

4. Local Roadway Projects generally have the total cross-section contained within the proposed right of way. In special situations, it may be more economical or preferred by the division to establish a uniform right of way width and utilize easements. Set right of way or easements a minimum distance of 5' to 10' outside the construction limits. Generally, a typical width of 60' to 100' will be adequate.
5. In all situations
 - a. Care should be taken to allow adequate sight distance for street returns and railroad crossings.
 - b. Vehicle recovery area should be considered based on the amount of traffic and the design speed of the facility when establishing the proposed right of way. (See Chapter 1-4M)
 - c. **Attempt to avoid impacts that could result in total takes or high damage costs including, but not limited to:**
 1. **Retention ponds/basins.**
 2. **Driveway access changes (number, width, grades).**
 3. **Septic tanks and/or septic drain fields.**
 4. **Wells.**
 5. **Parking lots/parking areas.**
 - d. The planning document should be followed.
 - e. The right of way will be reviewed by Division personnel as well as the area right of way personnel prior to acquisition.
6. Other considerations
 - a. **Be aware of proposed noise wall location and height in close proximity to existing buildings and permanent structures.**
 - b. **Be mindful of travel lane proximity to existing buildings and other structures. Maintain appropriate clear zone and horizontal offsets with additional buffer area where possible.**

The access points on partial control of access projects shall be shown on the project plans by station locations. A dimension for the opening width will not be shown.

In establishing the stations, a width of 60 feet is normally used but does not have to be exactly this dimension. Openings on the outside or inside of a curve on skewed right of way can be slightly more or less than 60 feet. The opening shall be labeled "Access Point."

The location of these openings should be determined prior to sending plans for right of way acquisition. The final position and number of openings will be determined during negotiation by the Right of Way Branch.

EASEMENTS

Easements shall be classified as either temporary or permanent depending on their purpose, and should always be discussed with Division Personnel and the Division Right of Way Agent at the **Combined Field Inspection or Final Design Field Inspection. Involve the Utilities Unit and utility owners as early as possible to establish Permanent Utility Easements and to minimize future plan changes.**

Temporary Construction Easements are used to provide the contractor sufficient working area to construct slopes, ditches, silt control areas, etc. where continuous maintenance will not be required. The construction easement shall be bounded by the right of way line on one side and a long-dashed line with an E noted intermittently on the other side. The break points shall be described using a station and distance as described for the right of way.

Temporary Drainage Easements are used to provide the contractor sufficient working area to clean out existing ditches and channels, construct new ditches and channels, construct large silt basins, and to install other drainage facilities where maintenance will not be required. Temporary drainage easements are shown on the plans using a long-dashed line and the note "Temporary Drainage Easement." They shall be defined by a combination of station and distance and/or bearings and distances sufficiently complete to permit the Right of Way Agent to describe the area.

There should be a distinction made between "temporary construction easement" and "temporary drainage easement" due to their expiration time. A temporary drainage easement reverts back to the property owner as soon as the task is complete and a temporary construction easement does not expire until completion of the contract.