When a Quitclaim is necessary the area should be outlined with a dashed line, noted on the plans and hatched on the plot plan. There is also a line on the summary sheet for the area that will need to be filled in.

D. ESTABLISH PROPOSED RIGHT OF WAY

01. CROSS SECTION REVIEW

Cross sections are provided electronically from the Office of Design in sheeted format. Also provided in the microstation file is a "construction need line" that should reflect and match the cross sections. When reviewing the construction needs, all cross sections are to be reviewed. There may be needs that should be covered by temporary easement. The construction need line is an aid in laying out the proposed right of way line, but the cross sections establish the official need.

02. ESTABLISH THE RIGHT OF WAY LINE

The location of the right of way line is dictated, to a large degree, by the need line. The right of way line must be sufficient enough to allow the construction and maintenance of the highway. The following are rules and guidelines that are used to establish the right of way line:

a. Rural - A standard distance of 25 feet from the construction need line is used, in most cases, to guide the establishment of the mainline right of way in rural areas. This allows the property owner to place fence away from the backslope and provides room for utilities, plantings, maintenance, etc. Exceptions to the use of the 25 foot buffer would be small projects, such as bridge projects, and other minor projects. In areas of high damage, the additive distance shall be adjusted to allow a minimal amount of area to construct and maintain the roadway.

b. Urban - The urban layout is established differently than the rural layout. Inside corporate limits, the roadway right of way is acquired by fee simple title in the name of the state and, on side roads, in the name of the city. On small projects (1 or 2 parcels) where the existing right of way is by permanent easement, the proposed acquisition may also be by permanent easement. Generally, proposed right of way in urban areas will be located 12 feet behind the back edge of the highway curb. This places the right of way 2 feet behind the sidewalk in most cases; however, existing right of way circumstances will need to be considered. In urban areas with curb and gutter and open ditch, use fee simple title 12 feet behind the back edge of the curb and permanent easement beyond the 12 feet for the ditch or fill.

   The shaping of slopes beyond the permanent right of way line can normally be accomplished with a temporary easement. Fill areas which run consistently over 3 feet in height or cut areas that are deeper than 3 feet for 50 feet in length should be acquired by permanent easement behind the fee acquisition.

   Where retaining walls are to be constructed in order to minimize deep slope cuts, the permanent right of way lines shall be 2 feet in back of the retaining wall, except in cases where the retaining wall is quite high, in these areas judgment should be used to provide adequate right of way. Additional excavation and sloping to construct the wall and "finish" the slopes may be accomplished by a temporary easement.

c. Right of Way Line – The right of way line should be placed parallel or concentric to the centerline where it is reasonable to do so. Excessive breaks are to be avoided. After laying out a portion of

the project, the Design Supervisor should be consulted for review and comment on the layout. In all cases where homes are being impacted, or areas of high damage, the Design Section Supervisor should be consulted.

Items such as parallel ditches, retaining walls or tile lines that are not on existing right of way and will need to be reconstructed with the project, and remain the property of others, should remain outside of the proposed right of way. A temporary easement should be used for construction of these items.

Breakpoints must be placed at the intersection of all property lines. Right angle jogs are acceptable in areas of high damage, such as at farm sites, in order to minimize damages. On curves of 6 degrees or more, the right of way line should be chorded to simplify fencing. When a concentric line is used in a curve, the right of way line should be labeled “CONCENTRIC”. When a straight line is used in a curve with identical offset distances within the curve, it should be labeled “STR LINE”, this will eliminate confusion in flat curves. Breakpoints are not to be placed inside of a spiral unless it is unavoidable (such as at a property line). Straight lines should be used through spirals, label “STR LINE”, do not use concentric lines in spirals. It is not necessary to place breakpoints on spiral or curve points (i.e.: TS) but may be desirable depending upon the situation.

