

## 3. Title and Plans

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### 3.1. Introduction

This manual is one of a series of manuals developed by the Department of Transportation and Public Facilities (DOT&PF) for use by its staff and contractors. Its purpose is to guide staff and contractors through the right-of-way (ROW) acquisition, appraisal, relocation, and property management processes.

Electronic copies of the manual include hyperlinks to the appropriate section of the URL Index on DOT&PF's Web site. Simply scroll down the appropriate section to the referenced law, document, or other information. Efforts will be made to keep the URL Index current, but if a hyperlink does not work, please notify the state ROW chief in headquarters at 465-6962. **NOTE:** The hyperlinks are to statutes and regulations as those laws existed on the date the hyperlink was created. Please verify whether a law has since been amended.

An overview and a summary of the various ROW processes, including the statutory and regulatory background for those processes, are set out in chapter 1 of this manual.

This chapter covers procedures for titles and plans. DOT&PF must have accurate and current title information on each project to ensure accurate ROW plans and successful appraisals, negotiations, and relocations. The regional ROW Section develops the required project title information, beginning this work during the early stages of a proposed project. Based upon workload, available staff, and time limits for the project, the regional chief ROW agent must determine whether to use a ROW title specialist (ROW agent) or a commercial title insurance company to secure necessary title information.

### 3.2. Title Search Report

Unless otherwise specified, all instructions in this section refer to the ROW agent designated to do this work or to the commercial title insurance company retained for a specific project.

Review and reference all instruments of record (staff may use a [Title Search Report, Form 25A-R305](#)), including plats and surveys, for each parcel. List them in chronological order by recording date.

The regional chief ROW agent will determine if title insurance is necessary on parcels. If title insurance is necessary, acquire it to cover land only unless improvements are suitable for sale, according to DOT&PF procurement guidelines.

#### 3.2.1 Mandatory Standards for Title Search

The ROW agent and any commercial title company must prepare their reports (and maintain their records) in accordance with this section. The ROW agent supervising the Title Unit may approve an exception on parcels with an estimated acquisition cost of \$2,500 or less, where a search of the last owner of record may suffice unless there appears to be some irregularity in title.

Most title searches begin with the divestment of the land from the sovereign, by patent, treaty, or grant, etc. To assist the acquisition agent in clearing the title and acquiring the parcel, title search files must contain all recorded instruments purporting to evidence the transfer of the fee simple title. Examples of such documents include the following:

- Security for debt
- Direct deeds of conveyance
- Deeds by trustees, referees, guardians, executors, administrators, or masters
- Wills, decrees of descent, or orders determining heirs
- Decrees, judgments, or court orders purporting to quiet, confirm, or establish title in fee simple
- Mineral or other reservations or conveyances
- Easements, rights-of-way, and other rights or interests affecting the title, (liens, exceptions,

reservations, covenants, conditions, restrictions, limitations, etc.)

Submit the final title report to the ROW Engineering Unit.

### 3.3. Highway Right-of-Way Plans

Unless otherwise specified, all instructions in the remainder of this chapter refer to each person in the ROW Engineering Unit with responsibility for a particular project.

DOT&PF's Design Section provides the project's preliminary design plans to the regional ROW Engineering Unit. The Title Unit provides a copy of the final title report.

Based on the design plans, title research, and survey data, the Engineering Section prepares the ROW plans as specified in this section.

The ROW plans must be accurate and contain sufficient engineering and survey information to locate the new and existing ROW limits and adjacent property boundaries on all properties along the project.

Prepare the ROW Plans as follows:

- Prepare the plans in accordance with local platting and subdivision requirements
- Except as otherwise directed by the ROW engineering supervisor, include a title sheet, a standard legend sheet, a tract map, the property plan sheets, and a monument summary sheet
- Include the project title, federal-aid, AKSAS, and Construction Project numbers as appropriate) on each sheet

#### 3.3.1 Types of Title to be Acquired

Determine whether to acquire ROW in fee simple, a perpetual easement, or a long-term lease. The title must be adequate for the construction, operation, and maintenance of the facility.

It is DOT&PF's policy to acquire all ROW in fee simple title when feasible. DOT&PF will acquire temporary construction permits when property is needed only for the duration of the actual construction of the facility, but is not needed to protect the facility.

DOT&PF may acquire perpetual easements for several reasons, including but not limited to:

- When sight clearance is needed, but no construction will take place on the property
- When a fee taking would leave the owner with less than a legally conforming lot

A long-term lease is acceptable title if the lease term equals the design life of the facility and DOT&PF can renew the lease.

#### 3.3.2 Title Sheet

On the title sheet (Exhibit 3-1 at the end of this chapter) show the project information, scale, a location sketch, and sufficient identifying information, as directed by the ROW engineering supervisor, so that the project may be easily located on a map. Include signature spaces in the lower right-hand corner, providing for the date and signature of the regional chief ROW agent.

#### 3.3.3 Symbols

Identify all symbols used, or shown them in the legend or on a standard legend sheet (Exhibit 3-2 at the end of this chapter) attached to each set of ROW plans.

#### 3.3.4 Tract Map

On the tract map (Exhibit 3-3 at the end of this chapter), show as much of the entire ownerships as possible, the road systems, and major cultural details in a broad band for the length of the project. Show the centerline, ROW lines of the highway, and the boundary lines to give a general picture of the entire project and its possible effect on the properties. In urban areas, this map may be unnecessary if the plans show entire ownerships or if the project is small and the title sheet can show entire ownerships.

