

**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
DESIGN DIRECTIVE**

**DD-301  
RIGHT OF WAY PLANS**  
*April 1, 2004*

Attached is the West Virginia Department of Transportation, Division of Highways, policy for "Right of Way Plan Development" dated April 1, 2004 to be used on all projects.

Attachment

**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION**

**DIVISION OF HIGHWAYS**

**POLICY FOR**

**RIGHT OF WAY PLAN  
DEVELOPMENT**

**(January 7, 2004)**

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**10. GENERAL:**

**10.1 Introduction:** Right of way plan(s) are used by engineers, attorneys, appraisers, negotiators, and are presented to property owners who are almost always lay individuals. Right of way plan(s) are **not** construction plan(s) and serve a different purpose.

**10.2 Purpose:** Right of Way plan(s) are used to:

- a. Determine the right of way necessary to construct and maintain the highway;
- b. Show property boundaries and current ownership;
- c. Show existing and proposed ingress and egress;
- d. Determine the value of the acquisition;
- e. Write the necessary descriptions, and;
- f. Negotiate and acquire the necessary right of way.

**10.3 Process:**

**10.3.1 Determine Boundaries and Ownership:** The location is set for the proposed project and the project area is mapped. Preliminary right of way limits are established to determine areas for acquisition. The ownership and boundaries of these areas are determined from courthouse records, field evidence and interviews.

**10.3.2 Right of Way Questionnaires:** Each affected property owner is interviewed and a completed right of way questionnaire is obtained for each property to be acquired. This information is used to verify ownership, property lines, identify public and private utilities and improvements.

**10.3.3 Develop Right of Way Plan(s):** The submission and approval process that is to be followed on projects shall be one of the two processes described below and shall be determined by the Project Manager and included in the Scope of Work minutes. Development of right of way plan(s) will typically utilize one of the following submission and approval processes. The submissions will follow the approved project CPM schedule.

**10.3.3.1 Typical Process:** This process involves the separate submission, review, and approval of RW-1, RW-2, RW-3 and RW-4 plan(s) as described below and in Section 40 of this design directive. The "Typical Process" shall be utilized on all projects unless approval is given by the Project Manager to utilize the "Alternate Process." The "Typical Process" shall be utilized on all projects where there are anticipated involvement of more than five (5) real estate parcels or it can reasonably be expected that design

revisions may occur during early phases of the plan development regardless of the number of anticipated real estate parcels.

- 10.3.3.2 Alternate Process:** This process involves the combining of the RW-1 and RW-2 submission per Section 40.4 of this design directive. The “Alternate Process” should not be utilized on projects involving more than five (5) real estate parcels. It should only be used on small bridge replacement or roadway improvement projects where the final alignment can be approximately predicted during the early phases of design. Multi-lane highway projects on new alignment, large bridge replacement projects, or highway projects involving new roadway would normally not utilize this process.
- 10.3.4 RW-1 Plan(s):** The first submission of right of way plan(s) is used to review the documents of ownership, the plotting of the property lines and existing right of way. They may also be used to estimate preliminary right of way, for abstracting, and utility relocation cost and scheduling purposes. This RW-1 submission consists of the Title Sheet, Ownership and Utilities Index Sheet(s), Property Map Sheet(s), and RW-1 Plan Sheet(s). Copies of the R/W Questionnaires and supporting documents are to be included (See Section 40.2).
- 10.3.5 RW-2 Plan(s):** This submission is used to estimate right of way and utility relocations and to review the proposed right of way and easement limits, determine the effect of the project on landowners, and to initiate abstracting. These plans consist of the contents listed above for RW-1 plan(s) plus completely developed Right of Way Plan Sheet(s), Profile Sheet(s), and Typical Section sheet(s) (See Section 40.3) and shall reflect resolution of RW-1, PFR and Slope Review.
- 10.3.6 RW-3 Plan(s):** This submission is for appraisals, negotiations, writing descriptions and acquisition, and shall reflect resolution of all RW-2 and Final Field Review comments (See Section 40.7).
- 10.3.7 RW-4 Plan(s):** This submission is a master set of right of way plan(s) submitted after acquisition is complete and shall reflect the acquired right of way (See Section 40.8).

## 20 PLAN DEVELOPMENT:

**20.1 Considerations:** The development of right of way plan(s) must be coordinated with and in conjunction with development of the construction plan(s). When establishing right of way limits on each project, consideration must be given to the following:

**20.1.1 Right of Way Limits:** Right of way lines must be set beyond the construction limits and to allow for future maintenance of the highway.

In rural areas, on major roadway projects, construction activities and equipment will require approximately 30 feet beyond the construction limits for the construction and maintenance of the slopes, ditches, culverts, fencing, etc. This distance may be reduced or increased after careful review, taking into account the nature of the terrain, the magnitude and stability of the cut or fill, drainage, and/or land value.

In an urbanized area, right of way limits shall be set so as to minimize the area to be acquired and to minimize damage to adjacent properties. Measures, to reduce right of way limits, such as the use of a temporary construction easement, realignment of fencing, etc., can often be taken to reduce right of way damages and facilitate the acquisition process.

Right of Way Division may request adjustment in the final location of right of way lines during negotiations.

**20.1.2 Property Ownership and Property Lines:** Existing property ownership, property lines and areas must be established from courthouse records, deeds or wills of record, aerial maps, subdivision maps, surveys and plats, and information obtained from field evidence and the Right of Way Questionnaire.

**20.1.2.1 Tax Maps:** Tax maps may be used only in design and reconnaissance reports and as an aid in the development of the right of way plan(s).

**20.1.2.2 Titleholders, Deed and Will Information:** It is absolutely necessary that the name(s) of the titleholder(s), and deed book and page number of the full interest owner(s) be correctly determined for each parcel. Deed and/or will research must be performed for all properties affected by the project. The deed for each parcel is obtained and plotted to establish property lines. The project parcel number is to be shown in a circle in the upper right corner of each deed. It is necessary to research previous deeds until a plotable description is obtained. If a plotable description is not available the designer shall prepare a "Property Line Discrepancy Report" per Section 40.2(c) of this directive.

If property has been distributed by virtue of a will, it is also necessary to obtain a copy of the last recorded source deed with a full interest in the property. During the development of the plan(s), land transfers are to be current (within 6 months) at the time of the initial submission of RW-3 plan(s). Later revisions, due to land transfers, may be requested by Right of Way Division.

**20.1.2.3 Right of Way Questionnaire (Form 5.01):** A separate Right of Way Questionnaire for each parcel is to be completed in full, based on courthouse records and an actual interview with the property owner(s), tenants, or other knowledgeable sources. For example, parcels 2-1 and 2-2 would require separate questionnaires with supporting data attached. This form is to be signed and dated by both the person being interviewed and by the interviewer. If the owner refuses to sign or provide information, state such on the form. This form is available from the Right of Way Division.

