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Right of Way

Design Section
Manual



HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

OFFICE OF RIGHT OF WAY

TO: Holders of Right of Way
Policies and Procedures Manual
(Operations)

Date: October 1988

FROM: Right of Way Director

SUBJECT: Policies and Procedures
Right of Way Design Section

PPM 2-84.1

PERSONNEL AFFECTED WITH REVISION:

All Administration _____ Design _____ Appraisal _____
Acquisition _____ Freeway _____ Relocation Assistance _____
Property Management _____ Fiscal and Title _____

Please read revisions before filing. Discard memoranda or appropriate sheets. Additional copies are available.

Source Documents:

Restates Right of Way Design Manual PPM 2-79, effective 10-24-88.

Comments:

PPM 2-84 (5332 Right of Way Design)

Obsolete pages are listed in the column headed "Remove Old Pages". New and replacement pages are listed in the column headed "Insert New Pages".

Remove Old Pages

Insert New Pages

All

All

B. Operations

01. RIGHT OF WAY DESIGN

	<u>Page</u>
a. INTRODUCTION.....	1
01. RIGHT OF WAY DESIGN EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE.....	1
02. PURPOSE OF RIGHT OF WAY DESIGN.....	1
03. TYPES OF RIGHT OF WAY ACQUIRED IN THE STATE OF IOWA.....	2
04. SYMBOL SYSTEM FOR RIGHT OF WAY PLANS.....	3
05. RIGHT OF WAY DESIGN BY CONSULTANTS.....	4
b. LOG ROAD DESIGN PLANS.....	6
01. RECEIVED ROAD DESIGN RIGHT OF WAY PLANS.....	6
02. SCHEDULING OF RIGHT OF WAY DESIGN WORK.....	7
c. DETERMINE LAND OWNERSHIP.....	8
01. TITLE SEARCH, TITLE SEARCH FORMS AND TITLE SEARCH PROCEDURES.....	8
02. LIMITATIONS IN USE OF TITLE SEARCH AND PLAT FORMS.....	9
03. TITLE SEARCH SOURCES AND COUNTY RECORDS.....	10
(a) <u>County Auditor</u>	10
(b) <u>County Recorder</u>	11
(c) <u>Clerk of Court</u>	13
(d) <u>County Assessor</u>	13
(e) <u>County Engineer's Office</u>	14
04. REPORT OF LIENS ORDERS.....	14
05. USE OF TITLE SEARCH INFORMATION IN PREPARATION OF PLANS.....	15
d. ESTABLISH PROPOSED RIGHT OF WAY.....	17
01. CROSS SECTION REVIEW.....	17
02. ESTABLISH THE RIGHT OF WAY LINE.....	18
03. MINIMUM RIGHT OF WAY WIDTHS.....	21
04. TEMPORARY NEEDS.....	22
05. BORROW, FENCING AND AREA CALCULATION.....	23
06. ACCESS RULES AND REGULATIONS.....	29
(a) <u>Predetermined Access</u>	30
(b) <u>Relocated Accessways (private)</u>	31
07. RIGHT OF WAY FIELD CHECK.....	31
08. LAND IN EXCESS OF CONSTRUCTION NEEDS.....	32
09. UNECONOMIC REMNANT.....	33
10. FEDERAL AID PARTICIPATION.....	33
e. ESTABLISH PARCEL FILES.....	36
01. PREPARATION OF PARCEL FILES.....	36
(a) <u>Parcel Definition</u>	36
(b) <u>Original File</u>	37

RIGHT OF WAY DESIGN SECTION 5332
Revised 10/24/88 Effective 10/24/88

	(c)	<u>Field File</u>	38
	(d)	<u>Parcel Check Sheet</u>	38
	(e)	<u>Transmittal Letter</u>	38
	02.	PREPARATION OF PROPERTY PLATS (PLOT PLAN).....	38
B.01	f.	CORRELATE ENGINEERING AND RIGHT OF WAY DESIGN.....	41
	01.	MAINTAIN CURRENT RIGHT OF WAY PLANS - REVISIONS....	41
	(a)	<u>Road Design Right of Way Plan Revision</u>	41
	(b)	<u>R.O.W. Design Recommendations</u>	41
	(c)	<u>Proposed Revisions by Appraisal and Acquisition Sections</u>	41
	02.	LIAISON WITH OTHER AFFECTED OFFICES.....	42
	(a)	<u>Rail and Water Division</u>	42
	(b)	<u>Facilities Management</u>	43
	(c)	<u>District Land Surveyors</u>	43
	(d)	<u>Advertising Control</u>	43
	(e)	<u>Department of Natural Resources (DNR)</u>	44
	g.	PREPARATION OF PLANS FOR FEDERAL HIGHWAY ADMINISTRATION ON FEDERAL AID PROJECTS.....	45
	h.	TRANSMITTAL TO OFFICES AND SECTIONS.....	47
	i.	PROGRAM AND PLANNING ESTIMATES.....	49
	01.	PROCEDURES.....	50
	j.	DESIGN SECTION FORMS AND EXHIBITS.....	51

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES
MANUAL PPM 2-84

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT INTRODUCTION
REVISED 10/24/88 EFFECTIVE 10/24/88

B.01.a. The intent of this Manual is to properly instruct those who are preparing plans and parcel files for the acquisition of highway right of way. Please bear in mind that although the right of way is intended to enclose the construction needs and also be controlled by certain minimums, good common sense and logic shall govern where severe property damages are involved. Right of way lines should be as ascetically functional as possible with due regard to maintenance problems by both the landowner and the State of Iowa.

01. RIGHT OF WAY DESIGN EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE - In an effort to discover minority abstractors, the Right of Way Design Section has taken a minority employment statement (EEO Survey) from previously unsurveyed abstract firms. The results of the survey are maintained in Right of Way Office subject files. A notice of proposed orders for abstracting services shall be sent to available minority abstractors.
02. PURPOSE OF RIGHT OF WAY DESIGN - The Right of Way Design Section operates under the supervision of the Manager, Right of Way Operations and is located in the central office in Ames. The section is supervised by a Right of Way Design Supervisor.

Its basic purposes are to produce and maintain a set of right of way plans on a project basis that are legible, concise and clear enough to be understood by landowners and Highway Division personnel alike. The section develops and maintains plats, calculations and supporting data necessary to effect a successful appraisal and acquisition process and to assure project cost participation from the Federal Highway Administration.

The section provides title search data for the various functions of and to the various sections of the Office of Right of Way and to other offices of the Highway Division. It establishes a right of way line which encompasses the need line. It assure the Highway Division that Department of Transportation right of way and access control standards and the right of way requirements of the law are met. Full consideration is given to property owners by causing the least amount of damage to the land being crossed by the highway.

Personnel in the section work through the section supervisor in conjunction with various other sections of the Office of Right of Way and with other offices of the Highway Division. They review and assure feasibility for right of way purposes, of locations designated by Road Design as










necessary to produce the fill or borrow material required for the construction of the project. They conduct office reviews and participate in field inspections necessary to assure application of right of way design principles and concepts.

The intent of this section of the Right of Way Manual is to provide guidelines necessary for the production of plans and parcel files in support of the acquisition of right of way.

03. TYPES OF RIGHT OF WAY ACQUIRED IN THE STATE OF IOWA - The uses for which right of way is acquired in the State of Iowa fall into five main categories. These are classified as follows:

- a. The land for permanent right of way, which is the minimum that will be required for the completed highway and its maintenance as long as the road shall exist. Permanent right of way is normally acquired in fee simple on highways in urban areas and where access rights are acquired, which means that all of the property owners rights are acquired and extinguished. On rural projects where access rights are not acquired, the right of way is normally acquired by permanent easement. The decision to acquire right of way by fee simple or permanent easement is made after discussing the project with the Right of Way Design Supervisor.
- b. Land that is necessary for the construction of auxiliary features such as dikes, storm sewers, side roads, access ways, etc., is acquired by permanent easement. A permanent easement gives the State the right to use the land for a specific purpose. The owner retains underlying title to the land and, if and when the land is no longer required for the specific purpose for which it was acquired, it may be abandoned.
- c. Land which is required for use of a temporary nature during the construction of a project is acquired by temporary easement. This is normally a construction right only and after the necessary construction is completed, the State retains no right of any nature to the property. Temporary easements are used for, among other things, construction of channel changes, haul roads, borrow areas, detours, ditching culvert inlets and outlets, construction of drives serving one property owner, and in very isolated cases, the construction of slopes. The use for construction of slopes is normally limited to urban projects where normal procedure dictates that fee title is acquired two feet beyond the walk and any necessary shaping beyond that point is done by temporary easement.

- d. Ponding Rights and Flowage easements. Ponding Rights are acquired to permanently impound water to a certain elevation within a specified area. The owner retains all other rights to the area and may use the ponding area at his own risk. Flowage easement gives the state the right to temporarily impound water to a specified elevation across a certain tract of land for a short period of time. The property owner retains all of the other property rights and may use the land at his own risk.
- e. Access rights in conformance with Chapter 112 Primary Road Access Control of the Administrative Rules and Regulations as set forth by the Department of Transportation. These rules are for reference purposes, and are attached and shown as Right of Way Design Exhibits.
04. SYMBOL SYSTEM FOR RIGHT OF WAY PLANS - The various types of break points on the right of way line established on the right of way plans are denoted by several different types of symbols. This procedure eliminates the need for color coding prints of the Right of Way plans. The symbols to be used are as follows:

LEGEND	
	PROPOSED RIGHT OF WAY
	EXISTING RIGHT OF WAY
	EXISTING AND PROPOSED RIGHT OF WAY
	BORROW
	EASEMENT (TEMPORARY)
	EASEMENT
	EXCESS
	PROPERTY LINE
A/C ACCESS CONTROL	
	<i>Highway Division</i>
OFFICE OF RIGHT-OF-WAY	

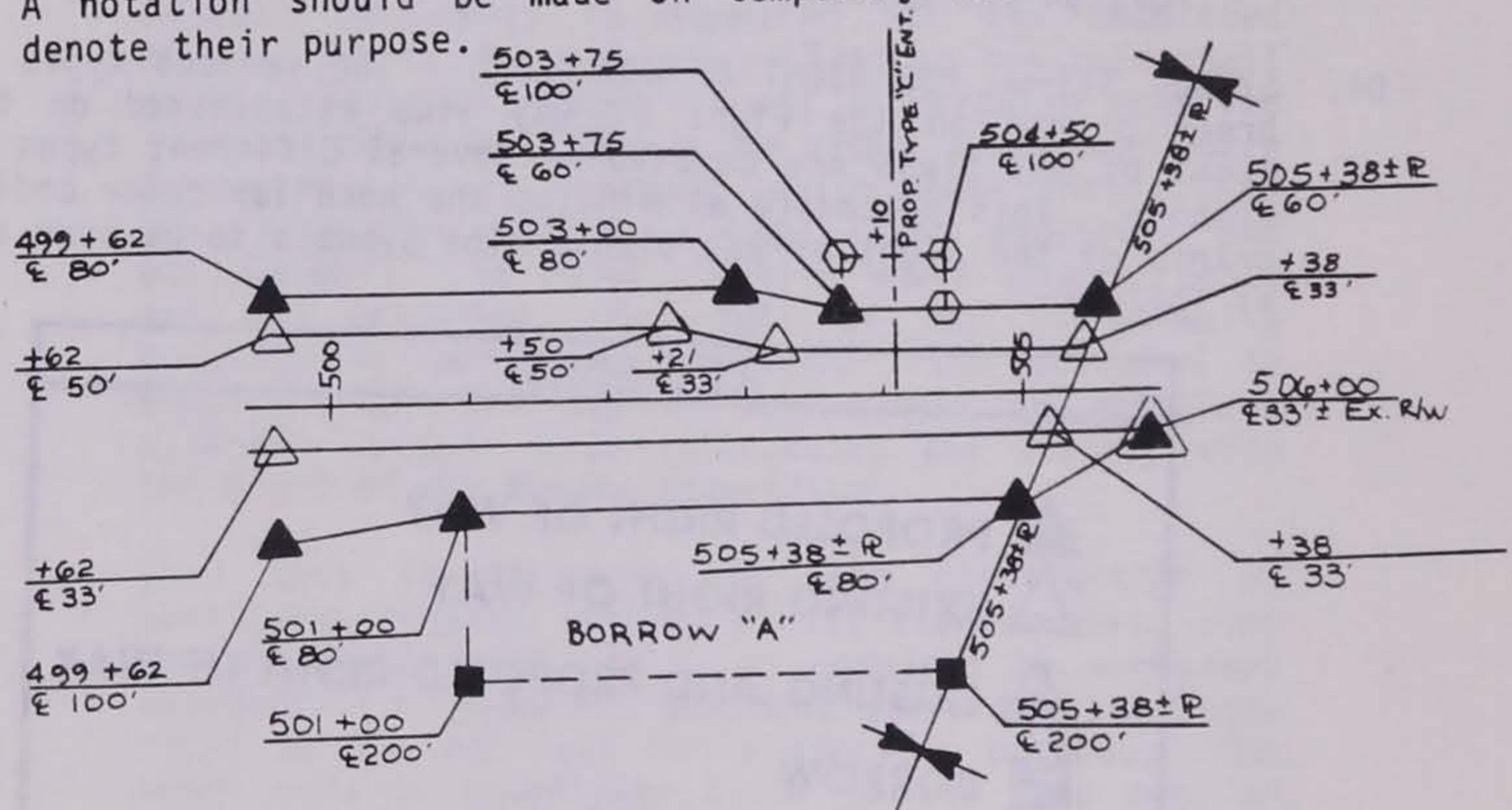
A flagging system to denote station plus and centerline and/or land line distances will be used at each right of way

breakpoint. It should be noted that they are meant to denote distances and pluses normal or concentric to centerline. Any exception to this rule will be noted on the plan sheets.

The limits of a proposed excess land purchase should be denoted by the excess symbol. The proposed permanent right of way line will be noted in the same manner as on a parcel with no excess land.

Access control status will be noted on each plan sheet. In those cases where we have previously acquired access rights and the right of way line and the access control line are not coincidental, special notations must be made which explain the situation.

A notation should be made on temporary easement areas to denote their purpose.



05. RIGHT OF WAY DESIGN BY CONSULTANTS - It shall be the responsibility of the consulting engineer to perform the following functions in order to complete the right of way phase of the project contract.

- a. To determine and show a permanent right of way and/or access control line on the right of way plans for the project.
- b. To determine and show all necessary permanent easements, temporary easements for borrows, etc. necessary for the construction and completion of the project.
- c. To supply the Office of Right of Way with a property owner strip map showing all property ownerships adjacent to the project centerline. The consultant

shall indicate on the strip map from which parcels R.O.W. will be required.

- d. To make up and complete a parcel file for each property involved with the project. This file shall include a completed R.O.W. Form PLOT PLAN (BLANK) or R.O.W. Form PLOT PLAN (WITH DIVISIONS), A REPORT OF RECORD OWNERSHIP AND LIENS, R.O.W. Form SUMMARY OF PROPOSED ACQUISITION, and any other information pertinent to the property such as calculation sheets, special notes, etc.
- e. To make all calculations necessary to complete the parcel files and right of way plans.
- f. To make arrangement with the Office of Right of Way to conduct a field inspection of the project when a tentative right of way layout has been made.
- g. To make all corrections resulting from the field check to plans and parcel files.

All of the above functions shall comply with the detailed right of way instructions, procedures and regulations which are contained herein.

Preliminary plans submitted by consultants shall be thoroughly reviewed by this section for errors, omissions, and in general, the following of text policy and instructions. The field review will be attended by Highway Division's Road Design Consultant Coordinator, or a member of his section and a representative of the consultant, and supervisor or project design technician from the Right of Way Design Section.

Recommendations, suggestions, and corrections are noted in red on the field examination plans and after a general consultation with those listed above, the original is forwarded to the consultant with copies retained by this section and Road Design. Upon completion and submittal of the final right of way product to Right of Way Design, the plans are rechecked for the red items shown on the preliminary plans. In the event these corrections were not made, or errors and omissions become evident in the parcel files, the problems are submitted by memorandum to the design coordinator for transmittal back to the consultant for the proper corrections.

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES
MANUAL PPM 2-84

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT LOG ROAD DESIGN PLANS
REVISED 10/24/88 EFFECTIVE 10/24/88

- B.01.b. 01. RECEIVED ROAD DESIGN RIGHT OF WAY PLANS - When a project and/or revision is received by the Right of Way Design Section, it shall be recorded in the project log file. The record in the project log file is a complete right of way design history of the project while it is in the Office of Right of Way.

When a project and/or revision is received by the Right of Way Design Section, the date received should be stamped in red ink on each plan sheet or item received.

Items set out in the project log file are as follows:

- a. County and Right of Way and Construction Project Numbers
- b. Description and Length of Project
- c. Access Classification
- e. Design Project Engineer and Consultant
- f. Date Plans Received, Cross Section and Ten-Scale Scrolls, etc.
- g. Revisions, Date Received from the Office of Road Design and Reason for Revision
- h. Right of Way Design, by Whom and Date of Beginning and End
- i. R.O.W. Field Check, Date of Field Check and Name of All in Attendance
- j. Date Project Sent to Appraisal Section and How Many Parcels
- k. Parcels Revised, Date and Brief Description of Each Parcel Revised
- l. Fee Files, Date, Parcel Numbers and How Many for Each Parcel
- m. Federal Aid R.O.W., Date Requested and Date of Authorization
- n. General Comments on Projects

02. SCHEDULING OF RIGHT OF WAY DESIGN WORK - Work assignments are made by the Right of Way Plans and Estimate Supervisor in a manner consistent with the abilities of his design personnel. That is to say that designers experienced in urban projects are assigned these projects and other types of projects (i.e., interstate, primary and rural expressways) are assigned to designers knowledgeable in each particular discipline. With each assignment, a time schedule is proposed in general agreement with the Planning and Programming Department schedule relating to the Department of Transportation's five year construction program. Compliance with this proposed work schedule is continually reviewed by the Design Supervisor through his project design technicians and unusual or major delays in the right of way design are made known to the Manager of Right of Way Operations by memo.

Right of way design performed by consultants as a part of an overall design contract authorized by Road Design is monitored by the Right of Way Design Section in cooperation with the Office of Road Design. The field reviews and liaison with the design consultant are coordinated through the Road Design Consultant Coordinating Engineer. A design technician is assigned these projects in a manner similar to that described above. The work product of the consultant is reviewed and checked and any corrections or revisions are transmitted to the consultant coordinating engineer for return to the design consultant for proper action. When the contract with the design consultant has been completed and accepted by the consultant coordinating engineer, any subsequent corrections or revisions then are accomplished by the Right of Way Design Section in the usual manner. Minor corrections to the consultant's work product can be made to save time at the discretion of the Right of Way Design Supervisor.

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES
MANUAL PPM 2-84

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT DETERMINE LAND OWNERSHIP
REVISED 10/24/88 EFFECTIVE 10/24/88

- B.01.c 01. TITLE SEARCH, TITLE SEARCH FORMS AND TITLE SEARCH PROCEDURES -
After the alignment of the project has been decided upon, the first step in the right of way design process is that of title search. Title search consists of a thorough search through all county records to determine the correct title ownership and the description of all properties which will abut upon the proposed highway.

Although the methods of recording land data in the counties of Iowa are similar, the detailed application of these methods will vary from county to county. Also, due to the variation in the capability of the county officials entrusted with this work, considerable difference is found in the efficiency and accuracy of the records.

For these reasons, it is obvious that only a general outline of the routine title search procedures to be followed in order to acquire the necessary title information can be given.

The offices in each county in which title search may be conducted are as follows:

- a. County Auditor
- b. County Recorder
- c. County Clerk of Court
- d. County Treasurer
- e. County Assessor (in urban work City Assessor)
- f. County Engineer

The bulk of title information can usually be acquired from the first three offices on the list.

Personnel assigned to title search will require Form RECORD TITLE SEARCH DATA (short term), Form PLOT PLAN (with division), cross section paper and tracing paper. Examples of these forms are contained under Exhibit "A".

In the event of title information being secured for project from advance review plans, the normal procedure of title search by section technicians will be void and the Form RECORD TITLE SEARCH DATA (short term) will not be used. In

lieu of this procedure, orders for REPORT OF RECORD OWNERSHIP AND LIENS will be ordered as per instructions contained in INSTRUCTIONAL SHEET FOR REPORT OF RECORD OWNERSHIP AND LIENS, Exhibit "A".

02. LIMITATIONS IN USE OF TITLE SEARCH AND PLAT FORMS - In most cases where preliminary data is insufficient for reports of liens order, it becomes necessary for section title search technicians to search and compile county records for ownership. In this case, the Form RECORD TITLE SEARCH DATA (short form) should be used in order to expedite the right of way work.

At least one of these forms should be completed for each parcel involved in the right of way project. If the total land holdings for the parcel have been acquired as a result of more than one transfer or transaction, a form should be completed for each tract of land involved. It is of utmost importance that this form be completed in its entirety. The sources of information are discussed in detail later in this manual.

R.O.W. Form PLOT PLAN (with divisions) consists of a plat which delineates a typical section divided into forty acre tracts. One of these plats should be used for each section involved within the project limits. The plat must be carefully identified by section, township and range in the space provided.

The property outline for each property in a particular section should be carefully plotted, to scale, on the plat. Any dimensions applicable to a particular property should also be carefully recorded along with any pertinent ties to the land corners in the section. A plat with the dimensions and ties missing, or illegible, is useless for right of way design purposes.