#### 3.3.5 Right-of-Way Plan Sheets

The basic purpose of ROW plan sheets (Exhibits 3-4A and 3-4B at the end of this chapter) is to depict as much information as possible for the appraiser, the acquisition agent, and the property owner, and to demonstrate to the property owner how the project will affect the property. The most important functions are to depict the ROW lines in relation to the property lines and improvements and to provide a reference for the instrument of conveyance.

#### Right-of-Way Plan Sheets Scale

Use the same scale on the ROW plan sheets as used on the design plans, if possible. This provides for ease

in correlation and simplification of drafting. If there is too much detail on the plans to clearly demonstrate this, use a larger scale. To provide the required clarity, use the following scales, or another scale as directed by the ROW engineering supervisor:

- On rural projects through large land ownerships: 1" = 100' or 1" = 200'
- On suburban projects through small acreage tracts where required construction details are minimal: 1" = 50' or 1" = 100'
- On urban projects or projects where construction or topographic detail is such that a larger scale is necessary for complete clarity: 1" = 50'

Draw each property plan sheet to scale and show a north arrow.

### **Right-of-Way Plan Sheets General Information**

Draft all ROW plan sheets so that all parcels, easements, permits, etc., can be readily identified. The plan sheets must contain the following details:

- All existing property lines. All found corners must be tied to the project centerline. Add supplemental sheets showing detail as necessary.
- All rectangular surveys including aliquot parts, U.S. Surveys, subdivisions (by name or plat number), etc., that are used to identify ownership
- All pertinent data that may affect the cost of the ROW, such as structures (culverts, etc.), land service or access roads, improvements (all owner buildings) and fences. Show centerline ties and dimensions of improvements and structures within local setback requirements of the new ROW line.
- All existing ROW
- All existing utility facilities and all utility easements with the type and ownership labeled
- The new ROW line and all pertinent distances and bearings. Show centerline offset distances to all breaks in the ROW or, if constant width, the offset distance should be shown on each plan sheet. All distances should be surface distances instead of state plane grid distances.

- The parcel information block located, in most cases, at the bottom of each sheet must show areas of each acquisition, existing rights-of-way, larger parcel, and remainders; show the type of each acquisition, and include recording information.
- Access control lines and points of approved access
- Easement lines

Forward the appropriate exhibits to the Acquisition and Negotiation Section for inclusion in the appraisal assignments, and for the information of the acquisition agents.

### **Right-of-Way Plan Sheets Project Control and Construction Information**

On the ROW plans, show the following:

- Each main centerline and stationing. Show auxiliary centerlines of subordinate roadways if pertinent to acquisition or deed description. Show the beginning and end of the project's limits.
- The limits of construction or slope limits
- Drainage structures and other construction components that may affect valuation

### **Right-of-Way Plan Sheet Certification**

The supervising professional land surveyor must stamp and certify the ROW plan sheets.

#### **3.3.6 Monument Summary Sheets**

On the monument summary sheet (Exhibit 3-5 at the end of this chapter) show the following:

- Horizontal control statement
- Recovered corners table
- Project centerline monuments table
- Work item table
- ROW surveyor and location surveyor seal
- Other notes as directed by the ROW engineering supervisor

#### **3.3.7 Materials Source Plans**

Show all listed sources, maintenance, and stockpile sites with haul roads on a separate materials source

sheet (pit sheet) prepared by the Design Section, rather than on the ROW plans.

### 3.4. Airport Property Plans

The approved process for airport land acquisition and development of plans is contained in FAA's [Advisory Circular 150/5100-17, Chapter 1](#). FAA has provided verbal authorization to replace Exhibit "A" mentioned in the circular with the airport property plan (Exhibit 3-6 at the end of this chapter).

### 3.5. Parcel Plats

If possible, parcel plats (Exhibit 3-7 at the end of this chapter) must be 8-1/2 x 11 or 8-1/2 x 14 inches in size. The plats must be neat, legible, accurately dimensioned, and exhibit enough contrast so that copies made by the recording office leave no question as to the location of the property being transferred. Make the parcel conspicuous (heavily outlined, shaded, stippled, etc.) so as not to obscure dimension figures. If necessary, use more than one page to show the entire ownership and details of the acquisition.

Show the following information (Exhibit 3-7 at the end of this chapter) on the plats:

- Location data to accurately locate property (lot, block, subdivision, survey or plat number, section or portion thereof, etc.) If unsurveyed, tie property to the project centerline.
- North arrow
- Owner's acknowledgment
- Identification number for parcel, permit, easement, etc.
- Project ROW lines, parcel lines, and access control lines, properly labeled. Show the entire ownership and label the property lines.
- Major improvements on the parcel
- Any existing ROW in proximity to the parcel, properly labeled. Show existing ROW as hatched.
- Pertinent centerline and associated data, stationing, equations, curve data, dimensions, and bearings, properly labeled
- Project numbers
- Project identification (name and numbers) and area acquired

## 3.6. Procedure for Plans Submittals

### 3.6.1 Submittal to Request Authority to Proceed with Appraisal and Acquisition from FHWA

On federally-funded projects, when the ROW plans reflect the findings of the plans-in-hand inspection team (see Section 4.2.2 of this manual), DOT&PF considers them to be "final plans." The request for authority to proceed (ATP) with appraisal and acquisition must contain a certification that DOT&PF has completed the "final plans."

The regional chief ROW agent submits the request to FHWA.