Information requested on the right of way questionnaire may be obtained from non-resident owners by telephone contact and so noted on the questionnaire. If the owner cannot be contacted, get an address (i.e.: from the tax ticket) and provide a note with the questionnaire describing all of the methods used in trying to contact the owner.

If information requested on the questionnaire is not applicable, place "N/A" on that line to indicate that it has not been overlooked. Do not use "N/A" to indicate that the information is unknown.

While obtaining these questionnaires, the interviewer shall look for and ask about property line discrepancies, storage tanks, sewage tanks, drain fields, water or gas/oil wells and lines, old graves and cemeteries on the subject or adjacent property, life estate or land contract interests, etc.

If a property is in heirship, this information must also be indicated on the questionnaire, along with a list of the heirs and addresses of each. Minor heirs, if any, shall be identified. If a property has been distributed by virtue of a will, the will book and page number must be provided, along with a reference to the last recorded deed (full interest) in the chain of title. See Section 40.2.e for additional information.

**20.1.2.4 Field Evidence:** A reasonable search is to be conducted in the field for any evidence of property lines or corners particularly in the area of proposed take. Such evidence, if found, is to be located by survey and identified on the plan(s).

**20.1.3 Existing Improvements:** An improvement is any addition to land intended to make the property more valuable and/or usable. All above and

below ground improvements, within or in close proximity to, the proposed right of way limits are to be shown and clearly labeled as to type. Each improvement (dwelling, garage, barn, storage shed, storage tank, well, sewage system, etc.) must be evaluated with particular emphasis on those improvements lying in the fringe areas of construction. The Designer shall adjust the construction and right of way limits to avoid such improvements, if feasible, without jeopardizing sound design standards.

All properties that are improved with buildings that are, or could be, utilized as inhabited dwellings or commercial establishments are assumed to have all utility services and facilities until otherwise verified. These facilities could include a sanitary sewer line connection to a public sewer, a private sewage system such as a tank and drainage field, an "outhouse," or "shotgun sewer" lines. When the project construction is in close proximity to such a property, each system must be completely shown.

All underground storage tanks and all known or possible hazardous waste sites must be shown and identified on the plan(s). Avoidance of these sites shall be given full consideration in the final approval of project location. Strict adherence with "Guidelines For Identifying And Dealing With Hazardous Waste On Highway Projects" is required (See "Hazardous Waste", DD 302).

**20.1.4 Potential Slide Areas:** When a geotechnical report indicates an area as a "Potential Slide Area", the limits shall be shown and labeled as such. When new construction will not remove the entire critical area, consideration shall be given to the acquisition of additional area beyond the normal right of way limits, particularly if the road construction might increase the probability of slide development. If the potential slide area will not be worsened by the road construction, it should not be acquired.

**20.1.5 Access Control:** For projects having grade separation interchanges and/or at-grade intersections, the controlled access line is placed to include the entire interchange area, and shall be continuous throughout the entire controlled access project. The controlled access line is to be set at a minimum of 100 feet beyond the ramp radius return in urban areas and a minimum of 300 feet in rural areas.

The radius return is defined as that point on the ramp or intersection return where the radius or flare joins the tangent line of the edge of pavement of the intersecting roadway. In the case of a future widening of the intersecting roadway, the point shall be determined on the basis of the ultimate design width, even though its construction may be some years hence.

If access is to be provided under bridges or other structures, it shall be noted on the applicable plan sheet(s).



The controlled access line may be located so as to facilitate maintenance of the roadway. It is not necessary for the controlled access line to follow the right of way line or to be located so as to include all construction features.

- 20.1.6 Legibility:** Features must be prominently displayed and easily located, including centerline, stations and offsets, property lines, parcel and tract numbers, construction limits, and existing and proposed right of way and easement lines. Plan presentation shall have weights and symbology as shown on the title sheet conventional signs.
- 20.2 General Specifications:** A standard sheet size (22"x 34", including border area) shall be utilized on all right of way plan(s). The plan sheet(s) shall be in accordance with the WVDOT Engineering Division C.A.D.D Standards, shown in the border cell library ([www.wvdot.com](http://www.wvdot.com)), as cell "PLAN". A 1½" border on the left and a ½" border on all other sides is to be used.
- 20.3 Plan Content:** Right of Way Plan(s) shall consist of, and be in the following order:
- a. Title Sheet (See Section 30.1)
  - b. Ownership and Utilities Index (See Section 30.2)
  - c. Property Maps (See Section 30.3)
  - d. Right of Way Plan Sheets (See Section 30.4)
  - e. Cemetery Detail Sheet(s), if applicable (See Section 30.4.20)
  - f. Reference Point Sheet (See Section 30.7) (If available) Including Survey Marker Table
  - g. Geometric Layout Sheet (If available) (See Section 30.8)
  - h. Typical Sections (See Section 30.6)
  - i. Profile sheets, including detours, side roads, driveways, etc. (See Section 30.5)
- 20.4 Plan Limits:** On all projects, additional features outside the project limits, consistent with the contract plan development, are to be shown on both ends of the project. Topography, such as houses, garages, existing right of way lines, roadways, utility facilities, and other improvements, along with any projected right of way lines for adjoining projects, if they are designed or currently in design but not yet constructed, shall be shown.
- 20.5 Project Numbers:** Notes shall be placed on appropriate plan sheet(s) indicating the construction project number and limits of work for the corresponding construction project. Right of Way Project termini and right of way project numbers for current adjacent right of way projects shall be indicated on the title sheet, property map sheet(s) and plan sheet(s).
- 20.6 Text:** All text should be of a minimum height and weight so as to be legible when half-size copies of plan(s) are used in condemnation proceedings and

when requested by Project Managers. Text should not be upside down or on top of other text or topography.

**20.7 Submission/Revision Date:** All sheets shall have the submission/revision date indicated near the lower left border.

