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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.

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.

* Rev. 7/10

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-4](#))

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-4](#)).

	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

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OUTDOOR AVERTISING 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.

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 be 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.

RECOMMENDED FOR APPROVAL FOR RIGHT OF WAY ACQUISITION (PARTIAL TAKES)	
DATE	PROGRAMMING DIVISION DIRECTOR
DATE	STATE LOCATION AND DESIGN ENGINEER
DATE	CHIEF FINANCIAL OFFICER
DATE	CHIEF ENGINEER

APPROVED FOR RIGHT OF WAY	
DATE	CHIEF OF POLICY AND ENVIRONMENT

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

RECOMMENDED FOR APPROVAL FOR RIGHT OF WAY ACQUISITION TOTAL TAKE FOR PARCELS:					
094	095	096	097	098	
DATE	PROGRAMMING DIVISION DIRECTOR				
DATE	STATE LOCATION AND DESIGN ENGINEER				
DATE	CHIEF FINANCIAL OFFICER				
DATE	CHIEF ENGINEER				

APPROVED FOR RIGHT OF WAY	
DATE	CHIEF OF POLICY AND ENVIRONMENT*

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>

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 date of the PM-104* (LD-419) requesting an estimate for the public hearing stage is the beginning date for Activity 44 and the date of the PCES Right of Way and Utilities estimate is the ending date for Activity 44), the environmental document has been approved and that location and design features have been approved, by the Commonwealth Transportation Board and the Chief Engineer. There are numerous other entries, but the aforementioned are some of the more important. 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.

* Rev. 1/09

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

DATA REQUIRED

The plan assembly to be furnished to the Central Office Plan Coordination Section consists of:

- Project title sheet
- Completed Form [PM-131 \(LD-404\)](#)* (Scoping Certification)
- PCES Estimate
- Form [LD-406](#) Certification for Plan Correctness
- Completed Form [LD-95](#) (for Limited Access projects)
or Form [LD-96](#) (for all other projects)

(These are standard form letters used to authorize the State Right of Way Engineer to acquire right of way.)

Forms [LD-95](#), [LD-96](#), and [LD-406](#) show the right of way description. If the Department is to purchase the right of way, the estimated right of way cost is to be shown on the Form [LD-406](#) along with the estimated construction cost. This information is needed by the officials approving the plans.

REQUEST FOR RIGHT OF WAY AUTHORIZATION FROM FHWA

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 - immediately after the Environmental Document has been approved by the FHWA. 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 approval.

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.

* Rev. 1/09

Information Required in Submission for FHWA R/W Authorization:

1. - Complete set of R/W plans.
2. - Copy of Form RW-238 (Estimate shall not be more than 6 months old).
3. - Updated R/W and utility estimate.
4. - Right of Way Data Sheet properly filled in with all the acreage. The number of parcels shown must agree with the R/W estimate.
5. - Beginning and End R/W termini must be shown on plans. The R/W termini must agree with the full parcels - this means from the beginning of the first parcel to the end of the last parcel.
6. - The date that the FHWA approved the Environmental Document and the type of document. If it is an EIS rather than EA or CE then the document number must be provided.

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

* Rev. 1/09

SECTION 2F - 4 - PROJECT APPROVAL

RECOMMENDATION FOR APPROVAL

Before the **Chief of Policy and Environment** 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 **Chief of Policy and Environment*** 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

Distribution of the approved plans to the Right of Way Division for property acquisition will be made by the Plan Coordination Section or by the district for projects designed in the district. This will be done via email to inform the various parties.

The assembly provided to the Plan Coordination Section shall include:

- complete original Right of Way plans
- original cross sections
- Form **LD-95 or LD-96** (printed on original letterhead)

For District projects, Form **LD-95 or LD-96** is submitted to the State Right of Way Engineer by the Central Office Plan Coordination Section.

* Rev. 1/09

SECTION 2F- 5 - DISTRICT PROJECTS

RIGHT OF WAY PLANS

A set of .tif files is kept on file. These plans are to be considered as a set of the official right of way plans. During the course of completing the original plans for construction, it is incumbent upon the district designers to process plan revisions for any changes (described in Section 2F-6, FORMAL REVISIONS-MAJOR CHANGES) made to the original plans that affect right of way or utilities so that revised plans can be distributed to the District Right of Way Section. A set of .tif files of the revised sheets is to be furnished to the Central Office Plan Coordination Section via updating Falcon and creating .tif files after the revisions have been made. This will maintain an up-to-date official set of right of way plans on Falcon Web. The proper steps are outlined in this reference guide on the Internet, Electronic Submission of Right of Way Plans. The link to this guide is www.virginiaDOT.org/business/locdes/reference-guides.asp.

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SECTION 2F- 6 - RIGHT OF WAY REVISIONS- CENTRAL OFFICE & DISTRICT PROJECTS

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 Scheduling and Contract 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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Formal plan revisions can be made in the district offices when requests are received from the District Right of Way Manager. 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. This will enable the Central Office Plan Coordination Section to send out emails informing the necessary parties of the revision.

Utilities are affected by items such as right of way lines, fences, property lines, property owners' names, 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 and the revision processed through the Plan Coordination Section.

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 through 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 through 29) and describe the change on the Revision Data Sheet. Each sheet in the plan assembly that is revised will also show the revised date in the [revision block](#) at the upper right corner of the sheet. When a revision is made affecting the computer data of a project, distribute computer listings along with revised plans as detailed in [IIM LD- 68](#) "Distribution of Prints".

The Revision Data Form [LD-36](#) is used to transmit the revision to the Plan Coordination Section. After the project has been let to contract, a list of the quantity changes (increases and decreases along with any new items, if applicable) are to be shown on the Revision Data Sheet. Plan summaries are not to be changed.

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.

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* Rev. 1/09

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.

Revised tiff files (plan sheets, and Revision Data Sheet) are to be submit with Form [LD-36](#), to the Plan Coordination Section for processing and distribution in accordance with Form [LD-405](#). Title sheet should be turned in only when it is revised (not with each revision).

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 and that any pluses and distances shown for easements are accurate.

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

When the Right of Way Division requests that the 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 appropriate designer will forward Form [LD-397](#).

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