



MONTANA DEPARTMENT OF TRANSPORTATION

MONTANA RIGHT-OF-WAY DESIGN MANUAL

Chapter Twenty

OVERVIEW OF 800 ACTIVITIES

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Table of Contents

<u>Section</u>	<u>Page</u>
20-1 GENERAL PROJECT PROCESS GUIDELINES.....	2
20-2 DETAILS OF 800 ACTIVITIES	3
20-2.1 General Information:.....	3
20-2.2 Contacts:	3
20-2.3 ACTIVITY 805 Cadastral Survey Request	4
20-2.3.1 DEFINITION:	4
20-2.3.2 OUTPUT PROVIDED:	4
20-2.3.3 TASKS:.....	4
20-2.3.4 START DEPENDENCIES:.....	4
20-2.3.5 DISTRIBUTION AND USE:	4
20-2.4 ACTIVITY 806 Prepare Preliminary R/W Plans	5
20-2.4.1 DEFINITION:	5
20-2.4.2 OUTPUT PROVIDED:	5
20-2.4.3 TASKS:.....	5
20-2.4.4 START DEPENDENCIES:.....	5
20-1.4.5 DISTRIBUTION AND USE:	5
20-2.5 ACTIVITY 808 Obtain Final Title Evidence	6
20-2.5.1 DEFINITION:	6
20-2.5.2 OUTPUT PROVIDED:	6
20-2.5.3 TASKS:.....	6
20-2.5.4 START DEPENDENCIES:.....	6
20-2.5.5 DISTRIBUTION AND USE:	6
20-2.6 ACTIVITY 810 Prepare Final R/W Plans	7
20-2.6.1 DEFINITION:	7
20-2.6.2 OUTPUT PROVIDED:	7
20-2.6.3 TASKS:.....	7
20-2.6.4 START DEPENDENCIES:.....	7
20-2.6.5 DISTRIBUTION AND USE:	7
20-2.7 ACTIVITY 818 Plot Existing R/W	8
20-2.7.1 DEFINITION:	8
20-2.7.2 OUTPUT PROVIDED:	8
20-2.7.3 TASKS:.....	8
20-2.7.4 START DEPENDENCIES:.....	8
20-2.7.5 DISTRIBUTION AND USE:	8
20-2.8 ACTIVITY 820 Prepare Deeds	9

20-2.8.1 DEFINITION:.....	9
20-2.8.2 OUTPUT PROVIDED:.....	9
20-2.8.3 TASKS:.....	9
20-1.8.4 START DEPENDENCIES:.....	9
20-2.8.5 DISTRIBUTION AND USE:	9
20-2.9 ACTIVITY 821 Final R/W Plan Check.....	10
20-2.9.1 DEFINITION:.....	10
20-2.9.2 OUTPUT PROVIDED:.....	10
20-2.9.3 TASKS:.....	10
20-2.9.4 START DEPENDENCIES:.....	10
20-2.9.5 DISTRIBUTION AND USE:	10
20-2.10 ACTIVITY 823 R/W Plan Revision and Authorization	11
20-2.10.1 DEFINITION:.....	11
20-2.10.2 OUTPUT PROVIDED:.....	11
20-2.10.3 TASKS:.....	11
20-2.10.4 START DEPENDENCIES:.....	11
20-2.10.5 DISTRIBUTION AND USE:	11
20-2.11 ACTIVITY 833 Check Deeds	12
20-2.11.1 DEFINITION:.....	12
20-2.11.2 OUTPUT PROVIDED:.....	12
20-2.11.3 TASKS:.....	12
20-2.11.4 START DEPENDENCIES:.....	12
20-2.11.5 DISTRIBUTION AND USE:	12
20-2.12 ACTIVITY 836 R/W Plan and Deed Revisions.....	13
20-2.12.1 DEFINITION:.....	13
20-2.12.2 OUTPUT PROVIDED:.....	13
20-2.12.3 TASKS:.....	13
20-2.12.4 START DEPENDENCIES:.....	13
20-2.12.5 DISTRIBUTION:	13
20-2.13 ACTIVITY 854 Authorize for Wetland Acquisition.....	14
20-2.13.1 DEFINITION:.....	14
20-2.13.2 OUTPUT PROVIDED:.....	14
20-2.13.3 TASKS:.....	14
20-2.13.4 START DEPENDENCIES:.....	14
20-2.13.5 DISTRIBUTION AND USE:	14
20-2.13.6 DEFINITION:	14
20-2.14 ACTIVITY 870 Preliminary RW Review	15
20-2.14.1 DEFINITION:.....	15
20-2.14.2 TASKS:.....	15
20-2.14.3 START DEPENDENCIES:.....	15
20-2.14.4 DELIVERABLES:.....	15
20-2.15 ACTIVITY 871 Review Existing R/W Section Lines Acquisition	16
20-2.15.1 DEFINITION:	16

