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## CHAPTER 2F - RIGHT OF WAY PLAN DEVELOPMENT

### SECTION 2F - 1 - REVIEW OF PLANS

#### CHECK FOR ACCURACY AND COMPLETENESS

Prior to submitting the plans for [approval for right of way acquisition](#), the designer is to carefully review the plans for accuracy and completeness. This is to include, but not be limited to, a check of [construction limits](#), [right of way lines](#), alignments, grades, [typical sections](#), drainage, etc. All public hearing and field inspection recommendations accepted are to be included on the plans.

The following note is to be added all plan and profile sheets including the title and detail sheets; "THESE PLANS ARE UNFINISHED AND ARE NOT TO BE USED FOR ANY TYPE OF CONSTRUCTION."

#### RIGHT OF WAY DATA SHEET

A Right of Way Data Sheet will be included with all projects requiring right of way for construction. Projects must include data indicating the total area, fee taking, fee remainder, and the area of permanent and temporary easements. This information is furnished by the Survey Section in Location and Design Division and is recorded on a Preliminary Right of Way Data Sheet (See [Figure 2E-17](#)).

All proffers will be denoted (Yes or No) on the Right of Way Data Sheet in the "Proffers" column.

#### FINAL RIGHT OF WAY DATA SHEET\*

The Final Right of Way Data Sheet will be included with all projects requiring right of way for construction. The Survey Section in Location and Design Division will check all data indicating the total area, fee taking, fee remainder, and the area of permanent and temporary easements.

#### PARCEL NUMBERS AND DEMOLITION NUMBERS ON PLANS

Each parcel from which right of way or easement to be acquired must be assigned a parcel number and each building, well, "significant" sign or other "significant" improvement to be removed must be assigned a demolition number (D-1, D-2, etc.). A sign or other improvement is deemed "significant" if equipment other than that normally required to clear the parcel will be needed to demolish or remove the structure. This will be determined by the Right of Way Division with assistance from other divisions as necessary.

[Parcel numbers](#) are three-digit numbers beginning with 001 and are shown on the plan sheets in a 0.6 inch (15 mm) diameter circle. When subdivision lots are numbered, the lot numbers are to be shown in a fine line circle of 0.25 inch (6 mm) diameter in order to differentiate them from parcel numbers.

Demolition numbers begin with D-1 and are shown on the plans adjacent to, or within, the building, well or other significant structure. These numbers are not to be circled.

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\* Rev. 1/13

After a parcel or demolition number has been assigned, the same numbers are not to be reassigned to another parcel or building. For example, if the plans are revised to eliminate the need for right of way from a particular parcel, the parcel number will be removed from the plans, and not reassigned to another parcel.

Parcel and demolition numbers are furnished by the Right of Way Division at field inspection stage.

## WELLS

Wells to be closed are to be located and described (diameter and depth if available from Right of Way Division) on the plans and the assigned demolition number (D-1, D-2) shown adjacent to the well. Wells are to be summarized as "Closing Well" on an "Each" basis (reference VDOT's [Road and Bridge Specifications](#)). Any well house to be demolished is to be assigned a separate demolition number, although it may be attached to the well, and summarized as "Demolition of Building". (See [Figure 2G-5](#))

## BUILDING DATA REPORT

The Right of Way Division will furnish a Building Data Report ninety days prior to advertisement. This report will confirm the regular demolition numbers (D-1, D-2, etc.) as well as furnish special "D" series numbers for underground storage tanks, "non-significant" signs or "non-significant" improvements/personal property on the project.

## UNDERGROUND STORAGE TANKS

Underground storage tanks to be removed are assigned D500 series numbers. The location of the tank is to be plotted on the plans with the D500 series number (D500, D501, etc.) and the capacity of the tank shown adjacent to it. Underground storage tanks are to be summarized as "Underground Storage Tank Removal (Type). Removal of the tank is paid for on an each basis, based on the size of the tank. (See [Figure 2G-5](#)).