**30 RIGHT OF WAY PLAN CONTENT:**

**30.1 Title Sheet:** The title sheet shall be in accordance with the CADD cell “RTITLE”.

**30.1.1. Contents:** The Title Sheet shall contain the following:

1. Standard Title Block
2. Project Identification Block
3. State District Map with respective county hatched, not shaded
4. State & Federal Project Numbers (inside lower left border of sheet(s) and center top, and Project Identification Block).
5. Executive Secretary Certification Block with State and Federal Project Numbers and Department Signature Block (See current DD-702)
6. Route Numbers and Type
7. Tax District or Corporation and County Name
8. Project Limits, R/W Project Limits and Construction Contract Section Limits
9. Type of Right of Way Plan Submission (under State District Map)
10. Vicinity Map from the WVDOH County Maps (Project Location and Extents)
11. List of public utilities and railroads encountered (See current DD-303)
12. Layout Map with North Arrow, graphic scale, plan sheet(s) outline, and Right of Way Project Termini
13. Controlled Access Note, if applicable
14. Index to Sheets
15. Revision Block
16. Consultants Seal Block sealed by a PE registered in West Virginia, if applicable
17. Horizontal and Vertical Scale and Conventional Signs Legend
18. Submission date (Outside lower left corner)
19. Design Designation Block

**30.1.2 Public Utilities:** Indicate the type of service provided, in parenthesis, after the name. Example: Ridge Public Service District (Water).

**30.1.3 Layout Map:** The layout map shall show existing and proposed road alignments with the superimposed project centerline showing the relative sheet coverage by sheet number. All roads are to be labeled with names and route numbers, with directional arrows to the nearest community or intersecting routes. Include streams, corporation, county, state lines, right of way and construction project numbers and work limits, railways, and large industrial or commercial structures and plazas and Right of Way Project Termini.

**30.1.4 Controlled Access Note:** All projects with controlled access or partially controlled access shall define the locations of access on the title sheet of the Right of Way and Construction Plan(s). A “Fully Controlled Access Project” shall include a note on the title sheet stating the following: “This project is a fully controlled access facility with only vehicular access allowed as shown in these plans.” “A Partially Controlled Access Project” shall have a note on the title sheet stating the following: “This project is a partially controlled access facility with access allowed only at the following locations: Sta \_\_\_\_ Lt, Sta \_\_\_\_ Rt, etc.”

**30.2 Ownership & Utilities Index:** The Ownership and Utilities Index must be in accordance with the CADD cell “OWNER”.

**30.2.1 Names of Titleholders:** Correct spelling of each property owner’s names is imperative. Use the name and spelling of the name as shown in the deed when different spellings appear on other documents. Revisions will then be made if corrections are later found. Holders of Land Contracts or Life Estates are to be included in the Ownership Index.

**30.2.2 Parcel Numbers:** An individual parcel number shall be assigned to each property to be acquired and to each private utility. Parcel numbers may not be changed or reassigned once they have been assigned, or reused if deleted. The parcels shall be numbered consecutively, starting with Number 1, and shall be placed in the index in numerical order. No Parcel Numbers are to be reserved for future use.

Property under the same ownership must meet all three of the following conditions before a single parcel number is assigned to the entire property: (1) Same Ownership, (2) Same Use, and (3) Contiguity. Noncontiguous parcels having the same ownership shall be identified with the same parcel number utilizing a numerical suffix. Examples of this are: 1-1, 1-2, 1-3, 2-1, 2-2, etc. **NOTE:** Existing highway or railroad right of way will separate a property into noncontiguous parcels.

Deleted parcels are to remain on the Ownership Index, Property Map and Plan Sheet(s) for information only. A horizontal line is to be drawn through the parcel number, name, areas of take removed, and “No Take” entered in the “Remarks” column. A line is also to be drawn through the parcel number on the Property Map(s) and Plan Sheet(s).

**30.2.3 Tract Numbers:** Tract number shall be assigned numerically for each parcel from which more than one tract of land is to be acquired. The tract numbers must begin a new for each individual parcel and are assigned consecutively in accordance with the type of acquisition, by priority; i.e., controlled access, noncontrolled access, permanent easements, and temporary easements. All tract numbers shall be complete for each classification before

moving to the next classification (Example: Controlled Access – Tracts 1, 2, and 3; Noncontrolled Access – Tracts 4 and 5; Permanent Drainage Easement – Tracts 6 and 7; Permanent Ponding Easement – Tracts 8 and 9; Temporary Construction Easement – Tracts 10 and 11, etc).

**30.2.4 Recording Data:** Deed and/or Will Book Numbers and Page Numbers must be shown in the “Recorded” column, with the appropriate references all the way back to the deed which conveys a full interest in the title. If a will has a codicil, show its Book Number and Page Number.

Only the current ownership deeds and/or wills, etc. are to be shown on the ownership index. Deeds involved as part of the chain of ownership are to be attached to the back of the deed and questionnaire.

**30.2.5 Type of Take:** Columns for indicating the area and type of take are provided for “Controlled Access” right of way, and “Noncontrolled Access” right of way. The “Easement” column has subheadings for “Type” and “Area”.

**30.2.6 Easements:** All easements shall be identified in the Ownership Index as to type. Various types of easements and their use are discussed more fully in Section 30.4.4 below.

**30.2.7 Areas:** The areas of the various tracts to be acquired shall be shown on the Ownership Index in the appropriate column. Areas must be completed for all right of way takes and easements. “Remaining Left”, “Remaining Right”, “Total Remaining”, “Total Taken”, and “Parcel Total” are to be shown on the top line of the parcel listing.

Areas less than one (1) acre shall be shown in square feet, rounded to the nearest square foot. Areas one (1) acre or more, shall be shown in acres, to the nearest one-hundredth acre. All parcels in urban areas and defined lots in subdivided areas shall show calculated areas in square feet. If a parcel consists of tracts with take areas of both more and less than one acre, dual units (acres and square feet) are to be shown for each area of less than one (1) acre.

All permanent easement areas excluding Permanent Aerial Easements will be included in the “Total Taken” column. Temporary easement areas are **not** to be included in the “Total Taken” column. If any portion or all of a residual area will be landlocked after construction, a note “Landlocked” shall be added in the Remarks Column.

The “Parcel Total” should, if possible, show the deed area. If the calculated total area is significantly different than the recorded deed area, use the calculated area and show the deed area in the “Remarks” Column, along with

an explanation. For a parcel with an area greater than one acre do not show the parcel total in square feet unless shown in the deed.

All areas of acquisition from any agency of the Federal Government shall be the result of a computer calculation or by actual closed survey (See Section 30.4.21).

For noncontiguous parcels, the area shall be calculated and the deed area shall be shown in the remarks column.

**30.2.8 Uneconomic Remnants:** Small remnants with little apparent value are to be included in the right of way to be acquired. When the value of a remnant is in doubt, a determination as to declaring it “uneconomic” will be made by Right of Way Division.

**30.2.9 Utility Index - Public Utilities:** All “public” utilities encountered by the project shall be listed on the Utilities Index by correct company legal name, type and size and location of facility, with station/offset and sheet(s) number. The disposition of the utility when clearly known is to be listed and updated as needed, i.e.: “To be relocated by owner”, “To be abandoned in place”, “To remain in service”, “To be relocated by DOH”, etc.