At the completion of the layout, the Design Section Supervisor is to be notified so that a review can be performed prior to submittal of the R1 event.

d. Agreements - In order to acquire right of way in the name of a city, county or other public entity, a “28E” agreement (intergovernmental agreement) is required. If there is not a signed 28E agreement, the right of way will be acquired in the name of the state. The right of way may be transferred to the city or county after the agreement is completed at a later date. When acquiring right of way for other non-public entities, a general agreement will be necessary.

e. Drainage Structures - All drainage structures shall be constructed within permanent right of way. In most cases, a minimum of 20 feet of right of way will be acquired from the end of all large structures (larger than 48” diameter). Shaping and/or rip rap placement beyond this is usually covered with temporary easement. The “situation plan” should be checked for shaping lines that are not shown on the cross sections.

f. Bridges - When establishing the right of way for a bridge, a minimum of 20 feet from the outboard projection of each side of the bridge is required. It may be necessary to acquire temporary easement outside of the 20 foot permanent acquisition area.

g. Stability Berms - In areas where there are stability berms with a slope of 12:1 or flatter, we shall acquire the berm area by permanent easement to construct and maintain the stability berm. Where the berm is steeper than 12:1, the area required will be considered as roadway and be acquired in the same manner as the roadway.

h. Slopes – Backslopes 6:1 or flatter can be covered with temporary easement since they are considered farmable. Backslopes steeper than 6:1 are to be covered by permanent acquisition.

In the case where a property owner requests that the backslope at a building site be made flatter in order to allow for maintenance by the owner, the backslope may be flattened. As a general

guideline the slope should be adjusted to between 3:1 and 6:1. Care must be taken to assure that enhancement of private property does not take place. The proposed permanent right of way line will remain at the original location and a temporary easement added to encompass the adjusted construction limits.

i. Stationing – All stationing is established by a perpendicular offset from the construction centerline. All right of way centerline offset distances will be measured and shown as normal or radial distances. In most cases, station calls will be either from the mainline centerline or from the side road centerline. The mainline right of way will take precedence over all other right of way. Once the mainline proposed right of way is completed, the side road proposed right of way should be established. Station calls will be based from the respective centerline. In the case where a common breakpoint is used for both mainline and side road, the mainline call will be used. All property lines adjacent to the project should be stationed whether or not there will be acquisition from the property. Both station calls (pluses) and offset distances are to be to the nearest 5' increment. In areas of high damage or required precision, the nearest foot may be used. No decimal places should be used in the proposed right of way. When tying to a geometric point on a curve, spiral or tangent, round to the nearest foot and place the specific point designation on the top line of the station indicator (i.e.: SC) so that the intent is clear.

j. Breakpoints – Breakpoints should not be placed in a waterway or entrance. When it is necessary to angle at a stream crossing, break points should be placed on each bank and connected with a straight line. Whenever possible, the right of way breaks should be placed as close as possible to existing cross fence lines. A right angle plus to the nearest foot should be used. Do not refer to the fence or use plus or minus fence line.

k. Breakpoint Adjustment – When tying to a property line or existing right of way line, a "plus or minus" symbol (±) is to be placed on the relevant side (top or bottom) of the station call. This informs the surveyor of the expectation that the point will be adjusted to hit precisely the desired line. If the breakpoint is expected to be moved longitudinally along the centerline to the exact location of the property line or existing right of way line, then the plus or minus symbol would be placed on top. If the breakpoint is to be moved perpendicularly to the centerline to tie to the exact location of a property line or existing right of way line, then the plus or minus indicator would be placed on the bottom with the offset distance. The plus or minus symbol may only be used once per station call. If, as in the case of a property corner, it is necessary that both directions of the breakpoint need to be adjusted to tie to the exact property corner, then one side of the station call would have the plus or minus symbol and the other side would state "(property corner)" to indicate the intent that the breakpoint is to be adjusted to the property corner. The plus or minus symbol is only used to locate property lines or existing right of way lines.

l. Interchange Stationing - In interchange or ramp areas, the right of way is to be stationed from the mainline centerline.

m. Channel Relocation - Where a major channel relocation is proposed and a base line is provided, the right of way should be stationed from the base line (BL). Right of way for channel changes or ditching the channel to conform to culvert flow lines is normally acquired by temporary easement. However, direction should be provided by the Office of Location and Environment (Wetland Unit) as far as special considerations, type of acquisition, etc.

n. Easements – For each instance where either a special purpose permanent easement or a temporary easement is used, a note block will be placed describing the purpose for the easement.

o. Subterranean Easements – In the case where underground rights are required such as for soil nails associated with retaining walls, a subterranean easement will be acquired.

p. Flowage and Ponding Easements - Where ponding is by agreement between the Natural Resources Conservation Service (NRCS) and the property owner, only the Statement "Right to pond water to elevation ____ feet" Needs to be shown on the Plans and Summary Sheet. A copy of the signed agreement between the NRCS and the property owner shall be placed in the parcel file.