	TYPE A	TYPE B	TYPE C	TYPE D
IMPERIAL	0-750 gals.	751-1500 gals.	1501-5000 gals.	5001 gals. & above
METRIC	0-2840 L	2841-5680 L	5681-18930 L	18931 L & above

Deleted Information\*

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\* Rev. 1/09

## HAZARDOUS MATERIAL/WASTE SITES\*

Addressing contamination issues can be both costly and time-consuming and therefore early identification and consideration of location and design alternatives is critical. If contaminated sites cannot be avoided, thoughtful consideration of certain design features such as cut/fill areas and storm water management features can minimize impacts. Such avoidance measures will also help limit the Department's exposure to liability. Such liabilities can be viewed as:

- Cleanup/site closure requirements that would be mandated by a regulatory agency for contaminated properties that we acquire;
- Individual legal claims for personal and/or property damages arising from contamination associated with acquired properties; or
- Contribution claims made by other party(s) for the department's involvement in multi-party contamination sites.

Prior to Field Inspection the Project Manager will request that the District Environmental Manager provide any known areas of significant contamination.

Areas of contamination, as provided by the District Environmental Manager, are to be shown on the plan sheet (hatching, crosshatching, etc.).

The Project Manager, with the assistance of the Survey Manager, shall communicate any findings of the route survey where potential contamination sites were identified, to the District Environmental Manager for further review.

When a potential contamination site is present, the Project Manager will communicate to the District Environmental Manager any substantial changes in grades, alignment, stormwater management features and subsurface utilities, especially those changes made late in project development.

For additional information on Hazardous Material/Waste Sites, see the [VDOT Survey Manual](#), Chapter 4.

## OUTDOOR ADVERTISING SIGNS

Outdoor advertising signs are to be located and described on the plans and the assigned number shown adjacent to it. Signs deemed "non-significant" by the Right of Way Division are assigned "D700" series numbers (D700, D701, etc.) and summarized under "Clearing of Parcel". Any signs deemed "significant" will be assigned a demolition number (D-1, D-2, etc.) and summarized under "Demolition of Buildings" (See [Figure 2G-4](#)). Permit (OA) numbers are to be shown adjacent to the sign. Construction Limits are to encompass the sign.

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\* Added 7/14

## **NON-SIGNIFICANT IMPROVEMENTS / PERSONAL PROPERTY**

Non-significant improvements/personal property will be assigned D900 series numbers (D900, D901, etc.), shown in or adjacent to the item and summarized under "Clearing of Parcel" (See [Figure 2G-4](#)).

## **ITEMS NOT IN CONTRACT**

Items to be removed by others are to be shown in the summary in order that bidders are made aware of the scope of work required. Show items only for parcels where payment is to be made under "Clearing of Parcel" (See Figure 2G-4).

## **COMPLIANCE WITH FEDERAL REGULATIONS**

Because the department is operating under the [Certification Acceptance Plan](#) for most projects, it is extremely important that the Designer be thorough in the review for compliance with federal regulations. There are numerous federal directives with which the Designer must be familiar, along with AASHTO design criteria. The current FHWA Program Manual is kept on file in the Plan Coordination Section.

## **PLAN PROCESS-PARTIAL TAKE PARCELS (NO TOTAL TAKE PARCELS)**

The District Right of Way Manager will be responsible for providing the information for the Right of Way Data Sheet. The Project Manager/Project Coordinator will be responsible for obtaining the Federal Identification Base Numbers from the "Project Pool".

The Location and Design Division will also be responsible for submitting requests for "Partial Takes" immediately after Field Inspection.

The Title Sheets will show a "Partial Take" Right of Way Authorization Signature Block and the Right of Way Data Sheet will show "Partial Take" Tabulation Block.

The estimates in PCES and RUMS must be verified to agree.\*

When both Partial and Total Takes are required an additional title sheet signature block should be added to the title sheet.

