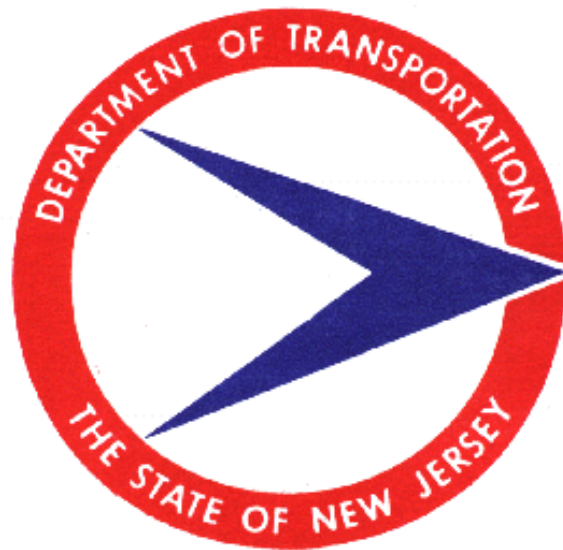


RIGHT OF WAY ENGINEERING MANUAL

PREPARATION OF RIGHT OF WAY DOCUMENTS



February 2005

Prepared by Right of Way Engineering

U.S. Customary English Units

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1.0 Introduction

These procedures have been developed to establish uniformity in the preparation of ROW Maps and Descriptions.

Scoping procedures outlined in the Capital Project Procedures, balanced among many other factors, impact the proposed design along with the ROW impacts. This limits, but does not preclude, the designer from adjusting the proposed ROW acquisitions to minimize their size and impact upon the remaining property. The designer should also be aware that the ROW design does not have to follow the precise contours of the roadway (e.g.: slopes). Where it appears that it may be beneficial, the ROW line and easement lines may be reasonably expanded to enhance the ease of construction of the project. The designer may also reduce the ROW width of the normal typical section in order to eliminate small acquisitions, small easements and to avoid sensitive areas or structures, etc. The designer, therefore, shall prepare the ROW design, balancing the impact upon the property and the cost of acquisition while maintaining the safety, constructability, cost of construction and staying within the basic scope of the project.

This manual is to be used on NJDOT projects, as well as Public Transportation projects, Local Aid projects and Developer projects. Every instance that a designer may encounter is not covered in this manual. When used in conjunction with sound engineering, surveying knowledge and good judgment, this manual should enable the designer to prepare accurate ROW documents efficiently.

2.0 Definitions And Abbreviations Used

AGRICULTURAL DEVELOPMENT AREA (ADA) (with 8 year deed restrictions): Property that cannot be used for other than agriculture for 8 years. The property owner enters into an agreement with the County Agriculture Board resulting in a restrictive covenant being attached to the property.

AGREEMENT: Contract between the owner of the subject property and the Department of Transportation for conveyance of fee or lesser interest of lands set forth in the description; conveys equitable title as compared to legal title.

ACQUISITION SECTION OF TECHNICAL SUPPORT (AS): Section within the office of ROW responsible for handling condemnation cases.

BLOCK: A square or portion of an incorporated municipality as shown on the official municipal tax map; a grouping of lots assigned the same number on the official tax map.

BOARD DATE: The date that the research records are updated to for each county. This date may be obtained from personnel in the county's record room.

BUREAU OF ENVIRONMENTAL PROJECT SUPPORT (BEPS): Office responsible for all environmental recommendations within the NJDOT.

CONDEMNATION: The act of filing of a complaint seeking entry of a final judgment confirming the proper exercise of the Power of Eminent Domain and the recording of a Declaration of Taking in the Book of Deeds with the County recording officer.

COURSE: A boundary of a property that can be described by distance, bearing and/or arc length.

DECLARATION OF TAKING (DT): The means by which title to a property is acquired after a condemnation complaint is filed.

DEED: Conveyance of legal title; a writing signed by the owner of the property conveying real property to another.

DESCRIPTION: The legal description of the property identifying the location, including, but not limited to county, municipality, street, street number block and lot, metes and bounds of the property, as well as description of the easement rights, if any.

DOMINANT ESTATE PARCEL (DE): A parcel containing an existing private (access, parking or other similar type) easement owned by another entity encumbering a fee parcel being acquired.

EASEMENT: A right to use land of another for a specific or particular purpose consistent with the grant under which it was made.

EMINENT DOMAIN: The power of government to acquire real property, including improvements, subject to the provisions of the Eminent Domain Law of 1971.

ENCUMBRANCE: A lien upon real property.

ENTIRE TRACT MAP (ETM): A plan used to show the location of all parcels to be acquired and their remaining area. This map shall be signed and sealed by a New Jersey licensed surveyor and filed by NJDOT's Office of Title in the County courthouse where the deed was obtained.

ET AL: And others, and another.

ET CON: And husband, also ET VIR.

ET SEQ: And following.

ET UX: And wife.

GENERAL PROPERTY PARCEL MAP (GPPM): A plan used to show the property to be acquired. This map shall be signed and sealed by a New Jersey licensed surveyor and filed by NJDOT's Office of Title in the County courthouse where the deed was obtained.

GRANT: An instrument that conveys some estate or interest in the lands that it embraces.

GRANTEE: The person to whom a grant is made; the one who acquires the property.

GRANTOR: The person by whom a grant is made; the one who transfers the property.

INDIVIDUAL PARCEL MAP (IPM): A plan that depicts a parcel and related parcels, having unity of ownership and associated easements. It is used for appraising and negotiating acquisition; it is also used as the map attached as an exhibit to a condemnation complaint and declaration of taking where and when condemnation is pursued. It must be based upon and totally consistent with the GPPM.

KEY SHEET: The first ETM sheet. It identifies the area to be acquired for the ROW of a specific section of a highway.

LOT: A fractional part or subdivision of a block, according to a survey.

MEAN HIGH WATER LINE (MHWL): The line formed by the intersection of the tidal plane of mean high tide with the shore.

METES AND BOUNDS: A description of real property which begins at a specified starting point (point of beginning or P.O.B.) and proceeds, clockwise or counter clockwise, around the parcel or easement utilizing directions, distances (metes) and monuments (bounds) as descriptive elements of the property lines and property corners. An area is also generally given in the deed. This type of land description is usually based on an actual land survey.

MONUMENTS: Tangible landmarks indicating boundaries.

NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT): The department of the State of New Jersey responsible for the State highway system.

NORTH AMERICAN DATUM 1983 (NAD 83): The official plane coordinate system for the NJDOT.

OFFICE OF ACCESS DESIGN (OAD): Office with the responsibility for all access issues relating to State highway projects. They review and set the driveway design within the limits of the project.

PARCEL: Property to be acquired for highway purposes, described by metes and bounds.

PROJECT MANAGER (PM): Representative of the NJDOT who oversees the project.

REMAINING AREA (RA): Property retained by the owner of the fee after a portion of the fee parcel is acquired, including areas of any associated easements.

RIGHT OF ENTRY (ROE): A right to enter the property of another for a temporary purpose given by the owner of the fee to the NJDOT. This is to be obtained by a representative of the NJDOT. This can also include the right to enter prior to commencement of condemnation or tender of a deed for a permanent easement or

parcel. It is always to be in writing, signed by the owner of the property or authorized corporate officer where a corporation is involved.

RIPARIAN GRANT: The grant by the State Tidelands Resource Council of its right to area within the flow of the mean high tide or which was historically flowed by the mean high tide and was artificially filled in without the appropriate consent or permission of the State, as reflected upon the tidal claims map maintained by the N. J. Department of Environmental Protection, Division of Coastal Resources, Bureau of Tidelands.

RIPARIAN RIGHTS: The rights of the owner of land on the bank of a watercourse relating to the water, its use and ownership of soil under the watercourse. In Section 2.0, the term is used only to describe those rights of landowners abutting on tide flowed lands.

RIGHT: A real estate interest in a property (e.g. access, drainage, slope, etc.)

RIGHT OF WAY (ROW): Land owned or to be acquired by NJDOT for highway purposes.

RIGHT OF WAY ENGINEERING (ROWE): The unit that is responsible for the in-house design of ROW documents and the review of design consultants' documents.

SERVIENT ESTATE PARCEL (SP): A parcel to be acquired that is encumbered by an existing private (access, parking or other similar type) easement owned by another entity.

SLOPE RIGHTS: An easement over the lands of others abutting the ROW line, upon which cuts and fills may be constructed and maintained subject to the terms thereof.

TAB SHEET: The last GPPM sheet. It contains a tabulation or listing of owners.