It is also very important that if the property lies in more than one section that all of the limits and dimensions are accurately plotted in each section. This is true even in the case of tracts which do not abut upon the highway, but are contiguous and abutting to other parcels, with the same ownership, that do abut upon the highway proper.

In urban areas, or areas that have been subdivided, it is not always practical, because of the small scale involved, to plot the subdivision blocks and lots on Form PLOT PLAN (with divisions). Tracing paper may be used in these instances. The lots and blocks may be traced directly from the plat books or plotted to scale that is large enough to be easily legible. The same care should be exercised, in regard to dimensions and ties, that is exercised in the rural areas. If possible, a copy of the subdivision description should be obtained for each subdivision involved.

Each plat should also contain the alignment and right of way widths for all local roads and streets. A description of all drainage ditches and other features pertinent to the project should be included on the plat.

Projects that have had preliminary survey by the Highway Division, Department of Transportation, will have had a property strip map prepared for them. This strip map consists of cross-section paper with the sections through which the proposed centerline passes shown at a scale of four inches to the mile. The sections are shown in proper sequence and location in relation to each other. The proposed centerline, along with individual properties and property owners, existing roads, and other pertinent topographical features, are plotted upon this map. If a strip map such as this is available at the start of title search, it may be used in lieu of the Form PLOT PLAN (with divisions). The preliminary survey, however, is usually completed well in advance of any right of way activity. It is mandatory, therefore, that this be checked very carefully for changes and/or errors during the right of way title search. The checking procedure should involve the same routine described in preparing Form PLOT PLAN (with divisions). Urban areas in particular should be enlarged, if necessary. This may be done on the strip map itself, providing space is available, or it may be necessary to make a separate drawing.

In instances where a consultant makes the preliminary survey, they will be responsible for the property strip map.

03. TITLE SEARCH SOURCES AND COUNTY RECORDS -

a. County Auditor

There are two forms of Auditor's plat books:

- (1) Lands - which show all rural property by section, township and range.
- (2) Town Lots - which show all urban properties by lot, block and subdivision.

After finding the correct plat books, the property outlines, dimensions, and other pertinent information for each section are transcribed on the Form PLOT PLAN (with divisions) or title search strip map. In the case of town lots, outlots and government lots, all necessary identification such as lot numbers, etc. should be included. All ownership information such as fee owner, contract purchasers, leases, etc. should also be noted.

In some cases, it may also be found that certain of the pertinent properties do not lie entirely within the section through which the centerline passes. The additional land must be plotted in its entirety along with all dimensions and other usable information. In all cases, the entire property must be shown.

If the project is urban, or has urban properties, the plat or strip map scale will be too small to show the properties clearly. A time saver, at this point, is a xerox copy of the entire page from the plat book. If xerox is not available, a tracing of the plat may be made. It is also permissible, and desirable, to obtain a copy of the city plat or map that shows lots and blocks. If this method is used, all dimensions, etc. should be checked against the Auditor's records.

The Auditor's plats show the location of roads in each section. It is very important that these roads, along with right of way widths, be shown on the plats or strip map. This information should be double checked against the County Engineer's Road Record Book.

The Auditor's office also contains the Transfer Books. These books are used as the first source of information for beginning the Form RECORD TITLE SEARCH DATA. These books list, by section, township and range, data which is entered when the deed or other instrument is filed in the Records office. This data consists of the names of the grantor (person who is selling or conveying the property) and the grantee (person to whom the property is sold or conveyed). The filing data, date of instrument, the type of instrument, and a brief property description are also contained in these books. Occasionally, the book and page where the instrument is recorded may be found in these books.

b. County Recorder

The actual deeds for the various types of land transactions are available in the Recorder's office. There are deeds of several types: Warranty deeds, easements, contracts of sale, leases, mortgages, etc. The original plats and descriptions of surveys for subdivisions of land are also located within this office.

The Recorder maintains a set of index books which are normally indexed as follows:

- (1) Land Deed Index
- (2) Town Lot Deed Index
- (3) Town Lot Mortgage
- (4) Miscellaneous Index

Dependent upon the county, instruments such as contracts of sale, easements and leases may be indexed in different books. The assistance of the office personnel may be required to find the proper book.

In the ordinary case of a deed conveying real estate, the name of the present owner (grantee) will be listed in either the Land Deed index or the Town Lot Deed index under the filing date. The book and page where the actual instrument is recorded are listed in this index. The dates and book and page numbers should be carefully recorded on the RECORD TITLE SEARCH DATA Form. From the index, the proper Land Deed book or Town Lot Deed book may be located and the actual instrument inspected. If necessary, and if the proper equipment is available, a copy may be made of the instrument.

The following information should be obtained in the Recorder's office and listed on the RECORD TITLE SEARCH DATA Form:

- (1) The EXACT name and spelling of the owner or owners of record.
- (2) The DATE the instrument was signed.
- (3) The TYPE of instrument. There are many forms of deeds and the current form should be noted. (i.e. tenants in common, joint tenancy with the right of survivorship, sheriff's deed, executor's or administrator's deed, referee's deed, etc.)
- (4) The DESCRIPTION of the property conveyed should be checked against the description previously obtained in the Auditor's office. If there is a discrepancy or the deed conveys only a part of the property, this is an indication that there is another conveyance for the balance of the property. The extra date will have to be secured on another RECORD TITLE SEARCH DATA Form.
- (5) The CONSIDERATION should be noted on the RECORD TITLE SEARCH DATA Form exactly as shown on the deed.

- (6) If the deed is RESTRICTED in any way, (mortgages, contracts, leases, easements, etc.) the appropriate books should be checked and the detailed information listed on the form. Book and page number alone are not satisfactory. The details of the restriction must be known to be of value to the right of way design process. The records should be checked to ensure that mortgages, leases, or liens have not been released. In many counties all such releases are handled by a separate instrument or release.
- (7) The exact amount of the revenue STAMP or REAL TRANSFER STAMP affixed to the instrument should be noted.
- (8) Any peculiar or unusual clauses included in the instrument which might possibly affect the right of way process should be noted and recorded on the RECORD TITLE SEARCH DATA Form.

After the above information has been obtained for each property along the route of the project, the work in the Recorder's office should be completed. The next step in the title search process will involve the office of the Clerk of Court or the Assessor's office.

c. Clerk of Court

Any properties that have been noted as being transferred by Change of Title (C of T) are settlements of estates. This information is filed in the office of the Clerk of Court. In most of these offices, past experience indicates that the Clerk prefers to provide the required information rather than having the title searcher go through the books. Information to be acquired in this office includes a copy of the will if available, results of the probate proceedings and final disposition of the property.

d. County Assessor

Normally two sets of books are available in this office.

- (1) Lands - for rural properties
- (2) Town Lots - for urban properties

The data shown in these books consists of the name of the owner, any contract purchasers, and the

assessment broken down into forty acre tracts or division thereof. The latest assessment for each property is also obtainable in this office. The amounts assessed are a percentage of the value of the property and are separated into lands and buildings along with a total assessment. The percentage and the assessed valuation should be shown on the RECORD TITLE SEARCH DATA Form.

The taxable acreage is also shown for each tract. This acreage must be recorded on the form by forties or fractions thereof. The taxable acreage is especially important to the right of way process, as it is used for calculating area remaining after the right of way taking. An effective appraisal cannot be made without the taxable area.

e. County Engineer's Office

The County Engineer maintains a Road Record book which contains a listing of all county maintained roads within his particular county. The right of way widths of these roads are also recorded in this book.

The alignment and right of way widths of all county roads, either crossing the proposed alignment or in the near vicinity, should be carefully recorded upon the right of way title search strip map.

The widths shown in this book sometimes reflect only the width of the originally established road and do not reflect recent widenings. Personnel in the Engineer's office should be asked which widths the book lists. If it does not list the recent widenings, these new widths should be obtained from these personnel.

This book, in some counties, is kept in the Auditor's office.

04. REPORT OF LIENS ORDERS - As soon as title information can be determined as to ownership and limits on the right of way plans, the ORDER CLAIM Form should be made up and mailed to the abstractor. A Report of Lien should be ordered on all parcels that require the taking of a permanent right such as a warranty deed, permanent easement, access control and also for borrow areas, haul roads, detours, and temporary easements that cause a large amount of damage. This form should be expedited as soon as possible even to the extent of omitting parcel numbers and/or having insufficient information as to ownership names, etc. The proper ownership will be certified on the completed REPORT OF RECORD OWNERSHIP AND LIENS Form. Early submittal of form to abstractor will allow ample time for completion prior to the beginning of appraisals.

The abstractor will furnish two copies of the report. Each consisting of all the attachments. Upon receipt of these two copies, one will be forwarded immediately to the District Land Surveyor. The remaining copy will be placed in the central files.

Upon an early review of a project, the Design Supervisor may elect to order Report of Liens in lieu of section title search.

Please refer to Exhibit "A", INSTRUCTION SHEET FOR REPORT OF RECORD OWNERSHIP AND LIENS Form. Copies of this form are available at all District Right of Way Offices. These instructions are continually reviewed and kept up to date and are more explicit as to proper sequence and information required. If the abstractor does not furnish complete information or information is in error, return the report to the abstractor. Use form 632-005 for this purpose. Hold all title information concerning the error until all corrections and omissions are in order.

05. USE OF TITLE SEARCH INFORMATION IN PREPARATION OF PLANS - After completion of the courthouse title search, the information gathered is carefully plotted on the right of way plans. One of the first things a property owner will look for on the plans when negotiation is underway is the section or quarter section lines that pass near or through his land. These should be carefully plotted, if available. Most relocations will have had a cornerstone survey which will locate these land lines. On widenings, etc., the right of way strip maps and plats on record in the Ames Office will give the location of land lines, corners, ties, etc.

The property lines of the individual properties should be plotted on the plans along with the correct name of the title owner and all contract purchasers. Individual surveys of the properties are normally not required. Unless a major discrepancy is encountered, fence lines are usually considered sufficient evidence of a property line.

All dimensions of land that has been subdivided should be noted on the plans at this time along with widths of all rights of way (state, county and utility) in relation to their centerlines. The width of existing right of way on state highways is available in this office.

If a cornerstone survey is available for the project, the corners and ties provided to centerline should be carefully plotted on the plans and coordinated with the information compiled in the courthouse.

Each property involved in the right of way for the project shall have a numerical parcel number assigned to it. These

numbers should be in sequence from beginning to end of the project.

When the final road design plans are submitted, any parcel involving a railroad's real estate interests will be numbered in accordance with the project parcels and the letter "R" added to the parcel number (i.e., 346R). This applies to operating railroads only.

Any parcel involving real estate interests of a utility will have the letter "U" added to the parcel number (i.e., 347U).

Any legal billboard or advertising sign in the right of way taking area will be assigned a parcel number. Parcels numbers in the 1000 series are reserved for advertising signs. We shall add 1000 to the parcel number for the real estate tract that the sign is on. If there is more than one sign on a particular tract, then simply add 1000 for each sign (i.e., 1034, 2034, 3034).

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT ESTABLISH PROPOSED RIGHT OF
WAY

MANUAL PPM 2-84

REVISED 10/24/88 EFFECTIVE 10/24/88

B.01.d 01. THE CROSS SECTION REVIEW - The first step in the design procedure requires a check of the cross sections to determine a need line.

The need for each section is scaled on the cross-sections from centerline. If an office relocation of the survey centerline is involved, the need should be scaled from the relocated centerline. The need distance obtained from the cross sections is transferred to the right of way plans and plotted carefully and accurately on the plan sheet by means of an encircled dot.

A fill area need, in a rural section, is established by adding ten feet beyond the toe of slope. This additional ten feet is necessary to provide working space for construction and maintenance purposes. In areas where siltation structures are a part of the plan it will be necessary to add an additional five or ten feet for the structures. If a silt fence is called for, five feet should be added and, if a silt ditch is called for, ten feet should be added. The type of siltation structure will be shown in the profile sect# is added to the toe of slope. In cut sections, two feet is added to the top of backslope.

The depth of cut, from the bottom of the ditch to the top of the backslope, should be recorded at each cut section just inside the need line (i.e., 6). These figures should be

inside the need line (i.e., 06). These figures should be large enough to read and reproduce legibly, but not large enough to be conspicuous as they are mainly the concern of the Right of Way Design Section.

On urban projects, the cross section scale is one inch equals five feet horizontally and one inch equals one foot vertically. This is opposed to the rural cross section scale which is one inch equals ten feet horizontally and one inch equals five feet vertically. The needs on urban projects are established in a different manner from those on a rural project. Normally the permanent right of way needed through an urban curb and gutter section is established two feet beyond the back edge of the walk.

Thus a curb gutter section which is designed 49 feet from the back of curb to back of curb requires 73 feet of right of way. This will allow, on each side of centerline, a 24.5 foot curb section, a six foot buffer zone, a four foot walk and two feet beyond the walk for construction, utilities and maintenance. Any shaping of slopes necessary beyond the 36.5 foot permanent right of way line can normally be accomplished with a temporary easement. There are exceptions to this rule. Fill areas which run consistently over two feet in height should be acquired beyond the permanent right of way line, with an easement to construct and maintain. The ten foot construction and maintenance buffer beyond the toe of slope may, in most cases, be lessened if the fill is not high and buildings or other structures are in close proximity. If an open ditch is designed beyond the curb and gutter section, the ditch must be placed on permanent right of way. Where retaining walls are to be constructed in order to minimize deep slope cuts, the permanent right of way lines shall be the back of the retaining wall as nearly as possible. Additional excavation and sloping to construct the wall and "finish" the slopes may be accomplished by a temporary easement.

Temporary easement areas should be held to a minimum and not attempted as a large blanket area. Hold the limits to not more than 5 feet of actual need, but also attempt to "smooth out" the overall area as much as possible. Make certain that the need points are clearly shown on the plan. Any item located within the temporary easement area that is intended to be saved shall be so stated on the summary sheet.

After all of the needs have been plotted, they are connected with a dashed line. This forms the "need" line.

02. ESTABLISH THE RIGHT OF WAY LINE - The location of the right of way line is dictated, to a degree, by the need line. The right of way line obviously must encompass all of the needs. There are, however, many other factors that must be taken into consideration before the right of way line is established in its final location.

A few general rules that apply to the right of way design process are listed below:

- a. Generally, all dikes should be constructed upon permanent right of way. A permanent easement to construct and maintain may be used.
- b. All structures should also be placed upon permanent right of way. In addition to the structure itself, a minimum of twenty feet of additional right of way should be acquired beyond the end of the structure for construction and maintenance purposes. On urban projects, it is sometimes permissible to place the structure upon an easement area with the state retaining the right to construct and maintain. This is a particularly successful practice if there is a possibility that the structure could become a part of a storm sewer system. A permanent easement to construct and maintain may be used in rural areas to reduce the amount of right of way required, reduce property damages, or to maintain straight right of way lines.
- c. Right of way lines, as stated before, should encompass the need lines. Unless proximity to buildings or other features prevent it, it is wise procedure to stay a few feet outside the needs with the right of way line. This enables the property owner to place his fence away from the backslopes and also insures that enough right of way to construct and maintain the road for which the right of way is actually being acquired. Normally, the line should be established so that at the maximum, not more than five to ten feet of right of way is being acquired beyond the needs. This practice is limited by the fact that a large number of breaks in the right of way line is not practical.
- d. Right of way, as far as practicable, should be kept parallel or concentric to centerline. Angles in lines should be kept to a minimum. If the needs are situated so that a long tapering course will serve better than parallel courses with breaks, it would then be acceptable to establish the line on the long taper.
- e. Right angle jogs at farmsteads and urban property lines, etc. are acceptable when so used to minimize damages.
- f. Right of way lines around curves should be controlled by the following:

- (1) In flat terrain, the right of way line should follow the curve in a concentric manner unless the curvature is greater than six degrees. Sharp curves should be chorded in order to simplify fencing.
 - (2) Rolling to hilly terrain should be handled in a chord and/or concentric manner to best eliminate unnecessary angles: i.e., long culverts under the curve section, dikes, and berms. Keep in mind the fact that we must enclose the constructed section but also make the right of way line easy to stake, and to construct and maintain the fence. Show all chords along a curve as a "str. line" (straight line).
 - (3) When breaking at the T.S., S.C., C.S., & S.T. of a spiral curve, always indicate the chord between these points as a "str. line". In the event a property line intersects the chord between the two spiral points, show the actual plus and carefully scale normal to centerline the distance to the intersection, show as a \pm distance (i.e., 127 \pm) and then label chord as "str. line".
 - (4) Upon entering or leaving a curve with spirals, the spiral points may be ignored by breaking at a station back of the T.S. and chording to a convenient point on the circular curve past the S.T. and shown as a "str. line". Avoid right of way breaks within the spiral curve. In the event of a property line, intersecting between the points, the flagging will be handled in the same manner as item "3".
- g. Angle or breakpoints should not be placed in a stream bed or driveway. When it is necessary to angle at a stream crossing, angle points should be placed on each bank and connected with a straight line. This is especially important where periodic high waters are liable to take out the stream crossing. The right of way line at stream crossings should be placed as near a right angle to the stream as possible to simplify fencing for the owner.
- h. Whenever possible, the right of way breaks should be placed as close as possible to the existing cross fence lines. This avoids placing a corner post in an angling fence line. A right angle plus to the near foot should be used.

- i. The skew or line plus of fences and property lines should be shown on the plans.
 - j. All right of way centerline distances should be measured and shown as normal or radial distances.
 - k. In interchange or ramp areas, the right of way should be described from the edge of ramp or base line.
 - l. Where a major channel relocation is proposed and a base line provided, the right of way should be described from the base line. Right of way for channel changes or ditching the channel to conform to culvert flow lines is normally acquired by temporary easement.
 - m. After the right of way line has been established, any necessary easements, and borrows should be established and clearly labeled.
 - n. Where ponding is by agreement between the Soil Conservation Service and the property owner, only the Statement "Right to pond water to elevation _____ ft." need be shown on the Plans and Summary Sheet. A copy of the signed agreement between the Soil Conservation Service and the property owner will be placed in the parcel file. Where ponding is to the benefit of the State of Iowa and all within the banks of the existing stream then a statement should refer to ponding elevation and the fact it is all within existing stream. Where ponding will extend outside the existing stream, the invert contour shall be shown and that area squared off by an indicated permanent easement enclosure with the same "Right to pond to elevation _____" statement. The easement enclosure shall fit the invert contour as close as practical. The enclosure area shall be computed and shown on the Summary Sheet. This area is a "right" and is not to be subtracted from the tax acres on the Summary Sheet.
 - o. County sideroads, relocated county roads, and state or county maintained accessways may be acquired by an easement or by warranty deed for any part outside of the mainline warranty deed right of way limit, and at the option of the Right of Way Director and the county, the right of way will be purchased in the name of the county.
03. MINIMUM RIGHT OF WAY WIDTHS - Presently on all classes of Highways (Rural), only the right of way necessary to properly enclose the construction and maintenance is necessary. On freeways and expressways an attempt to design the right of

way in as straight a line as possible should prevail. See Section B.02.c.

On urban projects which involve curb and gutter sections, normal procedure is to acquire permanent right of way on each side of centerline to a point twelve feet beyond the back of curb. This allows for a six foot buffer zone, a four foot walk and two feet beyond the walk for construction forms and utility poles.

Any shaping necessary beyond the permanent right of way line is usually done within a temporary easement area. An exception to this occurs when the design proposes a fill area that has a consistent depth of two feet or more for a considerable distance or a rural type ditch section. It is necessary to acquire these sections by permanent easement in order to protect the slopes. If and when the land adjacent is filled to shoulder elevation, the easement area may be abandoned.

Due to the usual proximity of improvements in urban areas, it is not necessary to acquire the full ten feet from toe of slope as is required in rural areas. Due care should be taken to insure, however, that adequate working room is provided for construction.

If frontage systems are involved with urban sections, the minimum city right of way requirements should be determined and adhered to.

Before laying out the right of way on urban streets or county roads a letter should be sent to the City Engineer or County Engineer to determine what the City's or County's minimum right of way requirements are. Also the letter should ask if the right of way is to be acquired by warranty deed or permanent easement. A sample letter is included as Exhibit 15.

04. TEMPORARY NEEDS -

a. Entrance Construction

If the needs required for the construction of an entrance fall outside the permanent right of way limits, a temporary easement may be required to do the necessary construction work. Care should be taken to insure that the easement is wide enough to accommodate the side slopes of the entrance and provide the contractor with adequate working room.

A temporary easement cannot be placed on one property to construct an entrance to another property. If an entrance to serve one owner must cross the land of another, the land required for the entrance must be purchased by permanent easement.

If entrances are not plotted upon the cross section, the entrance needs will have to be established by the right of way designer. Under standard ditch sections, a grade should be projected from the shoulder gradient (4%) to a point approximately 35 feet from the shoulder line or low point of ditch. From this point an ascending grade, preferably, not to exceed 8% for farm entrances and not to exceed 10% for field instances, should be extended to a terminal point. Where extensive damage results from deep cuts and the location of the terminal point, these basic distances may be shortened. Fill entrances should have the same governing grades but only need an approximate 10' stopping area outside the shoulder line. There are instances where the terrain features make it impossible to meet these limitations. It is the intent to make the entrance both safe and easily accessible at all times.

b. Channel Changes, Ditching Outlets and Inlets, Shaping Slopes, Removing Buildings, Etc.