   In the case of a flowage easement or a ponding easement for the benefit of the State of Iowa, a special purpose permanent easement is required. Ponding for a flowage easement is required when the flowage of water is restricted and ponding will occur for a short period of time. A ponding easement occurs when water is ponded indefinitely where it was not previously.

   When all ponding is within the banks of the existing stream, a statement should refer to the pond elevation and the fact that it is all within existing stream banks. The area lying between the proposed ponding elevation and the historical ponding elevation will be indicated as a "flowage easement" or a "right to pond water" depending upon the situation. The area of ponding will be established with as few breaks as practical while still encompassing the new ponding area. It will be necessary to indicate this area on the plot plan and obtain a survey plat. In either case, the statement "right to pond water to elevation _____ feet" will be placed on the plans. The ponding area will be listed on the summary sheet in the areas provided. This area is a right and is not to be subtracted from the tax acres.

   In all cases, the ponding elevation will be provided by the Office of Bridges and Structures.

q. County Road Connections – When acquiring right of way for a county, the 25 foot buffer used for state right of way is not required. As a general rule, use 3 feet from the backslope for a cut section and 10 feet from the toe of slope for a fill section.

   On county road connections where the existing county road intersects the primary road at something less than 90 degrees it is sometimes necessary to relocate the county road to form an approximate 90 degree intersection. When this is done it quite often leaves an uneconomical remnant between the existing county road and the proposed county road. That portion of the existing county road that is severed from the county road system then creates a problem for both the county and the state as invariably there may be a private entrance to a residence connecting to the county road. This then becomes a conflict between the county and the state as to who is relocated and leaves an area between the existing county road and the proposed county road, the area will be acquired in fee title in the name of the state.

r. Access Control – Access Control along county roads will be acquired in fee simple title to the State of Iowa. The access rights will be acquired based on the Access Control Letter provided by the Office of Traffic and Safety. Access control on county roads will only be acquired when access control is acquired on the primary highway. When the side road is at an interchange an underlying fee will be acquired to the access control limit. Access control limits on side roads are to be shown as a dashed line and stationed on the side road sheet with the note "Acquire access control on side

road from station _____ to station _____". Access control at interchanges will be described along mainline through the interchange and along the side road through the interchange. Ramps are not included in the access control verbage in this section. Additional information can be found in Appendix B "A Guide to the Preparation of Plot Plans and Summary Sheets".

Access control along railways running parallel and adjacent to the highway will be acquired from the property owner on the opposite side of the railway. This property owner, by Iowa code, has the right to cross the railway. The type of ownership held by the railway is inconsequential. Access Control from the railway will not be acquired. If the railway is owned by fee simple title and the ownership of the railway corridor changes the access control issue will be addressed at the time it becomes an issue. When considering access control on a side road across a parallel railway, we will look at where the access control limit falls and if it is near the outside right of way of the railway no access control will be acquired on the side road.

s. Dikes - Generally, all dikes should be constructed within permanent right of way if for the benefit of the highway. A permanent easement to construct and maintain may be used in specific locations such as jetties or spurs. An exception to this would be if an existing dike on and for the benefit of private property were being reconstructed, in which case a temporary easement would be used.