TIDAL WATERS: Any watercourse affected by tides.

TIDELANDS CLAIM LINE: The line that defines the lands now or formerly flowed by the mean high water line and claimed by the State of New Jersey.

TITLE: Ownership. Shown on ETMs, GPPMs and IPMs adjacent to the parcel bubble.

UNDERGROUND STORAGE TANKS (UST): Subsurface containers which (1) store motor fuel for noncommercial purposes (more than 1100 Gal.), (2) store heating oil (more than 200 Gal.) or (3) store any quantity of fuel/oil for commercial purposes. Sites that have such containers are subject to the NJDEP regulations.

3.0 Row Documents Preparation Schedule

Schedule

In order to prepare the ROW documents and at the same time minimize acquisition delays, the following schedule is established for ROW document submissions. All days are calendar days. See Attachment N for submission requirements.

- A. An Initial Meeting with the PM, the ROWE Unit, a representative from the ROW Technical Support Unit and the designer shall be held prior to the development of any ROW documents. The ROWE Unit will supply the designer with sample ETMs, GPPMs, IPMs and descriptions at the meeting (**These samples may be obtained earlier, upon request to ROWE.**). The designer is responsible for scheduling the meeting. When a sub-consultant will be preparing the ROW documents, the prime consultant shall also attend the meeting. The ROW procedure will be customized for the project at this meeting.
- B. A Preliminary Design (PD) ROW Plan Submission shall be sent to the Director, Division of ROW, ATTN: Project Coordination & Funding in accordance with the schedule established by the PM for consultant-designed projects and in coordination with the In-House Production Manager for In-House projects. These submission requirements are **not** listed in ATTACHMENT N. It shall contain two sets of prints of the GPPMs (without the Alignment Schematic Plan and Tab Sheet); each sheet shall be stamped with "PD ROW PLAN". This submission is to be used by the Division of ROW to refine their cost to acquire estimate and to submit for funding.
- C. A Preliminary ROW Submission shall be submitted as denoted in ATTACHMENT N and in accordance with the schedule established by the PM. ROWE will perform a quality assurance review and review of the documents to assure conformance to current standards. Comments will be returned to the designer approximately 3 to 4 weeks after the Preliminary Submission has been received.
- D. A Pre-Final ROW Submission shall be submitted **directly to ROWE only**, approximately two to four weeks before the Final Submission date as established by the PM. The submission requirements are **not** listed in ATTACHMENT N. The submission shall contain two sets of prints of the ETMs, GPPMs, one set of descriptions and a portion of the IPMs as directed by ROWE. This review will insure that all Preliminary Submission comments have been addressed, allow ROWE to review any new or changed parcels/descriptions and to insure the accuracy of all ROW documents before the extensive printing required for the Final Submission.
- E. A Final ROW Submission shall be submitted as denoted in ATTACHMENT N and in accordance with the schedule established by the PM. The letter of transmittal shall state the number of parcels to be acquired for the contract and list all parcels that were changed since the preliminary submission.

Note: Any change in these schedules must be requested through the PM.

4.0 Documents Required

Documents required in the preparation of ROW maps include, but are not limited to:

- Metes and bounds survey of the property to be acquired in accordance with N.J.S.A. 46:23-9.9 et seq. & N.J.A.C. 13:40-5.1, (f), (g), (h), (I) and (j) (minimum survey detail requirements as promulgated by the State Board of Professional Engineers and Land Surveyors), whether an entire or a partial acquisition.
- Latest deeds, wills, all easements, leases and other property rights documents on each property involved.
- Current development maps, tax maps, zoning maps, county maps or master plans.
- Road return books, where applicable.
- Filed maps establishing public rights of way.
- Vacations for streets that have been abandoned.
- Dedications and acceptance.
- Subdivision Plans and Site Plans (Preliminary and/or final).
- Municipal Resolutions.
- Status of Paper Streets.

These documents will be helpful in laying out the existing properties and showing existing public ROW in all affected areas where ROW maps are needed.

5.0 Material Specifications

Plan sheets for ETMs and GPPMs shall be of synthetic film, such as Mylar, and shall be 4 mils thick and matted on both sides. Markings shall be in ink and must be permanent. Mylars to be submitted must also be permanent with ink that does not come off with handling. Erasures and changes shall be made in accordance with instructions given for the material used so as not to harm the permanent original tracing.

IPMs shall be submitted on print paper and are limited to a maximum (as measured from the cutting edge) of 30" x 42". Parcels may be submitted on 8 ½" x 13", 11" x 17", 15" x 17", 15" x 21", 18" x 24", 22" x 36" and 24" x 36" size paper. For large parcels where match lines are necessary, plan sheets are limited to 22" x 36". The designer should use the smallest legible map size that shows the parcel and conforms to the requirements of Section 9.0.

Parcel descriptions shall be prepared on 8 ½" x 11" paper. Descriptions for the Final ROW submission are also submitted on 3.5" diskettes or other formats, when approved by ROWE.

ETM and GPPM plans shall be prepared on 22" x 36" sheets.

Riparian Grant applications shall be prepared on 8 ½" x 11" paper.

6.0 Row Parcels To Be Acquired

The property to be acquired by the State of New Jersey for highway purposes is accomplished by "fee" parcels. These parcels appear on ETMs, GPPMs, IPMs, and in descriptions. Guidance for the preparation of "fee" parcels is contained in each of those sections.

The types of "fee" parcels are as follows:

- Entire acquisition - Whole property is acquired with no RA.
- Partial acquisition - An unencumbered portion of the property is acquired and the owner has RA.
- Riparian - A parcel to be acquired within actual flowing tidal waters. Use "T" with the parcel number.
- Utility - A parcel to be acquired to provide replacement for the utility company's land interest lost under the terms of an "Order" or "Agreement" issued by the NJDOT. Use "U" with the parcel number.
- Servient Estate - A parcel to be acquired containing an existing private easement (access, parking or other similar type) encumbering the subject property. Use "SP" with the same parcel number as that of the unencumbered fee. (See Attachments A and B)
- Dominant Estate - A parcel to be acquired containing an existing private easement (access, parking or other similar type) encumbering a neighboring fee parcel. Use "DE" with a parcel number designated for the owner of the easement (a different number than that of the servient estate parcel number). (See Attachments A and B)
- Remainder Acquisitions - Parcels acquired that are beyond the Proposed ROW Line of the approved Typical Section, that may be used for temporary construction, future mitigation or acquired due to economic reasons (uneconomic remainder, landlocked parcels), etc. These parcels may be considered for private sale at a future date. Use the next available letter with the parent parcel number ("X" is no longer to be used).

7.0 COMMON ROW EASEMENTS PARCELS

The acquisition of property rights less than a fee interest, for a particular use by the State for highway purposes, is accomplished by easement parcels. These parcels appear on ETMs, GPPMs, IPMs, and in descriptions. Guidance for the preparation of "easement" parcels is contained in each of those sections.

The most common types of easement parcels are as follows:

- Slope - E parcels
- Grading - E parcels

- Drainage - E parcels
- Temporary Diversionary Road - E parcels
- Utility - UE and AE parcels
- Bridge - E parcels
- Construction and Maintenance - E parcels
- Site - S parcels
- Private - PE and PAE parcels
- Sight Triangle - E parcels
- Temporary Site Mitigation Work - S parcels
- Temporary Site Alternative Access Work - S Parcels

8.0 Denial Of Access Parcels

A Denial of access parcel is a separate category from those in Sections 6.0 and 7.0. They are parcels set up for limiting direct access only and are designated as "DA" parcels. Use the following procedure:

- A. Delineate "NO ACCESS".
- B. Delineate every point at which access is denied by acquisition by a vertical leader line and arrows.
- C. Show no area.

Note: For access that is denied administratively or by regulation, see Section 9.0, B., 2., m., 4) and Section 9.0, C., 2., c.