20-2.15.2 TASKS:.....	16
20-2.15.3 START DEPENDENCIES:.....	16
20-2.15.4 DELIVERABLES:.....	17
20-2.16 ACTIVITY 872 R/W Plan Review	18
20-2.16.1 DEFINITION:	18
20-2.16.2 TASKS:.....	18
20-2.16.3 START DEPENDENCIES:.....	18
20-2.16.4 DELIVERABLES:.....	18
20-2.17 ACTIVITY 874 R/W Plan Check	19
20-2.17.1 DEFINITION:	19
20-2.17.2 TASKS:.....	19
20-2.17.3 START DEPENDENCIES:.....	19
20-2.17.4 DELIVERABLES:.....	19
20-2.18 ACTIVITY 875 R/W Authorization.....	20
20-2.18.1 DEFINITION:	20
20-2.18.2 TASKS:.....	20
20-2.18.3 START DEPENDENCIES:.....	20
20-2.18.4 DELIVERABLES:.....	20
20-2.19 ACTIVITY 876 Request/Review R/W Plans (Blue Sheets).....	21
20-2.19.1 DEFINITION:	21
20-2.19.2 OUTPUT PROVIDED:	21
20-2.19.3 TASKS:.....	21
20-2.19.4 START DEPENDENCIES:.....	21
20-2.19.5 DISTRIBUTION:	21

Chapter Twenty

OVERVIEW OF 800 ACTIVITIES

The **800** activities pertain to the Right-of-Way Bureau and to District R/W Design. The Design/Plans Section and District R/W Design complete the activities described on the following pages. Other 800 activities are the responsibility of Acquisitions, Utilities, Negotiations and Appraisal Sections.

These activities appear on all Preconstruction Management System's reports. Each activity has a late start date and a finish date. When an activity has been initiated it is updated in EPS. When the activity is completed, it is "stated" by the Functional Manager in charge of that activity. A "stated" activity no longer appears on the printed reports but can be viewed in the Department's Oracle computer system and EPS along with the date it was "stated." It is important to complete the activity by the finish date because other MDT sections need the information to do their work. Therefore, it is also very important that the activities get "stated" in a timely manner. For this to occur, R/W Designers are to notify their supervisor upon starting any activity covered in this section and then again when completing any activity.

Consultants using this **Manual** should be aware that these activities pertain to in-house and District R/W Design. Consultants have their own set of activity descriptions for delivering a project. MDT has a corresponding activity. Most of what is found in this **Manual** is applicable to the consultant as well. When final plans are prepared, there should be no difference between plans prepared by a consultant and plans designed by MDT.

Reference: Preconstruction Management System, State of Montana, Department of Transportation, Engineering Management Unit, Helena, MT; April 1997.

20-1 GENERAL PROJECT PROCESS GUIDELINES

The following tasks are detailed further in later Chapters of this *Manual*.