Temporary easements shall be used for the above construction situations. Care should be taken in laying out the temporary easements so that we provide enough room for the construction activities and yet cause the least amount of damage to the subject property. It is permissible to square off temporary easement areas for descriptive purposes if it does not cause an excessive amount of damage. It is assumed by some individuals that temporary easement areas do not cause any damage to the property and it is permissible to acquire more area than is needed for the construction activity. This is not the case and again care should be exercised to ensure that we cause the least amount of damage to the property as necessary.

c. Improvements in Temporary Easement Areas

It sometimes becomes necessary to include improvements or features such as trees, shrubs, wells, small buildings and so forth in temporary easement areas. If these items are included and it is the intent that they are not to be disturbed a note should be placed on the plan sheet, plot plan, and summary sheet to that effect. This note should read "Do not disturb _____ in temporary easement area."

05. BORROW, FENCING AND AREA CALCULATION -

- a. Borrow - Borrow areas are designed and located by Road Design. They are shown on the topography plan section of the plans or as added sheets to the plans. They are normally shown as an irregular cut

limit around the borrow perimeter or, on side borrows as a maximum cut limit from the mainline or sideroad centerline. In many cases the borrow sheets indicate contour lines against a heavy proposed cut contour line, bottom of borrow, which gives the approximate cut depths of various points within the area. With the exception of lake borrows, the borrow backslopes and end area slopes should not exceed a slope greater than 5:1 (20% gradient) and the overall bottom shaped to drain away from borrow area.

Maximum yield quantities and required quantities are usually both shown for the borrow area. Also, if "select" material is required for roadway use, that quantity is also shown. Topsoil will be restored where the Road Design plans specify topsoil replacement unless the right of way contract contains an agreement to restore the borrow site by some other method. Road Design will not specify topsoil replacement nor will it be required for side hill borrows; where lake or subwater table conditions are designed; in areas zoned commercial, industrial or residential; or in readily identified locations of loess, white oak, sand, undrainable clays, etc. For all practical purposes, this would allow the third of the state in the North Central region recognized generally as the Class A soil to have topsoil restored. The hilly and rocky Northeast, the heavy clays of the Southeast and Central locations, and in the highly erosive Missouri River area, borrow sites will normally be restored by seeding and fertilization.

(1) General Borrow Procedures

- (a) Locating Borrow Sites - In every instance, Road Design will determine the location of borrow areas. The location of borrow areas will be a part of their submittal of plans to us. This includes side borrow, lake-type borrows and off the road borrows.
- (b) Designing Topsoil Replacement - In each and every instance, Road Design will determine if the borrow area will have the topsoil restored. That information will be a part of their plan submittal.
- (c) Borrow Location Review - The Design Section of the Office of Right of Way will review the location of the borrow areas. If in the opinion of the Right of Way Design Section a preferable

alternate source of borrow is available, they will discuss the alternate source of material with Road Design. Such things as land use and land economics will be taken into consideration in any recommendation for an alternate source of borrow. Always bear in mind the damaging factors of any borrow, i.e., do not get in close proximity to buildings, cemeteries or anything which will be a "high damage item". Alert supervisory personnel to these facts in order that the proper requests for moving or rearranging borrow areas may be made to Road Design. On side borrows always check and ascertain if the material could be acquired from widened or deepened ditches.

- (d) Borrow Appraisals - In the event Road Design determines topsoil will be restored, the Right of Way Appraisal Section will appraise the property on that basis. However, they will also include in their appraisal their estimate assuming topsoil is not restored. (Case I, Case II)
- (e) Borrow Acquisition - The Office of Right of Way will continue to have the option to negotiate for borrow without topsoil restoration. However, in the event Road Design has indicated topsoil restoration and the property goes to condemnation, the condemnation notice will include the restoration of topsoil. Road Design and Contracts will be notified promptly by the Acquisition Section if we negotiate a contract without topsoil restoration.
- (f) Erosion Control For Borrow Sites - Stabilized crop seeding and fertilizing will be placed on all borrow areas where topsoil is not restored.
- (g) Seeding Mixture - In the event topsoil is not restored, the plans submitted by Road Design will include the precise seeding mixture.
- (h) Stockpiling Topsoil - On negotiated contracts with topsoil restoration, the property owner will be required to

furnish an area for stockpiling. The stockpile area will be adjacent to the borrow area. When it is necessary to acquire a borrow by condemnation, the notice will describe a precise area for stockpiling, if one is required. The right of way negotiator will suggest the stockpile limits.

(2) Right of Way Design Borrow Standards

(a) Determining Interest in Borrow Site To Be Acquired - Borrow may be purchased by Temporary Easement, Permanent Easement, or Fee Title at the discretion of the Office of Right of Way. It is currently the policy of the Office of Right of Way to acquire all borrow areas by temporary easement. In the event the borrow site is to be retained for a future project the borrow area should be acquired by permanent easement of warranty deed. This decision will be made by the Right of Way Design Supervisor at the time of layout.

(b) Containment Shape Up and Site Descriptions - With the exception of lake type borrows, an excess of right of way for containment of borrow is very unnecessary. Allow sufficient room for construction equipment to work around the area but not to exceed 30 feet. Attempt to square up or straighten out perimeter lines but not to an excess. A more or less squared up area is much easier to describe. In borrow areas where maximum yield is much greater than that required, i.e., yield 80,000 cy. required 30,000 cy., reduce the borrow size in direct ratio to the quantities and do so only after cross sections and other data have been carefully examined for the material required and the specific area in which it lies. A certain amount of cushion (overrequired borrow) should always be considered in order to shape up and leave the borrow in a workmanlike manner, but do not consider extreme excesses in areas.

(c) Topsoil Stock Piling Areas - Borrows having a total area of 10 acres or more will not require additional area for stockpiling of topsoil. Borrows under 10 acres will require an additional area for stockpiling topsoil. This additional area is normally furnished by the landowner and need not be shown. In the event of condemnation, the condemnor will show an area adjacent to the borrow area and preferably 50 feet deep and along the most convenient side of the borrow. The Acquisition Agent will advise the Right of Way Design Section of the preferred location for the stockpile area when it is decided to condemn the borrow area. The stockpile area will then be shown on the plans and transmitted to the Condemnation Section for their use. Where topsoil is not to be replaced no stockpiling area is necessary as the borrow site will be rehabilitated by erosion control treatment.

(d) Designing Lake Type Borrows - Where lake type borrows are indicated, slopes may be as steep as 3:1, and no topsoil or erosion control required except from proposed top water elevation to top of cut line. Lake type borrows normally are smaller in area and much deeper than the preceding types. After construction is completed they may remain filled with water from a few to several feet in depth. Lake type borrows shall be acquired by temporary easement.

(e) Borrow Haul Roads - Borrow areas, not adjacent to a roadway, will require haul roads. The haul roads should not be less than 70 feet in width and aligned in the most convenient and least damaging route. They will be shown as temporary easements. Show area for haul road separate from other area computations.

(3) Proposing Borrow Changes

Always consult the Design Engineer when any borrow changes are required.

(4) Permanent Right of Way Lines in Borrow Areas

On borrow areas that are adjacent to roadway the designer shall review the cross sections to determine if the right of way needs can be reduced after the borrow material is removed. This is particularly true in areas where there is a high backslope and the design of the borrow removes the backslope. The permanent right of way line should be 5 feet beyond the top of the backslope. The designer should be alert to any revision in the borrow area which could affect the permanent right of way.

b. Fencing

Replacement Fence - On widening and reconstruction projects where right of way is to be acquired beyond the existing right of way limits, it is necessary to reimburse the property owner for fencing parallel to the highway alignment. The amount of fencing is expressed in rods. This is calculated on the basis of the fence that will be placed along the new right of way line. The linear footage along the new right of way line is scaled. Appropriate deductions from this footage are made for areas along the existing right of way line that have not been fenced previously. Cross fences are not considered in these calculations. In those cases where there is a lane parallel to the highway alignment that has been fenced, the extra fence required for the lane is included in the fencing figure.

New Fence - On interstate and freeway systems, the Highway Division will be responsible for the erection of any necessary fencing. On interstate and freeway systems where the State constructs the access control fence, the designer shall review all stream or draw crossings to determine if a water gap fencing will be necessary. If so, a note shall be placed on the summary sheet to this effect so that the property owner can be paid for the water gap. On lower classifications of relocated highways, the property owner is responsible for the fence erection and is paid accordingly. Payment is based upon the linear footage of the proposed right of way line converted to rods.

c. Area Calculation - The calculation of areas is, perhaps, one of the most important functions of the Right of Way designer. A large part of right of way payments are based upon the areas calculated by the designer. This holds true in the case of areas

remaining as well as the right of way to be acquired. Extreme care should be exercised to ensure that the areas provided as a part of the parcel file are as correct as the information available to the designer. Every area must be checked. It is preferred that the checker not be made aware of the first areas arrived at. This prevents striving to attain agreement with an area, or areas, that are possibly incorrect. A very acceptable check can be made with a planimeter. Any differences in areas calculations must be resolved.

The method used to determine areas is left largely to the discretion of the person calculating the areas as long as accepted mathematical principles are used and the result is a correct acreage.

At a later date and prior to final acquisition, a legal description and certified plat of the taking area will be furnished by the District Land Surveyor. The Land Surveyor's area computations are from actual or re-established land points and normally will not differ significantly from the original computation. Upon proper and timely notification of significant error, this section will revise the information.

In urban or subdivided areas, the areas are always expressed as square footage instead of acreage. All acreages should be rounded to near one-tenth acre ($10.69 = 10.7$). Square footage to near one foot.

Separate area calculations shall be made for new right of way, existing highways (easement or dedication) and all other easements. All excess land and remainders shall be calculated. All calculated areas shall be shown on Form SUMMARY OF PROPOSED ACQUISITION. Temporary Easements will not be calculated, except when requested by the Appraisal or Acquisition Section. Temporary easements for haul roads, detours, borrows, etc., are excepted and will be calculated.

06. ACCESS RULES AND REGULATIONS - Entrance locations are established according to the policies, procedures and rules of the Iowa Department of Transportation.

Entrance locations are shown on the right of way plans submitted to the Right of Way Office by Road Design. Access control minutes are furnished for each project. These minutes denote the access classification and point out any special access problems or situations involved.

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

- a. Predetermined Access - Chapters 306A and 307 of the 1981 Code of Iowa authorizes highway authorities to acquire property rights, including the rights of access, for construction of controlled access facilities. Access rights are acquired in fee simple title.

The Iowa Administrative code establishes a policy on the Acquisition of Access Rights along Interstate and Primary Road Systems. A copy of the policy is attached as an exhibit. In this policy all state highways have been classified for access control purposes. The four access control classifications are designated as follows:

Freeway System - Those roads so designated in accordance with 306.1(2)"a" of the Code for which access is allowed only at interchanges with designated public roads.

Expressway System - Those roads so designated in accordance with 306.1(2)"a" of the Code for which access is allowed only at interchanges and at designated grade intersections.

Arterial System - Those roads so designated in accordance with 306.1(2)"b" of the Code for which access is allowed at predetermined locations. The predetermined locations are established by the Office of Maintenance and the District Engineers.

Arterial Connector Highways - Those roads so designated in accordance with 306.1(2)"c" of the Code. Arterial connector highways have been divided into subsections "A", "B", or "C" considering functional classification, volume of traffic, potential development and other appropriate guidelines.

Access rights shall be acquired in accordance with directions from the Access Control Supervisor. Standards governing the establishment of access locations from the abutting property to the highway shall be controlled by applicable policy, procedures and rules of the Department of Transportation. The location of all possible present and future entrances shall be designated at the time access rights are acquired. These access locations shall be defined in a manner which will comply with the standards set forth and also provide the total access to all

properties abutting the highway. These access locations are established in a manner which will provide access sufficient to serve both the present and any future land usage of the property.

With the approval of the Design Supervisor, the exact PDA stationing may be altered slightly without the recommendation of the District Engineer or the approval of the Access Control Supervisor, if the PDA locations serve the properties intended and meet with proper spacing requirements.

If any alteration causes less than the minimum required spacing or any other material change, the concurrences of the District Engineer and the Access Control Supervisor are required.

In any case, the PDA locations which are shown on the final plan will be considered as correct.

- b. Relocated Accessways (Private) - Where accessways on private property are relocated from the original alignment, the additional length of the accessway shall be noted on the Summary of Proposed Acquisition sheet. Compute only that part which is beyond the terminal point of existing accessway and the proposed accessway from existing right of way to end, minus the lateral distance of existing accessway from existing right of way to the terminal point of the two accessways. This applies only if there is a residence. The property owner will be paid \$5.00 per foot for the additional length of drive to be maintained.

07. RIGHT OF WAY FIELD CHECK - A field inspection shall be made on each project after a tentative right of way design has been completed. If at all possible, the following personnel should be in attendance on the field check: (1) The R.O.W. Design Technician who was assigned the project; (2) R.O.W. Design Supervisory Personnel; (3) the Road Designer; (4) A representative of the Appraisal Section who will be responsible for the Appraisal function; (5) In the event of considerable homestead and housing displacements a representative of the the Relocation Assistance Section should be present; (6) Upon request, a member of the Advertising Control Section will be present. The following items should be closely checked on this inspection trip:

- a. Check all borrow areas for suitability and to see if the quantity estimate is reasonable.
- b. Check for potential "off the road" borrows if it appears that grading and shouldering requirements cannot be met by side or adjacent borrows. Note the

location, distance and the probable route for haul roads from such areas.

- c. Check the proposed permanent right of way lines to determine if adjustments can and should be made to reduce excessive property damages.
- d. Check drainage problems involving channel changes, diversion or concentration of surface water, areas which may be ponded, etc. If water is ponded, the ponding area along with the ponding elevation must be shown and clearly labeled on the right of way plans.
- e. Check the proposed access locations to determine their feasibility and note any need for change. This is a very important part of field check and should be considered carefully. Unnecessary steep or long drives or drives with an awkward alignment should be eliminated wherever possible. Where grade necessitates that a drive to serve one owner travels parallel to the centerline for any distance, care should be taken to insure that this drive is constructed outside the permanent right of way line. Farm entrances should normally not exceed an 8% grade, while field entrances should normally not exceed a 10% grade.
- f. Check locations of detours and any other temporary construction requirements.
- g. Check for underground tanks or other areas that may be contaminated with hazardous waste. If any questionable areas are found, two plan sheets showing the area will be submitted to the Manager of Right of Way Operations as soon as possible.

Following the field check, any necessary revisions shall be made on the Right of Way plans and property plats shall be prepared for each property or parcel.

On highways involving predetermined access locations, a member of the District Engineer's staff may be included in the field check personnel so that the locations can be examined at the time of the field check.

08. LAND IN EXCESS OF CONSTRUCTION NEEDS - It sometimes becomes necessary to purchase tracts of land that lie beyond the normal right of way line. This situation usually occurs when the highway is relocated and severs large tracts from the balance of the property. If access to the severed portion is impossible or impractical, it is purchased and classified excess land. We shall label the excess land tract "Federal Participating" or "Non-Participating" on the plan sheets and on the excess land plat.

In these cases, it is the responsibility of the right of way designer to recognize this situation and to start the preparation of the EXCESS LAND DETERMINATION Form. A portion of the form PLOT PLAN (blank) or PLOT PLAN (with divisions) plat showing the property and the right of way taking is attached to the form EXCESS LAND DETERMINATION in the space provided. The land that is being declared excess is carefully delineated and labeled on the plat portion of the form. The total right of way taking area is shown in the appropriate space. The area of the excess taking is then calculated and shown in the space labeled Excess Taking Area. This form becomes the master copy and is inserted in the original file. A copy of the Excess Land Determination Plat is submitted to the Property Management Section for their inclusion of the tract in the Excess Land inventory.

09. UNECONOMIC REMNANT - It may become necessary to acquire tracts of land that are severed from the remainder of the parcel and are of little or no utility or value to the owner. These tracts shall be labeled "uneconomic remnant." This determination may be made at the time of Right of Way Design, during Appraisal or Acquisition activities. An uneconomic remnant plat will be prepared as soon as the uneconomic remnant determination is made. The same procedure is used for the uneconomic remnant plat as was used for the excess land determination plat. Copies of the uneconomic remnant plat are submitted to the Property Management Section so that it can be placed on their inventory. If there is Federal Participation in the Right of Way, we shall request Federal Participation in the uneconomic remnant. Also, we shall label the uneconomic remnant tract "Federal Participation" or "Non-Participation" on the uneconomic remnant on the plat and plans.
10. FEDERAL AID PARTICIPATION - On some projects it is advantageous to use federal funds to acquire the right of way. On federal aid projects it is necessary to complete a parcel by parcel breakdown for each parcel. The breakdown is shown on a parcel checklist in the front of the plans. This list shall be maintained and kept up to date at all times. On parcels where we are requesting federal aid participation in a total take, we shall note on the plans, "Total Take with Federal Aid Participation".

We may receive federal aid participation for the acquisition of right of way under the following guidelines:

- a. Section 712.203, Code of Federal Regulations (CFR) 23 Requires DOT to obtain right of way adequate for the construction, operation and maintenance of the project.

- b. Section 712.204(b)(2)(ii), CFR 23
Authorizes FHWA to approve federal aid participation in the cost of acquiring whole properties or portions thereof to a logical boundary or barrier, thus avoiding severance damage payments and providing a highway facility more in conformity with the neighborhood through which it passes.
- c. Section 710.304(e), CFR 23
Federal funds may participate in the cost of access rights whether or not other real property interests acquired.
- d. Section 710.304(h), CFR 23
Federal funds may participate in severance or consequential damages or both resulting from a highway project...provided such damages are of a type generally compensable in eminent domain and are determined by FHWA to be generally reimbursable on federal aid highway projects.
- e. Section 712.103(i), CFR, 23 Uneconomic Remnant
If the acquisition of only a part of a property would leave its owner with an uneconomic remnant, the acquiring agency shall offer to acquire the remnant. An uneconomic remnant is a remaining part of land, after a partial acquisition, that is of little or no utility or value to the owner (Vol. 7, Ch. 1, Sec. 1, g of F.A.H.P.M.). Federal funds may participate in the acquisition cost of uneconomic remnants whether or not the remnants are incorporated in the highway right of way (Vol. 7, Ch. 1, Sec. 3, Par. 5n).
- f. Section 772.13(c)(5), CFR 23
Authorizes acquisition of real property or interest therein to establish buffer zones to preempt development which would be adversely impacted by traffic noise. The rule directs the acquisition of additional right of way in fee simple with the intent to dispose of excess interests in a manner compatible with the highway environment. The rule envisions federal-aid participation in the acquisition of the excess property and directs conveyance of excess comply with Section 713.306(c), Disposal of Rights-of-Way.
- g. Section 712.204(d), CFR 23
Authorizes advanced acquisition in hardship and protective buying situations prior to the completion of processing of the final environmental impact statement. Ultimate federal participation in the cost of property acquired is dependent upon the incorporation of such property in the final highway

right of way. Where a parcel is partially incorporated, federal participation will be in accordance with the alternative selected for statewide application pursuant to 23 CFR 710.304(m), Property Management - Excess Acquisitions.

Consultants doing right of way work need not be concerned with this phase of right of way design. Members of the Right of Way Design Section shall be responsible for excess land, uneconomic remnants and federal aid plans on all projects.

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES
MANUAL PPM 2-84

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT ESTABLISH PARCEL FILES
REVISED 10/24/88 EFFECTIVE 10/24/88

01.e. 01. PREPARATION OF PARCEL FILES

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

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

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

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

A tract of land that has one or more leaseholds should have one parcel made for the fee ownership and one parcel for each leasehold involved. The leasehold parcel numbers should carry the numerical designation of the fee parcel plus an alphabetical designation (i.e. 10"A", 10"B", etc.).

Prepare two parcel files for each parcel on the project. One file is called the original file. Upon completion, the original file is transmitted to the Fiscal and Title Section for filing. Once it is filed, it must never leave the office. If it is removed from the file section for reference use in the office, it must be signed out from the file clerk. A typed adhesive label is placed on the tab on the file. This label notes in order, the name of the property owner, the parcel number, and just below, the county and right of way project number.

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

- (1) Parcel File Check Sheet - This form must be completed by the person making up the parcel file. Each item on the form must be acknowledged. If the item is being inserted in the file, a check mark must be made in the space provided to the left of the item description. Items not being inserted are acknowledged by not applicable (N/A) in the space provided. Section II of this form describes the types of right of way acquisition contemplated for the particular parcel. The term ROW as shown on the form denotes acquisition of right of way by warranty deed or easement plus any of the other forms of acquisition shown under A. If only these forms of right of way are being acquired on the particular parcel, this space will be checked. If these forms of right of way plus excess are checked and the A space will be N/A. The same procedure will be followed if the parcel contains ROW plus easement for borrow or haul road. The C space will be checked in this case and the appropriate type of easement will be underlined whether it be for borrow or for haul road. The A and B spaces in such a case would be marked N/A. Items D through G are checked only when no ROW is involved.
- (2) The original of the calculation sheet must be inserted in the original file. All calculations and totals on this sheet should be carefully checked by another person. The checker will preferably make his own check sheet and compare it with the original. If the check sheets agree, they should be initialed, dated, and placed in the file.
- (3) One copy of the Right of Way Design Summary of proposed acquisition.
- (4) One copy of a completed Form PLOT PLAN (blank) or PLOT PLAN (with divisions).
- (5) Original of REPORT OF RECORD OWNERSHIP AND LIENS Form.
- (6) EXCESS LAND DETERMINATION Form (original).

