Move to the replacement.
11. Final relocation payments will be made.

Some Important Definitions...

Alien Not Lawfully Present

The law provides that if a displaced person is an alien not lawfully present in the United States such person is not eligible for relocation payments or assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act, unless ineligibility would result in exceptional and extremely unusual hardship to the alien's spouse, parent or child, and such spouse, parent or child is a citizen or an alien lawfully admitted for permanent resident.

Acquiring Agency

This can be the Department of Transportation or any other county, municipal, or political subdivision of the State of Nebraska having the authority to acquire private property for public use. The relocation program for the Nebraska Department of Transportation's projects is administered by the Right-of-Way Division. Other political subdivisions may administer their own programs or may contract for that service.

Displaced Person

Any person (individual, family, partnership, association or corporation) who moves from real property, or moves personal property from real property as a direct result of (1) the acquisition of the real property, in whole or in part, (2) a written notice of intent to acquire

from the agency, (3) the initiation of negotiations for the purchase of the real property by the agency, or (4) a written notice requiring a person to vacate real property for the purpose of rehabilitation or demolition of the improvement(s), provided the displacement is permanent and the property is needed for a Federal or federally assisted program or project.

Family

Two or more individuals living together in a single family dwelling unit, either related or by mutual consent.

Business

Any lawful activity, excepting a farm operation, conducted primarily for: the purchase, sale, lease and rental of personal and real property; or for the manufacture, processing, or marketing of an article of commerce; or for the sale of services to the public; or for an outdoor advertising display when forced to move.

Small Business

A “small business” is a business having not more than 500 employees working at a site which is the location of economic activity and:

1. the site will be acquired for a program or project, or
2. the business will be displaced by a program or project.

This does not include outdoor advertising signs, displays or devices.

Farm

The term “farm operation” means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator’s support.

Nonprofit Organization

A public or private entity that has established its nonprofit status under applicable Federal or State law.

Initiation of Negotiations

This term means the date the Department of Transportation makes the first personal contact with the owner of the real property to give a written offer for the purchase of that property.

Relocation Assistance Advisory Services

Any person, family, business, or farm displaced by a project shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by the Department of Transportation. It is their goal and desire to be of service to you, and assist in any way possible to help you successfully relocate.



Your relocation agent will provide you with assistance sufficient to meet your needs. You will be assisted in completing application and claim forms for payments and all relevant financial information concerning replacement housing will be explained. Every displaced person will be offered assistance in order to minimize hardships encountered in searching for and locating a decent, safe, and sanitary replacement property. This includes transportation to inspect housing which we have referred to you, if you need it.

If you have a special problem, your agent will make every effort to secure the services of other public and private agencies in your community which are equipped to help you. So please make your needs known to your agent. If the agent can't personally help you with a specific problem, perhaps he or she can find someone who can help.

Residential Assistance

A relocation agent from the Agency will contact and interview you to find out your needs. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined, as well as your need for assistance.

The agent will offer assistance and provide a current listing of comparable properties. You will be provided a written determination of the amount of replacement housing payment for which you qualify. The agent can supply information on other Federal and State programs in your area.

Transportation will be offered to inspect housing referrals. The Agency will provide counseling or help you get assistance from other sources as a means of minimizing hardships in adjusting to your new location.

Please let your agent know if you locate a replacement dwelling so that it can be inspected to assure that it meets DSS standards.

No one will be required to move from their existing dwelling for at least 90 days after a decent, safe, and sanitary replacement dwelling has been made available to them. If decent, safe, and sanitary housing is not available, the Department of Transportation will take whatever steps are necessary to provide housing through their Last Resort Housing methods.

Business, Farm, and Nonprofit Organization Assistance

A relocation agent from the Agency will contact and interview you to find out your needs and replacement site requirements and estimate the time needed to accomplish the move. Relocation services and payments will be explained in accordance with your eligibility. It is important to explain to the agent any anticipated problems. During the initial interview, the relocation agent will ask many questions to determine your financial ability to accomplish the move, including lease terms and other obligations.

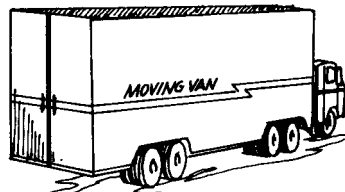
The agent will help determine the need for outside specialists to plan, move, and reinstall personal property. The agent will identify and resolve any issues regarding what is real estate and what is personal property to be relocated. The agent will explore and provide advice as to possible sources of funding and assistance from other local, State, and Federal agencies. In addition, as needed, the relocation agent will maintain listings of commercial properties and farms.

Remember – your agent is there to help and advise you; be sure to make full use of their services. Don't hesitate to ask questions, and be sure you understand fully all of your rights and relocation benefits.

Do not move until you have contacted your relocation agent or are given an official notice to vacate the premises.

Residential Moving Payments for Individuals and Families

They can choose either:



Commercial Move

or

Move Themselves

1. They hire the mover.
2. They pay the bills.
3. We reimburse them.

1. Amount is based on number of rooms.
2. No receipts required.

Displaced individuals and families may choose to be paid on the basis of actual, reasonable moving costs and related expenses, or according to a fixed moving cost schedule.

However, to assure your eligibility and prompt payment of moving expenses, you should contact the relocation agent from the Department of Transportation before you move.

Actual Reasonable Moving Expenses

You may be paid for your actual, reasonable moving costs by a professional mover plus related expenses, **or** you may move yourself. Reimbursement will be limited to a 50-mile distance in most cases. Related expenses involved in the move may include:

- Packing and unpacking personal property
- Disconnecting and reconnecting household appliances
- Temporary storage of personal property
- Insurance while property is in storage or transit
- Transfer of telephone service and other similar utility reconnections
- Other expenses considered eligible by the Agency

All expenses must be considered necessary and reasonable by the Department and supported by paid receipts or other evidence of expenses incurred.

Or you may choose to be paid on the basis of **the moving cost schedule**.

Moving cost schedules are prepared to provide adequate reimbursement for your moving expenses. The amount of the payment is based on the number of rooms in your dwelling. If you choose this option, your expenses need not be supported by receipted bills. Under this option you will not be eligible for reimbursement of related expenses.

If you are the owner of a displaced mobile home, you may be entitled to a payment for the cost of moving the mobile home to a replacement site on an actual cost basis. Displaced mobile home occupants (owners or tenants) may also be eligible for a payment for moving personal property from the mobile home such as furniture, appliances and clothing on an actual cost basis, or on the basis of a moving cost schedule. For a complete explanation of all moving cost options involving a mobile home, please discuss the matter with your relocation agent.

Nebraska Moving Cost Schedule

Occupant provides furniture									Occupant does not provide furniture	
Number of rooms of furniture								Each additional room	First room	Each additional room
1	2	3	4	5	6	7	8			
\$390	\$545	\$700	\$855	\$970	\$1,075	\$1,205	\$1,325	\$120	\$310	\$40

Persons moving from a rooming or dormitory type situation, and who have a minimal amount of personal possessions, will be limited to a total moving payment of \$100. This amount also applies to anyone whose move is performed by the Department of Transportation at no cost to the person.