### 3.6.2 Plan Revisions

If any changes are made in the ROW plans after receiving the ATP with appraisal and acquisition, take the following actions:

- Show the changes on the original ROW plans
- Itemize the changes in a revision block on the original ROW plans, as shown on Exhibit 3-4 at the end of this chapter

### 3.6.3 Recording

The regional chief ROW agent must check the ROW plans and ensure that the following are accomplished before recording the plans in the recording district:

- Existing monuments affected were protected through construction. Monuments to be set were set and verified to be correctly placed
- All appropriate certifications are on the plans
- If the ROW plans were prepared according to a local government platting ordinance, the regional chief ROW agent must send the originals to the appropriate local government officials. Otherwise, the regional chief ROW agent sends them directly to the recorder's office for filing.

## 3.7. Plan Changes

### 3.7.1 Design Changes

As design plans are modified, change the parcel plat and the ROW plans; update the title information if needed; and advise the regional chief ROW agent, who must then advise the Appraisal and Acquisition Units of the changes.

### **3.7.2 Changes Found During Appraisal or Acquisition**

The regional chief ROW agent must take appropriate action to correct omissions or changes noted during the appraisal or acquisition processes.

### **3.7.3 Disposal of Excess Land**

Parcels subject to disposal are designated by the Regional Property Management Unit and approved by the regional director (and FAA when obligated to FAA by federal grant agreement). When DOT&PF intends to dispose of, relinquish, or abandon excess ROW, the Engineering Unit must prepare, or direct the preparation of, a legal description or plat, revise the ROW plans, and determine the type of ownership. The Property Management Unit must prepare, or direct the preparation of, the conveyance document. After the conveyance document is recorded, the Engineering Unit must revise the ROW plans to reflect the disposal.

### **3.7.4 Condemnations**

When a parcel is approved for condemnation, the Engineering Unit must prepare appropriate court exhibits. Place this material in the parcel file and provide it to the Acquisition Unit and the Department of Law.

## **3.8. Parcelization and Numbering**

All parcels on a ROW project must be numbered from "1" upward in numerical sequence as they appear on the ROW plans. The Engineering Unit assigns the parcel numbering (except for materials sources) when the ROW plans are developed. If it is necessary to split or to add a parcel, add an alphabet letter to the original assigned parcel number (for example, a split or addition to Parcel 1 would be designated 1A).

### **3.8.1 Easement Parcelization**

Prefix all easements by the letter "E" followed by the number assigned to the ROW parcel for that particular larger parcel, or the next consecutive number. The parcel identification block must designate the type of easement and its purpose. Show and identify existing easements on the ROW plan sheet (Exhibit 3-4 at end of this chapter).

### **3.8.2 Temporary Construction Permit/Temporary Construction Easement Parcelization**

For all areas acquired for the duration of the project only (construction permits, waste areas, etc.) through the use of a temporary construction permit (TCP) or a temporary construction easement (TCE), prefix them by the letters "TCP" or "TCE" followed by the number assigned to the ROW parcel for that particular larger parcel.

### **3.8.3 Numbering of Areas Not Part of a Right-of-Way Parcel**

For all easements or permit areas not associated with a parcel, assign a number in numerical sequence with the parcel numbers. When no numbers are available for the easements or permits, use the closest parcel number followed by a letter designation.

### **3.8.4 Numbering Material Sources**

Number a material source (MS) in accordance with the number assigned by the Materials Section, preceded by "MS".

On federal-aid primary routes, the "MS" number must contain three dashes to separate the route number, the route section number, the location, and the region number (MS 21-1-243-1, MS 37-1-004-2, etc.).

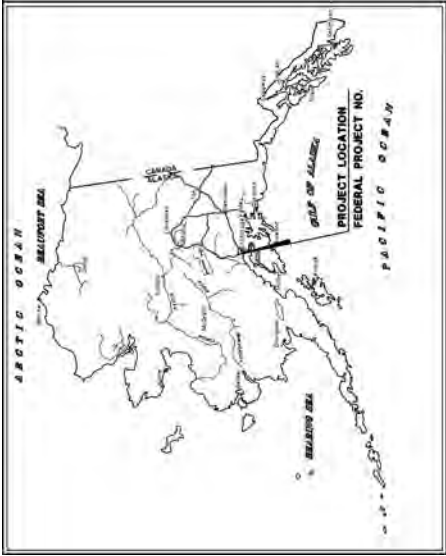
On secondary routes, the "MS" number must contain two dashes to separate the route number, the location number, and the region number (MS 680-009-2, MS 937-101-3, etc.).

### **3.8.5 Numbering Maintenance and Stockpile Sites**

Designate all maintenance and stockpile sites by name rather than by number.

### **3.8.6 Numbering Excess Parcels, Relinquishments, Vacations**

Number ROW excess parcels, relinquishments, and vacations in accordance with the property management numbering system (see chapter 9 of this manual).



STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
&  
PUBLIC FACILITIES

RIGHT OF WAY MAP

ALASKA PROJECT

PROJECT NAME  
FEDERAL PROJECT NO.