See the example below for Tier 1 projects\*.

<b>RECOMMENDED FOR APPROVAL FOR RIGHT OF WAY ACQUISITION (PARTIAL TAKES)</b>	
DATE	DISTRICT PLANNING AND INVESTMENT MANAGER
DATE	DISTRICT PROJECT DEVELOPMENT ENGINEER
<b>APPROVED FOR RIGHT OF WAY ACQUISITION</b>	
DATE	DISTRICT ADMINISTRATOR

The Title Sheet Signature Block should be modified to accommodate the “Total Take” parcel numbers as follows:

<b>RECOMMENDED FOR APPROVAL FOR RIGHT OF WAY ACQUISITION</b>				
<b>TOTAL TAKE FOR PARCELS:</b>				
094	095	096	097	098
DATE	DISTRICT PLANNING AND INVESTMENT MANAGER			
DATE	DISTRICT PROJECT DEVELOPMENT ENGINEER			
<b>APPROVED FOR RIGHT OF WAY ACQUISITION</b>				
DATE	DISTRICT ADMINISTRATOR			

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\* Added 7/11

See the example below Tier 2 projects.

<b>RECOMMENDED FOR APPROVAL FOR RIGHT OF WAY ACQUISITION (PARTIAL TAKES)</b>	
DATE	PROGRAMMING DIVISION DIRECTOR
DATE	STATE LOCATION AND DESIGN ENGINEER
DATE	CHIEF OF PLANNING AND PROGRAMMING
DATE	CHIEF ENGINEER

<b>APPROVED FOR RIGHT OF WAY</b>	
DATE	CHIEF OF POLICY

The Title Sheet Signature Block should be modified to accommodate the "Total Take" parcel numbers as follows:

<b>RECOMMENDED FOR APPROVAL FOR RIGHT OF WAY ACQUISITION TOTAL TAKE FOR PARCELS:</b>					
094	095	096	097	098	
DATE	PROGRAMMING DIVISION DIRECTOR				
DATE	STATE LOCATION AND DESIGN ENGINEER				
DATE	CHIEF OF PLANNING AND PROGRAMMING				
DATE	CHIEF ENGINEER				

<b>APPROVED FOR RIGHT OF WAY</b>	
DATE	CHIEF OF POLICY

For additional information on Title Sheet preparation see "TIPS FOR PREPARING TITLE SHEET FOR SIGNATURES", available at:

<http://www.virginiadot.org/business/locdes/reference-guides.asp>

Deleted Information\*

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\* Rev. 7/13

## **INTEGRATED PROJECT MANAGER (CERTIFICATION ACCEPTANCE)**

The Integrated Project Manager (iPM) is used to insure that projects are in compliance with federal certification acceptance (CA) requirements and is to be used for all projects. At the Right of Way stage, the iPM should contain entries to show that public hearing requirements have been satisfied, the environmental document has been approved and that location and design features have been approved. All dates are to be recorded within one week of the completion of any Activity. The iPM activities are to reflect the appropriate elements (i.e. element 51 (partial take), 52 and 60).

## **PERMIT ASSEMBLY**

The project designer will forward the entire permit assembly to the Environmental Division. This should occur after the public hearing requirements have been met and approximately one year prior to the project advertisement date. ([See Appendix C, Section C-4](#))

## **DETERMINING CONSTRUCTION QUANTITIES**

Alignments and grades are well established when the project reaches the right of way stage. Also, all reports affecting the design should have been received by the Location and Design Division. The designer should be able to prepare an accurate estimate of construction quantities.

Deleted Information\*

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\* Rev. 7/11

## **SECTION 2F - 2 - COST ESTIMATE**

### **REQUEST FOR COST ESTIMATES**

Estimates for traffic signs, signals, bridges, etc. are requested the [total construction estimates](#) can be completed. For more instructions on cost estimates (See [VDOT Manual TRNS\\*PORT](#)).