To determine whether or not a particular company is a public utility, refer to [www.wvdot.com](http://www.wvdot.com), or call the Utilities Unit of the Engineering Division for determination.

**30.2.10 Private Utilities:** All other utilities are considered to be private and include private transmission lines, service lines, TV cable lines, oil and gas wells, etc. Private utilities are not to be listed in the Utilities Index. A private utility shall be assigned a parcel number and be listed in the Ownership Index, and no areas of take will be shown. A note in the Remarks column shall identify the type of improvement involved. Private utilities under the same ownership as the involved parcel of real estate, will use the same parcel number, differentiating it by the use of a letter suffix, i.e., Parcels 14-A, 14-B, 21-A, 21-B, etc.

**30.2.11 Private Water and/or Sewer Lines:** Partial acquisitions shall be carefully reviewed to ascertain whether private water and/or sewage systems will be taken. Water wells and sewage systems will not be allowed to remain inside areas of proposed right of way.

**30.2.12 Billboards:** Each affected billboard is to be identified by owner and permit number. This information should be on the tag attached to the billboard. A note shall be provided on the Right of Way questionnaire if no information tag is found. Billboards are to be assigned a parcel number,

which is the underlying owner's parcel number plus an alpha suffix, i.e., Parcel 13-A, Parcel 24-A.

**30.2.13 Railroads:** Right of way or easements to be acquired from railroads are to be identified with a parcel number and listed in the Ownership Index.

**30.2.14 Public Land Corporation:** When the centerline of a project crosses over a stream, the Public Land Corporation (PLC) is to be shown as the titleholder on the Ownership Index. Types and areas of take are to be shown, however, no deed reference is given. The name of the affected stream is placed in the "Remarks" column. See Section 30.4.18.

### **30.3 Property Maps:**

**30.3.1 Property Map Sheet(s):** These sheets must show a north arrow, proposed centerlines, route numbers and names of all existing streets and roads and other topographic features, existing and proposed right of way lines, easements of record, entire property boundaries, project parcel and tract numbers(not tax parcel number), major structures, proposed major drainage, existing utility transmission lines (above and below ground), cemeteries, and other topographic features. Each right of way line must be labeled frequently enough to clearly delineate the type of line. The project manager may require the major contours to be shown.

All underground storage tanks and potential hazardous waste sites located within or in close proximity to the existing and/or proposed right of way lines shall be shown. Matching property map sheet(s) numbers and stations are to be shown outside the matchlines. The property maps must be complete and include all corrections and comments presented at field and office reviews. Property Maps may be combined with the Ownership Index on small projects.

All existing right of way shall provide a reference of their source, i.e., "Project Number", statutory right of way, etc. as determined by existing plan(s) and records.

**30.3.2 Parcels:** The entirety of all parcels affected by the project are to be shown on the property maps, with the appropriate parcel and tract numbers affixed. Deed tract numbers are to be shown in parenthesis. Names or deed references are not to be shown on the property maps, unless the property involves the U.S. Government.

For those parcels that are too large to show the entirety on a property map, an inset or supplemental sheet(s), at an appropriate indicated scale, must be utilized showing the parcel in its entirety. When using an inset, include properly labeled match or inset lines. If the scale does not facilitate labeling

each property line, use a table format to list the property line information. Supplemental inset sheets are to be placed at the end of the Property Maps.

**30.3.3 Property Lines:** Property lines shall be labeled on the inside of the applicable property line, with deed bearings and distances shown in parentheses for each line. Use a land hook (land tie) symbol to identify interior deed tract lines. If records do not indicate metes and bounds, the distance along the property line shall be scaled, labeled, and indicated as such by adding the letter “(s)”, (in parenthesis), after the scaled distance. A calculated or project bearing shall not be shown. If deed distance is significantly different than scaled distance, show both the deed and scaled distances.

**30.3.4 Existing Features:** Existing features include the following:

- 1) North arrow.
- 2) Private and public roads, streets, and alleys with identifying names and route numbers.
- 3) Existing right of way and easement lines for all roadways, utilities and private right of ways.
- 4) Access to all parcels.
- 5) Directional arrows, with distance to the nearest city, town or major route at each end of the project and/or existing road.
- 6) Bridges and major drainage.
- 7) Railroads with names, valuation centerlines, stationing, and right of way lines.
- 8) Corporation and tax district lines and names.
- 9) Streams with names and flow arrows.
- 10) Subdivisions with name, bearing and distances (in parenthesis), block numbers, street and road names, lot lines, lot numbers and lot dimensions.
- 11) Public utility and major private utility transmission lines with company name and type of facility.
- 12) Deep mines, surface mines and mine roads, including mine entrances and air shafts.
- 13) Entire property boundary lines of each parcel with property line symbols, deed tract numbers (in parenthesis), and deed bearings and distances (in parenthesis).
- 14) Land ties on interior deed tract lines.
- 15) Gas, oil and salt wells and lines along with owner's names and American Petroleum Institute (API) well tag number.
- 16) Outlines of structures (residential, commercial, schools, churches and public buildings).
- 17) Cemeteries.



**30.3.5 Proposed Construction Features:** Include the following:

- 1) Project centerline or baseline of all access roads, frontage roads, connector roads and temporary detours, with names.
- 2) Stationing labeled at 500 feet intervals, with 100 feet tic marks.
- 3) Right of Way project limits with stations.
- 4) Project Limits, R/W Project Limits and Construction Contract Section Limits
- 5) Parcel and tract numbers for all property to be acquired, with landlocked residues labeled.
- 6) Stream relocations or channel changes.
- 7) Structures such as bridges, major drainage structures, culverts, retaining walls, etc.
- 8) Proposed controlled access, noncontrolled access, permanent drainage easement, temporary construction easement, temporary structure removal easement lines, etc., with labels.
- 9) Label any road to be terminated or abandoned as such.
- 10) Show all proposed access points.

**30.3.6 Landlocked Areas:** On controlled access projects, all residual areas for which no vehicular or pedestrian access is provided shall be identified as “landlocked”. This shall only be done if the residual area was landlocked as a result of activity of the road project.

On non-controlled access projects where restoring vehicular access is impractical, a note shall be added to the ownership index, property map(s) and plan(s), “No vehicular access provided”.

Resident areas accessible by public roads other than the proposed project, should not be identified as “Landlocked”.

**30.3.7 Subdivisions:** All recorded subdivisions will be shown, complete with the name of the subdivision, street names, alleys, block numbers and lot numbers. If the involved streets are privately owned, a parcel number must be assigned and a titleholder identified. Lot numbers shall be shown in parenthesis to differentiate them from parcel numbers. Three (3) copies of each subdivision map are to be included with the RW-1 submission.