03. TEMPORARY NEEDS

Temporary Easements – Temporary easements are utilized to perform work on private property that will be released back to the property owner. Temporary easement limits should be laid out in a manner to allow the work to be accomplished but not be excessive. Attention should be paid to any high damage item(s) within the easement area. If there are items that warrant consideration for avoidance, attempt to adjust the temporary easement accordingly. If the temporary easement is not adjustable due to construction limits, a determination should be made as to whether or not the item can be worked around. If, after reviewing the cross sections, ROW personnel are unable to determine that the items(s) can be worked around, the Project Engineer will need to be consulted. In either case, the Project Engineer and Right of Way Agent will need to be notified if a note is to be placed on the construction plans.

a. Entrance Construction – If the need lines for the construction of an entrance fall outside the permanent right of way limits, a temporary easement will be acquired to do the necessary construction work. Care should be taken to insure that the easement is wide enough to accommodate the side slopes of the entrance and provide the contractor with adequate working room. Typically a distance of 20 feet should be added to the intercept point of the entrance with the ground line for construction. The stationing for all temporary easements is to be from either the mainline or side road centerline and not from detour centerline or baseline.

A temporary easement cannot be placed on one property to construct an entrance to another property. If an entrance to serve one owner must cross the land of another, the land required for the entrance must be purchased as permanent right of way. This situation should be carefully evaluated to ensure that the expense to construct and maintain the access way is reasonable compared to the property that is being accessed. The Design Supervisor is to be consulted on all such instances.

b. Channel Changes, Ditching Inlets/Outlets, Shaping Slopes, Removing Buildings, Etc. - In most cases temporary easements shall be used for the above construction situations. Care should be

taken in laying out the temporary easements so that we provide enough room for the construction activities and yet cause the least amount of damage to the subject property. It is permissible to square off temporary easement areas for descriptive purposes if it does not cause an excessive amount of damage.

04. BORROWS

Borrows are located and designed by the Soils Section of the Office of Design. Borrows are developed through the S2 event at the time of submittal to the Office of Right of Way (D5). The S2 event involves, among other items, the final borrow location and conceptual design. The conceptual design is preliminary and will usually change through the construction process. Borrow usage and conformity to design is dependant upon the construction requirements of the project except in the case of mandatory borrows. Mandatory borrows require the material to be removed as designed.

If, in the opinion of the Office of Right of Way, a preferable alternate source of borrow is available they will discuss the alternate source of material with the Office of Design. Issues such as land use and land economics will be taken into consideration in any recommendation for an alternate source of borrow. Consideration should be paid to proximity to high damage areas such as cemeteries, building sites, gas lines etc. Notify the Design Section Supervisor of any such instances.

a. Borrow Types - There are two basic types of borrows from a right of way perspective:

   - Surface – this borrow is designed to drain. Surface borrows are assumed to be farmable if the slope is 6:1 or flatter.

   - Pond – this borrow is designed as a pond and may or may not hold water when the project is completed.

b. Borrow Layout – All borrows will initially be proposed to be acquired by fee simple title. During the negotiation process this may be changed to accommodate the desires of the property owner. If a request is made to revise the type of acquisition from permanent to temporary the Office of Location and Environment will be contacted to verify that the borrow is not also being used as a mitigation site.

   In the event that the borrow, or a portion of the borrow, is to be used for mitigation the type of acquisition will need to be in compliance with the requirements of the Office of Location and Environment.

   If possible, borrows should be contained within one ownership. If a small portion of the borrow limit extends onto an adjoining property the Office of Design should be consulted to see if the borrow could be modified in such a manner as to place the entire borrow on one ownership.

   Borrow areas should have a minimum of 50 ft. between the construction limit and proposed borrow acquisition line. This allows working room for construction equipment. It is desirable to square up the borrow area if practical to do so.

   On borrow areas that are adjacent to the roadway the designer shall review the cross sections to determine if the right of way needs for the highway are affected by the borrow design. This is

particularly true in areas where a high backslope is being removed. The proposed right of way line should be designed considering the final stage of construction.

