######

###### ACQUISITION STAGE RELOCATION PLAN

###### RE 2238 01/2020

###### *Regional Office*

*Project Id*

*Project Name*

*Project Limits*

*County*

*Name of Preparer, Company Name (if consultant)*

*Date Submitted for approval*

###### ACQUISITION STAGE RELOCATION PLAN

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# SECTION A

# PROJECT DESCRIPTION

|  |  |  |
| --- | --- | --- |
| Project name      | Project plan is for:[ ]  WisDOT | Relocation Specialist Contact Info:      |
| Project limits      | [ ]  Local Public Agency |
| Project ID      | Relocation Specialist Contact Info:      | Relocation Specialist Contact Info:      |

**PROJECT PURPOSE**

Provide a narrative description of the project in sufficient detail to describe the proposed highway improvement, and location (city/village/town/county) of the relocation parcels including a description of project area, type of neighborhood (Use as much space as necessary):

## PROJECT ASSURANCE

Project is pursuant to requirements of Uniform Relocation Assistance Act, [s. 32.195](http://nxt.legis.state.wi.us/nxt/gateway.dll?f=templates&fn=default.htm&vid=WI:Default&d=stats&jd=32.195) and [32.25 Wis. Stats.](http://nxt.legis.state.wi.us/nxt/gateway.dll?f=templates&fn=default.htm&vid=WI:Default&d=stats&jd=32.25), and Chapter Adm 92, the agency assures that:

1. All displaced persons (residential and nonresidential) are treated fairly, consistently and equitably under laws of the United States and State of Wisconsin.
2. No person lawfully occupying real property will be required to move from an acquired dwelling, business or farm operation without at least ninety (90) days written notice by WisDOT.
3. No person(s) to be displaced will be required to move permanently from a dwelling or business location unless at least one comparable replacement dwelling has been made available.
4. No person shall be asked or required to waive relocation rights, assistance or benefits provided under 49 CFR Part 24.
5. Persons will not suffer disproportionate injuries because of projects designed for benefit of the public as a whole.
6. Relocation program for this project as developed in this plan is realistic and is adequate to provide for the orderly, timely and efficient relocation of displaced persons.

**DISPLACEMENT NUMBERS**

|  |  |  |
| --- | --- | --- |
|  | RESIDENTIAL | NONRESIDENTIAL/BUSINESS  |
|  | Vacant | Occupied | Vacant | Occupied |
| Owner(s)  |       |       |       |       |
| Tenant(s)       |       |       |       |       |
| Total       |       |       |       |       |

## RELOCATION TIMETABLE

Relocation timetable includes: completion of appraisals; acquisition of parcels; and, time needed by displaced persons to vacate.

|  |  |  |
| --- | --- | --- |
| Relocation order date      | PS&E date      | Construction start date      |

##

## RELOCATION FIELD OFFICE

[ ]  Yes, location:

[ ]  No, a field office is not necessary at this time.

**RELOCATION PROGRAM STANDARDS**

*Check all that apply:*

[ ]  Local zoning/regulations and codes establish standards to meet Adm 92.04 requirements for decent, safe and sanitary housing for a replacement dwelling.

[ ]  State of Wisconsin Uniform Dwelling Code and/or Wisconsin Commercial Building Codes apply to the replacement properties.

[ ]  Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act and code of federal regulations 49 CFR Part 24 applies to this project and relocations.

## COMPETING DISPLACEMENTS

Does WisDOT, or any other public agency or private development projects, have any other projects with displaced persons in this area that may compete with or disrupt this relocation project?

[ ]  No. There are no known projects that may disrupt this relocation project.

[ ]  Yes. Describe any known issues and how these issues will be addressed by WisDOT:

## RELOCATION PAYMENT

Procedure under Adm 92.08 will be followed. WisDOT’s procedure for assisting a displaced person in filing a relocation claim includes the following:

1. A displaced person will be furnished with copies of required Relocation Claim - Application and Release (RE1527).
2. The assigned relocation specialist will explain to the displaced person(s) the claim filing procedure at the initiation of negotiations or as soon as possible thereafter. The two-year timeframe for filing a relocation claim shall be conveyed to the displaced person(s).
3. Relocation specialist will assist the displaced person(s) to complete a claim including a description of the claimed items, documentation including photos and other verification such estimates and paid receipts; and evidence of the expense by the displaced person(s).
4. All relocation claims are reviewed in Bureau of Technical Services by the statewide relocation facilitator and any further documentation needed in the review will be identified as promptly as possible to the relocation specialist who will convey the request to the displaced person(s).
5. WisDOT will act on all submitted claims to ensure that prompt payment can be made. At a minimum, adherence to s. 32.20, Wis. Stats. and a 90-day maximum review of claims applies.

