Chapter Twenty-Four

FINAL PLAN PREPARATION, CHECKING, AND AUTHORIZATION (Activities 810, 821, AND 823)

MONTANA RIGHT-OF-WAY
DESIGN MANUAL

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Revised: 8/16/13

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Revised: 3/8/07, 8/16/13, 10/7/13

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24-1 FINAL PROCEDURES

The finalization of Right-of-Way plans takes place after Right-of-Way receives notification of final construction limits from Road Design (Activity 224). Road Design will develop final construction limits shortly after the Plan-In-Hand Inspection. The R/W Designer and Design Supervisor may agree that the final design work may be completed using preliminary limits prior to receiving final construction limits, if it is necessary. Coordination with the Project Manager is absolutely required.

24-1.1 Preparing for Final R/W Design

Upon notification of final construction limits from road design, the following procedures should be completed:

1. The final construction limits and alignment information should be copied into the r/w strip map file and adjusted as described below:

   a. Copy the road design centerline (metric level 3), centerline text (metric level 4) and construction limits (metric level 33) into the r/w strip map file.

   b. Leave all of this information on the levels that they came in on for metric projects. For english projects modify the road design centerline to level 3014, the centerline text to level 3015 and the construction limits to level 3016.

   c. For the r/w strip map file and all plan sheet files turn off centerline and centerline text (metric levels 3 & 4), and turn on construction limits (metric level 33) from the road design strip map reference files. Turn off r/w strip map metric levels 25, 26 & 33 – english levels 3017, 3018 & 3016 and turn on r/w strip map metric levels 3 & 4 – english levels 3014 & 3015.

   d. The information on r/w strip map metric levels 3 & 4 – english levels 3014 & 3015 will now become the r/w centerline. Except for unusual circumstances, the road design centerline information will not be used from this point on. Road design construction limits will be used.

Revised: 3/8/07, 3/11/15, 6/29/15

e. In all exhibit files; turn off centerline, centerline text and construction limits (metric levels 3, 4 & 33) from the road design strip map reference files. Turn on metric levels 3 & 4 – english levels 3014 & 3015, and turn off metric levels 25, 26 & 33 – english levels 3017, 3018 & 3016 from the r/w strip map reference files.

2. Compare the final limits with the preliminary Right-of-Way design. Review the Plan-In-Hand Report and Scope of Work Report for any Right-of-Way design issues. Take into consideration comments or recommendations from the reports or any other sources. If any revisions need to be made, do so at this time. Be sure to revise all information in corresponding files.

3. Road detour centerlines and detour construction limits should remain on and shown referenced from the road design strip map on the r/w plan sheets as space allows.

24-1.2 Requesting Funds

To ensure funding approval is received for authorization, it should be requested about the time of the final check and completion of the final Right-of-Way plans. The type of funding and coding used for a project will depend in part on the amount of money necessary for acquisition. If the dollar amount needed for the Right-of-Way acquisition is $1,000 or more, Federal funds need to be requested. The project also has to be in the Statewide Transportation Improvement Program (STIP). If the project is not in the STIP, it needs to be added by a requesting memo that is sent to Transportation Planning.

State funds can be used when the dollar amount for acquisition is less than $1,000 or special programs require it. Consider the following:

1. Federal Funding. Prior to having Federal funding approval, funds must be requested. The R/W Financial Specialist prepares the programming package that is sent to Fiscal Programming. The following information is necessary for funding to be requested:

   a. Environmental Document. An approved environmental document applicable to the project must be complete. This can be in the form of a categorical exclusion (e.g., CAT-X, FONSI, MEPA).

   b. Dollar Amount. A dollar amount to be programmed for r/w acquisition estimated using the cost estimate report within the PE Study. The dollar amount should include incidental administrative costs based on the number of parcels.

c. Relocation Costs. If any relocation of homes, businesses, etc. is necessary as a result of the project, relocation costs, as identified in the Relocation Assistance Conceptual Study found in the PE Report, should be included.

d. Number of Parcels. Estimated number of parcels involved must be included.

e. Identification of 4f and 6f Properties. Identification of any 4f or 6f property involvement must be included.

f. Title Sheet. The title sheet showing the location map for the project must be included.

Once the program has been approved by the FHWA, a Form PR-2 will be returned to R/W Design Section with other program documents. A highlighted copy of the Form PR-2 together with a copy of the funding request memo will be given to the appropriate Design Supervisor. This is forwarded to the designer, so that the project authorization can be prepared. This is considered your funding approval necessary to authorize the project. It will contain the project number, agreement, any unit number, and the designation, as well as the FHWA approval date of the project as it appears on the authorization memo and plan sheets.

