



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

June 29, 2001

To: Area Locating Engineers  
Group Leaders

From: Charles W. Brown, PE, PLS  
State Location & Surveys Engineer

Subject: Revisions to Conservation Easements Procedure 98-5

The North Carolina Department of Transportation, in conjunction with the North Carolina Wildlife Resources Commission (WRC), is acquiring permanent conservation easements for stream mitigation, and possibly soon for red cockaded woodpecker habitat as well. Most of these easements will probably not be adjacent to ongoing highway projects, but will be associated with mitigation permits for ongoing highway projects. These easements are being established on private property by NCDOT and monitored by WRC. The property owners will have already agreed to participate, assuming a satisfactory price can be negotiated by the Right Of Way Branch.

The Unit management has established certain guidelines for you to follow when L&S is requested to be involved in the development of these easements. These guidelines are discussed below for your review and direction.

To aid in scheduling, the WRC field coordinator will contact the State Location and Surveys Engineer at 1588 Mail Service Center, Raleigh, NC 27699-1588 informing him of team meetings for potential sites. The Group Leader may be requested to provide a preliminary sketch of the site using mapping grade GPS equipment. If a preliminary sketch is provided, the following statement will be included on the map:

*“Preliminary map not intended for official definition or recordation. All measurements provided are approximate. Upon completion of the agreement, a more accurate map will be provided for any official information or action”.*

When an agreement has been reached with the property owner and the right of entry agreement signed, the WRC field coordinator will forward a written request for surveys to the Head of the Natural Systems Unit of PD&EA with copies to the Unit Head of Location and Surveys. The Natural Systems Unit Head will contact NCDOT Right-of-Way for further action, including the establishment of funds for mapping, purchasing and recordation. The Natural Systems Unit Head will submit a written request to the Head of Location and Surveys requesting a recordable plat of the easement. If necessary, this may include an access easement. The request will give TIP and project number reference. With the request, we should receive a signed right of entry agreement, and the property owner's name and address and telephone number (if available).

**MAILING ADDRESS:**  
NC DEPARTMENT OF TRANSPORTATION  
LOCATION & SURVEYS UNIT  
1588 MAIL SERVICE CENTER  
RALEIGH NC 27699-1588

TELEPHONE: 919-250-4109  
FAX: 919-250-4223

WEBSITE: [WWW.DOH.DOT.STATE.NC.US](http://WWW.DOH.DOT.STATE.NC.US)

**LOCATION:**  
CENTURY CENTER COMPLEX  
BUILDING B -ENTRANCE B4  
1020 BIRCH RIDGE DRIVE  
RALEIGH NC 27610

We will also receive a sketch of the easement, showing any exceptions or other pertinent information, along with the name and telephone number of the WRC field coordinator.

We will use private surveying firms for this whenever possible. This is not to exclude you from this activity, but it is felt that the private surveyor will be more familiar with the preparation of plats and the county's recordation rules. Either we or the WRC field coordinator, upon contacting the property owner, should determine if the property has been recently surveyed. If so, contact that surveyor. If not, find out if the property owner has a preference for the surveyor. *Only as a last resort should you yourself select a surveyor.* We will use purchase orders to pay for these, and not advertising. It is crucial that you make the selection of surveyors as objective as possible. Use of our contracted PEF's is allowable if needed or desired by the property owner. As in any case involving contracted work, notify the PEF Section prior to any negotiations.

At the site, review the easement with the WRC contact to ensure that we know the intent. The WRC field coordinator will have staked the easement for viewing; however, each flagged location may not necessarily indicate a bend in the line. Make certain any exceptions or stream access points are located on the ground. If it is necessary to establish property boundaries in order to map the easement, that should be included in the cost. However, NCDOT is not in the business of paying for property surveys. We do not want and will not pay for a map of the entire property unless special circumstances warrant.

Following review of the site with the WRC representative and selection of the surveyor, you will scope the project and complete negotiations with the surveyor/firm. NCDOT will require a recordable plat showing the easement boundary and acreage. This will include the setting of monuments (iron pins and caps, and carsonite witness posts) at all corners, and limited clearing of the line as requested by WRC. Aluminum caps stamped "State Of North Carolina Conservation Easement" along with witness posts are available for monumenting these points. The plat should show the stream location and any permanent structures inside the easement. If there is NCGS or other grid monumentation within 2000' of the site (as per G.S. 47-30), that should be used to tie the survey to the NC State Plane. If not, NCDOT or the surveyor should establish monumentation for that purpose. If additional monuments are required they are to be placed in compliance with The Standards of Practices for tying surveys in the absences of established horizontal control. All conservation easements should be tied to the NC State Plane Coordinate System. The plat will conform to GS 47-30 as amended and the surveys should be consistent with the Standard of Practice. The first plat delivered to the Group Leader should not be signed and sealed and should be noted as "Preliminary – Not for Recordation, Conveyances, or Sales". The Group Leader will review the preliminary plat and give a copy to the Right of Way Agent for use in negotiating the price of the easement and provide a copy to the WRC field coordinator for review. Once a settlement has been reached, the Group Leader will advise the surveyor to submit the map, with any revisions, to the County Review Officer for approval. The surveyor will provide the Group Leader with an approved recordable plat of the survey and ten paper copies. The Group Leader will give the final plat to the Division R/W agent for recording. The Group Leader will give five paper copies to the WRC field coordinator and two paper copies to the Division R/W agent. A copy of the final plat should be transmitted to L&S Property Surveys Section for inclusion in the property file. Either the surveyor or the L&S field office will be required to create a .dgn file of the boundary. Along with the plat, this should be sent to the Right of Way Agent and L&S Property Surveys Section. The .dgn file should also be sent to PD&EA Natural Systems Unit - the requesting Unit.

Along with the final plat, NCDOT will provide an aerial photo of the site at the time of the establishment of the easement. Sometime after the acquisition of the easement, you will need to

contact Photogrammetry and let them know the location. A copy of the plat with the vicinity map and a latitude/longitude of the site should suffice. At some time following the request, Photogrammetry will provide a contact print to Location and Surveys for transmittal to WRC.

**In review, we will be given:**

- Letter requesting survey
- Property owner name, address (and telephone number if available)
- WRC Contact person's name and telephone number
- Signed Right Of Entry form
- A sketch of the easement (we may assist in preparation)

**We will provide at minimum a preliminary map of the easement, with the intent to provide a final map according to G.S. 47-30.**

**If the easement is obtained, we will provide:**

- A final, recordable map of the easement, including an access easement if necessary. This map will have NC State Plane grid ties
- A coordinately correct .dgn file of the easement boundary.
- Ground monumentation set at all corners
- Cleared line at the request of WRC
- An aerial photo (contact print size) of the site

These guidelines are to be used as guidelines only. There are always special considerations. If you question the intent of the easement as flagged, contact the WRC contact person. If there is any question as to procedure, please do not hesitate to contact me or your Area Engineer for assistance. If you have questions concerning the selection of a surveyor or negotiations, contact the PEF Group immediately. It's better to ask than to be uncertain.

Thank you for your assistance in this new procedure.

CWB

cc: Philip Todd – PD&EA  
Lindsay Riddick – PD&EA  
L&S Area Engineers