- (7) Any correspondence, notes, etc. that pertain to the parcel.
- c. Field File - The second file to be made for each parcel is the field file. This file is used in the field by both appraisers and negotiators. This is placed in a folder with the name, parcel number, county and project number lettered in black ink on the tab. The following information is placed within this file:
- (1) Five copies of Form Plot Plan (blank) or Plot Plan (with divisions).
 - (2) Five copies of the Summation Sheet (staple Items 1 & 2 together).
 - (3) One copy of the REPORT OF RECORD OWNERSHIP AND LIENS FORM.
 - (4) Copies of correspondence, notes, etc. that pertain to the parcel.

Fee files are normally not made up until requested by the Appraisal Section. They are enclosed in folders with the parcel information lettered in red ink on the tab. They contain the same information as the field file with the exception that only three property plats are required. If the Appraisal Section requests it, a plan sheet is added to the file.

- d. Parcel Check Sheet - When files are ready for transmittal to the Appraisal and Fiscal and Title Sections, copies of the Parcel Check Sheet are submitted to various sections. (See B.01.h for number of copies and to which sections.) The original is retained by the Right of Way Design and maintained current through the right of way process.

Each parcel, from which a building of any type is being taken, will be denoted by an asterisk next to the parcel number. This will alert the Relocation Assistance Section that the project might involve relocations and Property Management that the project may require clearance.

- e. Transmittal Letter - All of the above information is transmitted under cover of a transmittal letter (see section on Right of Way Design Forms and Correspondence).

02. PREPARATION OF PROPERTY PLATS (PLOT PLANS) - Individual property plats (plot plan) shall be prepared by using Highway

Division PLOT PLAN (blank) or PLOT PLAN (with divisions). These forms will be furnished by the Office of Right of Way upon request. The plats should be prepared with pencil to show the following:

- a. Name of property owner.
- b. If property is severed, show remaining areas Lt. and Rt. by asterisk before units.
- c. Centerline station limits of land taken. (Show skew pluses at all property lines.)
- d. Section, township and range numbers.
- e. Parcel number (numerically), for each right of way parcel.
- f. Dimension of individual tracts.
- g. Ownership boundaries to be heavy solid line. Indicate total ownership by reduced scale plat in an insert in available space, if unable to show total ownership on property plat.
- h. Building area. (This is shown by reproduction of part of plan sheet and attached to plat. Approximate area on plot plan by dashed outline.)
- i. Highway centerline (ramps at interchange).
- j. Right of way lines shown by a solid line with centerline distances (show normal to centerline) and stations shown at breaks and property lines.
- k. Right of way area taken to be shown by single hatched lines.
- l. Local road right of way lines and existing right of way lines.
- m. Frontage road and relocated local road centerlines.
- n. Railroads (show centerline and right of way lines).
- o. Rivers, creeks, lakes, etc.
- p. Channel relocations.
- q. Right of way to be purchased in name of state by either fee simple or easement will be shown by single crosshatch (use only on plot plans).

- r. Right of way to be purchased in name of a particular city by either fee simple or easement will be shown by dashed cross-hatching. (Use on both plans and plot plans.)
- s. Right of way to be purchased in name of a particular county by easement will be shown by double cross-hatching. (Use on both plans and plot plans.)
- t. Borrow areas and easement areas (outlined by a dashed line and the area labeled as borrow area or easement area).
- u. Temporary easement area outlined by a dashed line and shown by bar cross-hatching and labeled temporary easement area. (Use only on plot plans.)
- v. Points of access (arrowhead with the arrow pointing out toward the property; also, a line extending out from the right of way line with the following notation: Point of Access - Station and Plus).

In some instances, particularly in urban areas or sections where there are many right of way breaks, etc., the method used for the sample plats will result in a plat that is so congested with lines that it is valueless as a means of showing the right of way layout. The alternatives in this case are to draw the plat to a larger scale (1" = 50' or 1" = 100' etc. instead of the normal 1" = 800') and prepare a smaller scale drawing showing the total ownership as an insert on the plat. It is permissible in urban areas to prepare a master plat to cover several parcels. The proposed right of way breaks, station values and offsets are omitted from the master plat. A copy of the master is then made for each individual parcel and the stations, distances, etc. for the particular parcel are added to the copy which then becomes the master for that parcel.

An original plot plan file is also established for the project. This file is in the Design Section. It will contain the original plot plan plats and original summary sheets.

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT CORRELATE ENGINEERING AND
RIGHT OF WAY DESIGN
REVISED 10/24/88 EFFECTIVE 10/24/88

MANUAL PPM 2-84

B.01.f. 01. MAINTAIN CURRENT RIGHT OF WAY PLANS - REVISIONS

Maintain direct liaison, through departmental directorship, with Road Design, Bridge Design, District Construction Offices, Consultants and Federal Highway Administration Division Office and any other regarding recommended design changes and their effect on the proposed right of way for the project.

a. Road Design Right of Way Plan Revision

- (1) To R.O.W. Design Supervisor.
- (2) R.O.W. Design Technician makes required change.
- (3) Effect of change on project schedule discussed with Assistant R.O.W. Director (Operations).

b. R.O.W. Design Recommendations

- (1) R.O.W. Design Technician reports and recommends corrections on errors and omissions found on road design plans to Supervisor.
- (2) Supervisor approves corrections and additions to plans.
- (3) Report corrections to Road Design by memorandum under signature of Manager Right of Way Operations.

c. Proposed Revisions by Appraisal and Acquisition Sections

- (1) To the R.O.W. Design Technician through Supervisor.
- (2) R.O.W. Design Technician recommends approval or disapproval to Supervisor.
- (3) Supervisor approves or disapproves changes that are consistent with established R.O.W. Design policy and which do not affect

structures or costs and are then implemented and reported to the Assistant Director. Otherwise, where structures or costs are affected, Supervisor makes recommendations and Assistant Director will approve or disapprove before implementation

02. LIAISON WITH OTHER AFFECTED OFFICES

- a. Rail and Water Division - Liaison between the Right of Way Office and the Rail and Water Division will be in accordance with IM 3-70, Section 5331 A.01 of the Office of Right of Way's Policy and Procedure Manual and as follows.

(1) Railroad Agreements for Highway Construction

(a) The Rail and Water Division and the Office of Right of Way will review highway acquisition plans and determine specific involvement in railroad right of way and facility adjustment.

(b) When highway/railroad construction agreement is required for reason work is on the railroad facility, the Rail and Water Division will negotiate the contract and acquire the necessary right of way. The Office of Right of Way will provide title and appraisal support as is determined necessary by the Rail and Water Division. The title document will be retained in the Office of Right of Way.

(c) Where the railroad facilities are not involved, but the railroad right of way is required, the Office of Right of Way shall acquire the necessary right of way.

(d) Parcels that are to be acquired by the Rail and Water Division should be completed and submitted to the Rail and Water Division as soon as possible. It is not necessary to wait for design approval for the parcels.

(2) Highway Corridor Preservation and Preservation of Abandoned Railroad Corridors for Highways

- (a) The Rail and Water Division shall submit to the Office of Maintenance, railroad abandonment information that reflects the intentions of the railroads to abandon particular railroad line segments. Information copies are also sent to the Director of Highways, Office of Right of Way, and the District Offices.
 - (b) The Office of Maintenance and the District Offices shall inventory highway corridor preservation needs and to determine right of way action to preserve corridors including railroad facilities required to be removed to clear the highway corridor. The Office of Maintenance and the District Office will advise the Office of Right of Way of the required right of way.
 - (c) The Rail and Water Division shall keep the Office of Right of Way informed on the current bases concerning rail operations or liquidations on abandoned railroad lines.
 - (d) The Office of Right of Way shall be responsible for all right of way acquisitions.
- b. Facilities Management - Whenever DOT-owned buildings are involved in a highway improvement, a memo asserting that fact along with the applicable plan sheet is sent to Facilities Management. This enables Facilities Management to provide replacement facilities in a timely manner.
 - c. District Land Surveyors - The District Land Surveyors are responsible for obtaining sufficient cornerstone information at an early enough state in the design process so as to provide legal descriptions of right of way takings prior to the start of negotiations. Project plans and plot plats, with summary sheets attached, will be sent to the district land surveyor at the time the project is submitted to the Appraisal Section.
 - d. Advertising Control Supervisor - To assure compliance of Chapters 306B and 306C of the Code of Iowa 1975,

and relating to Outdoor Advertising, the following procedures will be performed by the Right of Way Design Section.

Upon completion of the preliminary right of way plan, the Advertising Control Supervisor will be notified as to date and project limits of right of way field check. A preliminary right of way plan will be transmitted to the Advertising Control Supervisor prior to field examination.

When right of way plans are submitted to the Office of Project Planning, a 1/2 size set of plans will be submitted to the District Engineer along with a memo requesting that a sign inventory be made. The District Engineer will assign the plans to a Resident Construction Engineer who will inventory all advertising signs within the proposed right of way.

The inventory will be submitted to the Design Section for plotting on the right of way plans. The inventory will then be submitted to the Advertising Control Supervisor who will then notify the Design Section which of the signs are legal.

The Design Section will establish a parcel file for each legal sign. The 1000 series parcel numbers have been reserved for advertising signs. The Appraisal and Negotiation Sections may also notify the Design Section of legal signs.

When plans and parcel files are transmitted to the Appraisal Section, a right of way plan along with sign parcel files will be transmitted to the Advertising Control Supervisor. After review of plans, the Advertising Control Supervisor will notify Right of Way Design of specific copies of plats and summary sheets necessary for their use. The Advertising Control Supervisor will then submit the parcels to the Appraisal Section.

During appraisal and acquisition process, all revisions affecting right of way limits will be transmitted to the Advertising Control Supervisor.

- e. Department of Natural Resources (DNR) - A set of right of way plans should be submitted to the DNR as early as possible on projects where the construction limits extend onto land owned or controlled by the DNR. This submittal is to be made through the Acquisition Section. If park or recreation land is impacted by the highway project, a copy of the plan sheet showing the park along with a memo is sent to the Office of Project Planning.

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT PREPARATION OF PLANS FOR
FEDERAL HIGHWAY ADMINISTRATION
ON FEDERAL AID PROJECTS
REVISED 10/24/88 EFFECTIVE 10/24/88

ANUAL PPM 2-84

.01.g.

On those projects which are designated Federal Aid Participating, it is the responsibility of the Right of Way Design Section to request the necessary approval to acquire the right of way. The request in form of a letter is submitted to the Federal Highway Administration as soon as design approval is received for the project. The letter will be addressed to the FHWA Division Administrator from the Office of Right of Way Director. The letter should contain the following information:

Project number and description of project from station to station and land point to land point and total mileage along the mainline.

A brief description of any previous work inside the project limits (advance acquisitions).

The number of parcels for which authorization is being requested.

The date and approval dates of the corridor and/or design public hearings.

The number of residential owner occupants.

The number of residential tenant occupants.

The number of businesses.

The number of farms.

The number of non-profit organizations.

The number of personal property only moves.

The estimated cost of the proposed right of way including relocation assistance and incidentals. There should also be a breakdown of the various types of funding for the project, i.e. BRF, F, RRS, FN, etc.

All non-participating parcels shall be identified.

Along with the letter we will submit one set of plans to the FHWA for their information.

The approved form letter authorizing acquisition of right of way must be received from the Federal Highway Administration before actual negotiations proceed on the project. At the time we receive this authorization letter, we will submit one half size set of plans to the Office of Accounting.

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT TRANSMITTAL TO OFFICES AND
SECTIONS
REVISED 10/24/88 EFFECTIVE 10/24/88

MANUAL PPM 2-84

- 01.h 01. TRANSMITTAL OF PLANS AND PARCEL FILES TO OTHER SECTIONS -
Projects are submitted to the Appraisal Section and/or Acquisition Section after design approval is received from the Federal Highway Administration on federal aid projects and after the Iowa Department of Transportation Commission approves non-federal aid projects. On small bridge projects and emergency projects where a minimal amount of right of way is required the project may be submitted to the Acquisition Section. The decision to send these projects to the Acquisition Section is made by the Right of Way Design Supervisor after a review of the parcels. The Right of Way Design Supervisor will consult with the Chief Appraiser and/or Chief Acquisition Agent, the Manager of Right of Way Operations or Right of Way Director on parcels that may be complex before a decision is made to submit the parcels to the Appraisal Section or the Acquisition Section.

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT TRANSMITTAL TO OFFICES AND
SECTIONS

ANUAL PPM 2-84

REVISED 10/24/88 EFFECTIVE 10/24/88

.01.h. 02.

**TRANSMITTALS TO
OFFICES AND SECTIONS**

	SECTION OR OFFICE	APPRAISAL	ACQUISITION	RELOCATION ASSISTANCE	CONDEMNATION	ADVERTISING CONTROL	CENTRAL FILES (BULL PEN)	PROPERTY MANAGEMENT	ROAD DESIGN	DISTRICT OFFICE	FACILITIES MANAGEMENT	PROJECT PLANNING	OFFICE OF ACCOUNTING
FUNCTION													
RIGHT OF WAY DESIGN COMPLETE						2-B 1-D				1-B		3-A 1-B 1-D	
PROJECT DESIGN APPROVED FHWA	1-A 5-C 2-D 1-F	2-D	1-A 1-D 1-C	1-A 3-D		3-D 1-C 1-F	1-B 1-C			5-A 1-B 1-C 1-D			
APPRAISAL COMPLETE		1-A								1-A			
AS THEY OCCUR	1-E 1-G	1-E		1-E	1-E	1-E	1-E	1-E					
RECEIPT OF DOCUMENT										1-F			
WHEN AFFECTED BY PROJECT DESIGN			1-E								1-A 1-C		
ROW PLAN APPROVAL FHWA													1-B

DOCUMENTS

- A Full Size Set of Plans
- B 1/2 Size Set of Plans
- C Summary Sheets & Plats
- D Parcel Check List
- E Revisions
- F Report of Liens
- G Fee Files

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES
ANUAL PPM 2-84

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT PROGRAM AND PLANNING ESTIMATES
REVISED 10/24/88 EFFECTIVE 10/24/88

.01.i. This section is responsible for the compilation and preparation of preliminary cost estimates covering both interstate and primary highway systems. The estimates are necessary for the preparation of highway program quantities. Minimal title information is required and this may be obtained from County Plat Books such as those prepared by commercial companies and sold for local advertising purposes. Do not use books which are over four years past current date as ownership may not be sufficiently current. Ownership is outlined on the plans or photographs and numbered the same as that shown on regular right of way plans. The approximate right of way limits will be shown and area of taking within each ownership roughly computed; rods of fence moving, new fence, severance damage to land, damage to buildings, estimated cost of each building or group of buildings, water system, etc. All of the above information is shown by parcel and tabulated as such. Land values may be obtained by checking with the County Assessor, local real estate organizations and banks for recent and comparable sales near or within the estimate area. In the event of a complex farm operation, commercial or industrial complex, it is wise to contact the Appraisal Section for advice as to proper values. Values used in estimating physical objects and land is a more or less "common sense" rule and can be arrived at by use of good judgment and experience.

All estimates will have a cost increment additive for covering incidental costs. This is determined by an average per parcel cost from past experience for the particular overall area involved. This cost additive will involve past history of dollar value of administrative settlements, plus dollar value increases and costs of court awards (condemnation) plus dollar value of transfer costs. In the event that FHWA funding is involved, the copies of the actual material used for determination of the additive will be reviewed by local FHWA representatives. In the above tabulation of dollar value costs, personnel salaries and costs, and vehicle costs are included.

Urban cost estimates must also be shown by parcel unless alternate alignments are required in a rather dense and narrow corridor for making a quick determination of the proper alignment, then a block by block or any suitable control area can be used.

Tabulation sheets must be neat and thorough as it may become necessary to "break out" or "split" parcels in the event of a

line revision or request for comparison values. Always show physical values, on the plans or photographs, which are in near proximity on the outside limits of the proposed corridor. In many cases these values are helpful in determining damages caused by the proposed alignment and also any later proposed alternate alignment.

01. PROCEDURES:

- a. Preliminary plan submitted to Manager Right of Way Operations with cover memorandum from Director, Office of Road Design.
- b. Cover memorandum sets forth description of work requested and completion deadline.
- c. Right of Way Director, or Manager Right of Way Operations, transmits plans and memorandum to Right of Way Design Supervisor who, in turn, advises Right of Way Estimator of project data, deadline and priority schedule for project.
- d. Plan checked in field and estimate compiled by Right of Way Estimator. Memorandum prepared by estimator under signature of Right of Way Director stating amounts and any pertinent remarks concerning damages, etc. Copies to Manager Right of Way Operations, District Engineer, Office of Project Planning Engineer, Relocation Assistance Supervisor and Right of Way Design Supervisor.
- e. Documentary work and plans filed in estimating section of Right of Way Design Section for future use, particularly in checking estimated amounts with actual costs after final acquisition.
- f. A special effort shall be made to look for buried fuel tanks in the proposed right of way. These areas could be existing service stations, abandoned or vacant service stations, or farm chemical suppliers. If the field review party suspects an area that may be contaminated, the location shall be reported to the Manager of Right of Way Operations as soon as possible.

HIGHWAY DIVISION, DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
POLICY & PROCEDURES

SECTION 5332 RIGHT OF WAY DESIGN
SUBJECT DESIGN SECTION FORMS AND
EXHIBITS

MANUAL PPM 2-84

REVISED 10/24/88 EFFECTIVE 10/24/88

B.01.j. RIGHT OF WAY DESIGN SECTION FORMS AND EXHIBITS

Parcel File Exhibits - Right of Way Design forms are listed below and attached to the exhibit. All forms have a descriptive title and form number. Reference to form number is made within the text where necessary and convenient. Occasionally the numbers of a form referred to in the text may change. Where necessary, new or revised form numbers are noted in the form history in addition to the form numbers currently used in the text. Also contained and listed are policy and procedural rules governing Acquisition of Access Rights Along the Interstate and Primary Road Systems (1980). Also contained are sample plans, plats and completed forms for instructional use and samples of Right of Way correspondence.

<u>Form Number</u>		<u>Exhibit</u>	<u>Descriptive Title</u>
<u>New #</u>	<u>Old #</u>		
		Exhibit 1	INSTRUCTION SHEETS FOR REPORT OF RECORD OWNERSHIP AND LIENS
		Exhibit 2	NOT USED
635-037			ORDER CLAIM
632-004	3320-4		REPORT OF RECORD OWNERSHIP AND LIENS
632-005	3320-5		REQUEST FOR INFORMATION REQUIRED TO COMPLETE ORIGINAL ORDER FOR REPORTS FOR RECORD OWNERSHIP AND LIENS
632-011	3320-11		PLOT PLAN (with divisions)
632-012	3320-12		PLOT PLAN (blank)
632-013	3320-13	Exhibit 3	PARCEL FILE CHECK SHEET
632-015	3320-15		SUMMARY OF PROPOSED ACQUISITION INSTRUCTION SHEET
632-016	3320-16		SUMMARY OF PROPOSED ACQUISITION EXCESS LAND DETERMINATION
632-017	3320-17	Exhibit 4	PARCEL CHECK LISTS
		Exhibit 5	RIGHT OF WAY DESIGN TRANSMITTAL TO APPRAISAL OR ACQUISITION (Project complete)
632-021	3320-21		TRANSMITTAL LETTER TO DISTRICT (Complete project submitted)
		Exhibit 6	REQUEST FOR RIGHT OF WAY DESIGN REVISION
			REQUEST TO DIVISION ENGINEER, F.H.W.A., FOR ADVANCE PURCHASE OF RIGHT OF WAY

<u>Form Number</u>		<u>Exhibit</u>	<u>Descriptive Title</u>
<u>New #</u>	<u>Old #</u>	Exhibit	
		7	REQUEST TO DIVISION ENGINEER, F.H.W.A., FOR AUTHORIZATION FOR ACQUISITION OF RIGHT OF WAY AND RELOCATION ASSISTANCE PLAN AND ASSURANCES
		8	RAIL AND WATER DIVISION SUBMITTAL
		9	OFFICE OF RIGHT OF WAY RECORD TITLE SEARCH DATA
		10	NOT USED
		11	NOT USED
		12	NOT USED
		13	NOT USED
		14	DETAILED RULES AND REGULATIONS GOVERNING ACCESS ALONG THE IOWA PRIMARY ROAD SYSTEM WHERE ACCESS RIGHTS ALONG THE INTERSTATE AND PRIMARY ROAD SYSTEMS
		15	REQUEST TO COUNTY ENGINEER FOR COUNTY MINIMUM ROAD WIDTH



Iowa Department of Transportation
Office of Right of Way
**REPORT OF RECORD
OWNERSHIP AND LIENS**

I Order No. _____
N Date _____
D County _____
E Proj. No. _____
X Parcel or Tract No. _____

1. This Report is Prepared For A Tract(s) Of Land Located In _____ County, Iowa, More Particularly Described As Follows:

2. Title To The Above Described Tract(s) Is In _____

(REPORT AND ATTACH outstanding Purchase Contracts, Articles of Incorporation, etc.)