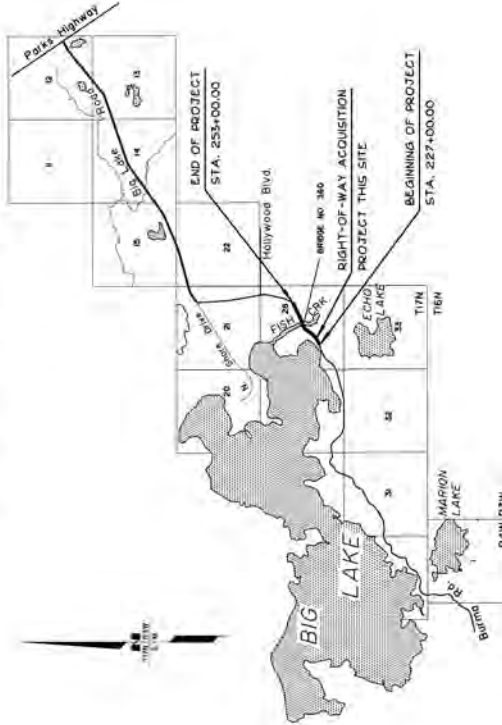
STATE PROJECT NO.

REVISION DATE: FEB. 2003.

DRAFT

PROJECT LENGTH 0.363 MI.