When borrows affect entrances consideration must be given to assure that the property owner has adequate access during use of the borrow. If alternate access is unavailable, a note should be placed in the comment section of the Summary Sheet to alert the right of way agents.

c. Topsoil – Topsoil in all cases, with the exception of commercial and residential development areas, will be replaced. In the case of a pond borrow the topsoil will be replaced to the expected water line. In borrows where the proposed right of way is greater than 10 acres it is assumed that the topsoil can be stockpiled within the borrow area. For those borrow areas encompassing less than 10 acres a stockpile location may be required. This area is usually located with input from the Office of Design and possibly District personnel and is usually acquired by temporary easement. The stockpile location should be reviewed during the right of way field exam to verify that it is workable for the D.O.T. and that the property owner is not unfairly inconvenienced. As a general rule the stockpile area requires 1 acre for every 10 acres of borrow area.

d. Haul Roads – For each borrow there must be a method of transporting the soil from the borrow area to the required location. In many cases, such as off site borrows, a haul road will be required. If no haul road has been provided by the Office of Design it will be necessary to consult with the Project Engineer to determine a logical location. Consideration must be given as to the type of acquisition to acquire the haul road. If the borrow is by fee acquisition it will usually be desirable to acquire the haul road by fee acquisition to assure that access will be available after usage. If the borrow is acquired by temporary easement the haul road should be by temporary easement as well. The width for haul roads is typically 50 ft. but this may need to be altered due to circumstances such as terrain or construction techniques. The Project Engineer should be consulted to verify that the proposed haul road is adequate for both size and location.

In the case where a borrow is also to be used as a mitigation site access may need to be provided with permanent acquisition in addition to the haul road. If this has not been provided the Office of Location and Environment will need to be contacted to determine how access will be accomplished for their future use.

e. Seeding – All borrows will be stabilized by seeding.

f. Snow Treatment – Snow treatment may be accomplished by several different construction methods. These methods may be handled differently within the right of way process.

05. FENCING & AREA CALCULATIONS

a. Fencing – On interstate and freeway systems, the State will be responsible for constructing the fence along the access control line. If the State is to construct the fence, the Designer is to determine and list the station limits in the appropriate location on the summary sheet. The fence beyond the access control limits is to be constructed by the property owner. The ROW acquisition agent is responsible for measuring the amount of fencing to be replaced beyond the access control limits. On interstate and freeway systems where the State constructs the access control fence, the acquisition agent shall review all stream or draw crossings to determine if water gap fencing will be necessary. On lower classifications of relocated highways, the property owner is responsible for the fence erection and is paid accordingly. Written notification of the limits of State fencing are to

be obtained from the Office of Design. Determination of fence type and limits of placement on 4 lane highways is the responsibility of the respective district.

b. Area Calculation – The calculation of areas is an important function of the Right of Way designer. These areas are used at the public hearing, and extreme care should be exercised to assure that the proper area has been calculated. After the survey plat is received, all pertinent areas will be adjusted to match.

c. Rural areas – areas to be acquired are normally expressed in acres. These areas shall be rounded to the nearest hundredth (10.688=10.69).

d. Urban areas – the areas to be acquired within corporate limits are normally expressed in square feet. These areas are rounded to the nearest square foot.

Separate area calculations shall be made for the various types of acquisition (fee simple title, permanent easement, etc.) and for acquisition acquired in another entity's name (city, country, etc.). Also area calculations will be made for special purpose easements and temporary easements, borrow and haul roads. The existing right of way to which we are acquiring underlying fee title will also be calculated separately. When a parcel is severed by a relocated alignment, the remaining area left and right of centerline will be calculated.

06. CITY OWNED LANDS

a. Inside Corporate Limits - All projects within corporate limits where we will acquire right of way in the name of a city will require a city agreement. The agreement will include a clause that states in part that "The City will provide to the state, without cost, existing streets and alleys and other city owned lands with the exception of park or recreational lands". If the acquisition area includes improvements, the state will be responsible for reimbursing the city for the improvements.

If the acquisition area does not include improvements, a statement shall be placed on the summary sheet that "this parcel will be a Mutual Benefit Contract and will not be appraised". A city agreement must be in place for this contract.

If the acquisition area includes an improvement and/or improvements, a statement shall be placed on the summary sheet that the land shall be acquired as mutual benefit and the improvement and/or improvements shall be appraised.

When land owned by the City is required for a city street or other city improvements, the area will be covered by a temporary easement.