## PROPERTY MANAGEMENT POLICY

Upon the acquisition of a property:

1. A rental agreement will be executed between WisDOT and displaced person(s), who are now considered tenants at the property owned by the State of Wisconsin. The rental agreement will establish the terms for tenancy.
2. Displaced person(s) shall have rent-free use of property for 30 days beginning with next 1st or 15th day of the month after title vests with agency, whichever comes first.
3. Rent charged to occupant for use of property between date of acquisition and date of displacement (vacate date) may not exceed economic rent, rent paid by tenant to the previous owner, an occupant's financial means (over 30% of income for housing), or one-half of one percent (1/2 of 1%) per month of the acquisition amount.
4. WisDOT will assume responsibility for property management, as necessary to keep buildings in a condition free of any immediate, life threatening conditions. The agency may contract with a private management company as needed to manage rental units.

## EVICTION POLICY

Reasonable efforts shall be made to prevent eviction under Adm 92.16 after the acquisition of the property by WisDOT. Eviction shall be undertaken only for one or more of the following reasons:

1. Is required by state or local law and cannot be prevented.
2. Failure to pay rent, except where failure to pay is based upon agency not keeping premises in habitable condition.
3. Maintaining a nuisance on premises.
4. Material breach of agreement.
5. Refusal to accept one of a reasonable number of offers for comparable properties.
6. Use of premises for illegal purposes.

Eviction will be used only as a last resort. It will not affect eligibility for relocation payments.

##

## PLAN INFORMATION SOURCES (check all that apply)

|  |  |
| --- | --- |
| Comparable, available properties developed from:[ ]  Internet resources (list)      [ ]  Multiple Listing Service      [ ]  Newspaper      [ ]  Personal contact      [ ]  Other:       | Plan information developed from:[ ]  WisDOT project information[ ]  Financial institutions      [ ]  Local government agencies      [ ]  Newspaper      [ ]  Personal contacts      [ ]  Other:       |

# SECTION B – RESIDENTIAL RELOCATION FEASIBILITY ANALYSIS

## RELOCATION ASSISTANCE SERVICES

Check one:

[ ]  Yes - residential relocation services are needed.

[ ]  No - residential relocation services are not needed. If there are no residential displaced person(s), skip to Section C.

1. Gather data commensurate with displaced person(s) needs and advise accordingly.
2. Assist in planning for and establishing moving arrangements, including transfer of utility services.
3. Make personal contacts with each displaced person(s) on a regular basis to discuss all aspects of relocation. The actual number of in-person appointments and contacts shall be based on the complexity of the relocation services needed to complete the relocation and specific needs of the displaced person(s).
4. Provide all required written notices, delivered by personal contact whenever feasible, to ensure a full understanding of eligibility requirements, payment options, project information and other notices required by law, regulations, or as otherwise appropriate.
5. Provide counsel to each individual or family regarding replacement housing that is decent, safe and sanitary, adequate to their needs, suitably located, and within their financial means.
6. Provide current information on availability and prices of comparable sales housing.
7. If necessary, assist displaced person(s) in obtaining mortgage financing and in preparation of offers to purchase and related documents relative to closing of a replacement dwelling.
8. Provide current information on units available to rent and advise displaced person(s) on lease arrangements, tenant/landlord responsibilities, security deposit practices, rental ranges, etc.
9. Provide information on school district boundaries and public transportation.
10. Provide referrals to local housing and social service assistance agencies, as needed.
11. Assist displaced person(s) in filing relocation claims for payments.
12. Provide information regarding appeal rights procedures under s. 32.20, Wis. Stats.