3. Title Was Acquired By _____ Dated _____ Filed Bk. _____ Pg. _____
_____ Dated _____ Filed Bk. _____ Pg. _____
_____ Dated _____ Filed Bk. _____ Pg. _____
_____ Dated _____ Filed Bk. _____ Pg. _____
_____ Dated _____ Filed Bk. _____ Pg. _____
_____ Dated _____ Filed Bk. _____ Pg. _____

4. The Following Additional Title Instruments And Proceedings Affect Title:
(Include all transfers of title occurring within past five years)

Instrument _____ Dated _____ Filed Bk. _____ Pg. _____
Instrument _____ Dated _____ Filed Bk. _____ Pg. _____
Instrument _____ Dated _____ Filed Bk. _____ Pg. _____
Instrument _____ Dated _____ Filed Bk. _____ Pg. _____
Instrument _____ Dated _____ Filed Bk. _____ Pg. _____

5. The Tract(s) Is Zoned (None _____) _____ Bk. _____ Pg. _____

6. Restrictive Covenants Apply (None _____) _____ Bk. _____ Pg. _____

7. Subject To Land Use Agreements (None _____) _____ Bk. _____ Pg. _____
_____ Bk. _____ Pg. _____

7a. Attach description of land included in agricultural area as provided in Iowa Code Section 93A.8. (None _____)

8. Mineral Reservations (None _____) _____ Bk. _____ Pg. _____

9. Title To This Tract(s) Is Also Subject To:

A. Mortgages (None _____) _____ Dated _____ Bk. _____ Pg. _____
B. Judgements (None _____) _____ Dated _____ Bk. _____ Pg. _____
C. Financing Statements (None _____) _____ Dated _____ Bk. _____ Pg. _____
D. Taxes and Assessments (None _____) _____ Dated _____ Bk. _____ Pg. _____
E. All Other Liens (None _____) _____ Dated _____ Bk. _____ Pg. _____
_____ Dated _____ Bk. _____ Pg. _____

Attach Copies Of All Instruments Listed In Items 3 Thru 9 Inclusive

10. Certification - The Undersigned Hereby Certifies That Title To This Land Is As Reported And Shown In The Records of _____ County, Iowa.

This Report is A Report Of Liens Only. No Examination Is Made And No Opinion Has Been Formed As To The Legal Effect Of Any Instrument Or Proceeding Inspected. It Is Made For The Exclusive Information And Use Of The Iowa Department Of Transportation And The State Of Iowa And No Liability For Errors Or Omission Will Accrue To The Benefit Of Any Other Person, Firm Or Corporation.

Dated this _____ day of _____, 19____, at _____ o'clock _____ M
At _____, County of _____, State of Iowa.

Signed _____
By _____
Title _____

On Reverse Side Please List Any Additional Information You May Have Such As Names And/Or Addresses Of Spouses, Property Managers, Lineholders, Attorneys Involved In Proceedings Affecting Ownership, Any Instruments Of Which You May Have Knowledge But Which Are Not Shown Of Record, Etc.



IOWA DEPARTMENT OF TRANSPORTATION

Order Number _____
 Date _____
 County _____
 Project No. _____
 Parcel or Tract No. _____

REQUEST FOR INFORMATION REQUIRED TO COMPLETE ORIGINAL
 ORDER FOR REPORTS FOR RECORD OWNERSHIP AND LIENS

Office of Right of Way

NAME OF CO. _____

ADDRESS _____

ZIP CODE _____

NOTICE

SIGN and RETURN the ORIGINAL copy of this request along with the required information to the individual or place designated below.

Your original a copy of your _____ Report of Liens is attached. The following item and/or items were omitted in the original report. Please furnish data and/or complete and/or correct the report as indicated below. Where information not available indicate (not of record).

BILLING:

- 1. Bill was not signed in ink.
- 2. Title of signator was not given.
- 3. Itemized Bill as per instructions.

REPORT:

- 1. Description of Exceptionals not furnished.
- 2. Error in Description. Please check area circled on attached report.
- 3. Copies of appropriate instruments not furnished.
- 4. Copies of appropriate plans not furnished.
- 5. Articles of Incorporation not attached, nor is a report on the availability of such articles furnished.
- 6. Report is incomplete. It does not cover the entire ownership.
- 7. No report on transfers within the last five years.
- 8. Tax assessment data not complete. Taxable acres should be given as shown on assessment.
- 9. Copy of easements were not attached.
- 10. Copy of leases were not attached.
- 11. Copy of will was not attached.
- 12. Copy of Purchase Contract was not attached.
- 13. Other _____

DELIVER INFORMATION TO:

Signed _____

Title _____

NAME _____ SEC. OF FILE OFFICE _____ ADDRESS _____

ABSTRACTER'S NOTES:

Required information furnished

Signature _____ Date _____

DISTRIBUTION:
 1 copy (20%) Original - upon completion sign and return
 1 copy (20%) Abstracter
 1 copy (20%) Office of Right of Way Sec. File Control
 1 copy (20%) Requesting Section of Office

FOR OFFICE USE ONLY	
Report approved for payment on _____ By _____ <small>Signature of office auditing report</small>	Order approved for payment on _____ By _____ <small>Signature of office auditing report</small>

HIGHWAY DIVISION
IOWA DEPARTMENT OF TRANSPORTATION
OFFICE OF RIGHT OF WAY
INDEX FOR INSTRUCTION SHEET FOR
REPORT OF RECORD OWNERSHIP AND LIENS

I.	PURPOSE.....	1
II.	TIME IS OF THE ESSENCE.....	1
III.	GENERAL INSTRUCTIONS.....	1
	A. COPIES.....	1
	B. COUNTY AND PROJECT NUMBER.....	1
IV.	NUMBERED INSTRUCTIONS.....	1
	(1) DESCRIPTION.....	2
	(a) PLATS AND SURVEYS.....	2
	(2) TITLE IS IN.....	2
	(3) TITLE WAS ACQUIRED BY.....	3
	(4) ADDITIONAL TITLE INSTRUMENTS AND PROCEEDINGS.....	3
	(a) TITLE INSTRUMENTS.....	3
	(b) TRANSFERS WITHIN THE LAST FIVE YEARS.....	3
	(5) ZONED FOR.....	3
	(6) RESTRICTIVE COVENANTS.....	3
	(7) EASEMENTS, LEASES, AND OTHER LAND USE AGREEMENTS.....	3
	(7A) LAND CAPABILITY CLASSIFICATION.....	3
	(8) MINERAL RESERVATIONS.....	4
	(9) SUBJECT TO THE FOLLOWING.....	4
	(a) MORTGAGES.....	4
	(b) JUDGMENTS.....	4
	(c) FINANCING STATEMENTS.....	4
	(d) TAXES.....	4
	(e) ALL OTHER LIENS.....	4
	(10) CERTIFICATION.....	5
	(11) ASSESSMENT DATA AND INFORMATION FURNISHED BUT NOT CERTIFIED TO.....	5
V.	BILLING.....	5
VI.	RECERTIFICATION.....	6
	A. NO CHANGE IN ORIGINAL REPORT.....	6
	B. MINOR CHANGES.....	6
	C. PARTIAL CONVEYANCE.....	6
	D. NEW OWNERS.....	6

HIGHWAY DIVISION
IOWA DEPARTMENT OF TRANSPORTATION
OFFICE OF RIGHT OF WAY

INSTRUCTION SHEET

for

REPORT OF RECORD OWNERSHIP AND LIENS

I. PURPOSE:

The report is required by the Highway Division, Iowa Department of Transportation to determine title so that the department can obtain merchantable title for land required for public improvement purposes.

The report is also used as an information source for describing such land and to assist in identifying all persons or entities with authority to contract and deed the real estate interests required.

II. TIME IS OF THE ESSENCE:

Please make every effort to provide the reports by the dates specified on the order. Forward individual reports, or groups of reports, as they are completed and DO NOT HOLD reports until the entire order is completed. You may bill as reports are forwarded or when the entire order is completed. NOTIFY THIS OFFICE IMMEDIATELY if you cannot meet the requested completion dates.

III. GENERAL INSTRUCTIONS:

A. COPIES:

Furnish an original and one exact duplicate report, including attachments. Legible machine reproductions are satisfactory for this purpose.

B. COUNTY AND PROJECT NUMBER:

This information is part of the index information and is listed in the upper right hand corner of the Order Claim form. Please reference all billings to the project number.

IV. NUMBERED INSTRUCTIONS:

The following instructions correspond to the numbered paragraphs of the department form of Report of Record Ownership

and Liens. If SPACE for required data is INADEQUATE, furnish data on the reverse side. Reference the same to the paragraph number for which it is furnished.

(1) DESCRIPTION:

Report descriptions exactly as shown on last instrument(s) of title. Descriptions may be reported by reference to ATTACHED instrument(s) of title by reference to Book, Page and Date of Filing.

(a) PLATS AND SURVEYS:

REPORT AND ATTACH copies of plats and surveys of record. Where a plat or survey affects more than one parcel, make only one copy and attach it to the first report it affects.

IF MORE THAN one parcel or more than ONE TRACT, as designated in the request for report of liens, is under ONE OWNERSHIP, describe all land under one ownership in a single report. (E.g., if John Doe owns the SW 1/4 of Sec. 17 and the SE 1/4 of Sec. 18, make one report. If John Doe owns the SW 1/4 and John Doe and Mary Doe own the SE 1/4, make separate reports.)

Where TITLE to land now under ownership was OBTAINED by assembling two or more tracts, include the description of all land now under one ownership in a single report and ATTACH all title instruments.

If the land description reported is subject to an EXCEPTION and the land description does not describe the land excepted, note the fact of the exception and REPORT the description of the exception or reservation. Also attach a copy of the conveyance for each exception and/or reservation.

Report all lands which are contiguous or abutting to the land described which are under the same ownership even though they were not all included in the order.

(2) TITLE IS IN:

Show the names of the OWNER(S) OF RECORD. One entry is sufficient even though more than one instrument of title is reported unless a discrepancy exists in the name of the last grantee. When a grantee name discrepancy exists indicate the nature of the same. (E.g. W. D. Bk. 1109, Pg. 65, John H. Doe.)

(3) TITLE WAS ACQUIRED BY:

REPORT AND ATTACH instruments which vested title in current owner(s). ATTACH a copy of the current Articles of Incorporation if title is in the name of a corporation. If Articles are not on file, report this fact.

Show and ATTACH all outstanding PURCHASE CONTRACTS AND CONTRACT ASSIGNMENTS.

(4) ADDITIONAL TITLE INSTRUMENTS AND PROCEEDINGS:

(a) TITLE INSTRUMENTS:

REPORT AND ATTACH additional instruments or proceedings that affect title. Include probate, bankruptcy, foreclosure, life estates, dissolution, partition, trust and all other lis pendens proceedings affecting title.

(b) TRANSFERS WITHIN THE LAST FIVE YEARS:

REPORT AND ATTACH a copy of all transfers occurring within the last five years. If there were no such transfers, report this fact.

(5) ZONED FOR:

REPORT book, page, date, and all zoning for the land which is reported. If not zoned, report "none". Relate land with corresponding zoning. (E.g., W 1/2 - R-1, E 1/4 - C-1, Land Sec. 7 - C-1.)

(6) RESTRICTIVE COVENANTS:

REPORT book, page, date and type of restrictive covenant and all claims and notices of claims filed or indexed of record. ATTACH copies.

(7) EASEMENTS, LEASES, AND OTHER LAND USE AGREEMENTS:

REPORT book, page date and type of instrument(s). Include all leases and ingress, egress, utility, fence, drainage, water sewer and all private and public easements and other such agreements. ATTACH copies of all such instruments.

(7A) LAND CAPABILITY CLASSIFICATION:

Please review the records of the County Auditor and Recorder,

specifically, for a determination as to whether or not the land covered in your "Report of Record Ownership and Liens" is included in an agricultural area as provided in Iowa Code Section 93A.6 through 93A.8. If it is included, please attach a copy of the description and also what class it has been classified under. Relate land with corresponding classification. (E.g., W 1/2 SE 1/4 Sec. 7 - Class I, SE 1/4 SE 1/4 Sec. 7 - Class II.)

(8) MINERAL RESERVATIONS:

MAKE A SEPARATE REPORT OF RECORD OWNERSHIP AND LIENS FOR MINERAL RIGHTS held by persons other than owner of surface rights. When mineral rights are in the name of the reported surface title holder(s) of the land, no separate report is necessary.

(9) SUBJECT TO THE FOLLOWING:

(a) MORTGAGES:

REPORT mortgagee, date, book and page and ATTACH a copy of each mortgage to which title is subject.

(b) JUDGMENTS:

Run a general judgment and lien search for the last ten years. REPORT names of judgment and lienholders, book, page, and date and ATTACH a copy of each judgment and each lien.

(c) FINANCING STATEMENTS:

REPORT financing statements, filing date, book, and page and ATTACH a copy of each financing statement recorded since January 1, 1975.

(d) TAXES:

Run a real property and personal tax lien search and REPORT all taxes unpaid during the last ten years. INCLUDE any special assessment liens for sewer, sidewalks, streets, etc.

(e) ALL OTHER LIENS:

REPORT book, page, and filing date and ATTACH a copy of all other liens or security interests affecting title.

(10) CERTIFICATION:

Self-explanatory.

(11) ASSESSMENT DATA AND INFORMATION FURNISHED BUT NOT CERTIFIED TO:

(a) REPORT assessed taxable acres of property being reported by 1/4-1/4.

(b) You may be of real assistance to the department in determining the names and addresses of those persons having a real interest in the land which is reported. This information is necessary in either processing conveyances of the land to the State or in conducting proper condemnation proceedings. While you are not certifying to the accuracy of this information, your assistance in this regard will be most appreciated. Examples of such information include:

Any unrecorded deeds or contracts which you may have knowledge.

Addresses and names of spouses of owners.

Names and addresses of attorneys of record in case in probate or in other proceedings affecting title.

Names and addresses of any guardian, owner, or interest holder in the land, title to which is reported.

Addresses of mortgagees and lienholders.

Addresses of judgment creditors and the names and addresses of their attorneys.

Names and addresses of property managers.

V. BILLING:

Billing may be made on the original Order Claim furnished by the department or on an original company billing statement. If a company statement is used, please reference the County,

Project, and Parcel Numbers as shown on the original order. Payment cannot be made in advance. No payment will be made for any reports not received.

VI. RECERTIFICATION:

Reports furnished may subsequently be returned for recertification. All orders for recertification will be accompanied by a copy of your original report and will be made on a new Order Claim form.

A. NO CHANGE IN ORIGINAL REPORT:

Where there has been NO CHANGE in the information reported in the original report, report no change and recertify on the date the recertification is made.

B. MINOR CHANGES:

Where there has been a CHANGE in the information reported in the original report, list all changes, attach copies of the instruments documenting those changes, and recertify.

C. PARTIAL CONVEYANCE:

RECERTIFY that portion of the LAND REMAINING in the name of the person originally reported as title holder. The recertification should REPORT the book, page, and date of the subsequent conveyance on the recertified report.

Make a NEW REPORT of Record Ownership and Liens on the LAND CONVEYED on the original of the recertification Order Claim form.

D. NEW OWNERS:

Void original Report and return. Make a NEW Report of Record Ownership and Liens ON the LAND CONVEYED.



County _____

ORDER CLAIM

Project _____

VOUCHER NO. _____

Date _____

Order No. _____

VENDOR NUMBER

--	--	--	--	--	--	--	--

 (Acctg. Use Only)

SOC. SEC/TAX I.D. NUMBER

--	--	--	--	--	--	--	--	--	--

 1099 Reportable Income

NOTICE

This is a **BILLING STATEMENT**. The **VENDOR** must show a specific charge for each Item, and **SIGN** the **CLAIMANT'S CERTIFICATION** in **INK**. **SEND** this **CLAIM** to the **SAME INDIVIDUAL** or **PLACE** as the **REQUESTED ITEMS**.

VENDOR INVOICE			ITEM NUMBER	COST CENTER	SYSTEM NUMBER	COUNTY NUMBER	CONTROL SECTION OR BLDG NUMBER	PAREN OR UNIT	DESIGN BRIDGE OR PLATE & PARCEL OR A NUMBER OR JOB NUMBER	OBJECT CODE	FUNCTION CODE	RURAL - 1	URBAN - 2	PART 1 - 3	PART 2 - 3	AMOUNT	
MO	DA	YR															INVOICE NUMBER
TOTAL																	

*Only use Item No. when separate warrants are required

Approval Authority _____ _____ _____ _____	Date _____ _____ _____	CLAIMANT'S CERTIFICATION I, the within claimant do certify that the items for which payment is claimed were furnished for State business under authority of the law; and the charges are reasonable, proper, and correct, and no part of this claim has been paid. _____ (Sign in ink) DATE _____ Not required if original invoice is being presented for payment	(DO NOT WRITE IN THIS SPACE)
---	------------------------------	---	------------------------------

Deliver the requested items to _____
 Name _____ Section or Field Office _____ Address _____

PAR ITEM TRACT NO	PLEASE FURNISH THE FOLLOWING:	ACTUAL COST ITEM PARCEL

Order Requested _____
 By _____ DOT Signature _____ Date _____
 By _____ DOT Ordering Authority _____ Date _____
 Make Full and/or Progress Payment

AUDITED

Form 632-011
7-79



Iowa Department of Transportation
Highway Division

PLOT PLAN
(Divisions)

Parcel No.: _____


Owner: _____


Section: _____ T _____ N-R _____ W

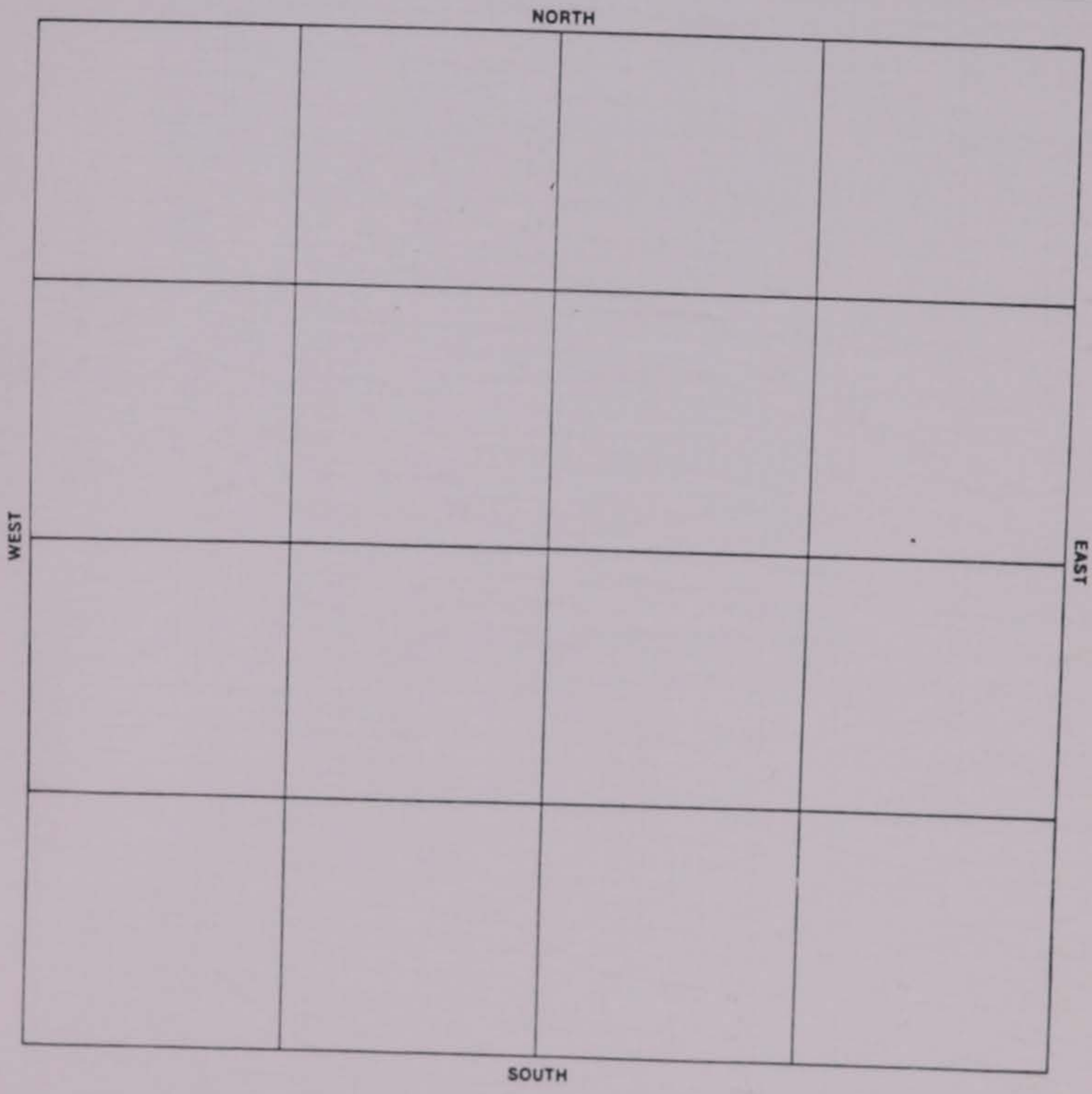
Scale: 1" = _____

LEGEND

W.D. or Easement Line: _____

Access Point: 

Property Line: 



County: _____

Project No.: _____



PLOT PLAN

Parcel No.: _____

Owner: _____

Section: _____ T _____ N-R _____ W.

Scale: 1" = _____

LEGEND	
W.D. or Easement Line	_____
Access Point	
Property Line	

County: _____ Project No.: _____

OFFICE OF RIGHT OF WAY
DESIGN SECTION

Parcel File Check Sheet

I.

