

## MEMORANDUM

TO: Certification Acceptance Agencies (CA's)

FROM: Rolanda Smedley, Local Public Agency Section

CC: Paul O'Brien, Environmental Planning; Katie Rodriguez, Environmental Planning; Richard Erickson, Right of Way; Matt Tolman, Right of Way; Velvet Matthew, Project Management Group; Steve O'Brien, Project Management Group; Madhav Mundle, Project Management Group; Jennifer Acuna, Project Management Group; Mike Andazola, Project Management Group; Lisa Pounds, Local Public Agency; Mark Henige, Local Public Agency

DATE: December 16, 2021

RE: Early Acquisition of ROW

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As per 23 CFR 710.203, provided a CA is not seeking federal reimbursement for their real estate acquisitions, Early Acquisition of Right of Way (ROW) is allowed. Therefore, ADOT has developed a standard operating procedure (SOP) for the Early Acquisition of ROW (attached below). This process is not to be used in lieu of the standard ROW process. Should the Early Acquisition of ROW be utilized, all criteria must be met to include following the Uniform Act and Early Acquisition regulations. If it is determined that said criteria is not properly demonstrated, the eligibility for federal reimbursement of the entire project will be jeopardized.

Should you have any questions or require additional clarification, please feel free to contact me at [rsmedley@azdot.gov](mailto:rsmedley@azdot.gov).