9.0 Row Documents Preparation-General Information

The preparation of all ROW maps shall comply with N.J.S.A. 46:23-9.9 et seq. and N.J.A.C. 13:40-5.1, (f), (g), (h), (I) and (j) (minimum survey detail requirements as promulgated by the State Board of Professional Engineers and Land Surveyors). The ROW Title Unit or other designated unit within the NJDOT will file each sheet of the ETMs with the appropriate County recording officer when all parcels contained within an individual ETM have been acquired. **Also, place a combined Map Filing Statement on the Key Sheet in the lower left corner of the Key Sheet (see CHECKLIST below).**

A. ENTIRE TRACT MAP:

1. KEY SHEET

a. CHECKLIST

- Scale
- Title Block/Surveyor's Title Block
- Construction project reference
- Map showing location of the project
- Corporate lines
- North Arrow
- The term KEY MAP

- Limits of ROW section
- Adjacent ROW section(s)
- Designer's name
- Project location
- Map Filing Statement

b. PROCEDURES

- 1) The Key Sheet shall be the first sheet, covering the entire ROW section. It should indicate the project area, showing partial coverage of adjoining sections, including mileposts and stations at the beginning and end of the ROW project.
- 2) The Key Sheet shall be prepared at a convenient scale to show the entire ROW section plus partial coverage of the adjacent ROW section(s). The New Jersey licensed Land Surveyor's Title Block is required on all ETMs, shall comply with N.J.A.C. 13:40-1.1, 1.2, and 1.3, et seq. (including signature and original seal) and shall be placed above the NJDOT Title Block or in the lower left corner as an alternate location. ROWE will supply a sample of the licensed Land Surveyor's Title Block at the Initial Meeting.
- 3) Place the Title Block in the lower right hand corner. Use the standard NJDOT Title Block, 3.5" x 6". A sample Title Block is provided at the end of Section 9.0, ATTACHMENT C. Obtain the Title Block information from the ROWE Unit. See Attachment C; substitute "ENTIRE TRACT MAP" for "GENERAL PROPERTY PARCEL MAP". See 3. b. under PROCEDURES FOR ETM PREPARATION for information on the Licensed Land Surveyor's Title Block.
- 4) Place the name of the construction project to the left of the Title Block as a reference for this ROW project.
- 5) Center the map on the sheet. It shall show corporate lines, names of counties, municipalities, major highways, streets, any geographical and man made features (lakes, rivers, railroads, etc.)
- 6) Show the North Arrow from the ROW Standard Legend that depicts the basis for the northing orientation.
- 7) Center the term KEY MAP below the map showing the project location with a bar scale also centered below.
- 8) Show the limits of the ROW section outside of the KEY MAP by lines extending into the map to the locations on the subject route that are the beginning and end of that section.
- 9) Show a portion of the adjacent ROW sections in the same manner as in 8) above. The portion shown should be enough to readily identify

the adjacent ROW sections and can be determined at the Initial Meeting when the consulting designer is unsure of the limits.

- 10) Show the designer's name on the outside of the left longitudinal border starting at the lower left hand corner of the border.
- 11) Show the ROW project location by highlighting the subject route on the KEY MAP and designating the limits of the ROW project in a similar method to the NJDOT Sample Plans for construction projects, available from the Bureau of Quality Management Services, Engineering Documents Unit.
- 12) Show the Map Filing Statement in the lower left corner of the sheet. It should state the total number of sheets and break out the number of ETMs and GPPMs. For example, 10 SHEETS FILED IN THE OFFICE OF THE MERCER COUNTY CLERK, 3 ETMS AND 7 GPPMS. Leave one line of space below the above statement and add DATE. Add FILE NO on the next line below. This statement is not required on any other sheet.

2. CHECKLIST FOR REMAINING ETMS

- Scale
- Title Block/Surveyor's Title Block
- North Arrow
- Revision Block
- Designer's name
- Baselines (Existing & Proposed)
- Block and lot for each property
- Existing deed information when not shown on the GPPMs
- Proposed parcels
- Parcel numbers
- Entire Property shown
- Adjacent owners
- Building and structures
- Municipal and county lines
- GPPM layout

3. PROCEDURES FOR ETM PREPARATION

- a. Scale: 1" = 100' throughout (Other scales may be used if approved by the ROWE Unit). Inserts at other scales are permissible, if necessary for clarification. Show the entire areas of the properties involved. Map coverage shall be complete and continuous end to end of the project. Either Match Lines or the overlap method is acceptable.
- b. Use the standard NJDOT Title Block, 3.5" x 6". A sample Title Block is provided at the end of Section 9.0, Attachment C. The New Jersey licensed Land Surveyor's Title Block is required on all ETMs, shall comply with N.J.A.C. 13:40-1.1, 1.2, and 1.3, et seq. (including signature and original

seal) and shall be placed above the NJDOT Title Block or in the lower left corner as an alternate location. ROWE will supply a sample of the licensed Land Surveyor's Title Block at the Initial Meeting.

- c. Show the North Arrow from the ROW Standard Legend. Other coordinate systems may be used with the permission of the ROWE Unit.
- d. Place a revision block in upper left longitudinal margin.
- e. Show the designer's name and the surveyor's name on the outside of the left longitudinal border starting at the lower left hand corner of the border.
- f. Show existing baseline stationing, if possible. Show the proposed baseline in the same manner.
- g. Show the current tax map block and lot numbers for each property to be acquired.
- h. Show all courses - deed bearing and distance noted by the line representing it, when not shown on GPPMs. Show deed book and page or any instrument conveying property rights, when not shown on GPPM. Show the complete outline of the entire property for each owner.
- i. Show the proposed parcel by completely outlining the property to be acquired with a heavy solid line.
- j. Show the parcel number (inside parcel if possible).
- k. Show entire remaining property adjoining the parcel (required for fee and easement parcels).
- l. Show current names of all adjacent owners, when not shown on GPPMs.
- m. Show all buildings, structures, driveways, parking lots, internal roads and other important features within the area to be acquired and within the area of the remainder, that exist as of the time frame the maps are turned over to the NJDOT for acquisition. Current aerial photo location verified in the field by visual observation at the time maps are submitted to the NJDOT for acquisition of included parcels and associated easements may be used, except when these features are within 100' of the parcel. Locate all items noted above accurately in the field by survey when within 100', and properly draw on the ETM in accordance with in-field survey notes and in accordance with generally accepted standards. Show the type of land (wooded, swamp, farm, etc. as per legend or note on ETM sheet). In-field verification shall occur prior to the time the ETM is submitted to the NJDOT for acquisition of parcels and associated easements depicted on the ETM. Update the ETM with any changes that have occurred since the time the ETM was originally prepared in accordance with the requirement stated above.

- n. Show all municipal and county lines.
- o. Index the layout of the GPPM sheets on the ETM, showing just the corners of the GPPMs with the sheet numbers.

B. GENERAL PROPERTY PARCEL MAP

General

The preparation of the GPPM shall comply with N.J.S.A. 46:23-9.9 et seq. and N.J.A.C. 13:40-5.1, (f), (g), (h), (I) and (j) (minimum survey detail requirements as promulgated by the State Board of Professional Engineers and Land Surveyors). The ROW Title Unit or other designated unit within the NJDOT will file each sheet of the GPPMs with the appropriate County recording officer when all parcels contained within an individual GPPM have been acquired.

There shall be a research reference noted for each parcel. All pertinent documents, such as development maps, tax maps, deeds, vacations, abandonments, dedications and other county, municipal or corporate resolutions shall be shown as notes on the GPPM. The designer shall indicate the **Board Date**, which is the date of the current record's update for each county, for the research reference material. The Board Date may be posted or may be obtained from personnel in the county's record room. The researcher should check the owner's of all the parcels right before the Pre-Final ROW plans are submitted and place that date on the plans at this point in the plan development. The designer is to use the Board Date when this final check started and place it with the reference material.

Note: Place the following statement, as part of the Standard Legend (See Attachments D and E), on the first GPPM sheet. "The proposed parcel courses and the north arrow depicted may differ from the system utilized to plot the deed distances and courses". **Also, place the Map Filing Statement on the Key Sheet, see 9.0, A., 1., b., 12).**

1. CHECKLIST (EXCEPT FOR TAB SHEET)

- Title Block/Surveyor's Title Block
- Legend
- Scale
- Layout
- North Arrow
- Revision Block
- County
- Municipality
- Designer
- Reference
- Baselines
- Topography
- Field ties
- Research references/Properties plotted

- Existing and proposed ROW Lines
- Parcels to be acquired
- Proposed easements
- Riparian grant applications
- Environmentally sensitive parcels

2. PROCEDURES

- a. Obtain ROW Title Block information from the ROWE Unit. The lower right hand corner of all sheets shall have an area of 3.5" vertical by 6" horizontal for the Title Block (See Attachment C). The licensed Land Surveyor's Title Block is required on all GPPMs, shall comply with N.J.A.C. 13:40-1.1, 1.2, and 1.3, et seq. (including signature and original seal) and shall be placed above the NJDOT Title Block or in the lower left corner as an alternate location. ROWE will supply a sample of the licensed Land Surveyor's Title Block at the Initial Meeting.
- b. Show the standard legend (See Attachments D and E) on the first GPPM. A combination legend and tabulation sheet may be used on the last GPPM, if approved by the ROWE Unit. The ROWE Unit can furnish this sheet. Line weights shall comply with those shown on the standard legend.
- c. Use the same scale as the construction plans, normally 1" = 30'.
- d. Use of either Match Lines or overlapping images on successive GPPM sheets by a **minimum of 1"** is acceptable. Number the sheet; place a 0.5" diameter circle in lower right corner of the 3.5" by 6" space reserved for the Title Block. Number the ETMs, including the Key Sheet, separately from GPPMs, which include the Tab sheet.
- e. Show the North Arrow from the ROW Standard Legend. Other coordinate systems may be used with the permission of the ROWE Unit.
- f. Place a revision block in upper left longitudinal margin.
- g. Show the county and municipality designated in upper right corner of each sheet (except for Key Map and Tab sheet).
- h. Show the name of the prime consultant; sub-consultant or in-house unit that prepared the ROW plans in the lower left longitudinal margin.
- i. Show the construction project reference (Route and Section) to the left of the Title Block. Provide all references used to determine the existing ROW.
- j. BASELINES:
 - 1) Mark all control lines, existing and proposed, on the GPPMs (baselines, centerlines, survey lines, etc.).