SCALE

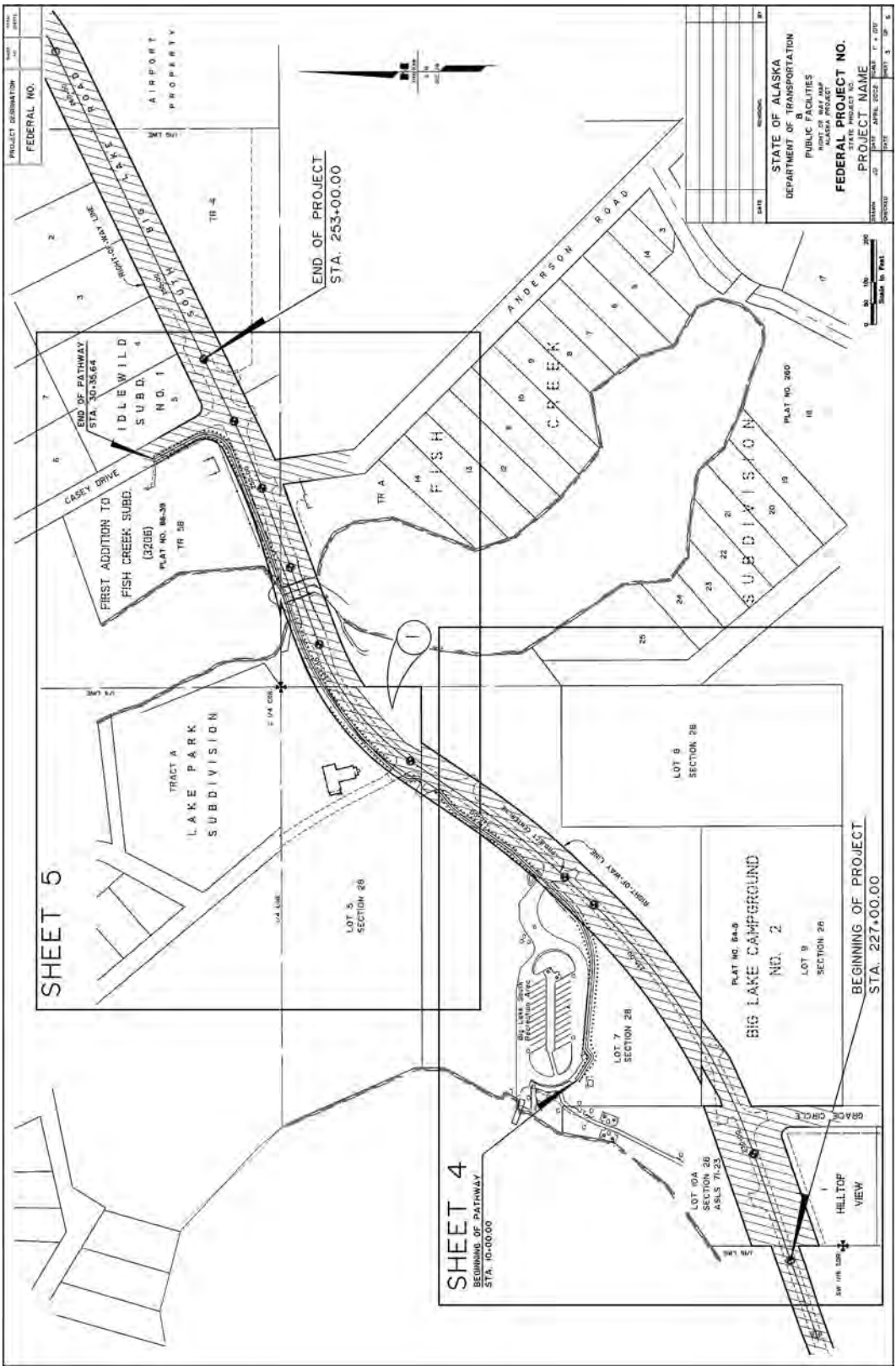


PROJECT DESIGNATION:	FEDERAL NO.
INFORMATIONAL NOTE: PLAT APPROVAL VARIES ACCORDING TO THE RECORDING DISTRICT LOCATION AND SURVEYOR CERTIFICATES VARY WITH PROJECT RESPONSIBILITIES.	
PLAT APPROVAL: I HEREBY CERTIFY THAT THE SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE STATE OF ALASKA AND THAT ALL NECESSARY RECORDS HAVE BEEN FILED WITH THE RECORDS DIVISION OF THE STATE OF ALASKA AND THAT THIS PLAT IS APPROVED BY THE PLATING AUTHORITY BY THIS RESOLUTION. THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE DISTRICT OF THE RECORDS DIVISION OF THE STATE OF ALASKA, RECORDING DISTRICT NO. _____ DATE: _____	
PLANNING AND LAND USE DEPARTMENT:	
PLANNING DIVISION:	
PLANNING CLERK:	
REGISTRATION INFORMATION: REGISTRATION NUMBER: _____ DATE: _____ REGISTERED PROFESSIONAL LAND SURVEYOR: _____	
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES: REGISTERED PROFESSIONAL LAND SURVEYOR: _____ DATE: _____ REGISTERED PROFESSIONAL LAND SURVEYOR: _____	
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES: APPROVED: _____ DATE: _____ 30	
REGIONAL CHIEF PLW AGENT: _____	
NAME: RECORDING DISTRICT _____ STATE BUSINESS NO. FEE _____	

Exhibit 3-1  
Title Sheet

PROJECT DESIGNATION	DATE	SCALE
FEDERAL NO.		
EXISTING		
PLANTER		
VENT		
TANK VENT		
WELL		
SEPTIC		
TANKS		
Above Ground		
Below Ground		
SATELLITE DISH		
PRIVATE SIGN		
GAS PUMP		
POST		
BOULDER OR BOULDERS		
GROUND LIGHT		
DECIDUOUS TREE		
CONIFEROUS TREE		
SHRUB OR SHRUBS		
PROPOSED		
PIPELINES:		
SANITARY SEWER		
OIL		
GAS		
WATER		
STORM DRAIN		
SIDEWALK		
CONCRETE CURB & GUTTER		
DRIVEWAY, APPROACH, & SIDE DRAIN		
BRIDGE		
RIFRAP		
EXISTING		
U.G. TELEPHONE		
U.G. ELECTRIC		
U.G. DUCT		
TELEPHONE MANHOLE		
ELECTRIC MANHOLE		
FOUNDATION		
BUILDING		
PROPOSED		
MANHOLE		
FIRE HYDRANT		
METER		
PIPE CULVERT		
UTILITY POLE		
LUMINAIRE		
UTILITY POLE WITH LUMINAIRE		
POLE ANCHOR		
TRANSMISSION TOWER (WOOD)		
TRANSMISSION TOWER (STEEL)		
ELECTRICAL OUTLET		
TELEPHONE PEDESTAL		
TELEPHONE PEDESTAL		
CABLE T.V. PEDESTAL		
HIGHWAY MILEPOST		
RAILROAD MILEPOST		
EXISTING RIGHT-OF-WAY		
RIGHT-OF-WAY REQUIRED		
STATION EQUATION		
PROJECT CENTERLINE		
EXISTING CENTERLINE		
RAILROAD CENTERLINE		
PROJECT RIGHT-OF-WAY LINE		
EXISTING PROPERTY LINE		
CONTROLLED ACCESS LINE		
PERMIT LINE		
EXISTING EASEMENT LINE		
LIMIT OF CUT SLOPE		
LIMIT OF FILL SLOPE		
PROPOSED ROADWAY		
EXISTING ROADWAY		
NOISE BARRIER		
FENCE		
STONE FENCE		
HEAD & WINGWALL		
GUARDRAIL		
RETAINING WALL		
TUNNEL		
INTERMITTENT DRAINAGE		
INTERCEPTOR DITCH		
MARSHLAND		
CREEK		
RIVER		
LAKE		
RESERVOIR		
CHANNEL CHANGE		
TO BE SET BY PROJECT		
RECOVERED		
GOVT SECTION CORNER		
GOVT 1/4 SECTION CORNER		
GOVT 1/8 SECTION CORNER		
GOVT SURVEY MONUMENT		
GOVT CONTROL STATION		
PRIMARY MONUMENT (BRASS/AL CAP)		
MISC. SECONDARY CORNER		
PRIMARY CENTERLINE MONUMENT		
SECONDARY CENTERLINE MONUMENT		
CONTROL POINT		
INTERNATIONAL BOUNDARY LINE		
TOWNSHIP & RANGE LINE		
SECTION LINE		
1/4 SECTION LINE		
1/8 SECTION LINE		
CORPORATE OR CITY LIMITS		
SECTION LINE EASEMENT AND SECTION LINE-CENTERLINE INTERSECTION		