- _____ A. Calculations and Summary
- _____ B. Plat of property (Form 632-011 or 632-012)
- _____ C. Report of Record of Ownership & Liens (Form 632-004)
- _____ D. Excess land determination (Form 632-016)
- _____ E.

II.

- _____ This parcel contains:
- _____ A. ROW only (and or ponding rights, Temporary Easements, Q.C.D., Access Control)
 - _____ B. ROW and Excess
 - _____ C. Borrow by W.D. only
 - _____ D. Easement only (Borrow and/or Haul Road)
 - _____ E. IG Area

Note: Acknowledge each item

_____ When Applicable NA Not Applicable

Files: Master _____ Negotiator's _____ Fee _____
Revision _____

Parcel No. _____
ROW Project No. _____
Construction Project No. _____

Right of Way Design Signature

Date

REMARKS:

OFFICE OF RIGHT OF WAY
SUMMARY OF PROPOSED ACQUISITION
Design Section

Parcel No. _____ County _____ Project No. _____

Owner of Record _____

Contract Purchaser _____

Leasehold _____

Mineral Rights/Mineral Leases _____

1. PERMANENT ACQUISITION AND PROPERTY AREAS:

* Fee Title	{	ROW in Name of State	_____ acres/SF	} _____ acres/SF
		Excess/Uneconomical Remanent	_____ acres/SF	
		ROW in Name of City	_____ acres/SF	
		ROW in Name of County	_____ acres/SF	
* Easement for _____		_____ acres/SF	} _____ acres/SF	
* Easement in Name of County for _____		_____ acres/SF		
* Easement in Name of City for _____		_____ acres/SF		

Area of remaining property		
Left of ROW	_____ tax acres/SF	_____ tax acres/SF
Right of ROW	_____ tax acres/SF	
Total area of property before acquisition (sum of above)		_____ tax acres/SF
* Quit Claim Deed		_____ acres/SF
* Refer to plat for takings from more than one tract		

2. FLOWAGE EASEMENT TO ELEV. _____ acres

3. RIGHT TO POND WATER TO ELEV. _____ acres

4. EXISTING ROW (CURRENTLY HELD BY EASEMENT) _____ acres

5. TEMPORARY ACQUISITION:

Borrow by Easement	_____ acres
Haul Road by Easement	_____ acres
Detour by Easement	_____ acres
Temporary Easement for _____	

6. ACCESS CONTROL: Classification adjacent to this property is Freeway-Expressway Arterial Arterial Connector

Access rights to be acquired between Sta. _____ & Sta. _____

_____ & Sta. _____

Predetermined access points at Stations _____

Entrances will be constructed at Stations _____

Additional Length of Drive _____ ft.

7. ROW FENCING:

New fence required: _____ rods Estimate only - Exact length and type of fence must be verified in field

Amount of above fence that cannot be re-erected until by acquisition agent.

after construction: _____ rods

COMMENTS: _____

Prepared by: _____

Date: _____

OFFICE OF RIGHT OF WAY
EXCESS/UNECONOMIC REMNANT
LAND DETERMINATION



COUNTY _____

PROJECT NO. _____

PARCEL NO. _____

ACQUIRED FROM _____

AREA _____ ACRES ACQUIRED BY _____ RECORDED BK. _____ PAGE _____

LOT _____ ADDITION. TOWN _____

STA. _____ TO STA. _____

SEC. _____ TWP. _____ RANGE _____

FORMULA EVALUATION	TOTAL TAKING		ROW TAKING		EXCESS/UNECONOMIC REMNANT TAKING	
	AREA	VALUE	AREA	VALUE	AREA	VALUE
LAND		\$		\$		\$
IMPROVEMENTS	■■■■■	\$	■■■■■■■■■	\$	■■■■■■■■■	\$
TOTAL		\$		\$		\$

FILLED IN BY _____ DATE _____, 19____

CC: PROPERTY MANAGEMENT
PARCEL FILE
RES. CONSTR. ENGINEER
ACCOUNTING OFFICE

OFFICE OF RIGHT OF WAY

Summary of Proposed Acquisition
Instructions For Use

Heading, self-explanatory

Item I Permanent acquisition and property areas:

- A. Land by fee title
 - 1. Acres of fee taking
 - 2. Where tract other than required right of way is purchased, show excess acres as shown on "Excess Land Determination", Form 632-16.
- B. Land by Easement
 - 1. Easement for fill slopes on Urban projects
 - 2. Easement for access covering future private access systems
 - 3. Easement to construct and maintain structure or storm sewer
 - 4. Easement to construct channel change
 - 5. Easement for right of way, sideroads, city streets, etc.
- C. Quit Claim Deed
 - 1. This is used for tracts where the owner is unable to convey fee title to the right of way being acquired.
- D. Reference to plat for takings from more than one tract
 - 1. In cases where the same owner has property on both sides of existing highway and centerline has been shifted into one or the other tracts, the tract opposite the shift may have a narrow taking, wherein the right and left terminology would be incorrect. In this case the acreage taking in each tract should be shown in parenthesis on the plat and indicated by an asterisk. It is not necessary to indicate taking by 40 ac. tracts, but only by the entire unit, or tract, for the particular side of ownership. The above may also occur where cornering tracts are involved in same ownership.

Item II Flowage Easement

- A. Additional area to be covered by water for a short period of time due to economic design considerations

Item III Ponding Easement

- A. Area of permanent impoundment due to economic design considerations

Item IV Existing Right of Way

- A. Existing right of way currently held by easement that we are asking to acquire underlying title to

Item V Temporary Construction Easements

- A. Describe what the temporary easement is for, need not calculate areas unless it is for borrow, haul roads or detours

Item VI Access Control, self-explanatory

Item VII Right of Way Fencing

- A. Amount of fence moving that cannot be re-erected until after construction
 - 1. Private access, or frontage roads
 - 2. Fencing along detours
 - 3. Fencing along side borrows
 - 4. Fencing along channel changes or ditch clean-out areas

Be certain that units shown on Summation Sheet and Property Plat agree

ROW DESIGN TRANSMITTAL

TO: _____ DATE: _____
 FROM: _____ RE: County _____
 Project _____
 Pin No. _____
 Description _____

We are attaching _____ parcels for appraisal/acquisition on the above project.
 There are a total of _____ parcels on the project.

_____ of the attached parcels are original submittals.

_____ of the attached parcels are revisions. The revisions involved parcels
 numbered _____.

_____ parcels are being held on this project for the following reasons: _____

_____ Appraisal Files are attached for parcels numbered _____.

_____ buildings lie within the proposed right of way. _____ are homes, _____
 are commercial enterprises.

Access Control Classification adjacent to this property is: Freeway-Expressway
 Arterial
 Arterial Connector

Acquisition of Access _____ be necessary on the project.

The following utilities and/or railroads are involved with the project:

You should be aware of the following general information concerning this project:

JOSEPH H. SADDORIS, Supervisor
 Right of Way Design Section

By _____
 Right of Way Design Section

HS:dp
 cc: Manager, Right of Way Operations
 Acquisition
 Condemnation
 Relocation Assistance
 Property Management
 E. R. Tesdall
 E. Fawkes

TO: DATE:

FROM: Joseph H. Saddoris RE:

SUBJECT: Right of Way Plans

We are sending you five full size and one 50% size sets of right of way design plans on the above project. One set is for right of way work by your staff. Please forward one set to the Resident Maintenance Engineer affected by the project so that he may use it as a basis for processing utility and entrance permits in the area.

Please bear in mind that these plans are subject to change during the appraisal and negotiation process as ownership of land changes or for other reasons, including access revisions, design revisions, etc. We will send a copy of right of way revisions to the District Office for information and circulation as necessary.

This road is currently classified as a _____ . Access control is/is not being acquired.

Joseph H. Saddoris, Supervisor
Right of Way Design Section

By _____
Right of Way Design Section

JHS:be

IOWA DEPARTMENT OF TRANSPORTATION

To: FHWA

Date August 31, 1988

From: H. A. Willard

Robert L. North

Ref. No. Black Hawk County
(ROW) IX-58-1(19)--3P-07
(CONST) IX-58-1(11)--3P-07
PIN: 70-07040-1
Parcel 183

Right of Way

Subject: Request for Authorization for Advance Acquisition of Right of Way

This project covers the acquisition of right of way for relocated Iowa 58 from University Avenue north to Iowa 57 in Cedar Falls. Location approval was received from your office on September 24, 1986.

Parcel 183 (Cecil J. Pollock) is a Mobile Home Park located at 1622 Waterloo Road in Cedar Falls, Iowa. There are 14 mobile homes, two of which are abandoned, and one house on this property.

10 are residential owner occupants
4 are residential tenant occupants

This parcel may contain an uneconomic remnant which will be determined at the time final design plans are available.

The estimated cost of this parcel including relocation assistance and incidentals is \$390,000.

The federal share is 85% = \$331,500.

I have attached a plat showing the location of this property for you information. May we please have your authorization to proceed with the acquisition of this property?

Robert L. North
Right of Way Director

RLN:DAW:dp
Attachment

bcc:G. W. Anderson
R. I. Bortle
G. T. Solbeck
H. H. Olson
O. C. Solem
G. L. Lund
R. R. Oglesby
E. S. Smith
S. D. Albright
J. H. Saddoris
I. E. Brown

IOWA DEPARTMENT OF TRANSPORTATION

FHWA

Date October 20, 1988

H. A. Willard

Ref. No. Linn County
F-30-7(61)--20-57

Robert L. North

Right of Way

Request for Authorization to Acquire Right of Way

This project involves the acquisition of right of way on relocated U.S. 30 west of Cedar Rapids from present U.S. 30 south and east to Stoney Point Road. A design public hearing was held on April 29, 1987, and design approval was received from your office on July 7, 1988.

The estimate is as follows:

Right of Way	\$840,000
Incidentals	57,000
Relocation Assistance	26,000
TOTAL	<u>\$923,000</u>

We propose to acquire four houses which are all tenant occupied. There are a total of 10 residential tenants.

We have attached a set of right of way plans for your information. May we have your authorization to proceed with the acquisition of the right of way.

Robert L. North
Right of Way Director

RLN:JHS:dp
Attachments

bcc:G. W. Anderson
R. I. Bortle
G. T. Solbeck
H. H. Olson
O. C. Solem
G. L. Lund
R. R. Oglesby
E. S. Smith
S. D. Albright
J. H. Saddoris
I. E. Brown

MEMORANDUM FOR THE RECORD

DATE: 10/15/47

TO: SAC, NEW YORK

FROM: SA [Name], NEW YORK

SUBJECT: [Subject]

RE: [Subject]

1. [Text]

2. [Text]

3. [Text]

4. [Text]

5. [Text]

6. [Text]

7. [Text]

8. [Text]

9. [Text]

10. [Text]

- 11. [Text]
- 12. [Text]
- 13. [Text]
- 14. [Text]
- 15. [Text]
- 16. [Text]
- 17. [Text]
- 18. [Text]
- 19. [Text]
- 20. [Text]

TO

FR

SU

At

Wi
th

JHS

Att

cc:

Date _____

County _____

Project Number _____

TO: Rail and Water Division
Attn: Neil M. Volmer

FROM: Joseph H. Sadoris

SUBJECT: Plan and Parcel File Submittal

Attached are plan sheets and parcel files for parcels _____

Will you please proceed to acquire the necessary property rights needed from this property.

JOSEPH H. SADDORIS, Supervisor
Right of Way Design Section

BY _____
Right of Way Design Section

JHS:dp

Attachment

cc: W. E. McGuire
Appraisal
Title & Closing
R. R. Oglesby
J. S. Olson

ACCESS POLICY

TABLE OF CONTENTS

<u>SECTION</u>	<u>TOPIC</u>	<u>PAGE</u>
1.1	Statement of Policy	1
1.2	Definition of Terms	2
1.3	General Regulations for Control of Access	7
1.4	General Regulations and Requirements for Establishment of Entrances Where Access Rights Have Not Been Acquired	8
1.5	General Requirements or Guidelines for Commercial, Industrial, or Residential Developments in Obtaining Access Where Access Rights Have Not Been Acquired	10
1.6	Drainage Requirements for All Access Locations Requested to Primary Highways Whether or Not Access Rights Have Been Acquired	14
1.7	Reserved	15
1.8	Access to Expressway or Arterial System Highways in Rural or Fringe Areas Where Access Rights Have Not Been Acquired	15
1.9	Access to Arterial Connector System Highways in Rural or Fringe Areas Where Access Rights Have Not Been Acquired	19
1.10	Access to Expressway or Arterial or Arterial Connector System Highways within a Built-up Area Where Access Rights Have Not Been Acquired	23
1.11	Policy on Acquisition of Access Rights	30
1.12	General Regulations and Requirements Where Access Rights Are to Be Acquired	31
1.13	Policy on the Establishment of a Special Public Road Connection Where Access Rights Have Previously Been Acquired	34
1.14	Enforcement of Access Control on Highways Where Access Rights Have Been Acquired	36

TRANSPORTATION DEPARTMENT (820)

06 HIGHWAY DIVISION

Pursuant to the authority of section 307.10 of the Code, rules 820--(06,C) Chapter 1 entitled "Primary Road Access Control", including Appendix A to rule 820--(06,C)1.11(306A), are hereby rescinded and the following adopted in lieu thereof.

ARTICLE C
DEVELOPMENT SUPPORT

CHAPTER 1
PRIMARY ROAD ACCESS CONTROL

820--(06,C)1.1(306A) Statement of policy. The department hereby establishes the following rules for control of access to primary roads.

1.1(1) The department shall at all times recognize that no property owner shall be deprived of the right to reasonable, free and convenient access to the owner's property without just compensation therefor.

1.1(2) In connection with each application of access rules to a particular situation, the department shall at all times consider the following:

- a. Safety to the traveling public.
- b. Perpetuation of the traffic-carrying capacity of the highway.
- c. The impact upon the economy of the state.
- d. Protection of the rights of property owners, including the rights of abutting property owners.
- e. The rights and convenience of the traveling public and of property owners to have access to homes and business facilities.

1.1(3) The department shall at all times reserve the right to make exceptions to any and all rules where the

exercise of sound and reasonable judgement indicates that the literal enforcement of any such rules would cause an undue hardship to any interested party, and the department shall in the enforcement thereof use extraordinary care so that no undue hardship or injustice results to any affected party, the community or the state.

820--(06,C)1.2(306A) Definitions. The following terms when used in this chapter of rules shall have the following meanings:

1.2(1) Department. The Iowa department of transportation. The following organizational entities within the department direct or administer the rules contained within this chapter, or have some decision making capacity in the application of these rules to particular situations:

- a. The office of development support.
- b. The office of right of way.
- c. The director of the bureau of development.
- d. The resident maintenance engineer, resident construction engineer, or district engineer in charge of the geographical area in which these rules are being applied to a particular situation.
- e. The director of the highway division.
- f. The director of the department.
- g. The transportation commission.

1.2(2) Acquisition. To receive title by gift, purchase or condemnation.

1.2(3) Reserved.

1.2(4) Controlled access highway. A highway or street especially designed for through traffic, and over, from or to which owners or occupants of abutting land or other persons have no right or easement of access, or only a controlled right or easement of access, by reason of the

fact that their property abuts upon such controlled access facility or for any other reason. All primary highways are controlled access highways.

1.2(5) Reserved.

1.2(6) Reserved.

1.2(7) Access. A means of ingress or egress between a primary highway and abutting property or a public road.

1.2(8) Frontage. The length along the highway right of way line of a single property tract. Corner property at a public road intersection has a separate frontage along each roadway.

1.2(9) Frontage road. A public street or road auxiliary to and usually located alongside and parallel to a primary highway for purposes of maintaining local road continuity and for control of access.

1.2(10) Entrance. A physical driveway between a primary road and abutting property, or an access from a public road to a primary highway. Entrances are divided into the following three types according to their normal peak hour potential traffic during an average day:

a. Type "A" entrance. An entrance developed to carry one hundred fifty vehicles or more per hour. It may have up to five 12 foot traffic lanes with a median of approved design. Possible examples: Sporadic, heavy concentration of vehicles to or from drive-in theaters, race tracks, or large industrial plants, or continuous heavy traffic to or from shopping centers, subdivisions, or amusement parks.

b. Type "B" entrance. An entrance developed to carry at least twenty vehicles but less than one hundred fifty vehicles per hour. The entrance shall be no more than forty-five feet in width. Possible examples: Vehicles

entering or exiting service stations, small businesses, drive-in food stands and banks, light industrial plants, small drive-in theaters, cemeteries, airports, golf parks, etc.

c. Type "C" entrance. An entrance developed to carry less than twenty vehicles per hour. The entrance shall be no more than thirty-five feet in width. Possible examples: Field, farm or residential entrances that serve not more than three dwellings, or any other entrance which generates less than twenty vehicles per hour.

1.2(11) Sight distance. The distance of clear vision along the primary highway in each direction from any given point of access where a vehicle must stop before entering the primary highway. Sight distance is determined by measuring from a point 3.75 feet above the entrance surface to a point 4.5 feet above the primary highway surface.

a. The minimum stopping sight distances and the desirable sight distances for various posted daytime speed limits shall be as listed below.

POSTED DAYTIME SPEED LIMIT (mph)	DESIRABLE SIGHT DISTANCE (feet)	MINIMUM STOPPING SIGHT DISTANCE (feet)
55	650	415
50	550	350
40	450	275
30	350	200

b. On a four-lane divided primary highway when an entrance is proposed at a location not to be served by a median, crossover, sight distance shall be required as set out in paragraph 1.2(11) "a" above only in the direction opposing the flow of traffic.

1.2(12) Built-up area. The area adjacent to the primary road or primary road extension which meets the following

general criteria:

a. The lots or area abutting the primary road or primary road extension are presently developed with insufficient setback for the construction of a frontage road, and the development in depth precludes the establishment of a frontage road to the rear of the lots or area.

b. Where a "built-up area" exists only on one side of the highway, the other side of the highway shall also be considered as "built-up" for the purpose of determining access requirements.

1.2(13) Fringe area. A suburban type area adjacent to a primary road or primary road extension which meets the following general criteria: The lots, parcels or area abutting the primary road or primary road extension, including intermittent or unrelated development, which will permit consideration of a frontage road in front of, or to the rear of, the development.

1.2(14) Rural area. An area not clearly coming within the criteria set forth for a "built-up" or "fringe" area; "rural area" shall include agricultural land within the corporate limits of a city or town.

1.2(15) Special public road connection. An additional access location to a primary road which is established where access rights to the primary road have previously been acquired.

1.2(16) Predetermined access locations. Locations of access reserved for adjacent landowners at the time access rights are purchased.

1.2(17) Shoulder. The portion of the highway contiguous to the traveled way for the accommodation of disabled vehicles and for emergency use.

1.2(18) Right of way line. The boundary line between the land acquired for or dedicated to highway use and the

adjacent property.

1.2(19) Turning lane. An auxiliary lane, including tapered areas, primarily for the acceleration or deceleration and storage of vehicles entering or leaving the through traffic lanes.

1.2(20) Traffic control devices. All signs, signals, markings, and devices that conform to the Iowa Manual on Uniform Traffic Control Devices, placed or erected by authority of the public body or public agency having jurisdiction, for the purpose of regulating, warning or guiding traffic.

1.2(21) Median. The portion of a divided highway or divided driveway separating the traveled ways from opposing traffic. Medians may be depressed, raised or painted.

a. New median openings for private or commercial use shall not be permitted in the primary highway except for intersecting public roads or streets or large traffic generating facilities such as large shopping centers or industrial plants. Median openings may be permitted if satisfactorily justified and in the public interest. Costs incurred for additional median openings shall not be borne by the department.

b. If a median opening in the primary highway exists prior to the construction of a driveway or public road or street, the opening may be modified to accommodate the turning movements of the traffic expected. Costs incurred for modifications of the median opening shall not be borne by the department.

1.2(22) Primary roads or primary highways. Those roads and streets so designated in accordance with 306.3(2) of the Code. This definition includes primary road extensions in municipalities.

1.2(23) Freeway system. Those roads so designated in accordance with 306.1(2)"a" of the Code for which access is allowed only at interchanges with designated public roads.

1.2(24) Expressway system. Those roads so designated in accordance with 306.1(2)"a" of the Code for which access is allowed only at interchanges and at designated at-grade intersections.

1.2(25) Arterial system. Those roads so designated in accordance with 306.1(2)"b" of the Code.

1.2(26) Arterial connector system. Those roads so designated in accordance with 306.1(2)"c" of the Code.

a. Arterial connector highways have been divided into subsections "A", "B" or "C" considering functional classification, volume of traffic, potential development and other appropriate guidelines.

b. Reserved.

820--(06,C)1.3(306A) General regulations for control of access.

1.3(1) Establishment of controlled access highway.

Accesses existing at the time a highway is designated as a controlled access highway which are necessary for free and convenient access are hereby authorized and approved if the department deems they are reasonably located and not likely to create an undue hazard.

1.3(2) Frontage roads. If a frontage road is established and opened to public travel, access from the abutting property shall be to the frontage road.

a. Accesses to frontage roads constructed and maintained by the department shall be unlimited in number. The geometrics of the entrances shall be as provided for arterial connector highways as described in rules (06,C)1.9(306A) and

(06,C)1.10(306A).

b. Accesses to frontage roads maintained by other governmental agencies shall conform to those agencies' requirements.