- 2) When there is more than one new baseline, use the controlling base line as Baseline "A", others as Baseline "B", Baseline "C", Baseline Ramp "D", etc. W.B. (Westbound) and E.B. (Eastbound) baselines may be used on dual highways.
- 3) Show existing and new baselines/centerlines accurately. Indicate their relationship by providing actual ties, that is, stations and offsets. Provide ties to every P.C., P.C.C., P.T. and P.I. between the existing and the new baseline.
- 4) Calculate stations and coordinates of P.C., P.C.C., P.T., P.I., equation stations, and record to the nearest 0.01' from traverses calculated, adjusted and tied into NAD 83, or other approved coordinate systems, to a minimum closure accuracy of 1/10,000 by field survey methods.
- 5) Show grid bearings to nearest second, if warranted by accuracy of fieldwork and computations.
- 6) Tie baselines of side streets into the NJDOT Baseline by field survey methods with sufficient information and monumentation given for complete layout.
- 7) Include complete layout information for proposed realignment of intersecting streets.
- 8) Coordinate the establishment of county and municipal baselines, along with the existing ROW width, with the county and municipal engineers.
- 9) Number curves and tabulate curve data elsewhere on the same GPPM sheet.
- 10) Show existing monuments designating or controlling existing baselines. Provide station, offset and coordinates to all existing NJDOT, county and municipal monuments.
- 11) Show proposed monuments for baselines or ROW lines (please note Section r (12) of the Map Filing Law for setting monuments). Locate ROW monuments on and along the State's proposed ROW lines at the following locations (**Note:** Monuments are to be set by the contractor's surveyor):
 - a) At most points of intersection locations along normal/tangent proposed ROW lines. It is not necessary to place a monument where the proposed ROW meets existing ROW. Examples of exceptions so as to not "over monument" the project would be to eliminate some monuments at points of intersection locations on small or short changes such as when the proposed ROW line would go around a proposed sign structure, building or small drainage structure. The designer shall contact ROWE with any questions.

- b) At most P.C., P.T., P.R.C., and P.C.C. locations along curved proposed ROW lines. It is not necessary to place a monument where the proposed ROW meets existing ROW. An example of an exception so as to not "over monument" the project would be to eliminate some monuments at points on compound curves with multiple P.C.C. points. The designer shall contact ROWE with any questions.
 - c) At radial or perpendicular lines to all horizontal changes in the project's proposed baseline or existing baseline, if the existing baseline is being used (i.e., P.C. and P.T. offsets).
 - d) At points not greater than 1320' apart where the ROW is straight or on a continuous horizontal curve of constant radius.
 - e) At an offset where a physical obstruction impedes the exact location.
 - f) At the crest of a sharp hill or the shoulders of a large/rounded hill.
 - g) As directed by ROWE.
- k. TOPOGRAPHY (Refer to IPM Procedures, Section 9.0, C., 2., f, for standards).
- 1) Show existing buildings, bridges and other permanent structures.
 - a) Type; use (e.g. 2-1/2 sty. Brick Dwelling, 1 sty. Masonry Dwelling, Commercial, etc.) and house number.
 - b) Offsets to structures on the RA within 10' of the proposed ROW line or from the proposed slope line shall be measured and shown from the proposed ROW line to the nearest 0.10'.
 - c) All overhangs of structures within 10' of proposed ROW line shall be shown and labeled to nearest 0.10'.
 - 2) Show above and below ground physical features in detail within 100' from the proposed ROW or proposed slope line, including, but not limited to:
 - transmission lines
 - railroads
 - inlets
 - manholes
 - drainage pipes
 - headwalls
 - retention and detention basins
 - sewage systems - municipal, corporate or individual septic system. Obtain as-built location plans from municipality, if possible, or field

investigate, as necessary, to ascertain location – both existing and proposed

- wells
- driveways, parking lots and paved areas - type: concrete, gravel, blacktop, etc.
- trees, shrubbery and outlined wooded areas
- fences, signs and light standards
- retaining walls
- all water lines, all gas lines and underground storage tanks
- concrete pads, islands, pumps, and appurtenances - show offset distance to the nearest 0.10' within 10'
- other utility lines and facilities - for example, valve boxes, hydrants, traffic control boxes, etc.
- existing floodway, floodplain and wetlands limits (show these limits for the entire property using an inset)
- guiderail

Aerial photography maps should be used for the area beyond the 100' survey limit and label all significant items (buildings, wells, etc.)

- I. FIELD TIES TO FOUND PROPERTY CORNER MARKERS shall be obtained by surveys within the limits of the project. Only show property corners found in the field and identify what the markers are (iron pipes, monuments, etc.). Provide station and offset from the proposed baseline to the nearest 0.01'. If property corners cannot be found, other means such as deeds, filed maps, etc., will be used to establish the sidelines.
- m. RESEARCH REFERENCES/PROPERTIES PLOTTED – Show research references. List all references including deeds, filed maps, surveys, site plans, NJDOT maps, etc. Show the following information for properties plotted:
 - 1) Deed dimensions (Plotting).
 - a) Label courses as per deed description.
 - b) Show Latin abbreviations et ux, et vir, or et al on GPPMs and ETMs, if necessary.
 - 2) Deed book and page or will book and page (show this information within the property, if possible).
 - 3) Tract number and tract lines.
 - 4) Exceptions outlined and noted.
 - 5) Easements outlined and identified as follows: width; purpose; location of street or utility within easement; deed book and page.

- 6) Current names of adjacent owners. Use n/f (now or formerly) in front of the adjacent owner's name.
 - 7) Private ROW outlined and identified as follows: width, purpose; location of road or path, etc.; Deed book and page.
 - 8) Public ROW (may need to check jurisdictional control).
 - a) Streets with official width, name and source of information (provide road return book and page, where applicable).
 - b) Municipal resolution, filed development map, tax map, deed calls, etc. (show name, date and index references).
 - c) Vacations or abandonments, including date and location of information (provide road return book and page, name, date and index references).
 - d) Map references and file number, if available.
 - 9) Development name and owner's name (from filed maps, if available).
 - 10) Block and lot numbers using the most current tax map (including its date in the research reference); house number, if available: land use and/or zoning.
 - 11) All land previously acquired by NJDOT shall indicate the route, section, parcel number and date of acquisition.
- n. LOCATIONS OF EXISTING AND PROPOSED ROW LINES.
- 1) Designate lines enclosing an intersection with direct traffic connection to and from the main route as proposed ROW for the main route. For those intersections with an overpass or underpass only, designate lines set as proposed for the cross street as proposed line of said cross street and in descriptions as northerly or westerly lines of said cross street. When questions arise in applying these rules, contact the ROWE Unit.
 - 2) Set points, stations, offsets, angles and/or bearings shown accurately and clearly. Provide sufficient information to enable the laying out of the ROW lines from the GPPM.
 - a) Show set points to proposed ROW lines and easement lines to the nearest 0.01' from the proposed base line by stations and offsets.
 - 3) Use solid heavy line weight to designate proposed ROW lines with small circles accurately defining each angle or direction change in the line.
 - 4) Label all existing and proposed ROW lines, including existing access easements, to indicate where access is denied by acquisition. Also,

where access is denied administratively or by regulation, such action shall be indicated on the GPPM for the easement or fee parcel being acquired. Use the same format as when showing "No Access", but use the following note: Access Denied administratively or by regulation.

