

CHAPTER 2F - RIGHT OF WAY PLAN DEVELOPMENT

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SECTION 2F.1 REVIEW OF PLANS

CHECK FOR ACCURACY AND COMPLETENESS

Right of Way Plans are to be developed in accordance with the VDOT [Survey Manual](#), Chapter 12 and the VDOT [CADD Manual](#) Chapter 5. Also see Index of Sheets in [Chapter 2E.6](#), & [Figure 2H-4](#).

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

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

PRELIMINARY RIGHT OF WAY DATA SHEET

A Preliminary* Right of Way Data Sheet will be included with all projects requiring right of way for construction. Projects must include data indicating the total area, fee taking, fee remainder, and the area of permanent and temporary easements. This information is furnished by the Designer and is recorded on a Preliminary Right of Way Data Sheet (See [Chapter 2H, Figure 2H-5](#)), prior to Public Hearing. **Once the Utility Field Inspection commences the Survey Section takes ownership of the sheet.**

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

FINAL RIGHT OF WAY DATA SHEET

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

PARCEL NUMBERS AND DEMOLITION NUMBERS ON PLANS

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

* Rev. 7/15

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

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

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

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

WELLS

Wells to be closed are to be located and described (diameter and depth if available from Right of Way Division) on the plans and the assigned demolition number (D-1, D-2) shown adjacent to the well. Wells are to be summarized as "Closing Well" on an "Each" basis (reference VDOT's [Road and Bridge Specifications](#)). Any well house to be demolished is to be assigned a separate demolition number, although it may be attached to the well, and summarized as "Demolition of Building" (See [Chapter 2H, Figure 2H-26*](#)).

BUILDING DATA REPORT

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

UNDERGROUND STORAGE TANKS

Underground storage tanks to be removed are assigned D500 series numbers. The location of the tank is to be plotted on the plans with the D500 series number (D500, D501, etc.) and the capacity of the tank shown adjacent to it. Underground storage tanks are to be summarized as "Underground Storage Tank Removal (Type). Removal of the tank is paid for on an each basis, based on the size of the tank. (See [Chapter 2H, Figure 2H-26](#)).

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

* Rev. 1/15

HAZARDOUS MATERIAL / WASTE SITES

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

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

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

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

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

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

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

OUTDOOR ADVERTISING SIGNS

Outdoor advertising signs are to be located and described on the plans and the assigned number shown adjacent to it. Signs deemed "non-significant" by the Right of Way Division are assigned "D700" series numbers (D700, D701, etc.) and summarized under "Clearing of Parcel". Any signs deemed "significant" will be assigned a demolition number (D-1, D-2, etc.) and summarized under "Demolition of Buildings" (See [Chapter 2H, Figure 2H-26*](#)). Permit (OA) numbers are to be shown adjacent to the sign. Construction Limits are to encompass the sign.

* Rev. 1/15

NON-SIGNIFICANT IMPROVEMENTS / PERSONAL PROPERTY

Non-significant improvements/personal property will be assigned D900 series numbers (D900, D901, etc.), shown in or adjacent to the item and summarized under "Clearing of Parcel" (See [Chapter 2H, Figure 2H-26](#)).

ITEMS NOT IN CONTRACT

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

COMPLIANCE WITH FEDERAL REGULATIONS

Because the department is operating under the [Certification Acceptance Plan](#) (see RDM Chapter 2A) for most projects, it is extremely important that the Designer be thorough in the review for compliance with federal regulations. There are numerous federal directives with which the Designer must be familiar, along with AASHTO design criteria. The current FHWA Program Manual is kept on file in the Plan Coordination Section.

RIGHT OF WAY NOTE ON TITLE SHEET

In some instances, the proposed construction will be within existing Right of Way, this includes all easements. Such is the case with some intersection improvements for the addition of turning lanes or on safety projects. When this situation occurs, the following note is to be shown on the title sheet in the area adjacent to the Right of Way Approval signature block:*

"All construction is to be performed within existing right of way."

PLAN PROCESS PARTIAL TAKE PARCELS (NO TOTAL TAKE PARCELS)

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

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

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

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

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

* Rev. 1/19

See the example below for Tier 1 projects.

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

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

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

To be used ONLY when advance acquisition is needed prior to the official right of way approval.*

* Rev. 1/19

See the example below Tier 2 projects.