**30.4 Right of Way Plan Sheet(s):** The right of way plan sheet(s) may be a duplicate of the construction plan sheet(s) with the addition of the required parcel, tract and property line information. However, it may be necessary to turn off certain layers of construction specific information in order to make the right of way plan(s) legible. Contours are to be screened. Matchline stations and sheet(s) numbers are to be shown on each sheet.

**30.4.1 Centerline:** The centerline or baseline layout shall be identical to that shown on the construction plan(s). All tangent portions of the centerline shall be identified with a bearing and all curve geometry shall be readily visible on each plan sheet(s). Stations should progress from West to East and/or from South to North, and match exactly those shown on the construction plan(s).

All station equations and the P.I., P.C., P.T., T.S., S.C., C.S., and S.T., etc. of each curve shall be shown. Curves are to be labeled on each sheet in which it appears on the inside of the curve. The centerline of new construction is to be designated as project centerline.

Beginning and Ending stations shall be shown for the Right of Way, Construction and/or Work. These stations should be at the furthest reaches of right of way along the centerline for stand-alone projects. For abutting projects, the right of way project limits will be at the centerline, preferably on a property line crossing, to avoid overlaps and gaps.

**30.4.2 Construction Limits:** The cut and fill slopes, as designated on the construction plan(s) with standard symbols, are to be reproduced identically on the right of way plan sheet(s).

**30.4.3 Right of Way Lines:** Existing right of way lines are to be screened. All screened features must be legible. Plans with illegible features may be rejected. The proposed right of way lines shall be placed outside the construction limits, as indicated in Section 20.1.1. All existing and proposed right of way labels shall be shown on the inside of the line.

Proposed right of way lines (controlled or noncontrolled) shall consist of a series of tangent lines having directional changes when necessary to avoid excess acquisition. In establishing the breakpoints of the tangent right of way lines, consideration shall be given to the value of the property versus other factors which may be involved (See Section 20.1.1).

Each breakpoint or change in direction of the right of way lines (controlled and non-controlled access) or easement lines shall be identified by station and offset distance, and both set to the nearest foot. Since this information is subject to change, it is not required on RW-1 submissions. Right of Way markers may also not be shown on RW-1 submissions.

When an interest in railroad property is to be acquired, each highway station and offset must be equated to the railroad valuation station and offset distance. The actual railroad valuation centerline, with stationing, must be shown throughout the immediate area of involvement.

**30.4.4 Easements:** The future needs of the Division of Highways shall be considered: first, by covering all permanent construction areas with right of

way, and then, by utilizing easements, permanent and/or temporary, where additional areas are necessary for a specific use.

All easements shall be identified on the plan sheet(s) as to tract number and type. The reason for the necessity of the easement must be clearly shown on the plan(s).

A **permanent easement** is defined as an area that is necessary for future maintenance of the highway and, in most cases, a permanent change will be made to the topographic features.

A **temporary easement** is an area that will be used for a limited period of time during construction, and no future maintenance in, or access to, that area will be required. The topographical features of a temporary easement are to be returned, as nearly as possible, to their original condition.

Examples and descriptions of typical easements acquired are as follows:

**Permanent Drainage Easement (PDE):** An area, outside normal right of way, where entry upon the land may be required from time to time to maintain or clean the pipe, ditch, channel, etc. The surface owner cannot construct any structure within this area that may affect the free flow of the water or ponding water.

**Permanent Ponding Easement (PPE):** An area, outside normal right of way, on the upstream end of a drainage structure, where ponding of water may occur during storms. Limits will be determined by the high water contour, as applicable. There are no provisions for entry on the land, just ponding of water.

**Permanent Aerial Easement (PAE):** Provides for the construction and maintenance of a structure above the owner's land, while allowing the owner to utilize the land under the structure in any manner that does not interfere with the functioning of the structure. A PAE provides no surface rights. This easement is frequently used at grade separations with a railroad. PAE's are NOT included in the Total Taken column.

**Permanent Crossing Easement (PCE):** Normally used only with railroads, this easement provides permission for a highway to cross a railroad right of way with an at-grade intersection.

**Permanent Roadway Easement (PRE):** Provides for construction and maintenance of a roadway and supporting structure on owner's land, while not obtaining full right of way. This type of easement is common when a roadway or embankment is located on railway

property and the railway desires to grant permission for the roadway without disposing of the land.

**Temporary Construction Easement (TCE):** Provides work area for the temporary use of land outside normal right of way that is necessary for construction of the project. The use of this land will be for a specific time period and the purpose of the TCE must be clearly shown on the plan(s). Permanent grading changes are **not** normally performed on areas acquired as TCE.

**Temporary Structure Removal Easement (TSRE):** This easement provides a temporary work area for the necessary removal of a structure that is partially outside the right of way limits. No other work is to be proposed within this easement.

**30.4.5 Parcels and Tract Numbers:** All parcels affected by the project are to be shown on the right of way plan sheet(s), with parcel numbers and tract numbers. Names or deed references are not to be shown on the property, unless the acquisition involves an agency of the U.S. Government.

**30.4.6 Property Lines:** Each property line shall be labeled, with deed bearings and distances shown in parenthesis, inside the applicable property line. If records do not include metes and bounds descriptions, the distances along the property lines shall be scaled, labeled, and indicated as such by adding the letter “(s)”, in parenthesis, after the scaled distance. All found field evidence for property lines and corners shall be shown and labeled.

If a property line described in a deed follows the center of a road, or crosses or enters existing right of way, the property line should be terminated at the existing right of way.

Property line intersections with existing or proposed right of way lines or easement lines are to be identified and labeled by station and offset, set to the nearest foot. Only those points necessary to describe the property to be acquired need to be labeled.

Station and offset labeling of all points and lines should be clearly placed in an area where other text or symbols do not interfere with the legibility of the data. Station and offset labels should be located on the same side of the road as the point and labeled horizontally in the order of occurrence.

**30.4.7 Subdivisions:** All recorded subdivisions must be shown. Information to be shown includes name of the subdivision, street names, alleys, block numbers, lot numbers, etc. Lot lines, not designated as property lines, must be shown with a “land tie” designation in lieu of property line symbology. The deed bearing and distance of each lot line is to be shown in parenthesis, inside

each property line. Lot numbers shall be shown in parentheses to differentiate them from parcel numbers. Special diligence is required for the determination of ownership of the streets, which may be owned by a homeowners association. If such is the case, a parcel number shall be assigned to the street.