- 5) Mark proposed and existing ROW lines "Proposed ROW Line", "Existing ROW Line", "Proposed Line" or "Existing Line".
 - 6) The designer shall establish the existing NJDOT baselines and ROW lines from existing NJDOT baseline and ROW line monuments.
 - 7) A ROW Alignment Schematic Plan shall be provided as a GPPM. The term **Alignment Schematic Plan** shall be placed at the top center of the sheet. This sheet shall be placed in front of the Tab Sheet, after all other GPPM sheets and shall be at the same scale as the Tie Sheet in the construction plans or at a scale approved by ROWE. The proposed ROW line shall be tied to the proposed baseline (or existing baseline if it is being utilized in the project). The existing monuments shall be tied to the project baseline. A summary of the existing monuments that have been found shall be provided indicating station, offset and/or coordinates.
- o. PARCELS TO BE ACQUIRED IN FEE

Parcels to be acquired in fee shall encompass only the property that is required for the ROW (in fee, license or grant). The designer shall review plan impacts early on in the ROW plan preparation in order to identify remainders that are too small for use and/or severely damaged by the acquisition (for example, landlocked because access is being denied). The designer should discuss these impacted remainders with the Division of ROW to determine if the property should be an entire acquisition. If this determination occurs later in the ROW plan preparation, the acquisition shall be designated as a separate parcel using the "parent" parcel number with the next available letter as the prefix (For example, the RA to be acquired for parcel 15 would become 15B). **At no time** should a RA, which is not to become part of the physical and permanent part of the ROW, be acquired without the authorization of ROW Technical Support.

- 1) Delineate the fee parcel with heavy lines (see standard ROW legend). Show a bearing and distance for each course and number each course. Describe each numbered course of the proposed parcel with a metes and bounds description (bearing and distance).
- 2) Parcel number (inside parcel if possible).
 - a) Begin with lowest number (obtained from the ROWE Unit) and increase in direction of stationing.

- b) Where more than one right is required (e.g. a fee parcel plus an easement) from an owner for various construction needs, set up only one parcel and identify each additional right (except utility parcels). **This procedure only applies where the rights are contiguous to the subject parcel. Set up separate parcels when the rights are not contiguous.**
- c) Parcels required from contiguous properties in the same ownership, each having a separate tax lot designation, the designer should consult with ROWE and ROW Technical Support. The designer shall determine if the lots shall be treated as an assemblage with one parcel and one remaining area or as individual properties with each having its own parcel and remaining area designated. Different treatment may be required due to the presence of separate and distinct "highest and best uses" for each property. This consultation shall take place prior to the development of the Preliminary ROW Submission.
- d) On the GPPM the "SP" and "DE" designation shall be used to identify the area to be acquired that includes a fee parcel and an existing private easement. Two different parcel numbers should be used to identify the component parts of the acquisition on the GPPM; one for "SP" parcel (owner of the acquisition parcel) and one for the "DE" parcel (under the name of the holder of the easement). (See Attachments A and B)

3) Parcel area

- a) Show areas to the nearest 0.001 acres for areas greater than or equal to 0.20 acres and to the nearest square foot when they are less than 0.20 acres. Use square feet in Metropolitan areas, subdivisions and very small areas.
 - b) Show the easement area where delineated (ditch, drainage easement, diversionary road, slope, etc.).
- 4) Show the remaining area and label it R.A. Where areas remain on both sides the highway, show them as: R.A. North and R.A. South, or R.A. East and R.A. West.
- a) For example: *R.A. = 6.543 Ac or R.A. = 1,043 SF*. RA - Calculate by subtracting the parcel area from the deed area, except for areas subject to public ROW (e.g. roadways). Place a note on each GPPM that contains an RA indicating this method of calculation.
 - b) Total area should equal the deed area.
 - c) Whenever an easement is required, include the area of the easement as part of the remaining area.

- 5) Subdivision of parcel - Parcel 21 becomes Parcel 21A and Parcel 21B, and Parcel 21A becomes Parcel 21A1 and Parcel 21A2, if again divided. The original parcel number should remain and, if necessary, arrows should be added to show extent of parcel before subdivision.
- 6) Types of Parcels to be acquired in fee. - Add a letter before the parcel numbers as noted in Section 6.0. The types of parcels are as follows:
- Entire acquisition
 - Partial acquisition
 - Riparian
 - Utility
 - Servient Estate
 - Dominant Estate
 - Remainder acquisition
- 7) Structures - The area under bridges (to the outer extent of the wingwalls, abutments and footings), culverts (crossing under highway and ramp sections), and other permanent structures (e.g., sign structures), including their footings, shall be acquired in fee, when practical (See Bridge Easements under EASEMENTS AND RIGHTS TO BE ACQUIRED) (See Attachments F and G) and other areas as directed by the "scoping team" (see Bridge Easements, Drainage Easements and Construction and Maintenance Easements for the additional area required for construction of the structure.). For structures over water, the designer shall obtain a letter from the N. J. Department of Environmental Protection, Division of Coastal Resources, Bureau of Tidelands, confirming any existing riparian rights or the lack thereof.
- p. EASEMENTS AND RIGHTS TO BE ACQUIRED - All easements, both permanent and temporary, **shall be tied to the proposed baseline by stations and offsets**. However, easements which constitute a substantial use of a property (easements that are so intrusive that they allow no other use for the area of the easement, for example, slopes formed with rock backfill) should be treated like acquisitions in fee, that is each course of this type of easement should be described by metes and bounds. Easement areas, including easements that constitute a substantial use of a property, are not deducted from the RA. A letter prefix designates any easement that is not included in a property acquisition, for example: *parcel E1, UE8, TE9*, and so on. For easements to be acquired from property designated as riparian lands by NJDEP that are actually tidally flowed, use the procedure for the type of easement that the parcel would have been if it had not been over tidelands and add the letter T in front of the parcel number. See RIPARIAN GRANT APPLICATIONS, Section p. below. Use the same method for calculating easement areas as described in 9.0, B, 2, o, 3) & 4) (Parcel area). All easements, except for Slope Temporary Site Alternative Access Work and Temporary Site Mitigation Work (These three types of easements do not represent the same line as the "construction top and toe of slope), shall be placed on the construction

plans. Show all Temporary Easements in a chart on the Tab Sheet. See Section 9.0, B, 3, a and b.

1) SLOPE EASEMENTS: Show proposed slope line, if outside of proposed ROW line. See the standard ROW legend.

Note: This proposed slope line is not the same as the slope line shown on the construction plans. This slope includes wash and spread. See Attachment H for the sketch showing Slope E. In areas where the Department has acquired slope rights the easement parcel will be the computed area between the previously acquired slope line and the new Slope E Line. If the owner has filled or cut his property to the grade of the highway and no deed of release was issued by the Department, any new slope which falls within this previously acquired slope area will not require an easement parcel, however, if a deed of release for the slope easement was issued, a new slope easement parcel is required.

- a) Dimension slope offsets at the beginning and ending stations and at 50' intervals from the ROW line. Slope offsets shall be shown to the nearest foot.
- b) Show slopes previously acquired (reference to Route, Section and date of acquisition).
- c) Show proposed slope easement area for each parcel, excluding existing slope areas previously acquired. Show multiple slope areas individually and totaled.
- d) Label the slope ratio for all slopes on the GPPM. It is important that this be done so that the effect, if any, on the remaining lands can accurately be determined. Label the slope as: Slope "E" (4:1), Slope "E" (2:1), Slope "E" (1:1½), etc (See Attachment H).

