



TO: Director, Preliminary Plan Review Bureau SUPERSEDED BY EI 95-052 EFFECTIVE 12/13/1995	 ENGINEERING INSTRUCTION NEW YORK STATE DEPARTMENT OF TRANSPORTATION SUBJECT: RIGHT-OF-WAY PLAN SUBMISSION Subject Code: 7.25
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APPROVED:  <u>Malcolm D. Graham</u> Deputy Chief Engineer, Facilities Design Subdivision	Date: <u>2/1/74</u> Supersedes:

The purpose of this instruction is to emphasize the need to submit the ROW Plan as soon as possible after design approval in order that we may obtain Federal authorization for ROW appraisal and acquisition at the earliest possible time.

Facilities Design must submit a ROW Plan for approval to the Federal Highway Administration on all projects for which we are requesting Federal participation in ROW costs. At the present time this includes most Federal aid projects. ROW acquisition cannot begin until this plan is approved.

On all projects where significant rights-of-way must be acquired or where relocation will be necessary, the critical path after design approval is generally through Real Estate functions. It normally takes longer to complete right-of-way actions than it does to prepare PS&E following design approval (Phases V and VI).

It is, therefore, essential that ROW Plans and appropriation maps be given top priority in order to keep projects on schedule. The Federal Highway Administration will not allow us to advertise for bids unless ROW acquisition is virtually completed including the filing of all appropriation maps, monetary offers made to all property owners, relocation offers made, all buildings vacated in critical construction areas, all claims paid where the livelihood of the owner is affected and projection of availability of occupied buildings kept to a minimum. In addition, the FHWA is becoming increasingly reluctant to authorize PS&E where any occupied buildings are unavailable. Obviously it does us little good to have PS&E available if we can't take bids on a project because of incomplete ROW.

Good coordination between the designer and the ROW Mapping Unit will provide for the completion of the ROW Plan very early in Phase V. Refer to Design Procedure Manual, Section VII-5, Highway Design Manual, 5.02.03, and Right-of-Way Mapping and Procedure Manual, Chapter I, Pages IV-3, V-3, V-4, and V-5, for details regarding responsibility and procedures for ROW Plan Submission.

MDG:B

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