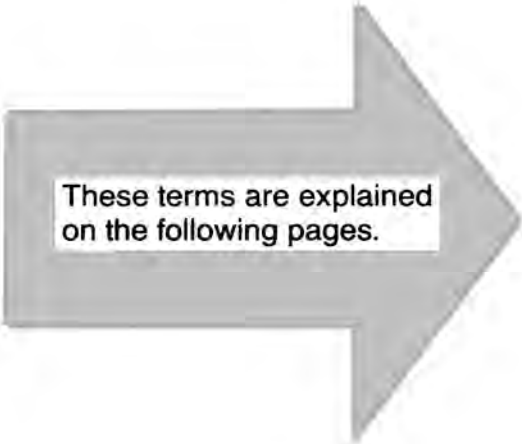


**Replacement
Housing
Payments**

Replacement Housing Payments . . .

Are to compensate the displaced person for increases in housing costs caused by acquisition of their dwelling.

These payments represent the difference between the value of your present dwelling and the value of a comparable dwelling chosen by the Department of Transportation, which is decent, safe, and sanitary.

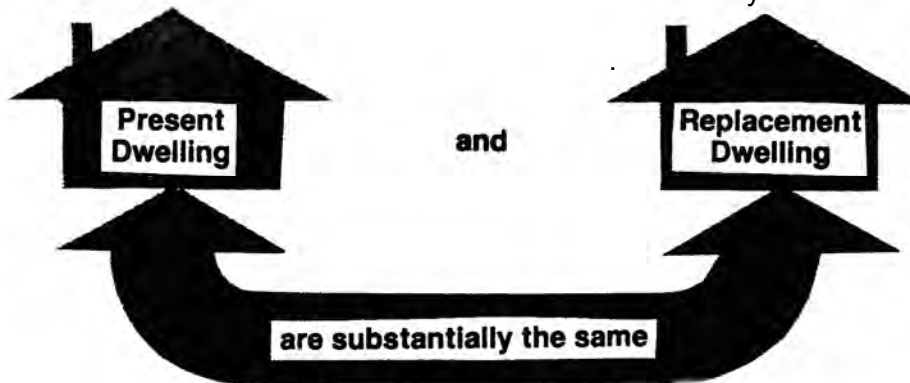


These terms are explained
on the following pages.

A “Comparable” Replacement means that your . . .

Comparable: A comparable replacement dwelling must be decent, safe, and sanitary, and functionally equivalent to your present dwelling. While not necessarily identical to your present dwelling, a comparable replacement dwelling should provide for the same utility and function as the dwelling from which you are being displaced. In addition, a comparable replacement dwelling should be:

- Adequate in size to accommodate the occupants (e.g., you and your family).
- Located in an area that is not subject to unreasonable adverse environmental conditions.
- Located in an area that is not less desirable than your present location with respect to public utilities and commercial and public facilities.
- Reasonably accessible to your place of employment.
- Located on a site that is typical in size for residential development with normal site improvements.
- Currently available on the private market.
- Within your financial means.



“Financial means” . . .

Financial means: For a tenant, the monthly rent and estimated average utility cost for a comparable replacement dwelling is considered to be within financial means if, after receiving rental assistance, this amount does not exceed the base monthly rent for the dwelling from which the tenant is displaced. The agency may need to calculate the base monthly rent using low income amounts established by the U.S. Department of Housing and Urban Development. For qualified low income tenants, this may provide for higher rental assistance. Therefore, it is important to provide the agency appropriate evidence of monthly household income when asked.

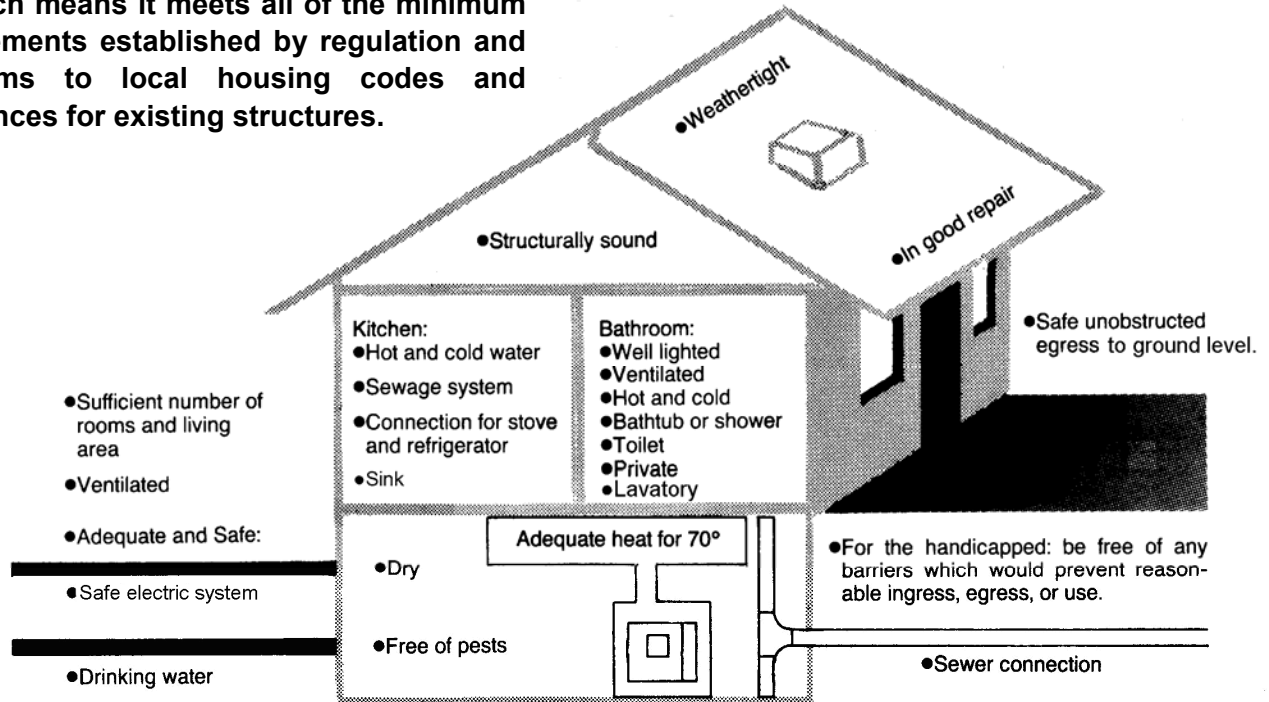
“Base Monthly Rent” . . .

Base monthly rent for the present dwelling is the lesser of:

- Monthly cost for rent and utilities at the present dwelling;
- Thirty percent (30%) of the displaced person’s average monthly gross household income if the amount is classified as “low income” by the U.S. Department of Housing and Urban Development’s Annual Survey of Income Limits for the Public Housing and Section 8 Programs; or,
- The total of the amounts designated for shelter and utilities if the displaced person is receiving a welfare assistance payment from a program that designates the amounts for shelter and utilities.