Exhibit 3-2  
Standard Legend Sheet



**Exhibit 3-3  
Tract Map**



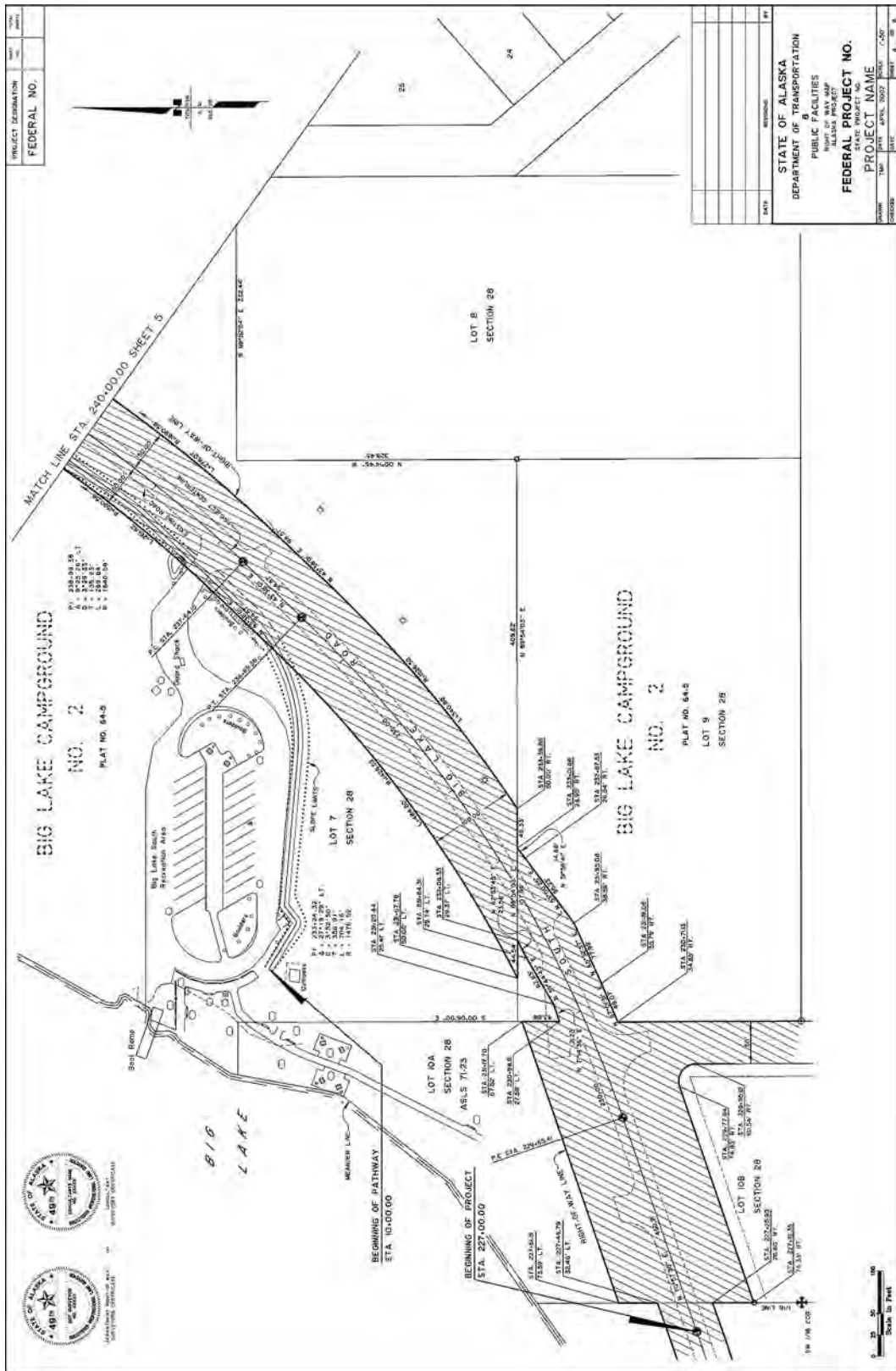