2. State Funding. There are various types of State funded projects. The type of project will denote which funding source is to be used. All State funded projects will require some form of an environmental document. State funded projects are different in that they don’t go through Fiscal Programming for r/w funding approval. State funded 4000, 4120, and 0143 account projects are taken care of internally by the R/W Design/Plans Section. Generally, the Right-of-Way Bureau Chief then approves other State funded projects prior to authorization.

Revised: 8/16/13

24-2 ROUTE DESCRIPTION

Route descriptions are prepared to show the location, general route the project will take and the beginning and termini of the project. A route description is not necessary for a project having construction permit only involvement, as there is no permanent transfer of title. At the time a project is authorized, the route description accompanies a set of Right-of-Way plans to be recorded and filed at the Clerk and Recorder's Office of the County in which the project is located.

Route descriptions are required by the Legal Division to be included with the condemnation order per 70-30-203(2) MCA as well.

Route descriptions are also required to accompany the access control resolution for presentation to the Montana Transportation Commission.

24-2.1 <u>Creating a Route Description</u>

Every project is unique and there is no one-way to write all route descriptions; however, similar language is applied for each different type of project such as urban, rural or off-system bridge projects. Various sample route descriptions for different situations are available in Appendix G. Use them as a guideline to create your route description. Use the following procedure to create a route description:

1. Use Microsoft Word Form 505 as the basis to establish the route description. The language shown in this form is meant as a guide and will have to be revised and adjusted as necessary.
2. Review the project location information shown in the Scope of Work Report. Incorporate any of the information that helps describe the location of the project into your description.
3. The bottom of the form has an area to fill out who the route description was created by and the date. This information should be entered before it is submitted for checking. After it is checked and revisions are made, the bottom lines should be deleted to complete the route description.

Revised: 8/16/13, 10/7/13

24-3 FINAL R/W PLAN CHECK

Right-of-Way plans are submitted for checking when the Designer has completed final design. This process is essential to produce the best and most accurate plans possible. It will also help limit the amount of time and effort spent completing blue sheet revisions due to mistakes. Once a project has been submitted for checking, no revisions are to be made to the CADD files until the check prints are returned.

24-3.1 <u>Preparation for Checking</u>

The Designer will prepare and transmit all information to the R/W Plan Checker for checking. To ensure the Checker will have everything available when checking the project, a general list of items necessary when transmitting a project to check is shown below. Keep in mind someone else will be using your design file. It would help the Checker sort through your file if everything is organized and labeled accordingly; check with the Checker if electronic delivery of plans and associated files will be acceptable.

1. full size set of final r/w plans with clip boundary reference lines shown (levels 62 & 63);
2. route description;
3. hard copy of survey coordinate and description list;
4. copy of recorded retracement survey and corner recordations;
5. copy of GLO plats;
6. existing railroad and highway r/w plans and documentation;
7. ownership report;
8. complete set of COS’s and subdivision plats;
9. 3 sets of title commitments and/or last deeds of record (parcelized with green circle); or electronic link.
10. hard copy of construction plans and cross-sections;
11. hard copy of road design centerline alignment data;
12. hard copies of Geopak r/w break and baseline output files;
13. hard copies of ASCII coordinate files;

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14. any other miscellaneous information that may apply; and

15. electronic files, including:

    a. r/w strip map;

    b. r/w area file;

    c. title sheet file;

    d. ownership sheet file;

    e. plan sheet files;

    f. master exhibit files (N/A if construction permit only);

    g. GPK file ("JOB___.GPK");

    h. baseline input & output files ("____B___.IOC" & "____B___.OOC");

    i. section tie input & output files, if applicable ("____S___.IOC" & "____S___.OOC");

    j. existing survey input file, if applicable ("____E___.IOC");

    k. R/W break & baseline ASCII files ("____ROBRK001.TXT" & "____ROBAS001.TXT"); and

    l. route description file (N/A if construction permit only).

24-3.2 The Checking Process (Activity 821)

The Checker will review and check the r/w plans identifying all errors and proposed revisions in red using Form 507 — Final R/W Plan Checklist. Ownerships should be checked carefully along with all other items noted on the checklist. All plats or documents should be included when the project is submitted for check; however, if additional plats or documents are required, the Checker is to order them in writing. When checking is completed, the appropriate Design Supervisor will review the redlined check prints and return everything to the Designer for revisions.

Revised: 8/16/13, 10/7/13

24-3.3 Making Check Revisions (Activity 823)

The Designer shall complete revisions and resolve any questions. All Checker comments and edits must be addressed and resolved with the Checker prior to Authorization. Redlines should be highlighted in blue as they are completed. If funding has been approved, the R/W ID number, project number and designation should be revised on the plan sheets as per the Form PR-2. The FHWA approval date should be added as well. When revisions are finished, a revised set of r/w plans and original check prints are returned to the Design Supervisor. The Design Supervisor will assure all the revisions noted are complete and any questions resolved.