Replacement Housing Must be Decent, Safe and Sanitary ★

... which means it meets all of the minimum requirements established by regulation and conforms to local housing codes and ordinances for existing structures.



★ Often referred to as "DSS" housing

DSS Reminder

It is very important to remember that the replacement dwelling you select must meet the basic DSS standard. Do not execute a sales contract or a lease agreement until a representative from the Agency has inspected and certified in writing that the dwelling you propose to purchase or rent meets the DSS standard. Please do not jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

Replacement Housing Payments are Separated into Three Basic Types:

Purchase Supplement • Rent Supplement • Down Payment

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

1	Purchase Supplement	For Owner Occupants of 90 Days or More	see page	19
2	Rent Supplement	For Owner Occupants and Tenants of 90 Days or More	see page	25
3	Down Payment	For Owner Occupants and Tenants of 90 Days or More	see page	29

Complete details on length of occupancy requirements follow:

1

Purchase Supplement

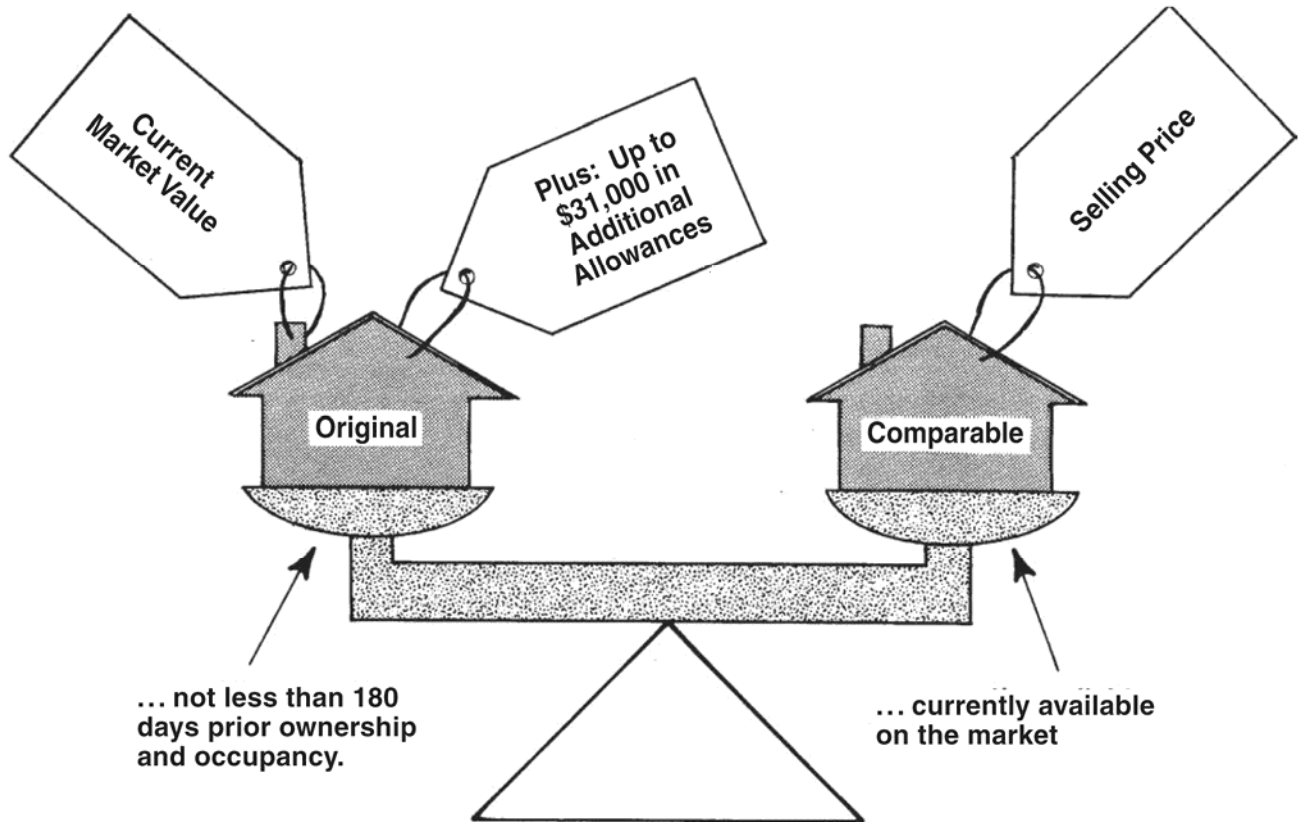
For Owner Occupants of 90 Days or More

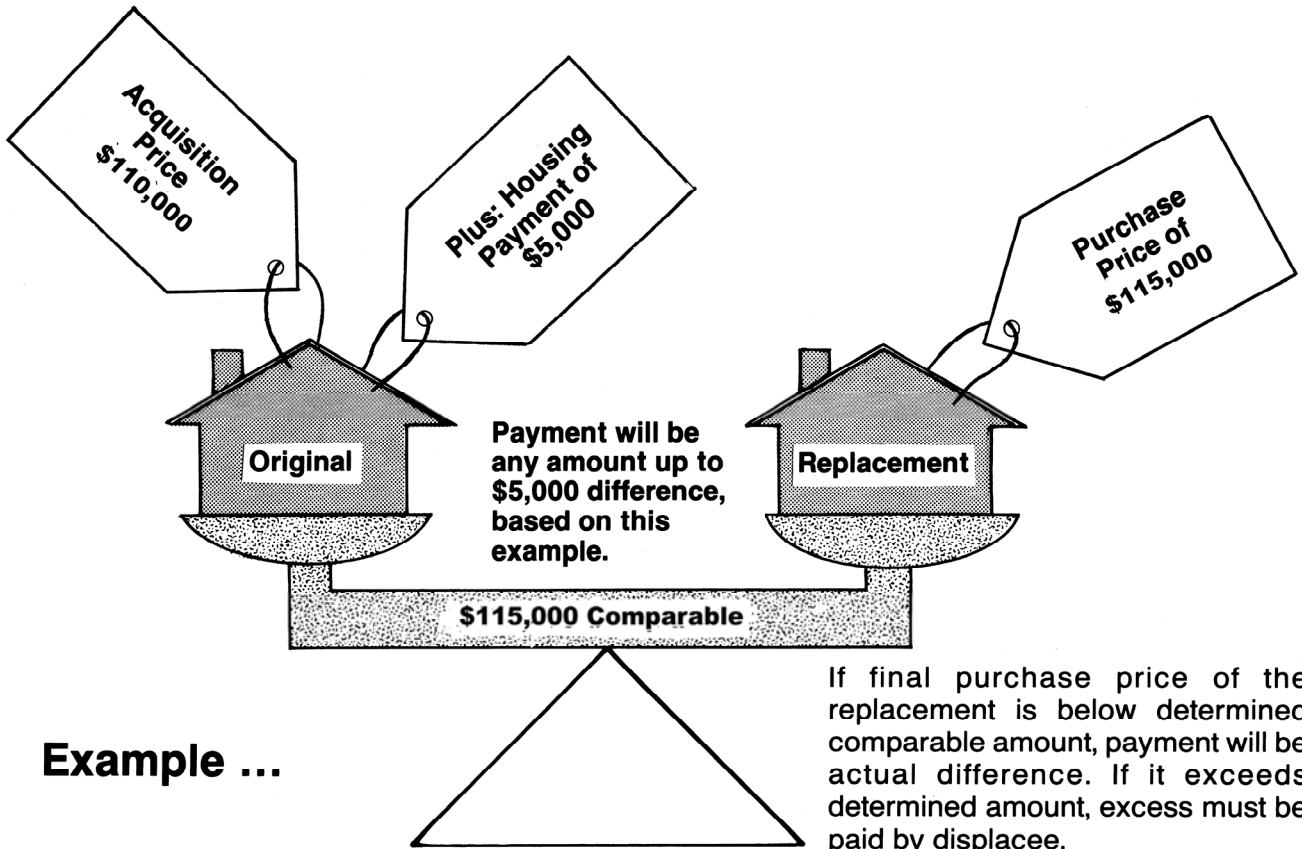
If you are an owner and have occupied your home for 180 days or more immediately prior to the initiation of negotiations for the acquisition of your property, you may be eligible --- **in addition to the fair market value of your property** --- for a **purchase supplement *** not to exceed \$31,000 for all costs necessary to purchase a comparable DSS replacement dwelling. The Department of Transportation will compute the maximum payment you are eligible to receive, and in so doing, attempt to balance the scale illustrated on the next page.