2) GRADING RIGHTS

- a) Delineates a temporary right to grade the remaining lands in accordance with any change of grade along the road improvement and with b) below. The time period for the entry and a detailed explanation of the work should be included within the description.
- b) Slopes 6:1 or flatter are considered "Limit of Grading" areas (For Temporary Site Mitigation Work or Temporary Site Alternative Access Work for driveways, see d), below).
- c) Show an area on the GPPM.
- d) See Section 14 of the NJDOT Procedural Manual for Access Adjustments/ Modifications/ Revocations. **DRIVEWAY GRADING OUTSIDE OF THE ROW IS NOT A PERMANENT EASEMENT.**

- (1) Place the following note on the GPPM when the property owner has executed a ROE - Access: **"This property owner has executed a ROE for construction of the driveway(s) and associated site improvements identified on this plan."**
This note should only be used in cases where there is no other right of way involvement (if the owner had not signed the ROE, a Site Parcel would have been required). Also, before putting the note on the GPPM, check the plan showing what is to be constructed against the plan attached to the ROE to be certain that they agree and the proposed construction has not changed.
- (2) OAD will send out a ROE letter to affected property owners. OAD will not send out a ROE letter to the owner if other ROW (fee or easement) is being acquired on that property (See Attachment I). If the ROE is not signed, the designer must prepare ROW documents for a Site Parcel easement (see paragraph 10), this section). The PM will send out the ROE letters for projects that are on local roads (e.g. Local Aid Projects).
- (3) Show a short dashed line indicating the limits of the driveway work with 5' minimum additional distance outside the physical limits of the work for construction purposes and label this line "Temporary Site Mitigation Work Line" or "Temporary Site Alternative Access Work". Show additional 5' offsets when needed for clarification.
- (4) Show an area for "Temporary Site Mitigation Work" or "Temporary Site Alternative Access Work".
- (5) Use the appropriate clause in the description.
- e) Do not consider slopes along graded driveways as part of the roadway toe or top of slope (this is the limit of Temporary Site Mitigation Work" or "Temporary Site Alternative Access Work). Carry roadway slopes across each driveway as though the driveway did not exist. This slope line across the driveway represents the toe or top of slope for support of the highway. Use the appropriate slope clause.

3) DRAINAGE EASEMENTS

- a) Show pipes, headwalls and other drainage appurtenances. Do not dimension these items.
 - (1) Proposed drainage system shall indicate direction of flow. Do not show pipe size.

- (2) Easement areas shall encompass proposed headwalls and other drainage structures.
- (3) Determine the width of the easement by pipe size, structure size, depth of excavation and other factors. A minimum width of 10' from the outside of the pipe or structure on each side is recommended. However, provide enough area to enable the proper construction, including access to the site, and future maintenance of the drainage structure.
- (4) Special situations, such as large or extremely deep drainage easements, where a larger area is required for the initial construction, include a Temporary Construction Easement with the Drainage Easement to minimize the permanent easement area.
- (5) The designer shall be aware of sensitive areas (e.g. high cost properties) and adjust the easement area appropriately for site conditions.
- (6) Show areas individually and, in the case of multiple drainage easement areas, provide a total area.

4) TEMPORARY DIVERSIONARY ROAD EASEMENTS

- a) Show the traveled way, berms, slopes, and drainage system affecting the RA.
- b) The limits of the temporary diversionary road shall include slopes and be marked "Temporary Diversionary Road". Dimension the temporary diversionary road from the existing ROW line or set from baseline. Show an area.

5) UTILITY EASEMENTS

- a) Show the width of easement.
- b) Show easement area.
- c) Show the type of utility within the easement.

6) BRIDGE EASEMENTS

- a) To be used only when a fee acquisition is not practical.
- b) Delineate the proposed easement for the area required to construct and maintain the structure, including access to the site.
- c) Set bridge easement lines a minimum of 15 feet from the structure

d) The designer shall include a clause in the description (see Section 9.0, C., 4, d, 10) and 11) specifically prohibiting the storage of any combustible, hazardous and/or toxic material within the easement area, that could cause a fire, corrosive damage to the structure, or that would be a potential health hazard to any personnel performing their duties around or on the structure.

e) Show easement area.

7) CONSTRUCTION AND MAINTENANCE EASEMENTS

a) Retaining walls, culverts, cofferdams and other structures not included in 6) above.

(1) Delineate and label any footings "Limit of Footing".

(2) Show the construction and maintenance easement. In the case of retaining walls where ROW was not acquired in fee to the back face of the footing, set the proposed ROW line on the back face of the proposed wall. See Attachments F and G.

(3) Set the easement width sufficient to construct, inspect and maintain the structure (including the footing). The easement shall include a means of access to the site.

(4) Show easement area.

8) PRIVATE EASEMENTS

a) Delineate and dimension limits of easement.

b) Label easement "Private Easement".

c) Show easement area.

d) The same procedures used in a) - c) above also apply to the PAE.

9) AERIAL EASEMENTS (For utility pole overhangs only.)

a) Delineate and dimension width of easement.

b) Label easement "Aerial Easement"

c) Show easement area.

10) SITE PARCELS (Temporary Rights of Entry for Construction of Driveways and related work)

a) Use when the property owner does not sign the ROE and there is no additional fee parcel involved.

- b) Delineate by a dashed line labeled "Limit of Site Parcel", including 5' additional outside the physical limits of the driveway work for construction purposes.
- c) Show area.

11) SIGHT TRIANGLE EASEMENTS

- a) Delineate and dimension limits of easement.
- b) Label easement "Sight Triangle Easement".
- c) Show easement area.

12) EXISTING EASEMENTS (Dominant Estate)

- a) A separate parcel shall be assigned to the existing easement that is affected by any acquisition.
- b) Existing easements shall be shown as a parcel with the property for which it serves (not as a part of the property which it crosses or upon which it is physically located). (See Attachments A and B)
- c) Delineate the dimension and limits of the easement.
- d) Label the existing easement as DE (Dominant Estate). Label the underlying fee within the existing easement as a SP (Servient Estate) parcel. Note: See Section 9.0, B, 2, o, 2), d) herein.
- e) Show Dominant Estate easement area.

q. INTERIM LICENSE/RIPARIAN GRANT APPLICATIONS.

- 1) Identify the riparian parcels or the possibility of riparian involvement.
- 2) Contact NJDEP, Bureau of Tidelands to verify the riparian involvement.
- 3) If there is riparian involvement, schedule a meeting with NJDEP, Bureau of Tidelands to gather and confirm data required on the ROW documents. The designer shall define the existing mean high water line and provide a current NAVD88 elevation for the MHWL for parcels bordering on or inclusive of a natural tidal watercourse. This line must be accurately established in the field and confirmed with NJDEP. The designer shall define the tidelands claim line for lands formerly flowed by the mean high tide, as shown on the tidelands claims maps. Tidelands claims maps are filed in each county and municipality where these tidelands are located. Copies may be purchased from the Bureau of Tidelands Management, NJ Dept. of Environmental Protection, PO Box 439, Trenton, NJ. All tidelands claims lines are also in digital format, on the CD ROM entitled "GIS Resource Data - NJ Dept. of Environmental

Protection Series 1, Volume 4" and can be purchased from NJ Dept. of Environmental Protection's Map and Publications.

- 4) Do not label parcels subject to "formerly flowed claims lines" with the "T" (riparian) designation. The designer shall list only the upland owner of the property in the Title Bubble (not NJDEP). The area to be acquired shall be listed under the parcel bubble for the upland owner. However, the area of the "formerly flowed claims" encumbrance shall be calculated and also listed under the parcel bubble. This area is to be labeled "formerly flowed claim area=". The RA shall be the deed area minus the parcel area. The parcel area is the sum of both the encumbered and unencumbered areas. The plan shall show the total parcel area and the area of the encumbrance (formerly flowed claims line).
- 5) The application form for a tidelands grant is found in Section 10.0. The designer shall submit the prints and application as shown in Attachment N for each submission. The Manager, ROW Technical Support will forward the application and required documents to the Bureau of Tidelands Management, NJ Dept. of Environmental Protection.

r. ENVIRONMENTALLY SENSITIVE PARCELS

- 1) Define environmentally sensitive parcels as early as possible in the design process. These parcels will be identified by the BEPS, "E Team" during the preparation of the documents for the Categorical Exclusion (CE), Environmental Assessment (EA), Environmental Impact Statement (EIS) or EO 215 (state funded projects). BEPS shall notify the ROW designer of all environmentally sensitive parcels as soon as they are identified.
- 2) Acquisition from any of the following example properties (but not limited to) will qualify them as environmentally sensitive parcels:
 - Spill Act and Contaminated Soils Properties
 - UST (Underground Storage Tanks)
 - Section 4(f) properties
 - Green Acre properties
 - Historic Properties (Section 106 Involvement)
 - Landfills
- 3) Identify environmentally sensitive parcels on the GPPM as "Sensitive Area" with the type indicated in parenthesis for each sensitive area. For example: "*Sensitive Area (Landfill)*". In areas where the GPPMs are too congested, list and describe the sensitive parcels within a box located in

the lower left corner, if space permits. If not, place where space allows (All sensitive parcel information should also be noted on the IPM). For example:

Sensitive Parcels	
Parcel #	Type
28	UST
47	Historic
53	Landfill

3. TAB SHEET - Provide a tabulation sheet and number it as the last GPPM, with the parcel numbers, parcel areas, owner's names, addresses, etc.

a. CHECKLIST

- Title Block
- Plan sheet number
- Parcel numbers
- Parcel areas
- Easements
- Location
- Ownership (show names exactly as indicated in the deed)
- Deeds
- Remarks
- Revision block
- Designer's name
- Standard ROW legend (optional)
- Temporary Easement Chart

b. Procedures

Sample Tab Sheets are available from ROWE and can be included in the material distributed at the initial meeting. The "STANDARD ROW LEGEND" may be placed on the TAB SHEET for projects that have a small number of parcels to save room on the first GPPM sheet. Get approval from the ROWE Unit to use this combined sheet.

