

Questions and Answers on Land Acquisition in Indiana Dunes National Lakeshore

August 2009

1. Is the National Park Service (NPS) still buying land and/or houses as part of the park?

Yes. The National Park Service will purchase private property within the national lakeshore subject to available funds.

2. Does the NPS use condemnation to acquire property?

Not at present. The NPS has acquired property by condemnation in the past, but no property has been acquired by condemnation in more than 12 years. At present, the NPS is acquiring land only from willing sellers.

3. My house is outside the park boundaries. Will you buy it if I want to sell it?

No. The NPS cannot purchase property outside the established park boundaries. Park boundaries are established by Congress.

4. My property is outside the boundary, but abuts the boundary. Can I give it to you?

Yes. The NPS can accept property outside the boundary by donation if the property directly abuts the park. We cannot buy it.

5. Is there a tax benefit to donating my property?

There is often a tax benefit to donating land to the National Park Service. Tax conditions related to your situation would be something you would want to explore with your lawyer or accountant.

6. If my property is in the boundary and I want to sell it who do I contact?

Real estate management is handled by the National Park Service's regional office in Omaha, Nebraska. If you are interested in selling your property you should first contact the national lakeshore directly by calling 219-395-1699. We can then direct you to the appropriate office in Omaha.

7. What is a Reservation of Use and Occupancy (RUO)?

An RUO is a property that the NPS has purchased with provisions that allow the former landowners to remain on the property for a period of time specified in their Warranty Deed. The United States pays a reduced purchase price to account for the value of the retained use. This acquisition tool saves taxpayer dollars and allows the former owner to continue to enjoy the property for a set period of time, usually 20 years or more.

8. Will you be evicting people from their RUO homes?

These properties belong to the United States. The NPS paid for these properties and the previous owners retained the use for whatever time was specified in their Warranty Deed. Many of these contracted residencies expire in the next year. A significant number will expire on the same date: September 30, 2010. Occupants must vacate properties by that date. The NPS does not have the legal authority to extend or modify contracts.

9. Do you own these houses or does the occupant.

As noted above, these houses belong to the United States. The owners were paid for the property many years ago and retained the right to live in them until as specified in their Warranty Deed. At that time, they must vacate the house. This is no different from you buying a house and expecting the current occupants to turn it over to you.

10. Do you pay for the occupants to move or find another place to live?

Original owners who sold their property to the National Park Service and retained the right to live on the property to the end of their contract period are entitled to moving expenses. The Midwest Region Land Management Office will work with the landowner on this process.

11. What do you do with the houses once they are empty?

Most of the houses are removed and the land is restored to its natural condition. Much of Indiana Dunes National Lakeshore was once private property and returning land to its natural conditions is how the park came to be. Sometimes the NPS will convert the property to administrative use such as offices or storage.

12. Can I remove certain items from a vacant structure?

The houses that become vacant are federal property. We do not grant permission to individuals to remove items from vacant structures due to safety and liability issues. Removing items from federal property is a federal offense.

13. Will you use any of the RUO properties for government employees to live in?

No. None of the properties will be used for employee housing.

14. What if the buildings are historic?

If a building is determined to be historic, the NPS will not tear it down unless it is unsafe. If the historic structures are sound, the NPS will seek to find a use for the buildings. This might include use by visitors, by park partners, or for administrative use.

15. Can you rent the houses for others to live in?

No. We cannot and do not rent park buildings to others as residences.

16. How come people live in the Century of Progress Homes (World's Fair Houses) in Beverly Shores?

These are historic buildings (the houses are listed on the National Register of Historic Places). The NPS did not want to remove these buildings because they are historic. On the other hand, the NPS did not have funds to restore them and they were deteriorating. The NPS entered into an agreement with the Historic Landmarks Foundation of Indiana (HLFI) to lease these buildings to private citizens who agreed to repair and renovate the homes. The homes must be renovated to standards set by the NPS and they do not acquire any ownership in the buildings or properties. However, in exchange for the cost of restoring the homes, the individuals are allowed to live in them

for a specified period of time. This is usually a time commensurate with the expense or restoration. Most of these leases are for 30-60 years.

17. Can I see inside these homes, they belong to the United States?

Yes. The leases require that the homes be open to the public one day a year. We usually hold these open houses in the late summer or early fall

18. How can I find out about these open houses for the Century of Progress Homes?

The National Park Service will announce these open houses in the local media and there will be a specific time period to sign up for the tours.