Anytime publicly owned recreational areas (such as: parks, golf courses, public schools) are to be affected it is necessary to contact the Office of Location and Environment. This should be done as soon as these areas are known to be affected.

b. Outside Corporate Limits - If the acquisition area includes city owned lands that lie outside of the corporate limits, we must reimburse the city for the land and improvements thereon. A statement shall be placed on the summary sheet that "The acquisition area is outside the corporate limits and the land to be acquired must be appraised".

07. ACCESS RULES AND REGULATIONS

Entrance locations are established according to the policies, procedures and rules of the Iowa Department of Transportation. Entrance locations are shown on the right of way plans submitted to the Right of Way Office by the Office of Design. Access control instructions are furnished for each project via the Access Control letter provided by the Office of Traffic and Safety. These instructions denote the access classification and point out any special access problems or situations involved. It is the responsibility of the Design Section to insure that the instructions are reflected in the information forwarded to the various sections in the Office of Right of Way.

Special access problems encountered during right of way design should be referred to the Right of Way Design Supervisor.

a. Access Control - Chapters 306A and 307 of the 2005 Code of Iowa authorizes highway authorities to acquire property rights, including the rights of access, for construction of controlled access facilities. Access rights are acquired in fee simple title.

   Access locations are located based on safety and need. Access locations within access control limits that are to be constructed with the project are referred to as “predetermined access points” (PDA). Access locations that will not be built with the project are referred to simply as “future access location”. Future access locations will only be noted in the Access Control letter and not on the plans, summary sheet, or plot plan.

   Fee simple title will be used for acquisition along mainline on all projects that require access control, and underlying fee will be obtained within the proposed acquisition. On “at grade" side roads we will acquire access control in accordance with the Access Control Letter; however, proposed acquisition will be by permanent easement unless the county requires otherwise. Underlying fee will not be obtained past the mainline proposed acquisition unless the county acquisition is by fee title. When a side road is encountered that is also a state highway, we will acquire fee acquisition and underlying fee to the access control limit.

   In the event the location of an access is revised from that set out in the access control letter a "REQUEST FOR RIGHT OF WAY DESIGN REVISION" form is used. The District Engineer and Office of Traffic & Safety (Access/Utility Policy Administrator) must agree to the revision and sign the form before any revision can be made.

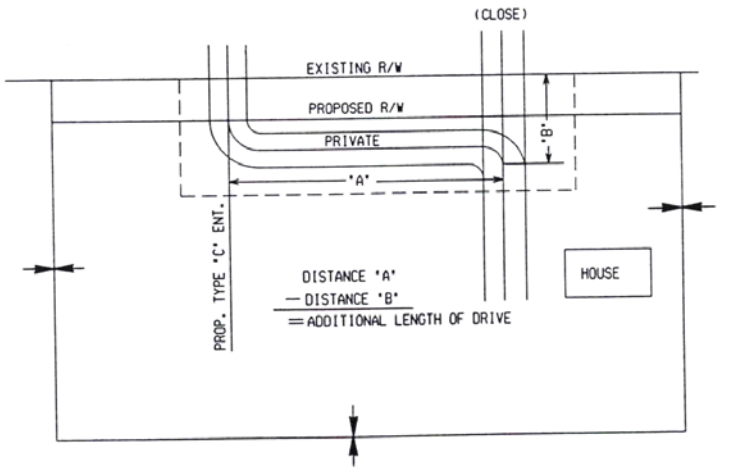
b. Entrances – Entrances within the project limits must be addressed in one of three ways:

   1. UAC (use as constructed) – construction activities will not affect the entrance and it will remain as is.
   2. CLOSE – entrance will be permanently closed.
   3. PROPOSED – new entrance will be constructed. Must be classified by type (see: Iowa Primary Road Access Management Policy).

   Entrances outside of the construction limits may be closed due to access control otherwise they will not be addressed.

c. Relocated Entrances (Private) - Where entrances on private property are relocated from the original alignment, the additional length of the drive to be maintained shall be noted on the Summary of

Proposed Acquisition sheet. Compute only that part which is beyond the terminal point of existing entrance and the proposed drive from proposed right of way to the end of construction then subtract the lateral distance of existing entrance from existing right of way to the terminal point of the two entrances. The property owner will be compensated for the additional length of drive that is their responsibility to maintain. This applies only if there is a residence.