**30.4.8 Existing Features:** All existing above and below ground topography that may affect the value of a property shall be shown on the right of way plan sheet(s). These features include all those existing features listed under Property Maps (Section 30.3.4), plus the following:

- 1) Dwellings, barns, sheds, outbuildings, commercial buildings, industrial buildings and conveyors, walls, wells, etc. along with a label indicating type of structure and use.
- 2) Edge of roads, driveways, trails and parking lots labeled with type of surface.
- 3) Property corner monuments (iron pins, concrete, etc.) and deed tract and/or lot numbers (in parenthesis).
- 4) Screened contour lines.
- 5) Forested areas.
- 6) Major trees and shrubs with size and name.
- 7) Sewage systems and sanitary sewer service mains and size.
- 8) Septic tank and drain or leach field.
- 9) Utility transmission and distribution lines, with company ID numbers (See section 30.4.10).
- 10) Satellite dish antenna.
- 11) Parcel number for each private utility.
- 12) Bridges, culverts, and retaining walls.
- 13) Playgrounds and equipment.
- 14) Potential hazardous material or sites and type.
- 15) Fences and retaining walls.
- 16) Advertising signs. Show owner(s) name and permit ID number.
- 17) Private improvements within existing right of way are to be labeled "Encroachment" and "To Remain" or "To Be Removed".

**30.4.9 Underground Storage Tanks and Hazardous Waste Facilities:** Special attention is called to underground storage facilities since it is imperative that these improvements be shown on the plan(s) to allow consideration of their value during preparation of appraisals. All underground storage tanks must be shown and identified as to the size, type and material stored therein, to allow timely testing of the immediate area for leakage and the identification of hazardous wastes. For specific guidelines see "Hazardous Waste", DD 302.

**30.4.10 Utilities:** The type, size, location, and company name and identification numbers of all private and public utilities, including service lines, which may be affected by project construction, are to be shown on the plan(s). Include those utilities providing service that lie in close proximity to the project right

of way limits, but from which no acquisition is necessary. In the case of total takings in built-up areas, where it is obvious that all properties have full utility service, a note stating this fact may be used in lieu of placing the individual lines on the plan(s). Utilities located within easements or rights of way shall be shown along with the defined easement or right of way limits.

Properties not served by a public water supply may have water wells or springs as their sole source of water. These wells or springs, including any pumps and associated service lines, must be located and shown on the plan(s).

The disposition of utility transmission and distribution lines shall be specifically shown for each location. Use notes indicating disposition of the facility (Not required for RW-1 submissions), such as the following:

- 1) To be relocated by owner
- 2) To remain in service
- 3) To be abandoned in place
- 4) To be relocated by DOH

**30.4.11 Proposed Construction Features:** Proposed construction features will include all those listed under Property Maps (Section 30.3.5), plus the following:

- 1) Construction limits labeled cut (- C -) or fill (- F -).
- 2) Geometric curve data, centerline bearings and equations.
- 3) Label all P.I., P.C., P.T., T.S., S.C., C.S., S.T., Etc.
- 4) Label centerlines and baselines to match construction plan(s).
- 5) Station and offset, to the nearest foot, for each corner or break in the right of way and easement lines.
- 6) Right of Way markers and fencing.
- 7) Demolition item numbers on all structures taken.
- 8) Pavement, curbs, sidewalks, drop curbs.
- 9) Sedimentation control ponds.
- 10) Drainage with type, size, length, flow direction and invert elevations.
- 11) Drop inlets, manholes, etc.
- 12) Ditches and channel changes with flow arrows.
- 13) Vehicle turnarounds.
- 14) High water contour, as applicable.
- 15) Major temporary features that are to be removed (such as sediment basins, temporary construction features, etc.) label "To Be Removed".

**30.4.12 Proposed Structures:** All proposed structures, such as bridges, culverts, pipes, guardrail, lighting, etc., are to be indicated on the plan(s) to provide the appraiser with relevant information for determination of value. Appropriate high water elevation contours are to be shown for major drainage backwater.

**30.4.13 Demolition Numbers:** See DD 709 "Numbering of Buildings, Septic Tanks, Wells or other structures" for assigning an identification number to buildings, wells, septic tanks and other structures.

**30.4.14 Sidewalks:** In an urban area where a sidewalk is to be constructed as a part of the highway facility, careful consideration shall be given to the placement of the right of way line. If minimal change in the ground line topography is made, the right of way line may be placed two feet back of the sidewalk with adequate temporary construction easement shown beyond that line to allow sufficient room to construct the project. If significant changes are to be made on a permanent basis, then a normal placement of the right of way line outside the construction limits shall be made. The placement of all easements and/or right of way lines in urban areas shall be the result of a prudent study, giving consideration to an elevated land value as well as damages that may occur to the smaller urban properties.

**30.4.15 Fencing:** Where fencing is included in the construction plan(s), it must also be shown in the right of way plan(s). Generally, the fence will run parallel with, and one foot inside, the controlled access line. Refer to the current "Fencing Controlled Access Highways", DD 309, for specific criteria.

**30.4.16 Right of Way Markers:** Right of way markers are required whether or not fencing is used and shall be shown on the right of way plan sheet(s) at the outermost corners of the proposed right of way lines. For example, if a right of way line is outside a controlled access line, only the right of way (or outermost) line will be monumented. Marker locations shall be indicated by the right of way marker symbol, as shown in the DOH symbol library as "RWM". Markers shall not be placed where physically impractical, such as on steep bluffs, in streambeds, etc. Markers are not required at the corners of permanent or temporary easements.

**30.4.17 Railroad Property Acquisition:** Railroad valuation centerline, with stationing, must be shown throughout the area of involvement. Each highway station and offset must be equated to the railroad valuation station and offset for points on the railroad parcel. If the area includes an existing railroad crossing or bridge, show the DOT Number. All surface drainage shall be shown as "Permanent Drainage Easement", and the area included in the "Total Taken" column. When establishing proposed right of way lines, within existing railroad right of way, the designer shall coordinate with the Railroad and Utilities Unit concerning location and type of acquisition.

If a crossing exists, indicate the DOT number. The DOT number is on the signals or cross bucks for at grade crossings and for grade separation structures it can be found on the Bridge Inspection Report or by contacting the Utilities Unit of the Engineering Division.

**30.4.17.1 Railroad Grade Separations:** The area of the Permanent Aerial Easement shall **not** be included in the “Total Taken” columns of the Ownership Index. Surface drainage shall be shown beneath the aerial easement as “Permanent Drainage Easement”, and the area included in the “Total Taken” column. All other permanent areas of right of way and/or easement shall be included in the “Total Taken” column. Piers and abutments shall be located on a permanent take.

On all controlled access projects involving railroad grade separations, the controlled access line will be carried across the railroad right of way and will be designated and marked as follows: “Controlled access line – aerial easement subject to railroad right of way.”