## DETAILED NARRATIVE DISCUSSION

Describe each subject property affected by residential relocation. Provide a detailed narrative paragraph(s) describing each potential displaced person’s individual and/or household circumstances based on an in-depth interview. Address specific needs, potential issues and solutions. Discuss the displaced person’s present status and any special considerations, such as health considerations, income, family size, and physical or cognitive disability. Identify potential solutions to accomplish the relocation of each displaced person.

Specialists preparing this plan should reference and correlate parcel numbers according to information provided on the Residential Inventory, Correlation and Payment Summary chart below. (Use as much space as necessary.)

## RESIDENTIAL INVENTORY, CORRELATION AND PAYMENT SUMMARY

*(Enter an N/A where appropriate)*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Parcel / Unit # |       |       |       |       |       |
| **SOCIAL****FINANCIAL****DATA** | Indicate if owner or tenant |       |       |       |       |       |
|  | Number of adults in family |       |       |       |       |       |
|  | Sex / age of children | F |       |       |       |       |       |
|  |  | M |       |       |       |       |       |
|  | Gross income |       |       |       |       |       |
|  | Current rent or economic rent |       |       |       |       |       |
| **ACQUIRED****DWELLING****DATA** | Acquired dwelling value |       |       |       |       |       |
|  | Building type / construction |       |       |       |       |       |
|  | Age / state of repair |       |       |       |       |       |
|  | Total rooms / bedrooms |       |       |       |       |       |
|  | Habitable area |       |       |       |       |       |
|  | Type of neighborhood |       |       |       |       |       |
|  | Distance to shopping |       |       |       |       |       |
|  | Distance to transportation |       |       |       |       |       |
|  | Distance to school |       |       |       |       |       |
| **REHOUSING****NEEDS** | Total rooms/ bedrooms needed \* |       |       |       |       |       |
|  | Habitable area needed \* |       |       |       |       |       |
|  | Probable status owner / tenant |       |       |       |       |       |
| **COMPARABLE****HOUSING****ANALYSIS** | # Available comparable rep dwellings |       |       |       |       |       |
|  | # Expected available comp rep dwellings |       |       |       |       |       |
|  | Comparable value / rent range |       |       |       |       |       |
|  | Comparables from group no. |       |       |       |       |       |
|  | Most comparable no. / price |       |       |       |       |       |
|  | TOTALS(this page) |
| **ESTIMATED****PAYMENTS****AND COSTS** | Estimated housing supplement |       |       |       |       |       |       |
|  | [ ]  R – Rent subsidy[ ]  D – Down payment |       |       |       |       |       |       |
|  | Moving costs actual / fixed |       |       |       |       |       |       |
|  | Closing costs |       |       |       |       |       |       |
|  | Refinancing costs |       |       |       |       |       |       |
|  | TOTALS |       |       |       |       |       |       |

\* Total rooms/bedrooms and habitable area needed shall be based upon the larger of: acquired dwelling OR decent, safe and sanitary standards.

If necessary, insert additional ‘Residential Inventory, Correlation and Payment Summary’ pages and ‘Available Comparable Housing’ chart pages under Section B of this plan.

## AVAILABLE COMPARABLE HOUSING

|  |  |  |
| --- | --- | --- |
| **Group Number** | **[ ]  Purchase** | **[ ]  Rental** |
| **Unit No.** | **Unit Address** | **Bldg Type/ Construction** | **Total Rooms/ Bedrooms** | **Habitable Area** | **Listed Price/ Rental** |
|       |       |       |       |       |       |
|       |       |       |       |       |       |
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# SECTION C - NONRESIDENTIAL RELOCATION FEASIBILITY ANALYSIS

**RELOCATION ASSISTANCE SERVICES**

Check one:

[ ]  Yes – Nonresidential (business/nonprofit/farm) relocation services are needed.

[ ]  No – Nonresidential (business/nonprofit/farm) relocation services are not needed. If there are no identified nonresidential relocations, please skip to Section D.

Assist owners of nonresidential displaced business operations in obtaining and becoming established in suitable business locations or replacement farms. [s. 32.25(2)(b) Wis. Stats.](http://nxt.legis.state.wi.us/nxt/gateway.dll?f=templates&fn=default.htm&vid=WI:Default&d=stats&jd=32.25(2)(b)), [Wis. Adm. Code 92](http://docs.legis.wisconsin.gov/code/admin_code/adm/92) .