To qualify for this supplemental payment, you must purchase and occupy a DSS replacement dwelling within one year after the latter of:

- (1) the date you receive final payment for the acquired dwelling or,
- (2) in the case of condemnation, the date the required amount is deposited in the court.

* Relocation payments are in addition to the acquisition price paid for your property which is determined by appraisals.





The Computation of a Purchase Supplement is Illustrated in this Example

Assume that the Department of Transportation purchased your property for \$110,000. After a thorough study of all available decent, safe and sanitary dwellings on the open market comparable to your dwelling, the Department of Transportation made the determination that a replacement property will cost you \$115,000. The Department of Transportation will pay you a maximum replacement housing payment of \$5,000 if you, in fact, purchase a replacement property costing \$115,000 or more. If your purchase price exceeds \$115,000, you must pay the difference in excess of \$5,000. For example, if you purchased a replacement property for \$117,000 you would receive a purchase payment of \$5,000 and you would pay the difference of \$2,000. Again, if you purchased a replacement property for \$113,000, you would receive a payment of only \$3,000 on the basis of actual cost. Your payment cannot exceed actual cost difference or the amount determined by the Department of Transportation whichever is less.

Comparable Replacement Property	\$115,000
Acquisition Price of Your Property	\$110,000
Maximum Purchase Supplement	\$ 5,000

Purchase Price of Replacement	\$117,000
Comparable Replacement Property	\$115,000
Acquisition Price of Your Property	\$110,000
Maximum Purchase Supplement	\$ 5,000

Purchase Price of Replacement	\$115,000
Comparable Replacement Property	\$115,000
Acquisition Price of Your Property	\$110,000
Maximum Purchase Supplement	\$ 5,000

Purchase Price of Replacement	\$113,000
Comparable Replacement Property	\$115,000
Acquisition Price of Your Property	\$110,000
Maximum Purchase Supplement	\$ 3,000

In Addition to the Purchase Supplement . . .

The Department of Transportation will also reimburse you for other costs that may be involved in the purchase of a replacement dwelling. However, your total payment, including the purchase supplement cannot exceed \$31,000 according to the law. The purchase supplement and other incidental costs are payments in addition to the purchase price of the dwelling acquired from you.

It is the intent of the relocation program to compensate the displaced person for their actual relocation expenses. However, those reimbursements must be reasonable and ones which do not unfairly enrich the displacee. With this in mind, here are some of the items which will be reimbursed, and the conditions which must be met for doing so.

Increased Interest Cost

Persons eligible for this payment must have had a mortgage on the acquired dwelling, which was a valid lien, for at least 90 days prior to the initiation of negotiations.

This payment, when added to the down payment on the replacement, is designed to reduce a person's replacement mortgage to an amount which can be amortized at the same monthly payment, for principal and interest, over the remaining term on the old mortgage, or if less, the remaining term on the new mortgage. This procedure is commonly known as a "buydown."

Your payment will be reduced if you actually borrow less than the amount we calculate as your new mortgage.

In order to compute the payment, all pertinent information must be available to the agent, such as old and new interest rates and points, the remaining term and principal balance on the old and new mortgage, and the old and new monthly p&i payment.

To make this payment work, please discuss it with your agent before you secure a new mortgage.

Incidental Expenses

You may be reimbursed for some of your closing costs connected with the purchase of your replacement dwelling, but not for prepaid expenses such as taxes or insurance. Here is a list of some of those items and the conditions for their being eligible.

Notary fees

Deed recording fees

Termite inspection

Title search

Title insurance – buyer's half, not to exceed the cost for the comparable.

Mobile home sales tax – not to exceed the cost for the comparable.

Legal fees – for preparing contracts or for closing, when reasonable.

Inspections – when warranted or required.

Survey – if required.

Appraisal fee – if acquired property had a mortgage.

Application fee – if acquired property had a mortgage.

Credit report – if acquired property had a mortgage.

Loan recording fees – if acquired property had a mortgage.

Property Tax Increase

If there is an increase in your real property taxes, you will be reimbursed over a three-year period. The payment will not exceed the difference between your old taxes and the comparable's taxes.

The first computation and payment is made at the time of closing on your replacement. The second computation and payment will occur in the first months of the following year, with the third and final payment coming a year later. In some cases, the displacee may take the first computed amount, times three, in a lump sum.