Exhibit 3-4A  
ROW Plan Sheet

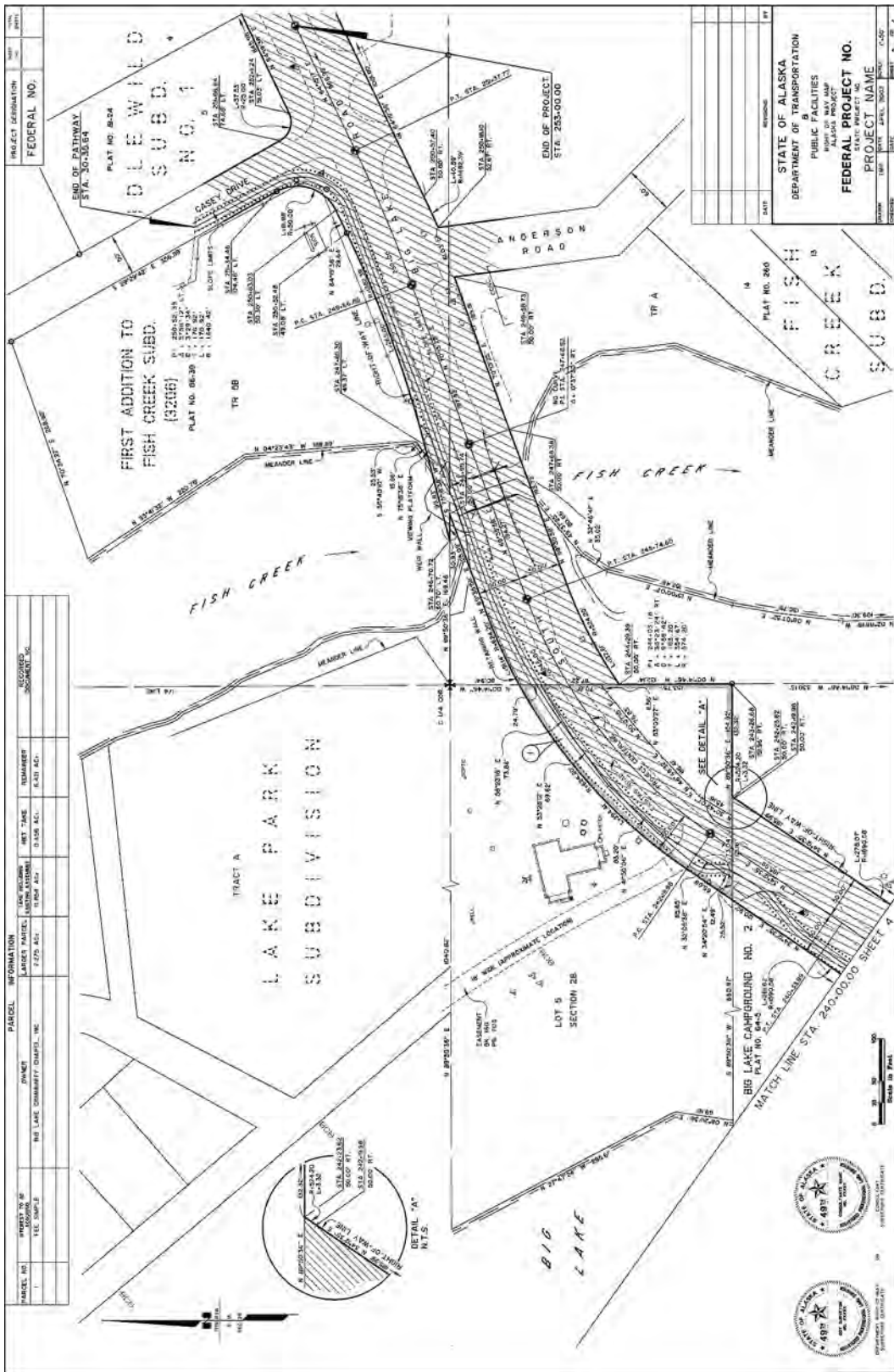
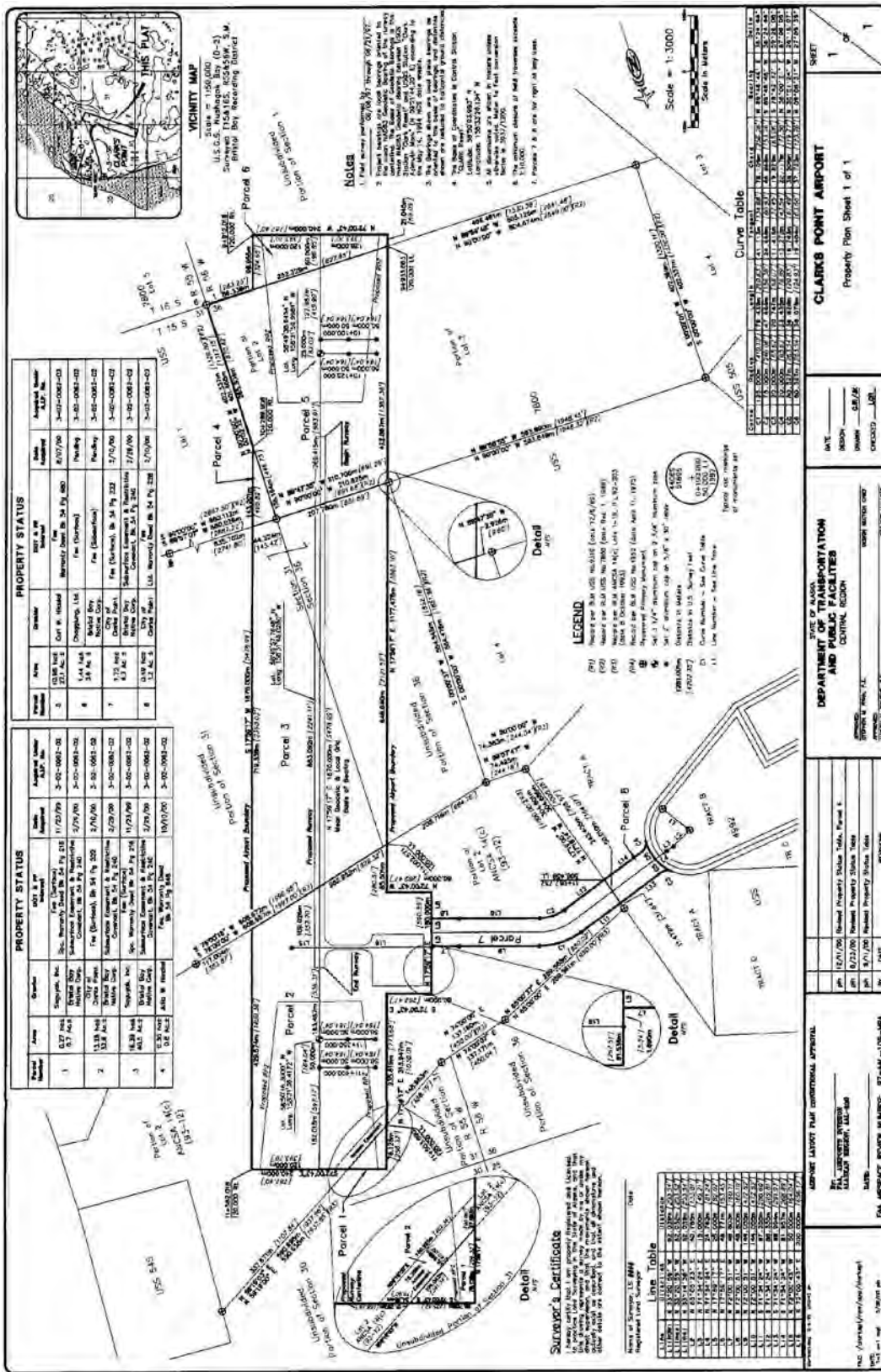