1. Create Design File. Create design file upon assignment of project.
2. Request Survey. Use Preliminary Field Review information to determine if survey is required and request appropriate survey.
3. Create Strip Map. Create strip map and place existing R/W and/or easement lines as soon as the road design strip map and alignment are available. If there is a possibility that existing monumentation will assist in the location of existing R/W and/or easements, wait for the survey information. Section lines may also be helpful when placing existing lines. Send notification to the Area Engineer when placement of existing R/W and/or easement is complete. Include a copy of the notification in the PE file.

Note: If there is no R/W involvement outside of placing existing R/W, this is the end of the R/W process.

4. Place Ownership Lines and COS. Place ownership lines and applicable certificates of survey identified in the ownership study.
5. Request Title Commitments. Submit request for title commitments.
6. Complete Preliminary Plans. Complete preliminary R/W plans upon receipt of written notification of preliminary construction limits. When completed, send:
 - a. notification of preliminary R/W plans to Road Design, DESS, Project Manager; and
 - b. a request to Utilities with preliminary plans for review of utility conflicts with proposed R/W.
7. Complete Final Plans. Complete final R/W plans upon written notification of final construction limits and request funding.
8. Check/Revise Project. Submit project for checking and complete check revisions to prepare plans for authorization when funding is received.
9. Prepare Deeds/Exhibits. Prepare deeds and exhibits for transmittal to the district.

20-2 DETAILS OF 800 ACTIVITIES

20-2.1 General Information:

The R/W Design & Plans Section is part of the Right-of-Way Bureau within the Pre-Construction Division.

20-2.2 Contacts:

Consultant & Helena R/W Design	406-444-6062
Missoula District R/W Design (Missoula)	406-523-5804
Missoula District R/W Design (Kalispell)	406-751-5600
Butte District R/W Design	406-494-9614
Great Falls District R/W Design	406-455-8328
Glendive District R/W Design	406-345-8226
Billings District R/W Design	406-657-0228
Consultant & Helena R/W Design	406-444-9458

20-2.3 ACTIVITY 805 Cadastral Survey Request

20-2.3.1 DEFINITION:

Request existing right-of-way, section corners and other property corners be located and/or surveyed.

20-2.3.2 OUTPUT PROVIDED:

Request to the District Survey Manager for existing right-of-way locations and/or a certificate of survey with coordinates and descriptions of section corners and property corners, retracement of existing right-of-way showing found and set monuments, a text file of coordinates, and certified corner recordations for each controlling property corner listed.

20-2.3.3 TASKS:

1. R/W Design determines the limits and extent of survey work needed. If a cadastral/retracement survey is needed, section corners and limits of r/w retracement are noted on a request to the District Survey Manager so that they can be located and tied to the project control traverse.
2. R/W Design determines if; an apparent right-of-way survey, a complete retracement of existing right-of-way, or a partial retracement is required.

20-2.3.4 START DEPENDENCIES:

Preliminary Field Review Report.

Note: The Control Traverse – ACT 502 and Control Monumentation – ACT 500 need to be completed before the cadastral survey work can begin.

20-2.3.5 DISTRIBUTION AND USE:

R/W Design notifies the District Survey Manager that apparent right-of-way locations or a COS is required for the project.

20-2.4 ACTIVITY 806 Prepare Preliminary R/W Plans

20-2.4.1 DEFINITION:

Prepare preliminary plans to identify property to be acquired for right-of-way.

20-2.4.2 OUTPUT PROVIDED:

Preliminary Right-of-Way Plans.

20-2.4.3 TASKS:

Based on information in the Preliminary Field Review Report (FPR), the R/W Designer:

1. Assembles a design file containing.
 - a. PFR
 - b. Copies of existing R/W plans and supporting deeds.
 - c. PE Study prepared by the District under Activity 800. This report contains the ownership report, last deeds of record, certificates of survey and subdivision plats. Also contains irrigation, access control, stock pass studies, etc.; and
 - d. GLO township plats and other survey information.
2. Sets up CADD files using road design strip map file and plan sheet files.
3. Using available alignment, construction limits and survey information.
 - a. Places section corners, property corners, section lines and property lines.
 - b. Places existing right-of-way and easement lines; and
 - c. Designs preliminary right-of-way, easements and construction permits.
4. Places r/w calls, parcel numbers and completes names and areas in ownership block.