Relocated Access ways (Public) - It sometimes becomes necessary to relocate a private access way across another ownership. When this is done, permanent right of way is acquired in the name of the State, County, or the City in which the project is located. It is assumed that whichever political subdivision has jurisdiction will maintain the access way. However, right of way shall not be acquired in either the name of a city or a county without an approved city and/or county agreement.

When a tract is landlocked and direct access cannot be provided to the property, it may be necessary to provide access via a public access way. The Right of Way Design Supervisor is to be notified of these situations and an economic analysis shall be completed before any public access way is considered. If the result of the economic analysis justifies the public access way, then it may be considered. However, the public access way will require public maintenance. Therefore, we should make an effort to limit the number of public access ways required.

In the event that a clear decision cannot be made to provide access to the landlocked tract, the appraiser may be instructed in the following manner. A Case I/ Case II appraisal shall be made for this parcel. Case I would acquire the landlocked tract. Case II would provide a public access way to the landlocked tract.

The right of way for public access ways shall be laid out in the following manner:

- Right of way for access ways that connect to county road systems will be acquired by easement in the name of the county provided there is a signed county agreement.

- Right of way for access ways that connect to city streets will be acquired in fee title in the name of the city provided there is a signed city agreement. There may also be some access ways

within a city that connect only to the primary road system and the right of way may be acquired by fee title in the name of the city.

- In situations where the access way in a rural area does not connect to a county road system, the right of way for the access way will be acquired in fee title in the name of the State of Iowa.

08. RIGHT OF WAY FIELD EXAMINATION

a. There shall be a field examination on each project after a tentative right of way design has been completed. The following personnel should be notified of the field exam:
   - ROW Design Technician who is assigned the project
   - ROW Design Supervisory Personnel
   - District Engineer
   - Project Engineer
   - Appraisal Section Supervisor
   - Relocation Assistance Section Supervisor
   - Advertising Control Section Supervisor
   - Acquisition Section Supervisor
   - Project Agreements and Utility Coordination Section Supervisor
   - Support Services Bureau
   - Title and Closing Section Supervisor
   - Location and Environment

b. There should be great effort taken to assure that the district designee and Project Engineer are able to attend. These individuals should be able to provide input and find solutions to problems encountered during the exam.

   The following items should be checked on the examination trip:

   - Check all borrow areas for suitability and to see if the quantity estimate is reasonable. Check for stockpile areas for borrows less than 10 acres in size.

   - Check for potential "off the road" borrows if it appears that grading and shouldering requirements cannot be met by side or adjacent borrows. Note the location, distance and the probable route for haul roads from such areas.

   - Check the proposed permanent right of way lines to determine if adjustments can and should be made to reduce excessive property damages.

   - Check drainage problems involving channel changes, diversion or concentration of surface water, areas which may be ponded, etc. If water is ponded, the ponding area along with the ponding elevation must be shown and clearly labeled on the right of way plans.

   - Check the proposed access locations to determine their feasibility and note any need for change. This is a very important part of field check and should be considered carefully. Unnecessarily steep or long drives or drives with an awkward alignment should be eliminated wherever possible. Where grade necessitates that a drive to serve an owner travels parallel to

the centerline for any distance, care should be taken to ensure that this drive is constructed **outside** of the permanent right of way line.

- Check locations of detours and any other temporary construction requirements.

- Check for underground tanks or other areas that may be contaminated with hazardous waste. If any questionable areas are found notify the Office of Environmental Services (Regulated Substances).

c. Following the field check, any necessary revisions shall be made on the Right of Way plans.