The following services will be provided by WisDOT to all nonresidential displaced persons:

1. Advise businesses of WisDOT occupancy terms and conditions after acquisition.
2. Advise displaced person(s) in filing relocation claims for payments.
3. Assist in obtaining or transferring business permits and licenses.
4. Assist in planning for and establishing moving arrangements.
5. Advise displaced person(s) of available resources through local development corporations, Small Business Administration and other similar organizations to assist in the reestablishment of the business.
6. Provide current information of available nonresidential properties to nonresidential displaced persons on a regular basis.
7. Maintain contact with real estate agencies and brokers for available commercial space, as necessary.
8. With business owners or their designated representative, jointly develop an inventory of personal property to be moved.
9. Make personal contacts with each displaced person(s) on a regular basis to discuss all aspects of relocation. The actual number of in-person appointments and contacts shall be based on the complexity of the relocation services needed to complete the relocation and specific needs of the displaced person(s).
10. Provide all required written notices, delivered by personal contact whenever feasible, to ensure a full understanding of eligibility requirements, payment options, project information and other notices required by law, regulations, or as otherwise appropriate.

## DETAILED NARRATIVE ON NONRESIDENTIAL DISPLACEMENTS

Provide a detailed, narrative including a description of the subject and describing each nonresidential displacement, the relocation needs, and preferences based on an in-depth interview and specific to needs, potential issues and solutions. Discuss their present status and any special considerations, such as: replacement site requirements, current lease terms, contractual obligations, the financial capacity of the business to accomplish the move, need of outside specialists required to assist in planning the move, administering the actual move and/or reinstallation of machinery and/or other personal property including an estimate of time required for the business to vacate the site.

Reference and correlate parcel numbers according to information provided on the Nonresidential Inventory, Correlation and Payment Summary chart under Section C of this plan. (Use as much space as necessary.)

## NONRESIDENTIAL INVENTORY, CORRELATION AND PAYMENT SUMMARY

*(Enter an N/A where appropriate)*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Parcel / Unit # |       |       |       |       |       |
| **ACQUIRED UNIT DATA** | Indicate if owner or tenant |       |       |       |       |       |
| Business legal name |       |       |       |       |       |
| Unit Type – Business, Farm, Non-Profit |       |       |       |       |       |
| Land area |       |       |       |       |       |
| Total Area of Subject Building(s) |       |       |       |       |       |
| Zoning |       |       |       |       |       |
| Code Compliant |       |       |       |       |       |
| No. Parking Stalls |       |       |       |       |       |
| **RELOCATION NEEDS** | Equipment Requiring Special Move |       |       |       |       |       |
| Trade Fixtures Included |       |       |       |       |       |
| Area Required |       |       |       |       |       |
| Special Features Needed |       |       |       |       |       |
| Probable status owner / tenant |       |       |       |       |       |
| **FINANCIAL INFORMATION** | Estimated Annual Gross Income |       |       |       |       |       |
| Current rent |       |       |       |       |       |
| Estimated Subject Value |       |       |       |       |       |
| **COMPARABLE****PROPERTY****ANALYSIS** | # Available comparable properties |       |       |       |       |       |
| # Expected available comparable properties |       |       |       |       |       |
| Comparable value / rent range |       |       |       |       |       |
| Comparables from group no. |       |       |       |       |       |
| Most comparable no. / price |       |       |       |       |       |
|  | TOTALS(this page) |
| **ESTIMATED****PAYMENTS****AND COSTS** | Estimated Differential |       |       |       |       |       |       |
| Estimated Reasonable Project Costs (if applicable) |       |       |       |       |       |       |
| Closing costs |       |       |       |       |       |       |
| Refinancing costs |       |       |       |       |       |       |
| Actual moving expenses |       |       |       |       |       |       |
| Re-establishment |       |       |       |       |       |       |
| Tangible loss of personal property |       |       |       |       |       |       |
| Searching Expenses |       |       |       |       |       |       |
| Optional Fixed Payment for Moving Expenses |       |       |       |       |       |       |
|  | TOTALS |       |       |       |       |       |       |

##

If necessary, insert additional ‘Relocation Payment Estimated (Business & Farm)’ and ‘Replacement Business Sites’ charts under Section B of this plan.