820--(06,C)1.4(306A) General regulations and requirements for establishment of entrances where access rights have not been acquired.

1.4(1) Entrance permit.

a. Prior to any modification of an existing highway, street or entrance which has access to a primary highway where access rights have not been acquired, or prior to the construction of a new or additional highway, street or entrance which would connect with a primary highway where access rights have not been acquired, an application for a permit to modify or construct an entrance (form 640004) shall be submitted to the appropriate resident maintenance engineer. However, when the primary highway is under construction, all permit applications shall be submitted to the appropriate resident construction engineer.

b. The application (form 640004) must be accompanied with a plat of the area to be served along with justification for the request. Where applicable, evidence of the tentative approval of appropriate city or county officials (in instances of zoning) must accompany the application.

c. Entrance permit applications shall be signed by the owner or owners of record. Dependent upon ownership of the property, other signatures may be required.

d. Entrance permit applications shall be approved or disapproved by the appropriate district engineer. If an application for an entrance permit is not approved by the district engineer, the application may be resubmitted to

the director of the highway division for review. If the applicant is dissatisfied with the decision of the highway division director, he or she may submit a request to the director of the department for review by the transportation commission.

e. No work shall be undertaken until the applicant receives an approved permit.

1.4(2) Construction or modification of entrances.

All work performed on a primary highway under the terms of an entrance permit (form 640004) shall be subject to the conditions on the permit itself along with accompanying plans, drawings, sketches, or other attachments. The applicant or the applicant's contractor shall have a copy of the entrance permit available at the site during construction. During the period of time the entrance is being constructed or modified, care must be taken to insure the safety of workmen and the traveling public. The work shall be accomplished in a manner that will minimize interference with normal highway operations. Special care must be taken during the construction or modification of the entrance and development of abutting property to avoid tracking mud or other material onto the primary highway.

1.4(3) Construction costs. Construction costs including any and all modifications to the existing primary highway as required by the entrance permit or attachments shall be at the cost of others and not at the cost of the department.

1.4(4) Maintenance of entrance. Property owners having access to a primary highway shall be responsible for the maintenance of their entrance including any drainage structures, unless specifically stated otherwise in the entrance permit.

1.4(5) Reservations. The department reserves the right

to inspect and approve any construction within the right of way. In the event of faulty workmanship or materials, the department shall have the right to revoke the permission as set forth in the entrance permit for such construction and deny use of the entrance until such time as the conditions are corrected. If the work performed by the applicant does not conform to the specifications, the department may make the necessary changes and charge the cost thereof to the party responsible, and may take court action if deemed necessary.

820--(06,C)1.5(306A) Additional requirements or guidelines for commercial, industrial, or residential developments in obtaining access where access rights have not been acquired.

1.5(1) General.

a. The most important factors in developing an access plan for a commercial site are a determination of the potential traffic generated by the site and the directional distribution of site-generated traffic on the major approach routes and proposed driveways serving the site. Entrances serving commercial, industrial, or high density residential developments represent an important element in the efficiency and safety of the highway onto which their traffic enters and exits. In order to properly handle traffic from such entrances, the anticipated traffic volumes must be determined by the applicant and submitted to the department.

b. The location of entrances, particularly commercial ones, is a critical factor in minimizing the hazard and disruption to traffic and pedestrians. Sites must be developed to permit entrances to be well located.

c. Adequate storage must be provided on commercial sites so that vehicles do not wait on the highway to enter.

Adequate storage space is a function of the demand volume, service time per facility, and the number of service facilities available. The geometrics of the internal circulation control a portion of the service time. The service time is dependent upon the time required to maneuver into position and the time necessary to obtain the service. The radii of internal curves should be as large as possible. Buildings should be arranged on the site to allow for the maximum storage available on the site for exiting traffic, and situated so they will not disrupt the free flow of entering traffic.

d. Service station sites should be designed to provide a minimum distance of fifteen feet from the right of way line to the near edge of the pump island.

e. When property is being developed, consideration must be given to locating the access directly opposite an existing commercial entrance or street connection.

f. To properly review an entrance permit request, the department must be provided with a plan, drawing or sketch of the property or site that is to be served by the access as requested. This may vary from a simple sketch in the case of a type "B" or "C" entrance to a detailed plan in the case of a type "A" entrance.

g. Comments from the local authorities shall be included regarding the proposed development to allow the department to incorporate the input of local authorities into the final design of the entrance location. This input should refer to the zoning plan, land use plan, and metro-transportation plan.

1.5(2) Shopping center and industrial access requests.

All entrance permit requests for shopping centers and industrial developments shall when applicable for the

development proposed include the following data in detail:

a. Type and location of proposed development.

b. Site plan.

c. Location of all proposed entrances, turning lanes on adjacent highways or streets, and internal traffic lanes and parking facilities within the development area. This information shall be sufficiently complete to allow determination of dimensions, the direction of traffic flow, and restrictions caused by plantings, curbing, medians, walls, signing, etc., to traffic.

d. Detailed design of the proposed highway pavement widening, additional lane provisions, relocations, and other improvements considered necessary to the efficient operation of the proposed development.

e. Proposed traffic signal locations.

f. Preliminary drainage data.

g. Gross leaseable floor area in square feet.

h. Number of parking spaces.

i. Anticipated total daily trips inbound and outbound during an average twenty-four hour period. Special holiday shopping traffic shall not be used for this estimate.

j. Estimated hourly shopping center traffic volumes arriving and departing during each of the following hourly periods:

(1) The normal highway peak hour (usually 5:00 to 6:00 p.m.).

(2) The peak outbound shopper hour (usually the closing hour).

k. Distribution of shopping center traffic via individual entrances. Hourly volumes should be shown for each of the hours mentioned in paragraph 1.5(2) "j" above.

l. Distribution of shopping center traffic by percentage

of total daily trips via major highways from origin to shopping center.

m. Traffic analysis to be completed for total site development even if only part of the area is being developed at time of entrance request.

1.5(3) Action by the department following preliminary evaluation.

a. Upon receipt of the information furnished by the applicant, the department shall either approve the request or notify the applicant of any revisions necessary before the request shall be approved.

b. Major commercial developments often involve a variety of special access requirements. In addition to the entrance permit, an agreement shall be drawn to fit the particular situation, outlining in detail the responsibilities of the applicant. After the design has been approved by the department, the department shall forward to the applicant an agreement which shall outline the responsibilities of the applicant, the local governmental unit and the department. The department shall not be responsible for costs incurred as a result of the proposed development.

c. Upon receipt of the agreement, the applicant shall be responsible for obtaining the necessary signature approvals including those of appropriate local authorities and returning the agreement to the resident maintenance engineer for final approval.

d. No work shall be done within the highway right of way until final approval has been received from the department.

e. The department reserves the right to inspect and approve any construction within the right of way. Failure on the part of the applicant to perform the work as required and agreed to in the agreement and attachments shall cause

the department to revoke the permission as set forth in the agreement for such construction and deny use of the entrance until such time as these conditions are corrected. If the work performed by the applicant does not conform to the specifications, the department may make the necessary changes and charge the cost thereof to the party responsible, and may take court action if deemed necessary.

820--(06,C)1.6(306A) Drainage requirements for all access locations requested to primary highways whether or not access rights have been acquired.

1.6(1) Entrances must be constructed so that they do not adversely affect the primary highway drainage or drainage of the adjacent property. The drainage and the stability of the highway subgrade must not be impaired by driveway construction or roadside development. In no case may the construction of an entrance cause water to flow across the primary highway pavement, or to pond on the shoulders or in the ditch, or result in erosion within the primary highway right of way limits.

1.6(2) Drainage collected by ditches, gutters, or pipes on private property shall not be discharged into the primary highway drainage system unless expressly approved by the department. The applicant may be required to submit a drainage study to the department justifying the drainage system proposed and the pipe or sewer sizes to be used. Laws governing natural drainage must be adhered to at all times.

1.6(3) When the construction of an entrance necessitates crossing a highway ditch that has been constructed to carry drainage, a drainage structure shall be installed in the ditch by the applicant at the applicant's expense. The low

point of the ditch shall dictate the location for the culvert placement unless specified differently by the department. Under no circumstances shall existing ditches or gutters be filled without adequate alternate provisions for drainage.

1.6(4) Where drainage is carried along an existing curb, the entrance shall be constructed with a short rise in elevation to prevent runoff from spilling into private property. The flow line of the gutter through the entrance shall be restored. Where curbs are cut for the construction of entrances, the entire curb and gutter section must be removed. Removal of only the raised portion of the curb and then paving over the broken section shall not be allowed. Cut curb ends shall be replaced and tapered from full height to pavement level in a distance of approximately six feet.

820--(06,C)1.7(306A) Reserved.

820--(06,C)1.8(306A) Access to expressway or arterial system highways in rural or fringe areas where access rights have not been acquired.

1.8(1) Access request. When a request for access is received to an existing primary highway in rural or fringe areas where access rights have not been acquired, and the primary highway has been classified as a part of the expressway or arterial system, the department may elect to: Acquire the access rights to the property for which an entrance permit has been requested, or issue the entrance permit while realizing that access rights may be purchased at some future date and the entrance may subsequently be eliminated, or deny the entrance permit request due to the availability of alternate access existing to the property.

1.8(2) Physical requirements for type "A", "B" or "C" entrances which must be met before an entrance permit shall be approved.

a. Sight distance. Sight distance shall not be less than the desirable sight distance for the posted daytime speed limit as stated in subrule 1.2(11). If the desirable sight distance is not available on the applicant's highway frontage, the district engineer may approve an application for establishing access at a location along the applicant's frontage which provides the maximum sight distance available, but in no case less than the minimum stopping sight distance as stated in subrule 1.2(11).

b. Intersections. Properties with adequate frontage may be granted necessary access not less than six hundred feet from the intersection of two primary roads or from the intersection of a primary road and a secondary road.

(1) Access may be directly opposite a primary road or secondary road in the instance of a "T" type intersection.

(2) Access shall not be permitted onto a secondary road within the primary road right of way limits. Beginning radius of a requested access to a secondary road outside the primary road right of way limits shall be at a distance of no less than one hundred feet from the near edge of the primary highway.

c. Property lines. The centerline of the entrance at the edge of the primary roadway shall be no closer than fifty feet to the property line extended. The property line extension from the right of way line to the centerline of the primary highway shall be at right angles to the centerline of the primary highway. The return of the entrance shall not extend beyond the property line or

property line extension. An entrance to serve two properties abutting the primary road may be established centered on the property line by mutual agreement of the property owners.

d. Number and arrangement of entrances. In general, a property abutting the primary highway may be granted only one entrance to the primary road. Service stations and similar type developments which offer a drive-up type service, and which do not abut another public road system, may be authorized two entrances to the primary road or primary road extension. Service stations and similar type developments which do abut another public road system and have sufficient frontage to provide that the curb drop nearest the intersection is located fifty feet or more from the curb tangent point, may also be granted two entrances to the primary road or primary road extension. Other types of developments with adequate frontage may be authorized two entrances at not less than six hundred feet intervals provided the minimum distance of fifty feet from the property line can be obtained. It shall be the responsibility of the applicant to show cause for the need for more than one access location directly to the primary highway.

e. Width of entrance. Width of entrance shall be measured parallel to the edge of the primary highway pavement where the normal culvert line would be placed.

(1) Type "A" entrance. Each case shall require special study.

(2) Type "B" entrance. Thirty feet shall be the maximum width for one-way use to enter or exit a divided primary highway, but the width may be increased to forty-five feet to serve two properties. Forty-five feet shall be the maximum width for two-way use in all cases.

(3) Type "C" entrance. Minimum width shall be eighteen feet; maximum width shall be thirty-five feet. An entrance to serve two properties shall be no less than twenty-four feet in width and no greater than thirty-five feet in width.

f. Entrance angle. In general, the entrance angle shall be established as near ninety degrees to the centerline of the primary highway as site conditions will permit.

(1) Entrances established for two-way operation for service stations or developments where two access points are authorized shall be seventy degrees to ninety degrees to the centerline of the primary highway.

(2) In those instances on a divided primary highway where two access points are authorized for one-way operation, the "ingress" may be forty-five to sixty degrees to the centerline of the primary highway and the "egress" may be sixty to ninety degrees to the centerline of the primary highway.

(3) Normally the centerline of that part of the entrance lying within the right of way shall be at right angles to the primary highway pavement for a minimum distance of thirty feet from the near edge of the pavement.

g. Return radii.

(1) Type "A" entrance. Each case shall require special study.

(2) Type "B" entrance. For an entrance angle of ninety degrees to the centerline of the primary highway, the return radii at the junction of the entrance and the primary highway pavement shall not exceed forty-five feet. For an entrance angle of sixty degrees to the centerline of the primary highway, the return radii of the obtuse angle shall

not exceed sixty feet and return radii of the acute angle shall not exceed twenty feet.

(3) Type "C" entrance. An entrance of this type shall be flared with radii no greater than fifteen feet. Radii shall be measured from the edge of the primary highway pavement.

h. Slope and cross section of entrance. The finished surface elevation of the entrance over the culvert, or the place where the culvert would normally be, shall be at least four inches lower than shoulder elevation at the centerline of the entrance to prevent water from draining onto the primary highway pavement or traveled way. The side slopes on the entrance shall be constructed with a slope no steeper than 6:1.

1.8(3) Commercial, industrial, or residential developments. See rule (06,C)1.5(306A) for additional guidelines or requirements for commercial, industrial, or residential developments.

1.8(4) Street and secondary road connections.

a. Generally, street connections and secondary road connections shall be constructed in compliance with rules applicable for type "B" entrances.

b. Applications for entrance permits must be presented by and issued in the name of the local public agency that is to be responsible for the maintenance of the facility upon its construction. The facility must become an integral part of an existing or definitely planned public road system, rather than merely becoming a provision for internal circulation within a particular tract of property(s).

820--(06,C)1.9(306A) Access to arterial connector system highways in rural or fringe areas where access rights have not been acquired.

1.9(1) Physical requirements for type "A", "B", or "C" entrances which must be met before an entrance permit shall be approved.

a. Sight distance. Sight distance shall not be less than the desirable sight distance for the posted daytime speed limit as stated in subrule 1.2(11). If the desirable sight distance is not available on the applicant's highway frontage, the district engineer may approve an application for establishing access at a location along the applicant's frontage which provides the maximum sight distance available, but in no case less than the minimum stopping sight distance as stated in subrule 1.2(11).

b. Intersections. Properties with adequate frontage may be granted necessary access not less than three hundred feet from the intersection of two primary roads or from the intersection of a primary road and a secondary road.

(1) Access within the limits of the intersection may be allowed by the department, or the department may elect to acquire the properties' access rights.

(2) Access may be directly opposite a primary road or secondary road in an instance of a "T" type intersection.

(3) Access shall not be permitted onto a secondary road within the primary road right of way limits. Beginning radius of a requested access to a secondary road outside the primary road right of way limits shall be at a distance of no less than one hundred feet from the near edge of the primary highway.

c. Property lines. The centerline of the entrance at the edge of the primary roadway shall be no closer than

fifty feet to the property line extended. The property line extension from the right of way line to the centerline of the primary highway shall be at right angles to the centerline of the primary highway. The return of the entrance shall not extend beyond the property line or property line extension. An entrance to serve two properties abutting the primary road may be established centered on the property line by mutual agreement of the property owners.

d. Number and arrangement of entrances. In general, developments may be granted access where needed to the primary road, provided safety and construction standards are satisfactory, with a minimum distance of thirty feet between entrance toe of slopes along the centerline of the ditch.

e. Width of entrance. Width of entrance shall be measured parallel to the edge of the primary highway pavement where the normal culvert line would be placed.

(1) Type "A" entrance. Each case shall require special study.

(2) Type "B" entrance. Thirty feet shall be the maximum width for one-way use to enter or exit a divided primary highway, but the width may be increased to forty-five feet to serve two properties. Forty-five feet shall be the maximum width for two-way use in all cases.

(3) Type "C" entrance. Minimum width shall be eighteen feet; maximum width shall be thirty-five feet. An entrance to serve two properties shall be no less than twenty-four feet in width and no greater than thirty-five feet in width.

f. Entrance angle. In general, the entrance angle shall be established as near ninety degrees to the centerline

of the primary highway as site conditions will permit.

(1) Entrances established for two-way operation for service stations or developments where two access points are authorized shall be seventy degrees to ninety degrees to the centerline of the primary highway.

(2) In those instances on a divided primary highway where two access points are authorized for one-way operation, the "ingress" may be forty-five to sixty degrees to the centerline of the primary highway and the "egress" may be sixty to ninety degrees to the centerline of the primary highway.

(3) Normally the centerline of that part of the entrance lying within the right of way shall be at right angles to the primary highway pavement for a minimum distance of thirty feet from the near edge of the pavement.

g. Return radii.

(1) Type "A" entrance. Each case shall require special study.

(2) Type "B" entrance. For an entrance angle of ninety degrees to the centerline of the primary highway, the return radii at the junction of the entrance and the primary highway pavement shall not exceed forty-five feet. For an entrance angle of sixty degrees to the centerline of the primary highway, the return radii of the obtuse angle shall not exceed sixty feet and return radii of the acute angle shall not exceed twenty feet.

(3) Type "C" entrance. An entrance of this type shall be flared with radii no greater than fifteen feet. Radii shall be measured from the edge of the primary highway pavement.

h. Slope and cross section of entrance. The finished surface elevation of the entrance over the culvert, or the

place where the culvert would normally be, shall be at least four inches lower than shoulder elevation at the centerline of the entrance to prevent water from draining onto the primary highway pavement or traveled way. The side slopes on the entrance shall be constructed with a slope no steeper than 6:1.

1.9(2) Commercial, industrial, or residential developments.

See rule (06,C)1.5(306A) for additional guidelines or requirements for commercial, industrial, or residential developments.

1.9(3) Street and secondary road connections.

a. Generally, street connections and secondary road connections shall be constructed in compliance with rules applicable for type "B" entrances.

b. Applications for entrance permits must be presented by and issued in the name of the local public agency that is to be responsible for the maintenance of the facility upon its construction. The facility must become an integral part of an existing or definitely planned public road system, rather than merely becoming a provision for internal circulation within a particular tract of property(s).

820--(06,C)1.10(306A) Access to expressway or arterial or arterial connector system highways within a built-up area where access rights have not been acquired.

1.10(1) Commercial, industrial, or residential developments. See rule (06,C) 1.5(306A) for additional guidelines or requirements for commercial, industrial, or residential developments.

1.10(2) Intersections. At street intersections with a primary road extension in a built-up area, the minimum length of curb around the radius of a street return shall

be determined as follows: The beginning of the curb drop for the entrance shall be no closer than five feet from the curb tangent point, provided that a curb drop shall not extend beyond the property line extended, or extend into a crosswalk.

a. On the intersecting street the curb drop for the entrance shall be no closer than the property line extended, nor shall the curb drop extend into the crosswalk.

b. When a primary road extension is modified or improved, the existing entrance shall be modified to conform to entrance requirements as stated in (06,C) 1.10(306A).

When these requirements necessitate alteration of existing facilities for practical operation or where purchase of access rights is not economically feasible, the length of curb may be reduced to no closer to the intersection than the tangent point on the primary intersection, and no closer to the intersection than the property line on the intersecting street.

c. If the intersection does not have an existing or a planned curb and gutter to define the radius, the following right of way and traveled way assumptions shall be applied to the above requirements for determining the location of the entrances:

(1) Minimum width of the traveled way of the primary road extension shall be assumed to be fifty-two feet back to back of curbs.

(2) If the right of way width is less than sixty-six feet, the width of the traveled way shall be assumed as seventy-five percent of the platted width of the primary road extension.

(3) Minimum width of the traveled way of the intersecting local road shall be assumed to be thirty-one feet back to

back of curbs.

d. The minimum radius of curb return where the interior angle of the line of curb is between thirty and one hundred twenty degrees shall be twenty-five feet.

e. If the interior angle of the line of curb is greater than one hundred twenty degrees, the minimum radius shall be fifty feet.

f. If the interior angle of the line of curb is less than thirty degrees, the minimum radius of the return shall be twenty feet.

1.10(3) Channelized intersection or divided highway.

When there is a median in the primary road extension or the intersecting street, or both, the curb drop for the entrance shall be determined as stated in subrule 1.10(2) except that at the beginning or end of the median, or at a median break, the nearest edge of the curb drop for an entrance shall be no closer than twenty feet from the end of the median measured at right angles to the median. This does not apply to entrances centered on the median break.

1.10(4) Median crossovers. Where a divided highway has been constructed with a median as defined in subrule 1.2(21), crossovers or median breaks shall not be permitted where there are frequent openings for intersections with local streets. The layout of entrances to adjacent properties along the primary road extension shall be done in such a manner as to take advantage of existing or preplanned median crossovers.

a. Where crossovers or median breaks are deemed to be necessary by the department as a result of traffic generated by a business or development, the improvements required shall be constructed by the owners of said property as a part of the entrance permit. The department shall bear no

part of the construction costs.

b. When approved by the department, the entrance permit for any new crossover shall specify the exact location, design and construction requirements. Any drainage facilities required by the construction shall be installed by the applicant at the applicant's expense.

c. Minimum width of a new median crossover shall be forty feet.