## **SECTION 2F - 3 SUBMISSION OF PLAN ASSEMBLY**

### **REQUEST FOR RIGHT OF WAY AUTHORIZATION FROM FHWA**

#### **Data Required**

See [Electronic Plan Submission Process Flow Chart](#).

In order to expedite the obtaining of FHWA R/W authorization, the Programming Division has requested that the Project Manager provide the following information in the time frame indicated.

Applicable Projects - all projects where right of way acquisition or utility adjustments will be federally funded.

Time Frame for Submission - After the Environmental Document has been approved by the FHWA and Design Approval has been granted<sup>\*</sup> the Project Manager is responsible for submitting plans to the Programming Division thirty days prior to the scheduled turn in date for Right of Way submission.

Submission Procedure – Project Manager will submit information to the Programming Division. The Project Manager will mail or email R/W authorization information to the Programming Division.

Information Required in Submission for FHWA R/W Authorization:

See [Electronic Plan Submission Process Flow Chart](#).

The purpose of this FHWA R/W Authorization process is to obtain federal authorization as soon as possible so that as soon as the District Administrator (Chief of Policy and Environment for Tier 2) authorizes R/W authorization, FHWA authorization will already be on hand and the R/W Division can begin acquisition procedures immediately.

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\* Rev. 1/12

## **SECTION 2F - 4 - PROJECT APPROVAL**

### **RECOMMENDATION FOR APPROVAL**

Before the District Administrator (Chief of Policy and Environment for Tier 2)\* signs the plans giving approval to acquire right of way, signatures recommending approval are required. [Spaces](#) are provided for the signatures in the lower right corner of the title sheet.

### **APPROVAL**

Following the recommendation for approval for acquisition of right of way, the District Administrator (Chief of Policy and Environment for Tier 2) will approve the project by [signing](#) the title sheet. He will also sign the form letter [LD-95 or LD-96](#) which the designer has prepared for his signature.

### **ORIGINAL RIGHT OF WAY PLANS**

Immediately upon the signing of the title sheet for Right of Way acquisition and/or for construction, the title sheet will be filed in the VDOT Central Office Plan Library. The type written names of the signers, and date signed, will be inserted into the signature blocks of the .dgn version of the title sheet.

### **DISTRIBUTION OF PRINTS OF PLANS**

See [Electronic Plan Submission Process Flow Chart](#).

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\* Rev. 7/11

## **SECTION 2F- 5- RIGHT OF WAY REVISIONS**

### **FORMAL REVISIONS-MAJOR CHANGES**

Ideally, a project should not require revisions or changes after receiving approval for right of way acquisition. Realistically, most projects do require revisions and some are revised numerous times. It is important that each plan revision be properly documented as to what has been revised and the reason for the change. It is preferable that all revisions affecting the right of way line, will be requested by letter; but in some situations, time limitation requires that the revision be made on a verbal request. In all cases, however, this type of revision is to be processed formally. Revisions in alignments, grades, side slopes, property lines, and/or drainage require formal plan revisions, even though the right of way lines may not have changed. Whenever a change is made and the designer has any doubts as to whether the Right of Way Division has an interest in the change, a formal revision is to be made.

Before making a change that requires a formal revision, the designer should contact the District Right of Way Manager to determine the status of negotiations on affected parcels. This may forestall negotiations with erroneous plans. If negotiations have been completed, review the revision again to make sure the change is absolutely necessary. (See [Section 2E-5, Plan Revisions](#))

If a change is made affecting the limits of a Construction project (or projects) within the original Right of Way project termini, that would affect the Right of Way Acquisition, Utility Adjustments or Railroad Agreements, the Right of Way Division should be advised accordingly as soon as possible in order that they can arrange to clear the desired segment and subsequently certify to the **Construction** Division that a project is clear for advertisement.

If one set of plans is being used for both Right of Way Acquisition and Construction, a Right of Way Revision is to be submitted providing Right of Way Division with the new construction project termini.

