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DATE: May 9, 1979

FILE NO:

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SUBJECT: Access to Section Line
Easement
A66-448-79

You have asked:

- 1. Who has jurisdiction over the section line easements.
- 2. Since Lore Road east of Lake Otis is State-maintained, will a developer have to obtain a permit to extend Lore Road along the section line highway right-of-way easement.

Without addressing the question of whether the property in question might not be subject to a section line easement and operating under the assumption that it is the answer to your questions are as follows:

- 1. The Department of Transportation and Public Facilities has the authority to regulate the use of section line right-of-way easements. I understand the policy of DOT/PF has not been to exercise that authority in the absence of a substantial public interest. In keeping with that policy, the department has ceased the practice of issuing letters of non-objection.
- 2. The developer does not have to obtain a permit from the Department of Transportation to extend Lore Road along the section line. The developer does have to obtain a driveway permit to connect to the State-maintained road.

EPG/sls