A Temporary Easement Chart shall be shown on the Tab Sheet as a separate item. It shall contain the Parcel Number, GPPM Sheet Number(s), Type and Duration (*For Example*).

Temporary Easements			
Parcel No.	GPPM Sheet Number(s)	Easement Type	Duration
8	3	Erosion Control	2 Months
10	4	Construction	4 Months

C. IPM PREPARATION

General

Prepare an IPM for each parcel to be acquired (see Section 5.0 for IPM sizes). IPMs should be as clear and concise as possible since they are used for appraisals, negotiations and court hearings/cases. When there are multiple parcels under the same ownership, contiguous to the same remainder, show all the parcels on one IPM. Show the ROW and pertinent construction information for about 50' on each side of the parcel. Generally, the scale of the IPM should be the same as the scale of the GPPM. Smaller scales (e.g. 1' = 50') may be used with the permission of ROWE and inserts at a larger scale may be used for clarification. Show the owner's entire property. An entire tract insert is permitted for large properties, generally at the same scale as the ETM (see samples of IPMs). However, IPMs that show the entire property without the use of an entire tract insert are preferred. Match lines and additional sheets may be used in the preparation of the IPM. Show a note describing the calculation method used for the RA, e.g. calculated by subtracting the parcel area from the deed area, except for areas subject to public ROW (e.g. roadways).

When providing additional IPMs for condemnation cases, fold all sheets to 8½" x 11" with the Title Block showing (See Attachments J and K). Provide a border, approximately 1/2" around all IPMs (except that the top border shall be 1½"). Along the upper left margin, place the name of the designer (consultant or ROWE). Signing and sealing of the IPMs is not required.

1. CHECKLIST

- GPPM reference
- Sets
- Access
- Baselines
- Slopes
- Topography
- Existing easements
- Existing street widths
- Proposed easements
- Deed Information
- Scaled distances
- Block & lot
- North Arrow
- Bar scale
- Parcel bubble
- Title Block
- Parcel identification
- Inserts
- Calculated parcel depth
- Contiguous fee parcels
- Servient and Dominant Estate Parcels
- Color code

- IPM reviewer Checklist
- IPM description

2. PROCEDURES

- GPPM reference – Base the IPM on the GPPM and reference the GPPM that the parcel is derived from. Show Route, ROW Section, date and “GPPM, Sheet ___ of ___.”
- Sets - Show sets from the proposed baseline to the proposed ROW lines by stations and offsets along with references to the GPPM and the Construction Plan. Set all parcel lines that are proposed ROW lines or proposed street lines from the baseline. In addition, designate proposed easements by baseline stations and offsets.
- Access - Label all existing and proposed ROW lines to indicate where access is denied by acquisition. Also, where access is denied administratively or by regulation, such action shall be indicated on the IPM for the fee parcel or easement being acquired.
- Baselines - Show and label all baselines used to set the parcel or to locate the parcel in the description. Show baseline bearings, radii, central angles, P.T., P.C., P.C.C. and P.I. stations affecting the setting of the ROW line. When two intersecting base lines are used for setting the ROW, show the equation.
- Slopes - Show and label slopes within the remaining area of the subject parcel with offsets. When there are two or more separate slope easements, show the area of each and a total slope area. Show and label slope rights acquired previously, “Slope Rights Previously Acquired” (Route & Section, with date from the Map Quote).
- Topography - Show all structures, trees, sidewalks, underground and aboveground utilities, etc., within the subject property and adjoining streets and highways. Also show any feature that could affect the value of the property (e.g. *wetlands*). Do not show topography in adjoining properties, except where it affects the subject property (e.g. *shared driveways, row houses, wetlands that are continuous from those located on the subject property or within the areas of the parcel, landfills, etc.*). To further clarify and delineate the property impacts, add the following additional information on each IPM: the distance, to the nearest 0.1’, from the proposed ROW line to any building or appurtenance, including overhangs, commercial signs, pump islands, canopies, oil tanks, wells, detention/retention basins, parking spaces and septic locations within 100’ of the proposed ROW line. Existing improvements must be clear and concise on the map. Show all sensitive parcel information as shown on the GPPM. Base the IPM on the same topographic survey as the GPPM, so that they shall be consistent with each other.

- g. Existing Easements - Show all existing easements (*e.g. utility, private, drainage, bridge, access, etc.*) within the subject property; dimension and identify the holder of the easement (deed book & page.). When there is an acquisition of a existing private easement, a separate parcel shall be set up under the name of the owner of the easement and shown only on the IPM associated with that owner DE parcel).
- h. Existing Curb and Traveled Way - Show existing edge of pavement and/or the existing curb line.
- i. Existing Street Widths - Show the existing ROW width of the highway or street. Show and name all streets that affect the subject property.
- j. Proposed Easements - Show and label all proposed easements within the remaining area with dimensions or offsets. When there are two or more easements of the same kind, each shall have its individual area labeled. Inserts at enlarged scales may be used for clarification in the case of multiple and/or overlapping easements. Where **permanent** easements overlap, place a note showing the area of overlap of the smaller easement within the larger one (*e.g. 450 SF+/- of Slope within the Drainage Easement*). Where there are multiple overlaps, show a total overlap area for each type.
- k. Deed Information - Show deed bearings, distances, radii and arc lengths along property lines of the parcel (or file map or survey map information). Also show the deed book(s)/page and block/lot number) and remaining area. Never mix deed and other map information.
- l. Scaled Distances - Use scaled distances under the following conditions*:
- 1) When the subject property is made up of more than one lot and it appears that the information comes from different deeds and there is no total deed distance.
 - 2) When the deed line runs to the center of the roadway, in addition to the deed bearing.
 - 3) When the parcel intersects the property line, in addition to the deed bearing.
- * Identify scaled distances as (s) on plans. Show scaled distances to the nearest foot, on each course inside the fee parcel area and on the adjoining remaining property lines. Also, show a scaled perpendicular distance from the existing ROW line to the proposed ROW line.
- m. Block & lot - Show block and lot numbers of the properties adjacent to the parcel.
- n. North Arrow - Show a north arrow with the basis for its northing orientation.

- o. Bar Scale - Show above Title Block. If an entire tract insert is used, show bar scale for the insert.
- p. Parcel Bubble - Show the parcel bubble (title area) in the form as depicted in Attachment L.
- q. Title Block (See Attachment M) - Show the ROW route and section, section limits, parcel number(s), municipality, county and the date the IPM was prepared.
- r. Parcel Identification - Indicate by a line and arrow from the title circle to the parcel or by a smaller circle within or adjacent to the parcel. Indicate parcels on the entire tract insert with a small circle. When two or more fee parcels are contiguous, indicate each by a small parcel circle showing the area, and the main title shall have the circles connected either horizontally or vertically and show the total area.
- s. Calculated Parcel Depth - Dimension indicating the distance from the proposed ROW line to the existing ROW line. It shall be shown perpendicular or radial to the proposed ROW line.
 - 1) The dimension shall be shown at the approximate center of each parcel with a proposed baseline station shown at the dimension location. The dimension shall be shown to 0.1'. Additional dimensions should be shown on complicated (odd shaped) parcels to depict the parcel depth.
 - 2) The distance will be based on verifying the existing baseline and existing ROW plan information and supplying a tie from the existing baseline to the proposed baseline.
 - 3) When the existing ROW information cannot be verified, due to lack of original monumentation, a clarification note should be placed on the IPM and GPPM (For example: "The existing ROW information is based on the 1927 line, but was unable to be verified in the field." Note the reason for being unverified.
- t. Contiguous parcels - Describe together only the outer boundary of those parcels joined in the title (parcel bubble area). Easement or utility parcels, even when they adjoin a fee parcel, require a separate title listing.
- u. Servient and Dominant Estate Parcels - Acquire Dominant Estate (DE) parcels under the name of the owner of the easement as a separate parcel and depict on a separate IPM from that used to show the acquisition of the underlying fee parcel (SP) which shall be established under the name of the owner of the fee. Also the "SP" parcel shall be shown in red with dimensions and area and the "DE" parcel shall be shown in pink with dimensions and areas. (See Attachments A and B)

- v. Color Code - Highlight the parcel and all proposed easements in the following colors (no line is ever double colored). The color code box shall be placed on the lower left corner of the IPM and shall only contain the colors used on each particular map:
- 1) Red - Fee Parcel Line (Including Servient Estate Line).
 - 2) Yellow - Slope Easement Line
 - 3) Purple - Bridge Easement Line.
 - 4) Blue - Utility Easement Line.
 - 5) Orange - Private Easement Line and Denial of Access Line when it extends beyond the parcel limits.
 - 6) Green - Drainage Easement Line, Ditch Easement Line, Channel Easement Line and Riprap Easement Line.
 - 7) Brown - Limit of Grading, Temporary Site Alternative Access Work Line, Temporary Site Mitigation Work Line, Construction and Maintenance Easement Line, all Temporary Easements Lines and any other easement lines not otherwise covered above.
 - 8) Pink - Dominant Estate Line.