When a separate set of plans is being used for Acquisition, it will be necessary to furnish the Right of Way Division, by memorandum, with the revised construction termini, including the full project description and Federal construction numbers (if applicable). In addition, a list of those parcels within each segment on complex projects must be furnished in order that those parcels can be cleared for construction. A careful check should be made to be sure that all parcels are listed including any easements. Should a temporary connection, parcels for borrow or placing materials for temporary detours be required outside the limits of project termini, then the parcels affected should be included in the list.

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\* Rev. 7/14

All plan revisions shall be reviewed to determine if any utilities are affected by the changes. If utilities are affected, determine how many utility companies are affected and on Form [LD-36](#) (Revision Data), indicate in the proper space how many revised prints are required. See [Electronic Plan Submission Process Flow Chart](#).

Utilities are affected by items such as right of way lines, fences, property lines, property owners' names, [median](#) crossovers, easements, service roads, ramps, construction limits, entrances, project termini and numbers, alignment changes, grade or profile changes, guardrail, drainage ditches, storm drainage systems, location of existing utilities, new utility work being included in the plans, location of bridge abutments and pier footings, box culverts, sequence of construction, etc. When in doubt, revised prints are to be sent to utility companies. The inclusion in plans of utility easement information shall be treated as a major change.

Revisions to any project geometrics may affect environmental regulations, hazardous materials, or archaeology concerns. Electronic Files will be provided to the Environmental Division except for designation type revisions (i.e. property owner names, parcel number changes, etc.).

## **PROCESSING OF PLAN REVISIONS**

A [Revision Data Sheet](#) is used by the designer to describe all formal revisions. Care must be taken to be concise but explicit in filling out this sheet. List each revised sheet with a concise but explicit description of the change. The [description](#) should be detailed enough that anyone reading the revision could determine exactly what is being changed. Use parcel numbers and/or stations as references for the change. Make sure the revision is carried though all involved sheets (including cross sections and profiles) and items affected by the revision. It is permissible to list a series of sheets in some instances (e.g. cross section sheet numbers 14 though 29) and describe the change on the Revision Data Sheet. Each sheet in the plan assembly that is revised will also shows the revised date in the [revision block](#) at the upper right corner of the sheet.

When a plan revision is requested by a memorandum, reference is to be made to that memorandum when filling out the Revision Data sheet. If requested verbally, note this on the data sheet. Plan distribution shall be marked in the lower left corner of the Revision Data Form [LD-36](#) which is to accompany the Data Sheet. If a revision is made that affects any information on the Right of Way Data Sheet, then it must also be revised.

Before a plan revision is made, the designer should be certain that the revision does not conflict with Federal (or State) regulations or does not substantially alter the location or design as presented at the public hearing. If a revision is of substantial nature, such as a location change or addition to the scope of the work, it may be necessary to repeat the public hearing process.

See [Electronic Plan Submission Process Flow Chart](#).

### **INFORMAL REVISIONS - MINOR CHANGES**

The Location and Design Division has a working agreement with the Right of Way Division whereby certain types of plan changes can be made with a written request (via email) and without formal processing. This type of plan change includes changes in names, parcel numbers, building and sign numbers. Make sure changes are made on all sheets. If a revision is made that affects any information on the Right of Way Data Sheet, then it must also be changed.\*

Informal revisions are handled via email and the Right of Way Division is responsible for obtaining the prints.

If the need for a plan change is determined by someone other than from the Right of Way Division, the revised plans are to be distributed formally, regardless of whether the revision is considered to be a major or minor change.

Email requests for informal revisions can be initiated by the Central Office or District Right of Way personnel.

### **PROPOSED CONVEYANCES OF RESIDUE PARCELS**

Right of Way Division will request that Location and Design Division determine the need to retain residue parcels of Right of Way for future highway purposes or to make them available for sale. The process now occurs using an electronic circulation process on line using the "Portal".

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\* Rev. 7/13