20-2.4.4 START DEPENDENCIES:

Preliminary Field Review Report and/or Scope of Work Report, PE Study. Certificate of survey with section corner and property corner coordinates and retracement of existing r/w as provided by Photogrammetry & Survey; road design CADD files with a centerline alignment and construction limits, provided after approved alignment and grade.

20-1.4.5 DISTRIBUTION AND USE:

Preliminary right-of-way plans for use at plan-in-hands.

20-2.5 ACTIVITY 808 Obtain Final Title Evidence

20-2.5.1 DEFINITION:

Secure property title information from a land title company.

20-2.5.2 OUTPUT PROVIDED:

Title commitments providing detailed information about the titles to properties to be acquired.

20-2.5.3 TASKS:

1. Send maps and title commitment request to appropriate land title company.
2. Receive, review and process title commitments for payment. Compile into a single .pdf, name, and store in title commitment folder under the project.
3. Update preliminary plans property data, encumbrances, and ownership.

20-2.5.4 START DEPENDENCIES:

Receipt of preliminary construction limits from Road Design. If project is behind schedule, or if desired, title commitments may be ordered upon receipt of PFR.

20-2.5.5 DISTRIBUTION AND USE:

Upon authorization, distribution made within the Right-of-Way Bureau. Used to finalize and check property data, encumbrances and ownership shown on r/w plans to ensure the Department has adequate information for clear title when r/w is completed. The title insurance company issues a policy from the title commitment on properties for which r/w is acquired. A link to the title commitment folder is distributed with authorization of plans in accordance with the current distribution list.

20-2.6 ACTIVITY 810 Prepare Final R/W Plans

20-2.6.1 DEFINITION:

Prepare final right-of-way plans for checking, deed preparation and acquisition of right-of-way.

20-2.6.2 OUTPUT PROVIDED:

Final right-of-way plans sent to checker.

20-2.6.3 TASKS:

1. Make changes and additions to preliminary R/W plans based on:
 - 1.1. Final alignment and construction limits
 - 1.2. Title Commitments
2. Print pdf of construction plans and cross-sections from CPB book.
3. Have Environmental Document in hand to request funding.
4. Request funding using cost estimates from ownership study.
5. Submit plans, exhibits and design file for checking.

20-2.6.4 START DEPENDENCIES:

Final Road Design Construction Limits, including hydraulics, cadastral survey, title commitments, cost estimates and Environmental Document.

20-2.6.5 DISTRIBUTION AND USE:

Final Right-of-Way plans are submitted to the checker for final R/W plan check. Funding request sent to Financial Specialist.

20-2.7 ACTIVITY 818 Plot Existing R/W

20-2.7.1 DEFINITION:

Place existing public roads and streets, highway, and railroad right-of-way.

20-2.7.2 OUTPUT PROVIDED:

Location of existing public rights-of-way.

20-2.7.3 TASKS:

Obtain existing certificates of survey, subdivision plats, highway and railroad plans with supporting documentation and place existing right-of-way in CADDstrip map file.

20-2.7.4 START DEPENDENCIES:

Receipt of preliminary electronic plan files, cadastral survey information and ownership report.

20-2.7.5 DISTRIBUTION AND USE:

Distributed to Preconstruction Bureau, Utility Section and Districts. Used to identify the need for new right-of-way acquisition. Also used to secure title commitments if not previously requested.

20-2.8 ACTIVITY 820 Prepare Deeds

20-2.8.1 DEFINITION:

Prepare legal property descriptions and deed exhibits.

20-2.8.2 OUTPUT PROVIDED:

Deeds/easements and exhibits to be used for property acquisition.

20-2.8.3 TASKS:

1. Prepare reproducible property plat (exhibit) of each parcel to be acquired.
2. Prepare written legal description of each parcel.
3. Prepare miscellaneous deed descriptions as requested.
4. Have deeds typed in final form.