RECOMMENDED FOR APPROVAL FOR RIGHT OF WAY ACQUISITION (PARTIAL TAKES)	
DATE	INFRASTRUCTURE INVESTMENT DIRECTOR
DATE	STATE LOCATION AND DESIGN ENGINEER
DATE	CHIEF FINANCIAL OFFIER
DATE	CHIEF ENGINEER

APPROVED FOR RIGHT OF WAY	
DATE	CHIEF OF POLICY

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

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

APPROVED FOR RIGHT OF WAY	
DATE	CHIEF OF POLICY

To be used **ONLY** when advance acquisition is needed prior to the official right of way approval.*

For additional information on Title Sheet preparation see “TIPS FOR PREPARING TITLE SHEET FOR SIGNATURES” see [IIM-LD-204](#)

* Rev. 1/19

INTEGRATED PROJECT MANAGER (CERTIFICATION ACCEPTANCE)

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

PERMIT ASSEMBLY

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

DETERMINING CONSTRUCTION QUANTITIES

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

Deleted Information*

SECTION 2F.2 COST ESTIMATE

REQUEST FOR COST ESTIMATES

Estimates for traffic signs, signals, bridges, etc. are requested the total construction estimates can be completed. For more instructions on cost estimates see [AASHTOWare Project Preconstruction \(AWP-P\) Manual - formerly Trnsport](#).

SECTION 2F.3 SUBMISSION OF PLAN ASSEMBLY

REQUEST FOR RIGHT OF WAY AUTHORIZATION FROM FHWA

DATA REQUIRED

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

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

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

Time Frame for Submission - After the Environmental Document has been approved by the FHWA and Design Approval has been granted the Project Manager is responsible for submitting plans to the Federal Programs Management Division thirty days prior to the scheduled turn in date for Right of Way submission.

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

Information Required in Submission for FHWA R/W Authorization:

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

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

* Rev. 7/15

SECTION 2F.4 PROJECT APPROVAL

RECOMMENDATION FOR APPROVAL

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

APPROVAL

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

ORIGINAL RIGHT OF WAY PLANS

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

DISTRIBUTION OF PRINTS OF PLANS

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

SECTION 2F.5 RIGHT OF WAY REVISIONS

FORMAL PLAN REVISIONS

Ideally, a project should not require revisions after receiving approval for right of way acquisition (Notice to Proceed (NTP)).* However, most projects do require revisions and some are revised numerous times. It is important that each revision be properly documented as to what has been revised and the reason for the revision clearly noted on the Revision Data Sheet. It is preferable that any revisions affecting the project right of way will be requested by letter; but in some situations, time limitation requires that the revision be made on a verbal request. After NTP, a formal revision is required for changes in alignments, grades, side slopes, property lines, and/or drainage as well as names of property owners, parcel numbers, building and sign numbers, even though the right of way lines may not have changed and are to be processed as such. (Please note that this list is not exhaustive). Right of Way Division shall be notified of any revisions even though the right of way lines may not have changed. See VDOT [CADD Manual](#), Chapter 5 for additional information regarding Right of Way revisions.

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

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

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

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

Utilities are affected by items such as right of way lines, fences, property lines, property owners' names, median crossovers, easements, service roads, ramps, construction limits, entrances, project termini and numbers, alignment changes, grade or profile changes, guardrail, drainage ditches, storm drainage systems, location of existing utilities, new utility work being included in the plans, location of bridge abutments and pier footings, box

* Rev. 4/16

culverts, sequence of construction, etc. When in doubt, revised prints are to be sent to utility companies.

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

PROCESSING FORMAL PLAN REVISIONS

A Revision Data Sheet is used by the designer to describe all formal revisions. Care must be taken to be concise, but explicit, in filling out this sheet. The right of way project number is to be shown at the top of the revision. List each revised sheet with a concise, but explicit, description of the revision. The description should be detailed enough that anyone reading the revision **can*** determine exactly what is being revised. Use parcel numbers and/or stations as references for the revision. A symbol with the revision number, i.e. R1, inside a circle is to be shown next to the revision. Make sure the Revision Data Sheet includes all revised plan sheets (including cross sections and profiles) affected by the revision. **Note: Cross Sections are not to be renamed with an R#.** It is permissible to list a series of sheets in some instances (e.g. cross section sheet numbers 14 through 29) and describe the revision on the Revision Data Sheet. See [Sample Revision Data Sheet, Figure 2H-6](#). Each sheet in the plan assembly that is revised will also show the revised date in the revision block at the upper right corner of the sheet. See VDOT [CADD Manual](#), Chapter 5 for additional information regarding Right of Way revisions.

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

The revision date shown in the revision block and Revision Data Sheet is the date the revision is completed. Therefore, the electronic seal and digital signature on the sheets shall be on the same date or after the date the revision was completed.

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

* Rev. 7/17

† Rev. 4/16

Note: Right of Way Division will bundle Formal Revision request together weekly or every two weeks except in special cases, such as condemnation suits. **All Right of Way Revisions shall be completed and processed no later than two weeks of receipt.**

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

PLAN CHANGES

Plan changes are any changes made to plans except those changes mentioned under **FORMAL PLAN REVISIONS**. Communication is a key factor when plan changes are being made. When changes to plans occur, the design team will make the plan changes and coordinate with Survey. The Project Manager and all disciplines should be notified of all changes to the plans.

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

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

PROPOSED CONVEYANCES OF RESIDUE PARCELS

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