2

Rent Supplement

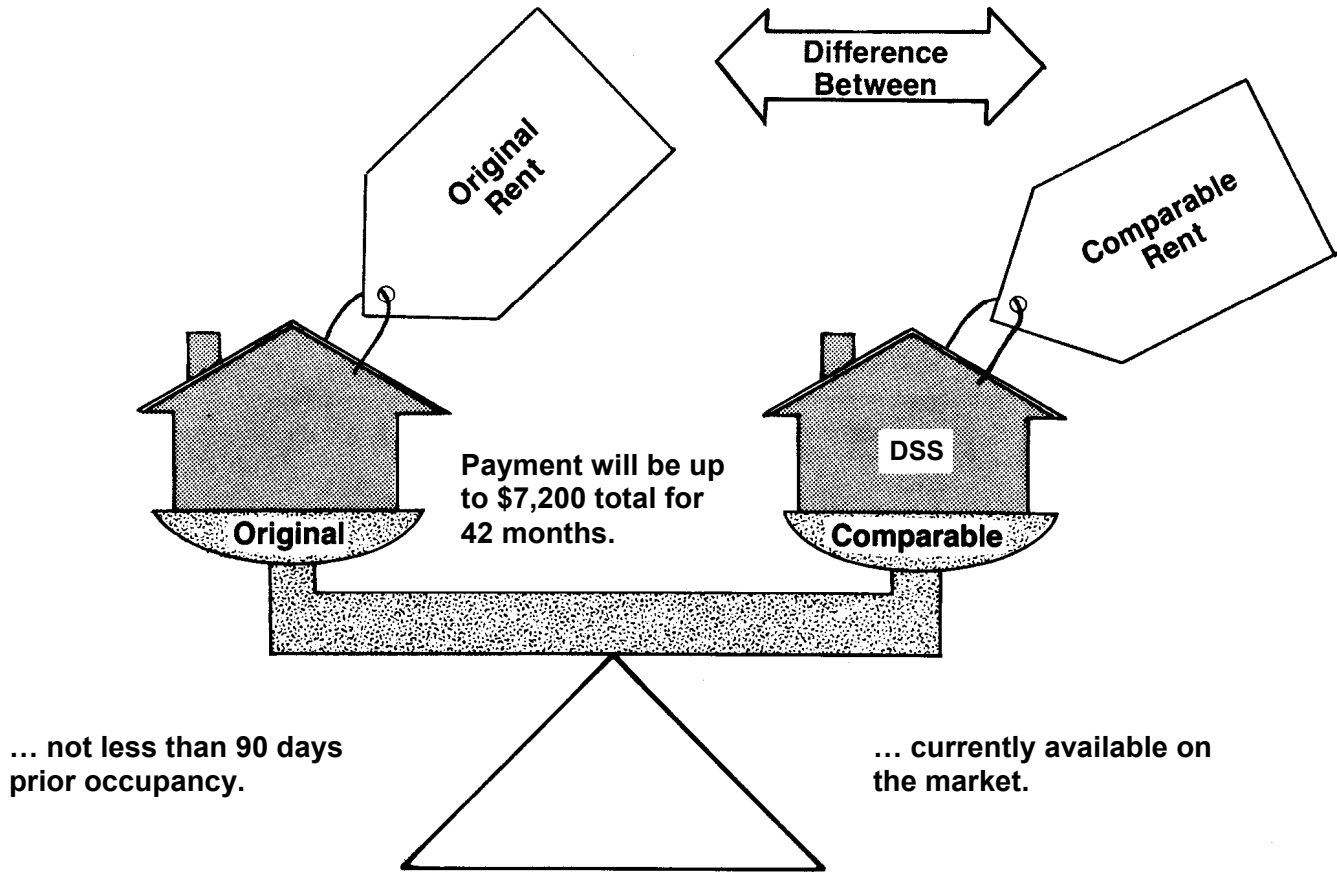
For Owner Occupants and Tenants of 90 Days or More

Owner occupants and tenants of 90 days or more may be eligible for a rent supplement. To be eligible for this type of payment, tenants and owners must have been in occupancy at least 90 days prior to the initiation of negotiations for the acquisition of the property. This type of payment is a supplement, enabling you to rent a DSS replacement dwelling for three and one-half years, or 42 months. If you choose to rent a replacement dwelling and the rent and utilities are higher than you have been paying, you may be eligible for a payment not to exceed \$7,200.00.

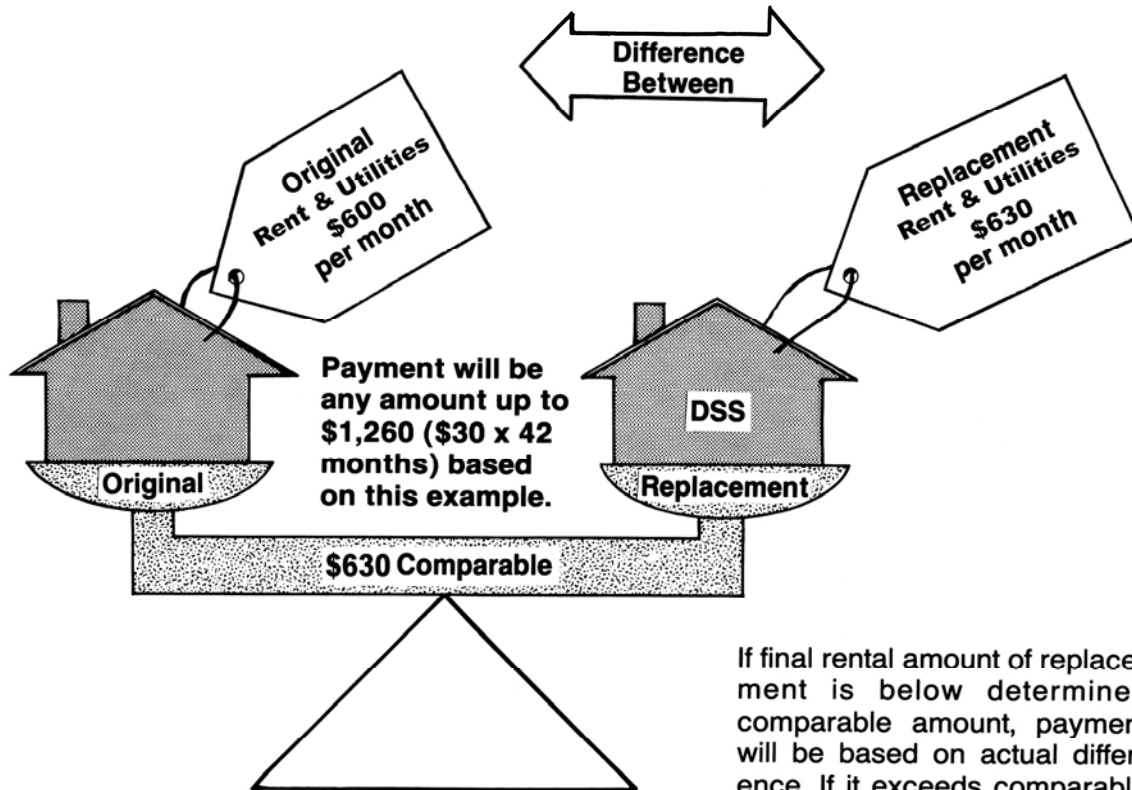
The maximum payment which you qualify for, if any, will be determined by the Department of Transportation in accordance with established procedures. The rent supplement payment may, at the Department of Transportation's discretion, be disbursed in either a lump sum or in installments.

In addition to the occupancy requirements, you must rent and occupy a DSS replacement dwelling within one year after:

1. for a tenant, the date you move from the acquired dwelling; or
2. for an owner occupant, the latter of:
 - a. the date you receive final payment for the acquired dwelling, or in the case of condemnation, the date the full amount of the estimate of just compensation is deposited with the court or
 - b. the date you move from the acquired dwelling.



Example ...



If final rental amount of replacement is below determined comparable amount, payment will be based on actual difference. If it exceeds comparable amount, excess difference must be paid by displacee.

For Instance . . .