20-1.8.4 START DEPENDENCIES:

Completion of final right-of-way plans. Title commitment or last deed of record.

20-2.8.5 DISTRIBUTION AND USE:

Deeds/easements and exhibits to the field Right-of-Way Section for use in acquiring right-of-way parcels.

20-2.9 ACTIVITY 821 Final R/W Plan Check

20-2.9.1 DEFINITION:

Check final right-of-way plans for accuracy and compliance with R/W manual and CADD standards.

20-2.9.2 OUTPUT PROVIDED:

Final checked right-of-way plans returned to designer for final revisions.

20-2.9.3 TASKS:

1. Check final R/W plans.
2. Complete Final R/W plan checklist.
3. Return plans and checklist to designer for revisions.

20-2.9.4 START DEPENDENCIES:

Receiving check package of final R/W plans, microstation files, title commitments, construction plans, cross-sections and deeds and exhibits if ready.

20-2.9.5 DISTRIBUTION AND USE:

All plans' checklists and comments returned to designer for final revisions.

20-2.10 ACTIVITY 823 R/W Plan Revision and Authorization

20-2.10.1 DEFINITION:

Make final right-of-way plan revisions per checker's comments before authorization. Authorize project to commence right-of-way and utility activities.

20-2.10.2 OUTPUT PROVIDED:

Authorization memo distributed.

20-2.10.3 TASKS:

1. Make final R/W plan revisions based on checker's comments.
2. Authorize project to commence right-of-way and utility activities.
3. Distribute authorization memo, final R/W plans and title commitments via electronic authorization memo.

20-2.10.4 START DEPENDENCIES:

Completion of final right-of-way plan check.

20-2.10.5 DISTRIBUTION AND USE:

Authorization memo, final Right-of-Way plans.

20-2.11 ACTIVITY 833 Check Deeds

20-2.11.1 DEFINITION:

Check legal property descriptions and deed exhibits.

20-2.11.2 OUTPUT PROVIDED:

Deeds/easements and exhibits to be used for property acquisition.

20-2.11.3 TASKS:

1. Check and proofread completed descriptions and deeds to ensure accuracy.
2. Check written legal description of each parcel.
3. Check miscellaneous deed descriptions as requested.
4. Check deed exhibits for accuracy and completeness with form MDT-ROW-508, Exhibit Check List.

20-2.11.4 START DEPENDENCIES:

Completion of final deeds and exhibits, title commitments or last deed of record.

20-2.11.5 DISTRIBUTION AND USE:

Deeds/easements and exhibits to the field Right-of-Way Section for use in acquiring right-of-way parcels.

20-2.12 ACTIVITY 836 R/W Plan and Deed Revisions

20-2.12.1 DEFINITION:

Make necessary revisions to right-of-way plans and deeds after the project has been authorized.

20-2.12.2 OUTPUT PROVIDED:

Revisions and corrections of the R/W plans or deeds as necessary.

20-2.12.3 TASKS:

1. Make revisions:
2. To plans and deeds to accommodate changes in design or construction.
3. To plans for changes negotiated with landowners during acquisition process.
4. To plans to mitigate or eliminate property damages discovered during appraisal or negotiation.
5. To plans in preparation for condemnation actions.
6. To deeds to match plan changes.
7. To deeds when corrections are required.
8. To plans when corrections are needed to eliminate errors, omissions, or inaccuracies.

20-2.12.4 START DEPENDENCIES:

Start at completion of Activity 823; or on receipt of request from other Right-of-Way Sections, Road Design or District Office; or when errors, omissions or inaccuracies are discovered.

20-2.12.5 DISTRIBUTION:

Distribution of revised plans and/or deeds is made to the appropriate MDT sections and other agencies in accordance with current Right-of-Way Bureau policy for use in completing R/W acquisition. Revised plans are filed with the appropriate County Clerk & Recorder.

20-2.13 ACTIVITY 854 Authorize for Wetland Acquisition

20-2.13.1 DEFINITION:

Authorize for Wetland Acquisition.