09. EXCESS LAND

It sometimes becomes necessary to acquire tracts of land in addition to what is required for the construction and maintenance of the highway. These tracts are known as excess land. Most commonly this occurs when a tract of land is left without access (landlocked) or is deemed an uneconomical remnant (of no use or value to the owner). In each case the D.O.T. will propose to acquire the property. While all excess tracts are proposed to be acquired, if during negotiations the owner requests to keep the excess tract, the request will be considered provided the area is not required for mitigation or borrow. The land owner must provide access to these landlocked tracts. When excess land is encountered a future right of way line will need to be established to denote that area that is required for construction and maintenance of the highway. The future right of way line will be determined at the same time that the other right of way for the project is established.

When excess land is proposed to be acquired an Excess Land Plat will be generated. This standard form will provide a graphic representation of the area that is excess as well as calculations for the total acquisition, right of way acquisition (required right of way to be retained), borrow area (if applicable), mitigation area (if applicable) and the excess acquisition area. This form becomes the master copy and is provided to the Property Management Section for their inclusion of the tract into the excess land inventory. This form is to be completed at the time the parcel is sent to the Appraisal Section.

The excess determination made by the Design Section is preliminary and may change with construction of the project.

10. PLAN PREPARATION

a. Right of Way Plan Sheets (H Sheets) - For each project, plan sheets will need to be created by the Design Section. These are referred to as H sheets and are in addition to the official plan set created by the Office of Design. The H sheets are intended to show the proposed right of way in a manner that will allow the user to more easily see and comprehend the area of acquisition and the impacts associated with the specific property. The H sheets are to comply with the guide “Creating ROW H Sheet Using Existing Plan Sheets”. (*see* Appendix E)

b. Hatching is used to indicate proposed right of way to be acquired in the name of the county and/or in the name of the city. Cross hatching at 90 degrees indicates right of way to be acquired in the name of a county. Single hatching with dashed lines indicates right of way to be acquired in the name of a city. Proposed acquisition in the name of the State is not hatched on plan sheets.

c. Ownership maps - The Design Section will provide (on large projects) an ownership map on “A” sheets which will show property ownership along the proposed project. This sheet will also show

all borrow and mitigation sites if available. The ownership maps should be created as soon as possible and updated routinely. The ownership sheets should be at a scale that is legible so that individual properties can be located easily within the project limits.

d. Parcel Check List Sheet – Each set of plans will have a sheet to be inserted consisting of the ownership name and amount of acquisition for each parcel (parcel check list).

e. Access Control Letter – Each set of plans will have a sheet containing the Access Control Letter. If the project does not require the acquisition of access control, a sheet will be provided stating: "No access rights are to be acquired on this project." This sheet will also contain the legend for right of way symbols used on the H sheets.

E. ESTABLISHING PARCEL FILES

01. PREPARATION OF PARCEL FILES

a. Parcel Definition - A parcel is defined as a tract or tracts of land having the following characteristics:

(1) Unity of ownership.
(2) Tracts that are contiguous or abutting (considered contiguous if separated only by a road, railroad, river or other natural barrier).
(3) Unity of use. Tracts farmed separately are not considered to be used as a unit.

To be considered a parcel, the tract must include at least characteristic No. 1 plus one of the other characteristics (2 or 3). Both parcel number and the names of all fee owners and/or contract purchasers should be placed on the plans within the limits of the property as plotted on the plans.

A tract of land lying in two or more sections and meeting the requisites for a parcel as shown above is considered to be one parcel. A separate parcel shall not be made for each separate tract even though the tracts do lie in different sections.

Prepare two parcel files for each parcel on the project. One file is called the original file. Upon completion, the original file is transmitted to the Property Management Section (ROW Fileroom) for filing. Once it is filed, it must **never** leave the office. If it is removed from the file section for reference use in the office, it must be signed out from the file room coordinator. The second parcel file is the field file and is submitted to the Appraisal Section at the appropriate time.

b. Original File - The following information is inserted into the original file and secured with metal fasteners.

- Parcel File Check Sheet – This form is placed on top of the information provided by the Design Section and serves as a marker between the Design Section information and all other information that will eventually be placed in the file. The form is to be completed by the person making up the Original File. Section I of the form pertains to the documents that are included in the file. A check mark is placed for each document that is included. Section II pertains to the type(s) of acquisition required from the subject parcel. A check mark is placed for each type of acquisition required. The remainder of the form is filled out, signed and dated.