As an example of how a rent supplement is computed, let us assume that you have been paying \$600 per month for rent and utilities for the dwelling occupied by you and purchased by the Department of Transportation. After a study of the rental market, the Department of Transportation makes the determination that a replacement rental unit which is DSS and comparable to your present dwelling is available with rent and utilities for \$630 per month. The **maximum** rent supplement you can receive in this case is \$30 per month for a 42-month period, or \$1,260. If you select a replacement dwelling with rent and utilities for \$650 per month, despite the availability of comparable DSS replacement rental units with rent and utilities for \$630 per month, you will still receive only the maximum payment computed by the Department of Transportation, as indicated above. In other words, you must pay the additional \$20 per month out of

your own pocket. And, if you select a replacement dwelling which has rent and utilities for more than your present rent but less than the amount determined by the Department of Transportation, you will be paid on the basis of actual cost.

For example, assume you select a replacement dwelling unit with rent and utilities for \$620 per month. On the basis of actual cost, you will be eligible for a payment of \$20 per month for 42 months, or \$840.

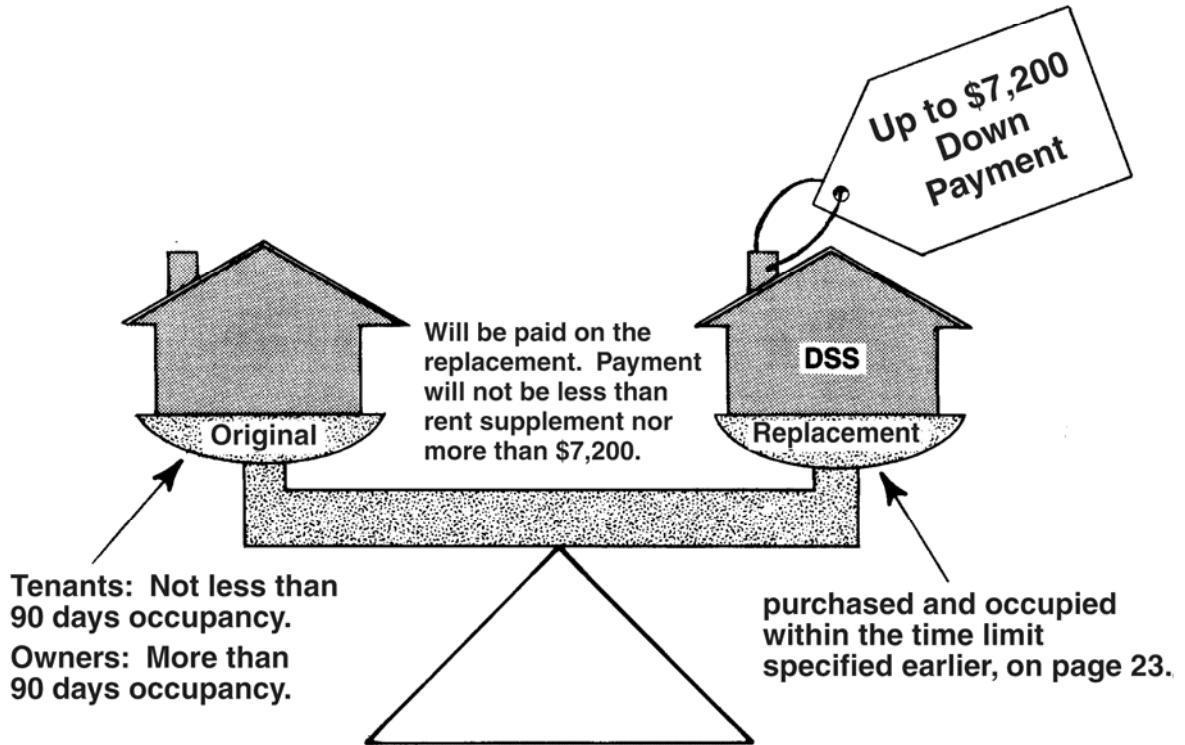
For an Owner Occupant

The computation is basically the same, except that a fair market rental amount will need to be established on your dwelling, for comparison with available rental dwellings.

3

**Down
Payment**

**For Owner Occupants
and Tenants of
90 Days or More**

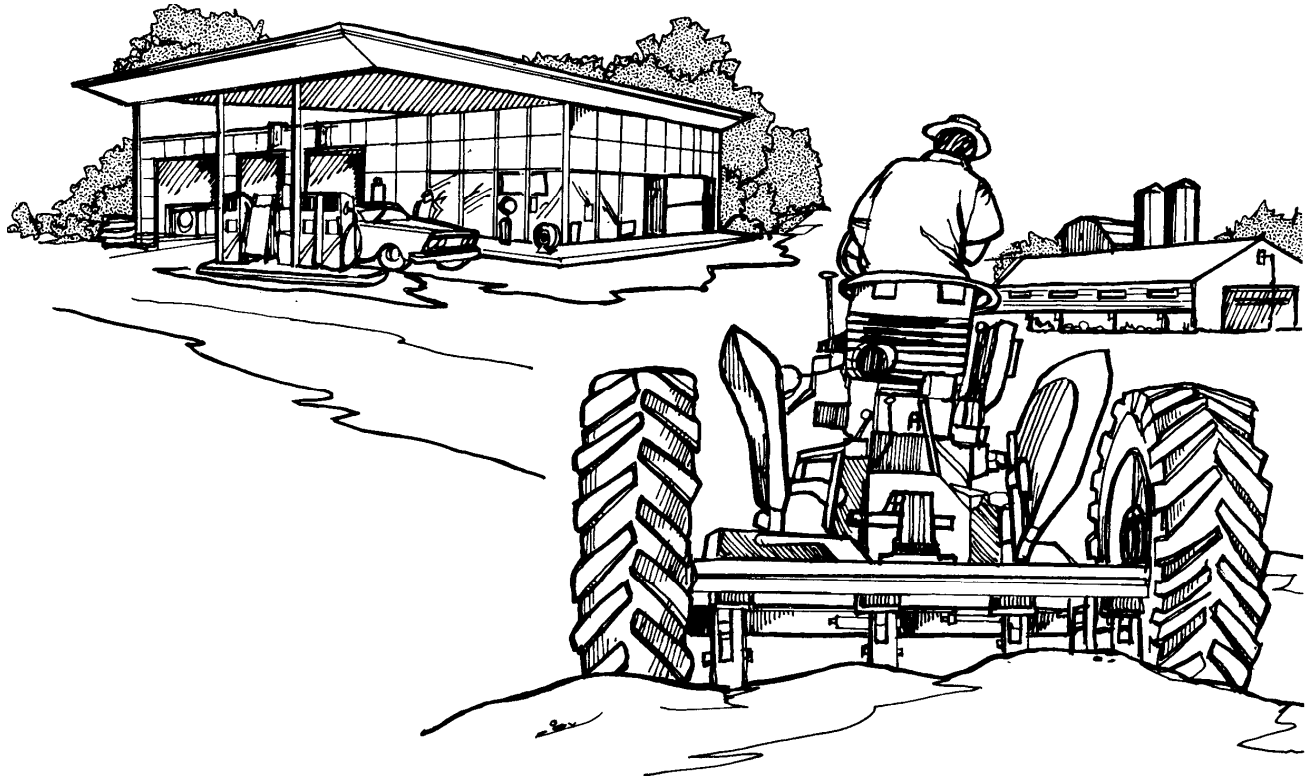


Owner occupants and tenants of 90 days or more who purchase a replacement dwelling are entitled to a down payment assistance payment in the amount the person would receive as a rent supplement described on page 23. A down payment assistance payment that is less than the maximum of \$7,200 will be increased to any amount, not to exceed \$7,200 provided the full amount is applied to the purchase price and related incidental expenses.