20-2.13.2 OUTPUT PROVIDED:

Authorization to commence Right-of-Way Acquisition Activity.

20-2.13.3 TASKS:

Request funding approval from FHWA.

Prepare ROW plans using Certificate of Survey.

When funding is received, issue work authorization and distribute.

20-2.13.4 START DEPENDENCIES:

Receipt of recorded Certificate of Survey.

20-2.13.5 DISTRIBUTION AND USE:

To Special Programs Section for use in acquiring wetland parcels. Copy to Legal.

20-2.13.6 DEFINITION:

Review and distribution of PE Report prepared by consultant.

20-2.14 ACTIVITY 870 Preliminary RW Review

20-2.14.1 DEFINITION:

Review and distribution of PE Report prepared by consultant.

20-2.14.2 TASKS:

	Task Checklist Description	Yes	No	N/A	Initial
	Review PE REPORT for:				
1	Ownership Study:				
	1.1 Last Deed of Record for all Ownerships				
	1.2 Colored Ownership Map				
	1.3 Off Premise Signs				
2	R/W Cost Estimate				
3	Preliminary Areas of Acquisition				
4	Relocation Assistance Conceptual Stage Study				
5	Access Control Study, Preliminary Access Management Guidelines and Plan				
6	Irrigation Study:				
	6.1 Identification and Sufficiency of Water Source				
	6.2 Location, Size and Ownership of Irrigation and Drainage Ditches				
	6.3 Description, Ownership and Acreage of Land Irrigated				
	6.4 Estimate of Depreciation which would Accrue to Each Owner if Land was Deprived of Water				
	6.5 Alternatives to Perpetuate Irrigation Facilities				
	6.6 Feasibility of Terminating Facilities				
	6.7 Maps, Photos and Sketches of Irrigation Facilities				
7	Stockpass study to include ownerships, locations, and feasibility of eliminating structures				

20-2.14.3 START DEPENDENCIES:

Receipt of PE report prepared by consultant.

20-2.14.4 DELIVERABLES:

1. Notification to consultant of acceptance of elements submitted.
2. Distribution e-mail of PE Report to Environmental, Public Information Officer, Hydraulics, and Access Management

20-2.15 ACTIVITY 871 Review Existing R/W Section Lines Acquisition

20-2.15.1 DEFINITION:

Check consultant R/W files for accuracy of existing public roads, streets, highway, railroad right-of-way, property and section lines placement and labelled and compliance with MDT procedures as defined in the R/W Design Manual.

20-2.15.2 TASKS:

	Task Checklist Description	Yes	No	N/A	Initial
1	Determine, if necessary, items have been delivered:				
	1.1 Recorded copy of existing R/W and cadastral retracement survey(s) (including survey coordinate list and descriptions)				
	1.2 Complete set of C.O.S.'s and subdivision plats				
	1.3 Existing railroad and highway plans with deeds and other documentation				
	1.4 Existing public road documentation (including intersecting roads to project roadway)				
	1.5 Copies of GLO plats				
	1.6 Copies of Corner Recordations				
	1.7 Geopak GPK and existing survey input file				
	1.8 R/W strip map				
2	Check R/W strip map files for:				
	2.1 Existing railroad, highway and intersecting public roads R/W (including labels, dimensions, found R/W monuments and property pins)				
	2.2 Ownership dots and property lines (including placement and labelling of subdivision plats and C.O.S.'s)				
	2.3 Section lines and 1/16th section lines (found and unfound)				
	2.4 Property controlling corner cells (section corners, ¼ corners, etc.)				
	2.5 Existing access control				
	2.6 Microstation and drafting standards (file naming, level and cell use, reference file naming)				

20-2.15.3 START DEPENDENCIES:

Receipt of R/W CADD strip map and supporting documentation from consultant. Activity 127

20-2.15.4 DELIVERABLES:

1. Notification to consultant of acceptance of elements submitted.
2. Comments to consultant for necessary revisions.

20-2.16 ACTIVITY 872 R/W Plan Review

20-2.16.1 DEFINITION:

Review of R/W Plans for Plan-in-Hand

20-2.16.2 TASKS:

	Task Checklist Description	Yes	No	N/A	Initial
1	Review R/W Plans for:				
	1.1 Proposed R/W Design				
	1.2 Existing railroad, highway and public roads R/W				
	1.3 Property lines and ownership dots				
	1.4 Parcel numbers, names, and addresses				
	1.5 Section Lines				
	1.3 Section Corner Ties				
	1.4 New and existing Access Control symbology and calls				
	1.5 Quarter and U.S. Gov't Lot calls				

20-2.16.3 START DEPENDENCIES:

Receipt of R/W Plans for Plan-in-Hand. Activity 138 and Activity 134.
Prepare plans for PIH.

20-2.16.4 DELIVERABLES:

Notification of acceptance of plans for PIH to consultant.

20-2.17 ACTIVITY 874 R/W Plan Check

20-2.17.1 DEFINITION:

Check consultant R/W plans for accuracy and compliance to MDT procedures as defined in the R/W Design Manual.

20-2.17.2 TASKS:

	Task Checklist Description	Yes	No	N/A	Initial
1	Determine, if necessary, items have been delivered:				
	1.1 R/W Plans (CADD Files & pdf copy)				
	1.2 Construction plans and x-sections with final construction limits. (CADD files & pdf copy)				
	1.3 Parcelized Title Commitments including Last Instruments of Conveyance and copies of Schedule B items attached OR last deeds of record (pdf copy)				
	1.4 Construction Centerline Alignment Data				
	1.5 Route Description				
	1.6 R/W cost estimate (updated/revised)				
	1.7 R/W Geopak files (including gpk, R/W baseline and R/W break ioc, ooc, txt files and section tie ioc, ooc files)				
2	Check R/W Plans For:				
	2.1 Microstation & Drafting Standards (file structure naming, level & cell use, reference file naming)				
	2.2 R/W Design				
	2.3 Centerline Data				
	2.4 New Access Control				
	2.5 Owner names and addresses				
	2.6 All areas				

20-2.17.3 START DEPENDENCIES:

Receipt of final R/W plans and Supporting Information. Activity 142

20-2.17.4 DELIVERABLES:

1. Notification to consultant and acceptance of elements submitted.
2. Check prints to consultant for revisions.

20-2.18 ACTIVITY 875 R/W Authorization

20-2.18.1 DEFINITION:

Review revisions to R/W plans for compliance with changes requested during the 874 activity.

20-2.18.2 TASKS:

	Task Checklist Description	Yes	No	N/A	Initial
1	Review R/W Plans for:				
	1.1 Compliance with requested changes				
2	Authorize R/W Plans.				
3	Receive Exhibit CADD files				

20-2.18.3 START DEPENDENCIES:

Receipt of final R/W plans for authorization. Activity 144 and Activity 815.

20-2.18.4 DELIVERABLES:

Distribution of Authorization memo and R/W plans.

20-2.19 ACTIVITY 876 Request/Review R/W Plans (Blue Sheets)

20-2.19.1 DEFINITION:

This is an iterative process between the consultant and MDT to revise R/W Plans as required by design modifications and R/W negotiations.

20-2.19.2 OUTPUT PROVIDED:

Revisions and corrections of the R/W plans as necessary.

20-2.19.3 TASKS:

1. Receive documentation from district supporting R/W plan revisions.
 - a) Verify possible utility conflicts.
2. Notify the consultant to revise R/W plans/exhibits and prepare Blue Sheets.
3. Review R/W plan revisions for omissions or corrections.

20-2.19.4 START DEPENDENCIES:

Completion of Activity 875.

20-2.19.5 DISTRIBUTION:

Distribution of revised plans is made to the appropriate MDT sections and other agencies in accordance with current Right-of-Way Bureau policy for use in completing R/W acquisition. Revised plans are filed with the appropriate County Clerk & Recorder.