Exhibit 3-4B  
ROW Plan Sheet





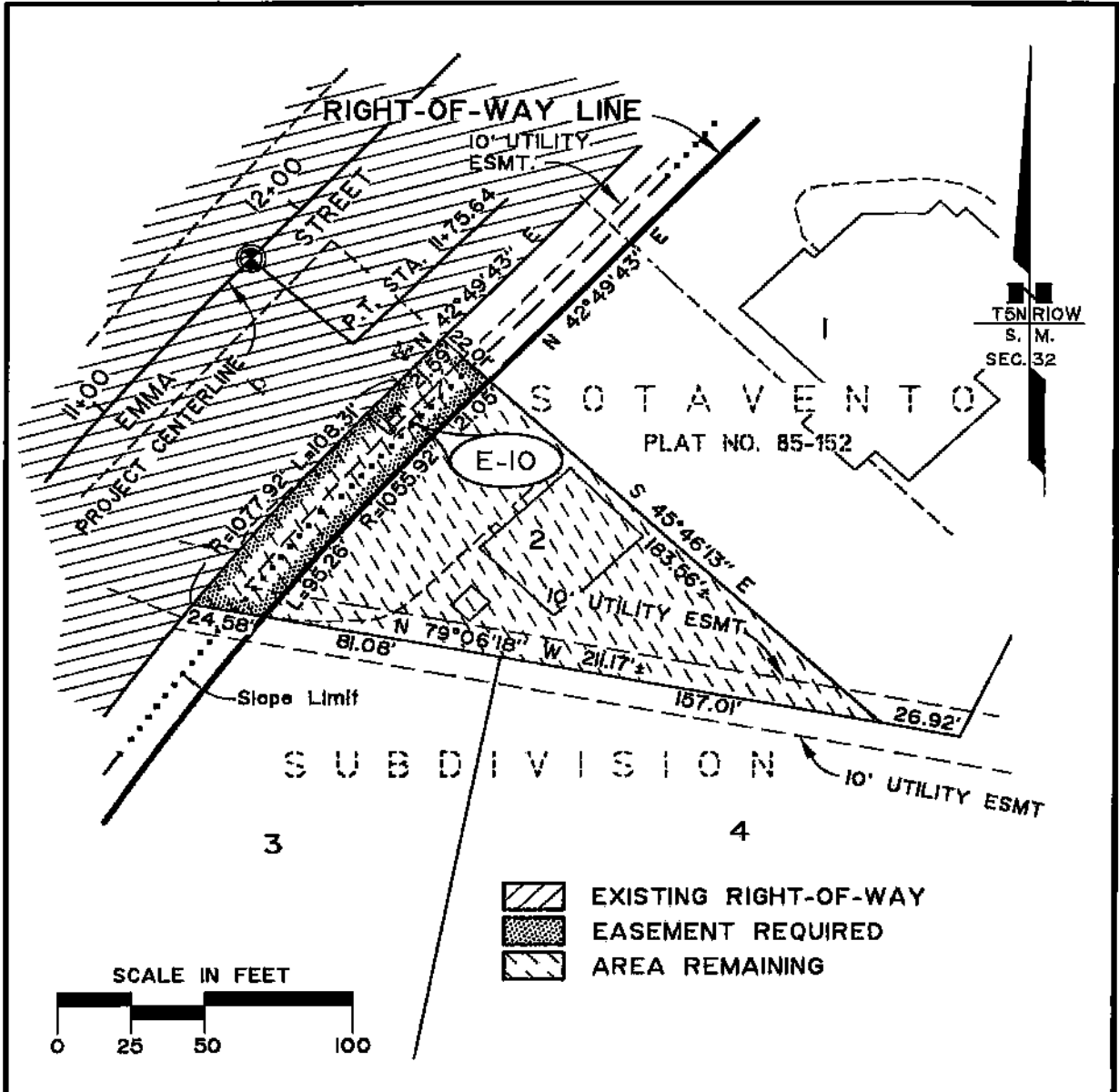
**PROPERTY STATUS**

Parcel	Area	Owner	Acres	APN	Remarks	APN	Remarks
1	0.57	City of Anchorage	0.57	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
2	13.39	City of Anchorage	13.39	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
3	16.39	City of Anchorage	16.39	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
4	0.37	City of Anchorage	0.37	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
5	1.14	City of Anchorage	1.14	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
6	1.17	City of Anchorage	1.17	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02

**PROPERTY STATUS**

Parcel	Area	Owner	Acres	APN	Remarks	APN	Remarks
7	1.17	City of Anchorage	1.17	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
8	1.14	City of Anchorage	1.14	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
9	1.17	City of Anchorage	1.17	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
10	1.14	City of Anchorage	1.14	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
11	1.17	City of Anchorage	1.17	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02
12	1.14	City of Anchorage	1.14	11/23/09	3-00-0001-02	11/23/09	3-00-0001-02

**Exhibit 3-6  
Airport Property Plan**



<b>STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</b>	
RIGHT OF WAY REQUIRED FOR <b>PROJECT NAME</b> FEDERAL NO. / STATE NO.	OWNER'S INITIAL _____ ATTACHED TO _____ PAGE ____ OF ____ DATED _____
GROSS TAKE _____ <b>3,572 S.F.</b> NET TAKE _____ <b>3,572 S.F.</b> DRAWN BY <u>  RK  </u> REMAIN _____ <b>14,331 S.F.</b>	
CHECKED BY <u>  JC  </u> DATE <u>  1/10/03  </u> PARCEL NO. <b>E-10</b>	

Exhibit 3-7  
Parcel Plat

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