

Right of Way Acquisition Process for Developers

Developer Must:

1. Submit form letter to Lancaster County Water and Sewer District (District) stating commitment to cover all cost associated with acquisition including but not limited to: survey, acquisition, appraisal, attorney, condemnation, mediation and trial expenses if necessary. **Condemnation will only be considered as a last resort when all good faith offers as outlined below have been exhausted and requires unanimous approval by District commission.**
2. Developer to provide to the District completed property owner survey permission form(s) supplied to developer for use by District. Developer at his/her expense to send to property owner via registered mail the District supplied survey permission form along with a map of the parcel area with the proposed water and or sewer line shown and highlight in yellow. Developer will also provide to the property owner at the Developer expense an addressed and stamped return envelope along with the signed registered receipt to be forwarded to District.
3. Provide District & SCDHEC approved construction plans for off-site infrastructure as required by District Developer Policy.
4. Developer to provide easement form and exhibit for District approval, District will provide example easement document for Developers use. Developer will also provide to the District for prior approval the certified appraisers appraisal/payment recommendation.
5. Developer must provide good faith compensation offers to the District for approval prior to approaching property owner(s). Full certified appraised value for permanent and temporary easements must be offered prior to consideration for condemnation.
6. Approach property owner about easement acquisition and provide documentation on certified appraisal.
7. Title opinion for each parcel prepared by (Attorney) paid for by Developer.

8. A list of all parcels, including property owner name, mailing address, phone number.
9. List of District approved real estate appraisers with court experience.

George E. (Jake) Knight, MAI
Real Estate Appraisers & Consultants, LLC
Office- 803-787-0092 (Columbia, SC)

Keith Batson, MAI
Vantage Valuation Group, Inc.
Office- 864-282-0001 (Greenville, SC)

Mark Ratchford, MAI, SRA
Robinson Company of Greenville, Inc.
Office- 864-233-6277 (Greenville, SC)

Note: District Commission must approve acquisition by condemnation. Acquisition by condemnation is governed exclusively by The Eminent Domain Procedures Act, S.C. Code Ann. 28-2-10 et seq. Use of Federal Financial Assistance excludes The Eminent Domain Procedures Act, S.C. code Ann 28-2-10 et seq. Condemnation will only be considered as a last resort when all good faith offers as outlined above have been exhausted and requires unanimous approval by District commission.