**30.4.17.2 Railroad Grade Crossings:** The area of the “Permanent Crossing Easement” is to be included in the “Total Taken” column. Only the area of proposed PCE should be included in the “Total Taken” column. Existing PCE should not be included.

**30.4.18 Public Land Corporation:** When right of way is obtained from an owner, on whose property is located a navigable, floatable, or named stream, an additional acquisition is required from the Public Land Corporation (PLC). The surface owner holds the interest in the surface, while the PLC hold the interest in the streambed. The streambed is normally defined by the normal pool elevation. The common area is to be included in both the PLC take and the surface owner’s take, and will have two (2) parcel numbers assigned: one (1) for the surface owner and one (1) for the PLC.

The PLC acts as the titleholder of the beds and all the material beneath them for all navigable or floatable waters within West Virginia. PLC is the agency which provides right of entry or a right of way agreement for all construction activity in a stream.

When any roadway centerline of a project crosses over a stream, the PLC is to be shown as the titleholder on the Ownership Index. The existing stream area, located within the proposed right of way, is generally included.

The area over the stream is shown as “Permanent Easement” and any temporary take is shown as “Temporary Easement”. Each type of take is to be shown on the appropriate plan sheet(s) by a different hatch pattern, and indicated on the sheet(s) by a legend identifying the Parcel Number, Public Land Corporation, and the type of take.

PLC easements are not required for areas within existing right of way.



**30.4.19 Special Design Features:** All items, not heretofore mentioned, which may affect negotiations with the property owner(s) or which may have a direct effect on the market value of the property to be acquired, shall be indicated on the plan(s). Such items may be walls, steps, etc., that are to be replaced or reconstructed as a part of the project.

**30.4.20 Cemeteries:** Every reasonable effort should be made to avoid cemeteries. All cemeteries, whether public or private, shall be shown, with the name of the cemetery, on the right of way plan sheet(s) and the property maps. A Cemetery Detail Sheet(s) (CADD Standards cell "CEMTRY") See Section 20.2 shall be added to the plan(s), following the Right of Way Plan sheet(s). The cemetery location as shown on the property maps and plan sheet(s) will be identified by the cemetery name and be tied by survey to the project centerline. A note will be added referencing the plan reader to a specific sheet(s) in the set of plan(s) for a detail of the cemetery itself. This detail or individual plan of the cemetery will show the actual cemetery boundary and its relationship to the project centerline, construction limits and right of way lines. Temporary exhumation easements shall be shown if the right of way line divides cemetery plots and leaves parts of graves outside the take area, but still necessary for relocation.

A number shall be assigned to all existing graves that shall be located by survey and identified on the plan, complete with headstone and/or footstone. If no stones are in evidence, the gravesite itself shall be shown without identifying markers. In established cemeteries with burial lot layouts, all grave lots will be numbered according to the recorded maps regardless of whether it is occupied or not. The improvements around the cemeteries, such as fencing, walls, flag poles, etc., shall also be shown. Roadways, walkways, etc., will be included in the layout. The cemetery perimeter will be accurately located and shown on the plan(s). If the cemetery is suspect of having unmarked graves, a complete matrix probe, using a five-foot matrix interval or grid, of the cemetery and immediate surrounding area is to be performed.

For cemeteries with undefined perimeters, a cemetery limit line shall be set around the entire cemetery to allow proper documents to be prepared through eminent domain procedures to grant right of entry to the cemetery for matrix probe as well as exhumation purposes.

All known and unknown gravesites are to be numbered consecutively and shown on the detail cemetery layout. These numbers will also appear on an Interment Index (See CADD standards cell "CEMTRY") See Section 20.2, complete with an identification of each decedent. The complete name of the decedent is necessary. If unknown, it shall be so noted. Intensive research shall be made to identify all unknown decedents. In addition, the Interment Index shall provide necessary columns for reinterment data for each grave, including columns for the name of the reinterment cemetery, location of the

cemetery, date of reinterment, lot, block, section numbers, etc., also shown by sketch, or stated to be of record and where found. Samples of these indices are available in the Right of Way Division. Right of Way Division must be provided with all documentation of the research and findings for each cemetery, including copies of work diaries verifying efforts to identify unknown decedents. The survey books locating all graves shall also be submitted with the RW-3 tracings.

- 30.4.21 Federal Lands:** Projects requiring the acquisition of right of way from an agency of the U.S. Government shall portray that proposed acquisition by procedures as outlined in the Federal-aid Policy Guide. These procedures include, but are not limited to, the requirement of providing bearings and distances for the entire area to be acquired, whether right of way or easement. State Plane Coordinates may be required for all corners. Examples of U.S. agencies are U.S. Forest Service, U.S. Corps of Engineers, U.S. Department of Interior, etc.
- 30.5 Profile Sheet(s):** Profile sheet(s) shall be provided for all proposed mainline, detours, connector roads, frontage roads, access roads, relocated roads, driveways, bridges, etc. Profiles for bridges will show the abutments and piers and include the clearance information.
- 30.6 Typical Sections:** Typical section sheet(s) shall be provided for the proposed mainline, detours, connector roads, frontage roads, access roads, relocated roads, driveways, etc.
- 30.7 Reference Point Sheet(s):** Reference Point Sheet(s) shall be provided to allow layout of the centerline, and Right of Way Limits.
- 30.8 Geometric Layout Sheet(s):** Geometric Layout Sheet(s), from the construction plan(s), shall be provided to aid in the layout of the Right of Way.
- 30.9 Cross Sections:** Cross sections are not a formal part of right of way plan(s) but prints are required with the RW-3 submission. See DD-202 for distribution.

**40 SUBMISSION OF PLAN(S):**

**40.1 Submission Distribution:** Submissions shall be in accordance with the “Plan Distribution Schedule” of the current design directive “Field And Office Reviews For Initial Engineering And Final Design”, DD 202,

**40.2 RW-1 Plan(s):** This submission is to be made as shown on the approved project CPM and as soon as the information below is assembled by the Designer. It normally occurs prior to the Preliminary Field Review. The submission may be requested in a roll format. All supporting documents shall be labeled with the state project number.