1.10(5) Property lines. Curb drop for entrances shall be no closer than 5 feet from the property line extended on an interior lot line. The property line extension from the right of way line to the centerline of the primary highway shall be at right angles to the centerline of the primary highway. An entrance to serve two properties abutting the primary road may be established centered on the property line by mutual agreement of the property owners.

1.10(6) Number and arrangement of entrances.

a. Expressway and arterial system.

(1) In general, residential and commercial developments other than service stations may be granted only one access point to the primary road or primary road extension.

(2) Service stations and similar type developments which offer a drive-up type service, and which do not abut another public road system, may be authorized two entrances to the primary road or primary road extension. These types of developments which do abut another public road system and have sufficient frontage to provide that the curb drop nearest the intersection is located fifty feet or more from the curb tangent point, may also be granted two entrances to the primary road or primary road extension.

(3) Additional access shall be considered for commercial development with one hundred fifty feet of frontage or more on a primary road or primary road extension provided such development does not abut or have access to another public road system. In an instance where more than one access is permitted to the primary road or primary road extension from an abutting property, there shall be a minimum of fifteen feet between the near edges of the curb drops for driveways.

b. Arterial connector system. Residential and commercial developments may be granted access where needed to the primary road or primary road extension, provided safety and construction standards are satisfactory.

1.10(7) Width of entrances. Width of the entrance, excluding radii, shall not exceed the entrance width noted below for the type of entrance requested.

a. Type "A" entrance. Each case shall require special study. For additional guidelines or requirements, see rule (06,C)1.5(306A).

b. Type "B" entrance. Thirty feet shall be the maximum width for one-way use to enter or exit a divided primary highway, but the width may be increased to forty-five feet to serve two properties. Forty-five feet shall be the maximum width for two-way use in all cases.

c. Type "C" entrance. Minimum width shall be eighteen feet; however, twenty-four feet in width is preferred. Maximum width shall be thirty-five feet. An entrance to serve two properties shall be no less than twenty-four feet in width and no greater than thirty-five feet in width.

1.10(8) Entrance angle. In general, the entrance angle shall be established as near ninety degrees to the centerline

of the primary highway as site conditions will permit.

a. Entrances established for two-way operation for service stations or developments where two access points are authorized shall be sixty degrees to ninety degrees to the centerline of the primary highway.

b. In those instances on a divided primary highway where two access points are authorized for one-way operation, the "ingress" may be forty-five to sixty degrees to the centerline of the primary highway and the "egress" may be sixty to ninety degrees to the centerline of the primary highway.

1.10(9) Return radii. In cases where the entrance sought is to be paved, the district engineer may approve entrances which include a radius in conformance with the following criteria:

a. The radius of the entrance shall have a curb section from the back of the primary highway curb to the end of the radius. The size of the radius shall be dependent on available parking width, and each radius shall be a true radius.

b. The maximum radius for type "B" entrances shall be fifteen feet.

c. The maximum radius for type "C" entrances shall be ten feet.

d. The entrance shall conform to all other provisions of rule (06,C)1.10(306A).

1.10(10) Street connections.

a. Generally, street connections shall be constructed in compliance with rules applicable for type "B" entrances.

b. Applications for entrance permits must be presented by and issued in the name of the local public agency that

is to be responsible for the maintenance of the facility upon its construction. The facility must become an integral part of an existing or definitely planned public road system rather than merely becoming a provision for internal circulation within a particular tract of property(s).

1.10(11) Primary road extensions. On primary road extensions the location and geometrics of access requests must meet local requirements within the limitations of rule (06,C)1.10(306A), and requests must have prior approval by authorized city officials.

a. Entrance permit requests shall be reviewed for conformance to existing land use and zoning plans. The applicant shall be responsible for insuring compliance with local building codes, setback requirements, minimum lot sizes, density of buildings, provisions for adequate parking, and other ordinances and regulations. Entrance permits generally shall not be approved by the department if local planning and zoning agencies indicate that the development does not conform to their land use and zoning plans.

b. Entrance permits issued by the department cover the construction of entrances on the right of way and do not release the applicant from compliance with the regulations of local authorities. The requirements of the planning and zoning boards and other local ordinances are not altered by the issuance of an entrance permit by the department, and the applicant is not relieved from obtaining the required local approvals and permits.

c. The site must be developed in such a manner that there are no encroachments of commercial activities or of parking lots onto the highway right of way. Signs shall

not be placed on or overhang the primary highway right of way.

820--(06,C)1.11(306A) Policy on acquisition of access rights.

1.11(1) Access rights shall be purchased on all freeway (including interstate) classed highways and may be purchased on expressway and arterial classed highways at the time right of way is acquired for new construction or reconstruction of existing highways.

1.11(2) Access rights may be purchased to improve an existing condition on the expressway, arterial or arterial connector system. This shall include primary extensions and intersecting roads or streets.

1.11(3) Access rights may be purchased on the arterial connector system if one of the following conditions exist:

a. Cities of 25,000 and over population. Access rights may be purchased up to five miles from the city limits at the time right of way is to be purchased for four lanes if existing traffic averages are greater than 3,000 vehicles per day within the five mile area.

b. Cities of 2,000 and over population. Access rights may be purchased up to two miles from the city limits at the time right of way is to be purchased for four lanes if existing traffic averages are greater than 3,000 vehicles per day within the two mile area.

c. By-passes. Access rights may be purchased when a highway is constructed to by-pass a city to maintain the by-pass characteristics of the new facility.

d. Intersections. Access rights may be purchased up to one-half mile on each leg of an arterial connector which intersects a freeway, expressway or arterial highway.

1.11(4) Access rights shall be purchased along primary roads at interchanges with the freeway-expressway system regardless of road classification as follows:

a. For two-lane undivided primary roads through an interchange area, access rights shall be acquired and no access shall be permitted for a minimum distance of six hundred feet beyond the point of ramp bifurcation in a rural area and three hundred feet in a built-up area.

b. On a two-lane primary road having a four-lane divided section through an interchange area, access rights shall be purchased and no access shall be permitted along the primary road for a minimum distance of one hundred feet beyond the end of the median of the divided road or six hundred feet beyond the point of ramp bifurcation in a rural area and three hundred feet in built-up area; the greater distance shall prevail.

c. Secondary roads shall be relocated to a connecting point six hundred feet or farther from the point of ramp bifurcation.

d. City streets shall be relocated to a connecting point three hundred feet or farther from the point of ramp bifurcation.

e. When the interchange to be constructed is a split-diamond, access may be allowed directly opposite the ramp connections to the primary highway.

1.11(5) At freeway and expressway interchanges with secondary roads or city streets, access rights shall be acquired along the secondary road or city street for a distance of three hundred feet beyond the point of ramp bifurcation.

820--(06,C)1.12(306A) General regulations and requirements where access rights are to be acquired.

1.12(1) Policy on location of entrances where access rights are to be acquired. At the time of the acquisition of access rights, all existing entrances shall be relocated to connect to predetermined access locations and shall thereafter be defined as the adjacent properties' access locations.

a. After the access location has been constructed by the department, any alterations of the access location shall require approval of the department.

b. The department shall be responsible for the construction of a new access location. Any alteration or relocation of the access location shall be at the expense of the applicant, including drainage structures if necessary.

1.12(2) Warrants for predetermination of access locations to the primary road system and primary road extension system where access rights are to be acquired. Future access locations shall be designated as to location on construction plans prior to acquisition of right of way and access rights. The procedures for predetermining access locations by the department shall be as follows:

a. The district office and the office of development support at the time of the review of the basic design plans for a proposed project shall designate the tentative access locations by:

(1) Reviewing the zoning and intended land use with both city and county officials.

(2) Conducting an actual field examination giving full consideration to information from city and county officials as well as sight distance availability, natural barriers, property lines and the development of future frontage roads.

(3) On four-lane divided highways, median crossovers or median breaks shall be allowed and constructed as a part of the department's project at all predetermined access locations unless specifically stated otherwise.

b. The office of right of way on receipt of the access recommendations from the office of development support shall review the project in the field. Any adjustments in locations of access as listed shall have the joint approval of the district office and the office of development support before being incorporated into the plans. Any necessary changes shall be fully documented for the purpose of review.

1.12(3) Spacing of predetermined access locations shall conform to the following minimum spacing requirements.

a. Freeway system. Access may be allowed only at interchanges with designated public roads.

b. Expressway system.

(1) Rural and fringe areas. Access may be allowed at approximately one-fourth mile intervals but no closer than one thousand feet intervals. There shall be no more than five access locations per mile including existing public road connections. Exceptions may be allowed in areas of a natural barrier.

(2) Built-up areas. Access may be allowed at designated public street openings pursuant to agreement with local governmental authorities. Minimum distance allowed between access locations shall be six hundred feet including existing city street connections.

c. Arterial system.

(1) Rural areas. Access may be allowed at approximately one thousand feet intervals but no closer than six hundred

feet to an existing public road system. There shall be no more than seven access locations per mile including existing public road connections. Exceptions may be allowed in areas of a natural barrier.

(2) Fringe and built-up areas. Access may be allowed at designated public road and street openings pursuant to agreement with local governmental authorities. Minimum distance allowed between access locations shall be six hundred feet including the existing public road connections.

d. Arterial connector system.

(1) Rural areas. Access may be allowed at approximately six hundred feet intervals.

(2) Fringe and built-up areas. Access may be allowed at approximately six hundred feet intervals pursuant to agreement with local governmental authorities but in no case closer than three hundred feet intervals, including the existing public road connections.

820--(06,C)1.13(306A) Policy on the establishment of a special public road connection where access rights have previously been acquired.

1.13(1) Expressway and arterial highways. Requests for special public road connections shall be submitted through the appropriate resident maintenance engineer of the department on form 640008, "Request for Establishment of Special Public Road Connection." Spacing distance required for the establishment of a special public road connection shall be established in accordance with subrule 1.12(3). Spacing distance required for the establishment shall be maintained for both sides of the highway. Whenever possible, the connection should be established as a joint access location to serve more than one property ownership.

Establishment of the special public road connection shall require the approval of the director of the development bureau of the department.

1.13(2) Arterial connector highways. The arterial connector system has been divided into the three following classifications:

a. Arterial connector "A" highways. Requests for special public road connections shall be submitted through the resident maintenance engineer on form 640008, "Request for the Establishment of a Special Public Road Connection." Spacing distance required for the establishment of a special public road connection shall be a minimum of six hundred feet from an existing access location. This spacing distance shall be maintained for both sides of the highway. The request shall be in conformance with rules (06,C)1.9(306A) and (06,C)1.10(306A). Whenever possible, the connection should be established as a joint access location to serve more than one property ownership. Establishment of the special public road connection shall require the approval of the director of the development bureau.

b. Arterial connector "B" highways. Requests for special public road connections shall be submitted through the resident maintenance engineer on form 640008, "Request for the Establishment of a Special Public Road Connection." Spacing distance required for the establishment of a special public road connection shall be a minimum of three hundred feet from an existing access location. This spacing distance must be maintained for both sides of the highway. The request shall be in conformance with rules (06,C)1.9(306A) and (06,C)1.10(306A). Establishment of

the special public road connection shall require the approval of the director of the development bureau.

c. Arterial connector "C" highways. Requests for special public road connections shall be submitted through the resident maintenance engineer on form 640008, "Request for Special Public Road Connection." Access may be established in accordance with rules (06,C)1.9(306A) or (06,C)1.10(306A) with no restrictions as to spacing requirements. Establishment of the special public road connection shall require the approval of the office of development support.

820--(06,C)1.14(306A) Enforcement of access control on highways where access rights have been acquired.

1.14(1) Rural areas. In rural areas the department may construct and maintain fences or other appropriate physical separations within the right of way of a controlled access highway to effectively enforce and control the access to the highway.

1.14(2) Cities-primary road extensions. Where controlled access highways have been established on primary road extensions within cities, fences of appropriate design may be constructed and maintained within the limits of the right of way to prevent unlawful means of access where access rights have been acquired.

1.14(3) Construction of entrances. If entrances are constructed without the approval of the department, the department may cause the removal thereof and charge the landowner for costs incurred for the removal, including court costs.

1.14(4) Modification of entrances. If an entrance is altered without the approval of the department, the department may cause the entrance to be restored to the standards

existing immediately prior to the alteration. If the landowner refuses to restore the area, the department may complete the work as necessary and charge the landowner for costs incurred for the restoration, including court costs if necessary.

These rules are intended to implement sections 306.19; 306A.1 through 306A.8; and 319.14 of the Code.

DATE

December 11, 1971

R. J. Russell
AGENCY HEAD OR DESIGNEE

ROW DESIGN TRANSMITTAL

TO: ELDON SMITH
 FROM: JOE SADDORIS

DATE: AUGUST 26, 1971
 RE: County FRANKLIN
 Project 1-16-35-6(9)155--04-35
 Description FROM WRIGHT Co. LINE
N.E. TO 1/2 MI. N. OF I.A. #3
 Tentative Letting Date JULY 1971

We are attaching 26 parcels for appraisal/~~acquisition~~ on the above project. There are a total of 59 parcels on the project. FIRST 33 SUBMITTED 6-23-71
26 of the attached parcels are original submittals. PAR. #53 C&NW RY. PAR. 37, 49, 459
NONE of the attached parcels are revisions. The revisions involve parcels DRAINAGE DIST.
 numbered —

No parcels are being held on this project for the following reasons: —

Fee Appraisal Files are attached for parcels numbered 34-36, 38-48, 50-52, 54-58
8 buildings lie within the proposed right of way. 1 are home, —
are commercial enterprises. (COMPLETE FARM OPERATION) ISA

Access Control Classification adjacent to this property is Freeway-Expressway
 Arterial
 Arterial Connector

Acquisition of Access WILL be necessary on the project.

The following Utilities and/or Railroads are involved with the project:
FRANKLIN COUNTY R.E.C., CHICAGO NORTH WESTERN RY.

You should be aware of the following general information concerning this project. THIS SUBMITTAL IS THE REMAINING NORTH 1/2 OF THE

ENTIRE PROJECT. DESIGNED BY RAY SCHOENROCK AND

WILL BE CONSTRUCTED AS PROJECT 1-16-35-6(15)160--04-35.

THE S 1/2 WAS SUBMITTED JUNE 23, 1971. PARCEL 47 IS

AN OWNER OCCUPIED HOME AND WE ARE ACQUIRING

HOUSE AND ALL FARM BUILDINGS.

ALSO INCLUDED:

3 SETS OF PLANS S 1/2
 3 STRIP MAPS S 1/2
 3 PARCEL CHECK LISTS FOR
 ENTIRE PROJECT

JOSEPH H. SADDORIS, Supervisor
 Right of Way Design Section

By _____
 Right of Way Design Section

JHS:ch

cc: W. Youells

Acquisition

Condemnation

Relocation Assistance / SET OF PLANS & PROPERTY PLAT EACH PARCEL

Property Management

E. Tesdall

E. Fawkes

PARCEL CHECK LIST

County FRANKLIN Description Of Project FROM WRIGHT CO. LINE TO 1/2 MI. N. OF IA. #3 Sheet 1 of 5

Project No 1-IG-35-6(9)155--04-35 Federal Aid Yes No Date Authorized Nov. 3, 1971 Tentative Letting JULY, 1972

Construction No 1-IG-35-6(14)155--04-35 Assigned To _____ Project Agent _____ Date _____

Plans Received SEPT. 16, 1970 N 1/2
AUG. 6, 1970 S 1/2

Parcel No.	Owner	R/W W.D. or EASE.	Borrow W.D. or EASE.	BLDGS. HOUSE or OUTBLDGS.					
1	ETHEL B. MARTIN, ET AL	6.8 AC. W.D. 2.1 AC. EXCESS 0.3 AC. EASE TO Co							
2	FORREST A. DINGER	24.7 AC. W.D.	37.6 W.D.						
3	CLARENCE & GERTRUDE ROOT	5.9 AC. W.D. 3.7 AC. EXCESS 0.5 AC. EASE TO Co 0.4 AC. EASE TO Co							
4	ELLEN JUNE ROOT	0.1 AC. W.D.							
5	HECTOR J. ANDERSON	5.9 AC. W.D.							
6	ARTHUR W. SIME	20.4 AC. W.D. 4.4 AC. EASE TO Co							
7	LARRY & LEONA SHARAR	0.02 AC. EASE TO Co 0.04 AC. W.D.							
8	MAMIE INGEBRITSON, ET AL	0.08 AC. EASE TO Co							
9	C. ABELS (FEE) JAMES W. BOBST & MARYIN R. & AMY M. CAMPBELL (C.P.)	0.1 AC. EASE TO Co							
10	NOBLE R. & ELINOR PORTER	0.7 AC. EASE TO Co							
11	D. W. ANDERSON	1.3 AC. EASE TO Co							
12	ANNA GARDALAN	0.6 AC. EASE TO Co							
13	WILLIE L. PRUYN & ROBERT A. PALS	2.4 AC. EASE TO Co							
14	MARTIN A. ANDERSON	0.7 AC. EASE TO Co							
15	GILMAN C. & MARCELLE HANSON	9.2 AC. W.D. 1.9 AC. EXCESS	1.4 AC. W.D.						
16R	C.R.I. & P. R.R.	1.08 AC. W.D.							
17	ERDENE M. ANDERSON & ADDON BERTILSON	14.6 AC. W.D. 4.3 AC. EXCESS	51.1 AC. W.D.						
18	DRAINAGE DITCH # 83	MUTUAL BENEFIT							

OFFICE OF RIGHT OF WAY
SUMMARY OF PROPOSED ACQUISITION
Design Section

Parcel No. 40 County FRANKLIN Project No. 1-1G-35-6(9)155--04-35
 Owner of Record IRMA M. ROHWER
 Contract Purchaser _____
 Leasehold _____
 Mineral Rights/Mineral Leases _____

1. PERMANENT ACQUISITION AND PROPERTY AREAS:

* Fee Title	ROW in Name of State	<u>18.6</u> acres/SF	} <u>35.5</u> acres/SF
	Excess/Uneconomical Remanent	<u>16.9</u> acres/SF	
	ROW in Name of City	_____ acres/SF	
	ROW in Name of County	_____ acres/SF	
* Easement for	<u>HIGHWAY PURPOSES</u>	<u>7.9</u> acres/SF	} <u>7.9</u> acres/SF
* Easement in Name of County for	_____	_____ acres/SF	
* Easement in Name of City for	_____	_____ acres/SF	

Area of remaining property		
Left of ROW	_____ tax acres/SF	<u>151.6</u> tax acres/SF
Right of ROW	<u>151.6</u> tax acres/SF	
Total area of property before acquisition (sum of above)		<u>195.0</u> tax acres/SF
* Quit Claim Deed		_____ acres/SF
* Refer to plat for takings from more than one tract		

2. FLOWAGE EASEMENT TO ELEV. _____ acres

3. RIGHT TO POND WATER TO ELEV. _____ acres

4. EXISTING ROW (CURRENTLY HELD BY EASEMENT) _____ acres

5. TEMPORARY ACQUISITION:

Borrow by Easement	_____ acres
Haul Road by Easement	_____ acres
Detour by Easement	_____ acres
Temporary Easement for _____	_____ acres

6. ACCESS CONTROL: Classification adjacent to this property is Freeway-Expressway Arterial Arterial Connector

Access rights to be acquired between Sta. 348 + 95.8 ± R & Sta. 368 + 01.4 ± R
376 + 20 ± R & Sta. 393 + 45 ± R

Predetermined access points at Stations _____

Entrances will be constructed at Stations _____

Additional Length of Drive _____ ft.

7. ROW FENCING: STATE WILL ERECT THE INTERSTATE FENCE (STA. 1337 + 95 TO STA. 1353 + 61.7 RT. STA. 1357 + 31.2 TO STA. 1336 + 95 RT.)
 New fence required: 154 rods Estimate only - Exact length and type of fence must be verified in field
 Amount of above fence that cannot be re-erected until by acquisition agent.
 after construction: _____ rods

COMMENTS: CLOSE ROAD WITHIN THE LIMITS OF I-35 BETWEEN SECTIONS 10 AND 15

Prepared by: _____

Date: _____



Iowa Department of Transportation

800 Lincoln Way, Ames, IA 50010

515/239-1268

February 28, 1989

Project Number County
(ROW)

Mr. _____
County Engineer
Courthouse
Anywhere, IA 50000

Dear Mr. _____:

We are in the process of laying out the right of way for reconstruction of Iowa 141 0.5 mile east of U.S. 59 to Manning in Carroll County. Please provide information for all existing county roads that intersect Iowa 141 on this project, as follows: (1) the width of the right of way; and (2) whether title is held by fee simple, permanent easement or some other means? The side roads that we need the information for are marked in red on the attached plat.

We may be acquiring land in the name of Crawford County for the reconstruction of these side road connections. This, of course, is subject to an agreement between Crawford County and the State of Iowa, whereas, the State of Iowa may acquire right of way in the name of Crawford County. The agreement will be submitted to your Board of Supervisors by the District Office. If land is to be acquired we will need to know what the County's minimum right of way width is and if you want the new right of way acquired by fee simple or permanent easement?

We also would appreciate any information that you can provide us on drainage districts within the project limits. This would include copies of maps that show the drainage district limits.

We would like to thank you in advance for your assistance in this matter.

Sincerely,

ROBERT L. NORTH
Right of Way Director

Joseph H. Sadoris, Supervisor
Right of Way Design Section
Highway Division

RLN:JHS:dp
Attachment

cc: R. L. North
W. E. McGuire
J. R. Bump
G. A. Forsyth

STATE LIBRARY OF IOWA



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