## AVAILABLE COMPARABLE NONRESIDENTIAL PROPERTIES

|  |  |  |
| --- | --- | --- |
| **Group Number:** | **[ ]  Purchase** | **[ ]  Rental** |
| **Unit No.** | **Unit Address** | **Bldg Type/ Construction** | **Square Footage** | **Land Area** | **Parking** | **Listed Price/ Rental** |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|       |       |       |       |       |       |       |
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|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
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|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
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|       |       |       |       |       |       |       |
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|       |       |       |       |       |       |       |
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# SECTION D - SUMMARY OF RELOCATION PAYMENTS

 RESIDENTIAL NONRESIDENTIAL

|  |  |  |  |
| --- | --- | --- | --- |
| PAYMENT TYPE | TOTALS | PAYMENT TYPE | TOTALS |
| Housing supplement | $       | Differential | $       |
| Rent subsidy | $       | Reasonable Project Costs | $       |
| Moving costs – actual/fixed | $       | Refinancing | $       |
| Closing costs (incidentals) | $       | Incidentals | $       |
| Refinancing costs | $       | Actual moving expenses | $       |
|  |  | Re-establishment | $       |
|  |  | Tangible loss of personal property | $       |
|  |  | Searching expenses | $       |
|  |  | OR Optional Fixed Payment for moving expenses | $       |
| Total residential payments | $       | Total nonresidential payments | $       |

## SECTION E

## ALTERNATIVE RELOCATION PLAN

Check one:

[ ]  “Yes,” existing replacement resources are insufficient to meet the needs of displaced person (s). Description of alternative plan for relocating residential and non residential relocations below.

[ ]  “No,” existing replacement resources are sufficient and meet the needs of all displaced person(s).

##

## RELOCATION APPEALS

Under Wisconsin Statutes s. 32.20 and Wisconsin Administrative Code ADM 92.18, a displaced person (or a person claiming to be displaced) may appeal a determination or a decision by Wisconsin Department of Transportation (WisDOT). The following methods are available:

# Appeal to the Wisconsin Department of Transportation (WisDOT), the displacing agency, under ADM 92.18(2) and 49 CFR 24.10

A person who disagrees with a relocation decision, may request to have the decision reviewed by WisDOT’s statewide relocation facilitator (or the Bureau of Technical Services manager, if the relocation decision being appealed was by the statewide facilitator) in an effort to resolve the complaint internally. A person must file an appeal to WisDOT within 60 days after receiving written notification of WisDOT's determination.

Reviewable decisions include items such as: eligibility determination; a claim denial; reduction in a claim amount; and/or computed benefits. A person must submit an explanation for their appeal within 60 days of a written response from WisDOT, preferably by letter, including additional facts and documentation to:

Statewide Relocation Facilitator

Wisconsin Department of Transportation - Real Estate

4822 Madison Yards Way, 5th Floor South

PO Box 7986

Madison WI 53707-7986

WisDOT will review the submitted explanation, documentation, facts and any new information. Within 30 days of receipt of an appeal, WisDOT will notify the person in writing of the agency’s decision regarding their appeal.

# Appeal to the Wisconsin Department of Administration (DOA) under ADM 92.18(3)

A person may petition DOA for an informal review of a relocation dispute or claim. Appeals to DOA identifying the reasons for dissatisfaction with a decision on a claim or appeal may be sent to:

Relocation Assistance

Division of Legal Services

Department of Administration

101 E. Wilson Street

Madison, WI 53703

DOA will review the appeal, attempt to negotiate an acceptable solution and provide a written determination. If an acceptable solution cannot be negotiated, DOA will notify all parties within 90 days.

# Legal Appeal (Wisconsin Statutes s. 32.20)

At any time after a claim or decision denial, a displaced person has the right of legal action under Wis. Stats. s. 32.20 in the court of record in the county where the displacement occurred.

## LOCAL PUBLIC AGENCY APPEALS

Local Public Agency appeal methods (enter an N/A, if not applicable):

# SECTION F

## MAPS

The following are maps of the highway construction / relocation project.

## PICTURES

The following are pictures of the subject parcels.