The payment to an owner occupant of 90 days or more shall not exceed the amount the owner would receive as a purchase supplement described on page 16, if the owner met the 180 day occupancy requirement.

The full amount of the down payment assistance payment must be applied to the purchase price of the replacement dwelling and related incidental expenses.

Although this may sound complicated, the relocation agent from the Department of Transportation will explain the procedure to you personally.



Moving Cost Reimbursement: Businesses, Farms, and Nonprofit Organizations

Owners or tenants are eligible for payments designed to reimburse them for:

1. their costs in moving personal property.
2. their time in searching for a new location.
3. actual loss of tangible personal property.
4. their expenses in reestablishing at a new site.

or

5. they can take a fixed payment in lieu of the other relocation benefits. This payment is between \$1,000 and \$40,000, based on the net earnings of the business or farm.

Not all businesses, farms, or nonprofit organizations qualify for all payments. A relocation study will determine the extent of your eligibility.

Two Ways To Move Your Enterprise

When there is personal property to move, the owner of it has two methods to choose from.

Commercial Move – You may be paid the actual reasonable costs of your move provided by the services of a commercial mover. All of your expenses must be supported by receipted bills in order to assure payment of your moving claim.

Self-Move – If you decide to move yourself you may be paid an amount which does not exceed the lower of two firm bids by two qualified moving firms. If bids can't be obtained, your payment may be based on your actual, reasonable moving expenses supported by receipted bills or other evidence of expenses incurred.

You must first provide the Department of Transportation with an inventory of the items to be moved.

The relocation agent will then make a moving expense estimate, or will secure two bids from commercial movers. You will then be offered an amount to move yourself, or you can hire a commercial mover; reimbursement not to exceed the low bid.

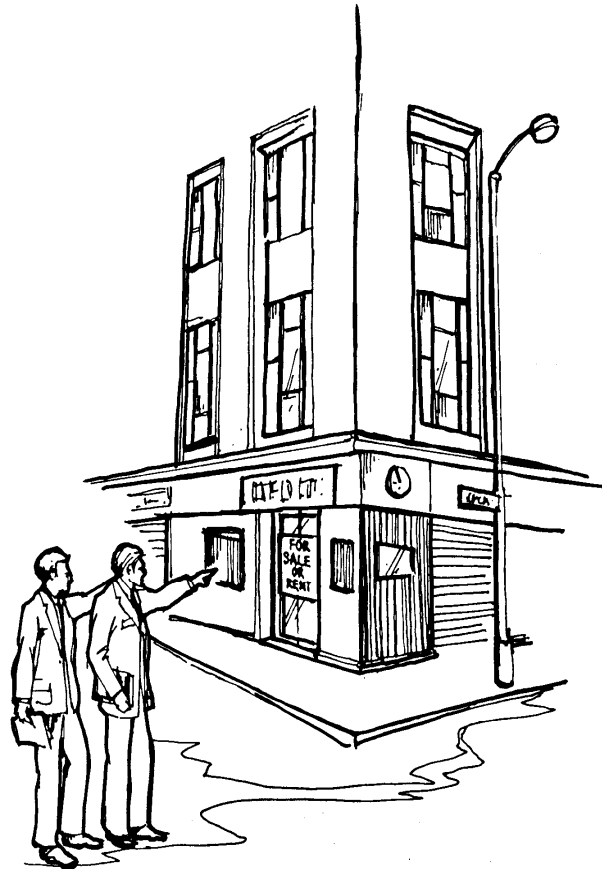
You must give your agent advance notice of the start of your move so that the move can be monitored, if needed.

Some, but not all, of the elements of the move eligible for reimbursement is:

- transportation costs.
- packing costs.
- disconnect and reconnection of equipment.
- storage costs, if necessary.
- insurance.
- unused portions of licenses or permits.
- costs of obsolete signs and stationery.
- connection to available utilities from the right of way to improvements at the replacement.
- professional services prior to purchase or lease of a replacement for marketing studies, feasibility studies, and soil testing.
- impact fees or one-time assessments for anticipated heavy utility usage.

Searching Expenses for Replacement Property

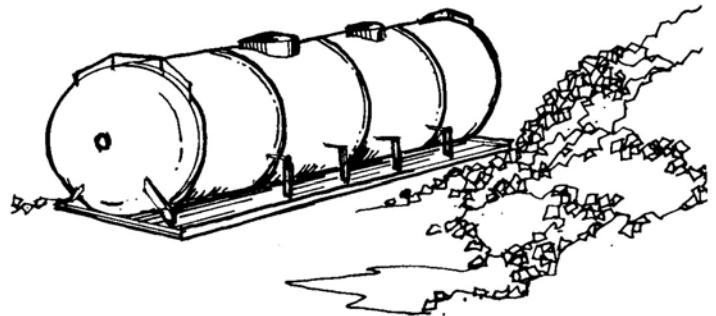
Displaced businesses, farms and nonprofit organizations may be reimbursed for actual reasonable expenses related to searching for a replacement property, limited to \$2,500, unless there are extraordinary circumstances that justify approval of greater amounts. Expenses may include costs such as transportation, meals, lodging when away from home, the reasonable value of time actually spent in search, and reasonable fees paid to real estate agents or brokers, exclusive of commissions or fees related to the purchase of the site. All expenses must be supported by receipted bills. The value of time spent in the search must be supported by W-2 forms, pay stubs, tax returns, or other documentation. A detailed record of your searching activities must be kept and submitted before payment can be made.



Actual Direct Losses Of Tangible Personal Property

A business or farm operation may decide not to move certain items of personal property, or to discontinue the operation. If so, this payment is designed to compensate for some of that loss. There are two situations and methods of computing your payment:

1. Item is not replaced. Payment will be the lower of:
 - a. Fair market value of item (in place value); Minus the proceeds of the sale of the item (must at least attempt); Plus reimbursement of the sale expenses; or
 - b. Estimated cost of moving the item (up to 50 miles).
2. Item to be replaced with new. Payment will be the lower of:
 - a. Cost of substitute item, including installation costs; Minus proceeds from the sale or trade-in of the old item; or
 - b. Estimated cost of moving and reinstalling the old item.