The following information shall be provided as a minimum:

- a. Title Sheet(s):** Showing project numbers, project name, layout map, latest signature block, and list of public utilities and railroads involved.
- b. Ownership and Utilities Index:** Include all parcel numbers, names of owners, deed or will references, and only “Parcel Total” areas are required.
- c. Property Maps:** Refer to Section 30.3, for required content. The proposed right of way lines shall be shown based upon the best information available at the time of submission. A Property Line Discrepancy Report is to be prepared when there are significant gaps and overlaps in property lines. The report should show how these discrepancies were resolved. Problems are to be identified, and the method of resolution presented. Information submitted should include weight given to conflicting evidence, and work plots of each parcel plotted per deed with **NO** adjustments are to be a part of the report.
- d. RW-1 Plan Sheet(s):** The proposed Right of Way plan sheet(s) shall be provided with the following information.
  - Existing Property Lines
  - Existing Right of Way Lines
  - Existing Topographic and Physical Features
  - Preliminary Roadway Centerline with stations shown
  - Major Contours
- e. Right of Way Questionnaire and Supporting Documents:** Three (3) separate sets of the Right of Way questionnaire and deeds/wills (current within 6 months), properly collated, are to be provided. Include copies of all plats or maps referenced in deeds. If a plat does not exist, make note “Not Found” on deed, adjacent to plat reference, and sign and date. All questionnaires, deeds, wills, etc., are to be submitted single side only. No double-sided documents are to be submitted.

All supporting documents sorted and attached, are to be stapled to each corresponding questionnaire. Each severed parcel, i.e., Parcel 4-1 and parcel 4-2, requires an individual questionnaire with all supporting data attached.

Three (3) copies of pertinent subdivision maps, one (1) copy of the railroad valuation maps, and one (1) full size copy of the appropriate tax map are also to be included. Include existing right of way plan(s) or documentation of the statutory right of way width, determined by existing plan(s) and records.

After review, one set of redlined (marked or highlighted) plan(s), indicating corrections and additional information needed shall be returned to the designer. No additional writing, by the designer, is to be added to these redlines plan(s). This redlined set of plan(s) is to accompany the RW-2 submission.

**40.3 RW-2 Plan(s):** The primary purpose of this submission is to enable the review of the right of way and easement limits the effect of the project right of way on the properties and landowners, and to initiate abstracting of the affected parcels. It is necessary to label the stations and offsets of the right of way line breaks and show right of way markers on this submission. The RW-2 submission shall be made after the slope review and in conjunction with the submission of final field review plan(s).

This submission shall be in accordance with the “Plan Distribution Schedule” of the current “Field And Office Reviews For Initial Engineering And Final Design”, DD 202, and shall include the returned redlined RW-1 plan(s). These plan(s) are to be virtually complete in every detail, with the contents as listed in Section 20.3, including type and area of take, and area remaining.

The most important items on these plan(s) are the centerline(s) and baseline(s), property lines, existing and proposed right of way lines, easement lines and construction limits, proposed major drainage structures, parcel and tract numbers, and property lines. The construction limits shall be accurately depicted, and all topographic features shall be current and verified as of the specified date of submission.

After review, the comments shall be provided by the Division of Highways reviewer on one (1) set of redlined (marked) RW-2 plan(s), indicating revisions and additional information needed. No additional writing, highlighting, or marking is to be added to these redlined plan(s) by the designer. These redlined plan(s) are to be returned with the RW-3 submission

**40.4 RW-1 & RW-2 Combined Plan Submission:** The Project Manager may choose to combine RW-1 and RW-2 submissions into one submission. When this combined submission is requested, all of the requirements for Sections 40.2 and 40.3 must be met. Generally a combined RW-1 & RW-2 submission should not

be used on large projects or projects where revisions are likely in the early phases of design. See section 10.3.3 of this design directive for further guidance on utilizing a combined RW-1 and RW-2 submission. This submission is generally made at the Preliminary Field Review however, it shall be in accordance with the approved CPM Schedule for the project.

**40.5 RW-2 Revisions:** After the RW-2 submission, but before the RW-3 is requested, changes that affect the number of parcels involved are to be forwarded with four (4) prints of each affected sheet(s), consisting of a new reproducible; one print highlighted in color, showing all changes since the last revision; and two clean prints. Revised sheet(s) are to be trimmed to be identical size and borders of previous submissions, and holes punched. These revisions shall be forwarded with a transmittal letter listing and explaining the parcel changes or corrections, along with three (3) sets of questionnaires and deeds for any added parcels. **After RW-2 plan(s) have been submitted, no changes in parcel numbers will be allowed.**

**40.6 Advanced Acquisition Plats:** These plats may be requested by Right of Way Division to acquire “hardship case” parcels. Examples of these plats and other required supporting documents are available from the Project Manager.

**40.7 Whole Take Plan(s):** Prior to the submission of RW-3 tracings, when it becomes obvious or apparent that a substantial number of parcels will be taken in total, a set of RW-3 reproducibles for “Whole Takes Only” for specific parcels may be requested to initiate the acquisition process. Such plan(s) shall meet all criteria and requirements as listed below for an RW-3 submission.

**40.8 RW-3 Plan(s):** The purpose of this submission is to enable the preparation of property descriptions, perform appraisals and begin acquisition of the right of way necessary for the project, and shall reflect the resolution of all RW-2 and final field review comments. RW-3 mylars shall be hole punched. This submission is normally made prior to the Final Office Review however, it shall be in accordance with the approved CPM Schedule for the project.

Where construction limits or right of way lines for a particular parcel are uncertain or unknown, omit the areas of take and remaining on the Ownership Index and show only the total area of the property. Place a “Hold Acquisition” note in the “Remarks Column” with the reason.

**40.9 R/W-3 Revisions:** RW-3 Plan revisions should be held to a minimum since the appraisal and acquisition processes will have begun. **Verify with the Project Manager whether a particular parcel has been appraised or acquired before submitting revisions.** Revisions to the RW-3 plan(s) shall contain one (1) full size mylar and ten (10) prints of each revised sheet(s); one (1) of which shall be highlighted in color, showing the changes or revisions.

All revisions shall be forwarded with a transmittal letter listing and explaining, in parcel order, the changes or corrections. Examples describing the area changes are available from the Project Manager. Revised sheet(s) are to be trimmed to be identical size and borders of previous submissions, and holes punched to match previous submissions. Inconsistent holes and sheet(s) sizes may be a cause for rejecting the submission.

When additional tract(s) are added as a revision to the RW-3 plan(s), the added tract(s) shall be placed in the proper order. The original tract numbering shall not be changed after an offer has been made to the property owner. The status of acquisition can be obtained from the Project Manager.

**40.10 RW-4 Plan(s):** This submission is a full size master set of mylar right of way plan(s) and shall be submitted only after acquisition is essentially complete and will reflect the acquired right of way. These plan(s) shall be identical with the working RW-3 plan(s) and the transmittal letter shall certify that these right of way plan(s) agree with the construction plan(s) in every aspect, with the exception of minor construction details. All dates previously placed along the lower left border shall be replaced with the RW-4 submission date on all sheet(s).

This submission becomes the record set of "As Acquired" right of way, and is to be a reverse image on double matte quality mylar, acceptable for archiving.