Revised: 6/30/08

24-4 AUTHORIZATION

Authorization for acquisition of the r/w plans completes the 810 Activity. This is the main form of authorization used in most situations. It allows the expenditure of funds to acquire any interest required for the project. Authorization for acquisition can take place after all check revisions are complete and funding has been approved. A supplemental authorization for acquisition can be used to correct any mistakes that may have been made on the original authorization. The authorization process consists of preparing an official authorization memo and distributing it with the final r/w plans and other project information as notification of complete r/w design.

Certain circumstances may justify the need to use other types of authorization such as authorization in part, advanced acquisition authorization or authorization for appraisal only. Consider the following:

1. Authorization In Part. Occasionally, authorization for acquisition may be approved for a portion of the acquisition process only. It may be in the best interest of the Department to authorize only a portion of the project so the appraisal and other work may begin. The authorization process is the same as when authorizing the entire project for acquisition except the distribution memo needs to identify which parcels are being authorized.

2. Advanced Acquisition Authorization. It may be advantageous for the Department to acquire a parcel before the entire project is completely designed. Advanced Acquisition may be approved for (1) a hardship on owner, (2) protective purchasing, or (3) corridor preservation. The same conditions apply for an advanced acquisition as a normal acquisition. A plan sheet designating the r/w acquisition with calculated areas, a title commitment, environmental document, funding approval, authorization, deed-exhibit and any other obligations for acquisition of land are still required. After authorization of the advance acquisition of a parcel, the parcel number designated to it cannot be changed upon authorization of the remainder of the project. Refer to Chapter 4 of the Acquisition Manual for additional information.

3. Authorization for Appraisal Only. If environmental documents require additional time and the r/w plans are completed, the project can be authorized for appraisal only under the PE number. It should then be authorized for acquisition within six months. There are also other situations where we may authorize for appraisal only under the 9102 account. An appraisal authorization must be approved by the FHWA. A route description is not required to be distributed until authorization for acquisition. The distribution memo should be distributed on goldenrod colored paper and advise that: “Any revisions or changes on the authorization to

appraise plans will not be detailed in a blue sheet." The plan sheets should show text "FOR APPRAISAL ONLY" and an approval date shown as "APR (date)". Then, upon authorization for acquisition, the distribution memo should reiterate: "The new sheets replace all sheets for appraisal only. No revisions or changes were detailed or distributed prior to this authorization." The "FOR APPRAISAL ONLY" text should also be taken off the plan sheets and an acquisition approval date added to be shown as "ACQ (date)".

24-4.1 Authorization Memo Preparation

Use the Microsoft Word Form 500 to prepare the official authorization distribution memo to the Field R/W Supervisor. Fill in the information and make adjustments as necessary. See Appendix C for sample authorization memos. Process the authorization memo as follows:

1. The R/W ID number and designation should be exactly as shown on the Form PR-2.

2. The FHWA approval date should reflect what is shown on the Form PR-2.

3. Usually, 2 sets of construction plans and 1 set of cross sections are distributed.

4. A statement showing the names and where the r/w coordinate files can be found should be included rather than distributing copies.

5. Remarks, including the following:

   a. Include a statement authorizing the acquisition of parcels listing all parcel numbers. If parcels 1 through 5 are being authorized, list each parcel 1, 2, 3, 4 and 5 rather than 1-5 or 1 through 5.

   b. The environmental document approval statement highlighted on the funding request memo attached to the Form PR-2 needs to be included.

   c. If the project has title commitments, spell out in bold letters that "**This is a Title Insurance Project**". A link to the title commitment folder needs to be included.

   d. Additional remarks may need to be included, for example, if an appraisal authorization is being or was used. See Section 24-4, Item 3 – Authorization for Appraisal Only.

6. The 9202 account information should be used, unless there are special circumstances to justify otherwise.

24-4.2 Authorization Distribution

After the authorization memo has been reviewed and signed by your supervisor, the distribution process can be completed. Microsoft Word Form 510 is used as a distribution guideline. Acquisition authorization memos are distributed on salmon colored paper. Appraisal authorizations are distributed on goldenrod colored paper.

24-4.3 Title Commitment File

Upon authorization for acquisition, the design file project information needs to be included as part of the title commitment file. A list of information included in the title commitment file is as follows:

- title commitments and/or last deed/document(s) of record (parcelized using green circle with applicable deeds attached);
- ownership report;
- all full size COS's, plats, etc. (folded and labeled with COS/Plat No. and Subdivision Name on outside upper right corner);
- existing r/w plans and deeds;
- hard copy of Geopak output files; and
- survey info. (project survey, corner recordations, coordinate list, "READ ME" file, GLO plats, section corner calculations).

All original memos, emails, etc. that are pertinent to the project should already be included in the PE file; however, they should be added upon authorization if not previously done.