Reestablishment Expenses

In addition to the previous benefits, a **small business**, farm or nonprofit organization is entitled to receive payment, not to exceed \$25,000, for expenses actually incurred in relocating and reestablishing at a replacement site. Expenses must be reasonable and necessary, as determined by the Department of Transportation. Some of these expenses may include, but are not limited to:

1. Repairs or improvements to the replacement real property, as required by law or code.
2. Modifications to the property to adapt it to the business's needs.
3. Construction and installation costs for exterior signing to advertise the business.
4. Redecoration or replacement of worn surfaces, such as paint or carpeting.
5. Advertisement of new replacement location.
6. Estimated increased costs of operation during the first two years at the replacement site for such items as:

- a. Lease or rental charges
 - b. Personal or real property taxes
 - c. Insurance premiums
 - d. Increased utility charges, excluding impact fees.
7. Other items that the department considers essential to the reestablishment of the business.

Ineligible Expenses – The following is a nonexclusive list of reestablishment expenses not eligible for reimbursement:

1. Purchase of capital assets, such as office furniture, machinery, or trade fixtures.
2. Purchase of materials, supplies, or other items used in the course of normal operations.
3. Interest on money borrowed to make the move or purchase the replacement site.
4. Payment to a part-time business in the home which does not contribute substantial income.

Fixed Payment

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment **IN LIEU** of actual moving expenses, reestablishment expenses, actual direct loss of tangible personal property, and searching expenses. Such payment may not be less than \$1,000 nor more than \$40,000. For the owner of a business to be eligible for this payment, the Department of Transportation must determine that:

1. the business owns or rents personal property to be moved.
2. the business cannot be relocated without a substantial loss of its existing patronage (income).
3. the business contributes materially to the owner's income.
4. the displaced business is not part of an enterprise having at least three other similar entities not being acquired.
5. the business is not solely for the purpose of renting property.

For the owner of a farm operation to be eligible for this payment, it must be determined that:

1. the operation contributes materially to the operator's income.
2. the acquisition of part of the land causes the operator to be displaced from the remaining land.
3. the partial acquisition causes a substantial change in the nature of the farm operation.

The amount of the actual payment for businesses and farms is determined by the average of the annual net earnings for the operations in the two years preceding the year of relocation.

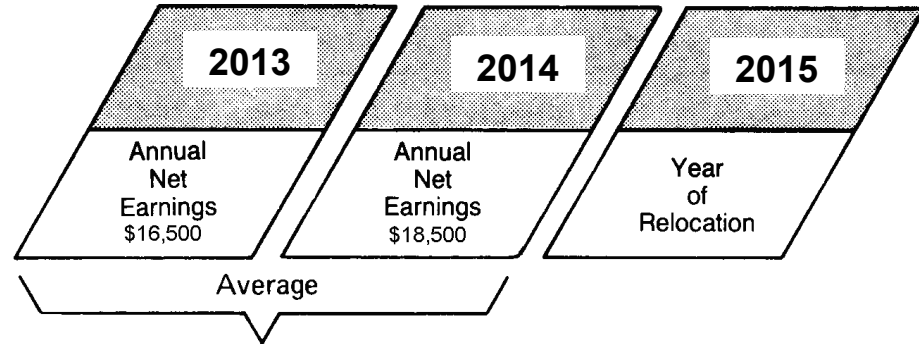
A nonprofit organization is eligible for this payment when it cannot be relocated without a substantial loss of its membership or clientele. Any payment above \$1,000 is based on annual gross revenue minus administrative expenses.

The Computation of Your Fixed Payment . . .

is based upon the average annual net earnings for two taxable years immediately preceding the taxable year during which the enterprise is relocated.

You must provide tax information to the Nebraska Department of Transportation to support your net earnings.

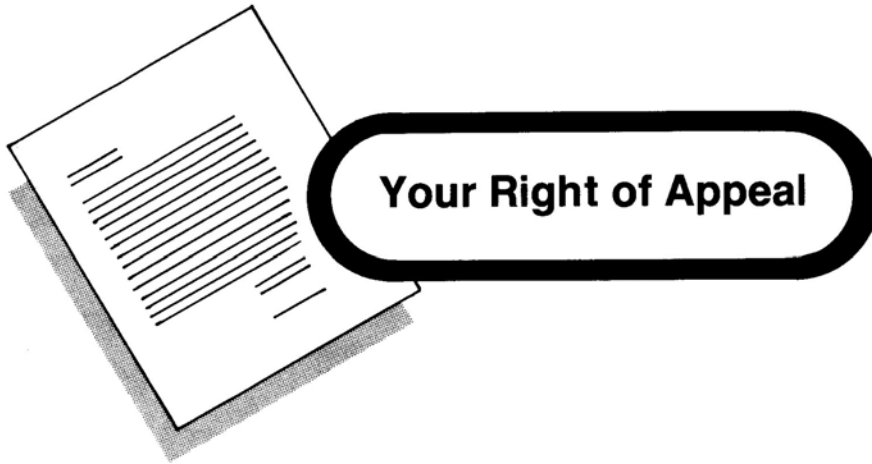
Example:



\$17,500 = Fixed payment; also called IN LIEU payment

If in business less than two years, the net earnings for the actual period will be projected to an annual rate.

Net earnings include compensation paid to the owner, the owner's spouse or dependents.



Your Right of Appeal

Any person who has been refused a relocation payment or who believes that the payment offered was not adequate to relocate, may request an appeal form which will be promptly furnished. The appeal form should be filled out and returned to the address listed at the front of the book. Your request will be reviewed by the Right of Way Manager and a decision rendered, after consulting with all persons involved with the original determination.

Should you still be unsatisfied with your payment amount, there is a second route of appeal. This is by way of an informal hearing presided over by a Hearing Examiner appointed by the Director. Final determination will be made by the Director after reviewing the facts as presented by the Hearing Examiner.

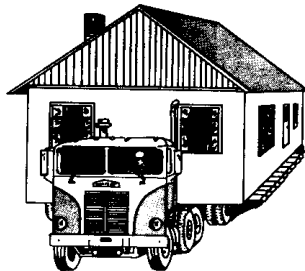
Miscellaneous Information



In the case of mobile home owners and tenants who are displaced from non-decent, safe and sanitary mobile homes, the replacement housing payments described earlier are applicable. For those mobile homes that are decent, safe and sanitary and can be moved, the provision of rental replacement housing payments, a purchase down payment on another site, or a purchase differential are applicable. Further explanation of these payments will be provided by your relocation agent.

IR\$

No relocation payment received shall be considered as income for the purpose of the Internal Revenue Code of 1986 or the State tax laws. These payments are not income for determining the eligibility of any person for assistance under the Social Security Act or any other Federal law, except for any Federal law providing low-income housing assistance.



If you choose to retain your present dwelling and move it to a new location, the replacement housing payment if any, will be the amount by which the cost to relocate the retained dwelling exceeds the acquisition price of the dwelling. This payment may not exceed the computed replacement housing payment based on the purchase of an available, comparable DSS dwelling.

Fair Housing Laws

Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968 set forth the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States. These Acts and Executive Order 11063 make discriminatory practices in the purchase and rental of residential units illegal if based on race, color, religion, sex, or national origin.

Whenever possible, a minority person shall be given reasonable opportunity to relocate to a DSS replacement dwelling which is not located in an area of minority concentration that is within their financial means. This policy does not require the Department to provide a displaced person with a larger payment than is necessary to enable the person to relocate to a comparable replacement dwelling.