3. IPM REVIEWER CHECKLIST

IPM Reviewer Checklist		
OK	Error	Information
		GPPM Reference
		Set Information - Proposed ROW Lines, Proposed Street Lines
		Access Denied, Where Applicable
		All Baseline Data Shown
		Baseline Properly Labeled
		Slope and Slope Offsets
		Topography and Note Data Based on GPPM
		Utilities and Utility Easements
		Existing Curb and Traveled Way
		Existing Street Widths, road vacations and township ordinances
		Proposed Easements
		Deed Information
		Scaled Distances
		Block & Lot Numbers
		North Arrow
		Bar Scale
		Bar Scale - Insert
		Title - Parcel Number(s), Name, Area, Easement Areas, Remaining Area
		Title Block - Route and Section, Limits, Parcel Number, Municipality and County, Date
		Calculated Parcel Depth
		Color Code
		Reference to GPPM and Construction Project
		Designer
		Area Correct
		RA Correct
		Folded Properly (for condemnation cases only)
		Other Comments:

4. DESCRIPTIONS

- a. Descriptions are to be attached to agreements prepared by ROW Negotiators and may be attached to condemnation complaints and Declarations of Taking, where agreements are not consummated.

- Checklist
- Date, initials of writer and typist
- *All that certain land and premises* clause
- Title block quotation
- Parcel description
- Block and lot clause
- Clauses
- *SUBJECT HOWEVER* clause
- Color code

b. PROCEDURES

- 1) Place the date, initials of the writer and typist in the upper left corner.
- 2) Insert clause: "All that certain land and premises, situate, lying and being in the _____ of _____, in the County of _____ and the State of New Jersey and more particularly described as follows:" For easements, with no fee parcel, start with: "An easement in certain lands etc."
- 3) Insert GPPM Title Block and IPM Title Block map quote clause. Add a reference to the construction project after citing the map quote (For example: "and also being construction project ROUTE US 46 (1953), SECTION 11M;").
- 4) Describe the parcel boundaries.
- 5) Insert clause: "Being also known as Lot _____ in Block _____ on the tax map of the _____ of _____." Use "Being also known as part of Lot _____ in Block _____ etc." for partial fee takes. For easement with no fee parcel use "Being also known as an easement in Lot _____ in Block _____ etc."
- 6) Insert other clauses: See Typical Clauses.
- 7) Include the IPM color code clause as the last clause in description: "*The above described premises are color-coded "Exhibit B" in the following manner: Red – Fee Parcel Line, Blue – Utility Easement Line, etc. (List only codes involved with the parcel)*".

c. WRITING PROCEDURES:

- 1) Begin at a control point on the proposed ROW line for the parcel being described [See 3) below if this is not possible].

- 2) Give the station and offset to that point.
 - 3) If there is no control point in the parcel, begin at the intersection of the proposed ROW line and the property line between the parcel and the adjacent property. Give an approximate station only.
 - 4) Proceed in a **clockwise** direction.
 - 5) Use the correct bearing in the appropriate direction as you proceed around the parcel. It may become necessary to rotate a source bearing by 180° (For example: S __° E __' __" W would have to be changed to N __° E __' __" E to maintain the clockwise direction to describe the parcel).
 - 6) Quote the source of the bearing on all property lines, including existing ROW lines (For example: Deed, subdivision plans, etc.).
 - 7) Cite courses as "to a point in the division line between lots __ & __, block __" or "along said division line" where appropriate, in addition to the bearing and distance call out.
 - 8) Show metric distances on proposed ROW lines, including scaled distances, followed by English equivalents in parenthesis.
 - 9) On existing ROW or property lines, if the source distance is English and is used for the entire course, place this data on the parcel line and do not give a metric equivalent. If a scaled distance is used, place the metric distance first with the English equivalent in parenthesis.
 - 10) Areas shall be in square feet. Use acres where appropriate (See Section 9.0, B, 2, o, 3).
 - 11) Parcel (course) lines shall be numbered and data may be shown in table form when necessary.
 - 12) Scaled distances shall be shown to the nearest foot
- d. DESCRIPTION CLAUSES: Work to be constructed on an owner's property requires the acquisition of a corresponding right to do that construction. Examples can include roadway widening, realignment, footings that extend past the existing ROW, a temporary right to enter to repair a driveway, etc. The following are standard clauses for typical situations and **are for example only**. Where additional rights are required that are not covered by the standard clauses, the nature of the work, including maintenance, must be included in the clause. **The Designer should take maintenance into account with all clauses. When a right is acquired for transportation purposes, the clause shall provide space to enter and maintain and reconstruct as appropriate.** When a right is acquired for the benefit of the property owner (Site Parcel, Temporary Site Alternative Access Work, Temporary Site Mitigation Work, repairing

driveways, parking spaces, etc.) no maintenance right is required. Specialized description clauses may be required to ensure that appropriate rights are acquired and that the full impact of the fee acquisition and/or easement is understood. Again, it is important that the designer take into account that, unless stated otherwise, the responsibility of maintenance of the property, unrelated to the State's improvements, is to be assumed by the owner of the fee interest and not by the NJDOT, unless specifically spelled out within the terms of the description. If the designer concludes that greater rights are needed, they must be specifically set forth in very certain terms. Descriptions for all temporary easements shall contain language identifying when the easement starts and its duration (except on Temporary Site Alternative Access Work, Temporary Site Mitigation Work and Site Parcels).

CLAUSE PREPARATION: The first clause after the parcel description begins with *TOGETHER WITH* and each subsequent clause begins with *AND ALSO* (except for existing utility easement clause which begins with *SUBJECT, HOWEVER, TO*). The normal closing clause is the "All Right, Title and Interest, etc." clause except when there is a *SUBJECT, HOWEVER, TO* clause. The typical clauses that follow begin with lower case letters as they come after one of the word sequences mentioned above (*TOGETHER WITH, etc.*). The color code statement follows these clauses and is the last entry on the description. The typical clauses cite the name of the right to be acquired, the reason or purpose for the clause followed by the clause itself in quotes. Use the following typical clauses as models in preparing descriptions:

1) DENIAL OF ACCESS

The ROW designer, OAD and a representative from the Division of ROW must meet early in the ROW plan preparation to determine if there are situations where a denial of access needs to be addressed, the type of denial, line symbol/nomenclature and the proper clause to use.

When a new roadway, ramp (at grade or elevated) or some other road structure is built along a property that requires permanent removal of access and the owner is to have no access, use the following clause (The map should show the double slash line symbol with the limit arrows and notes):

Clause A

"The owner and its successors and assigns shall not have any direct access to and from the new roadway (ramp, bridge, etc.), (EXCEPT that the owner shall have direct access as far as the line marked "ACCESS PERMITTED"), as shown on the aforesaid maps;"

Note: Again, the ROW designer must consult with OAD to determine the owner's ability to apply for access (e.g. In the case of a wall, guide rail, severe grade change, etc. where the access is physically restricted, a determination must be made as to whether the owner will be allowed to "fix" the physical obstruction and apply for access. If he would be allowed to apply for access, no denial is needed. This is most common where the grade change makes the present access unworkable.).

When acquisition of this right is not required because access is denied administratively as directed by OAD, the following note shall be placed on the description to indicate this condition (The map should show the limit arrows and the note "Access (denied, modified) Administratively"):

Clause B

"It is hereby noted that access to the abutting highway, to the extent shown on the aforesaid maps, has been denied by administrative action pursuant to the State Access Management Act, N.J.S.A. 27:7-89 et seq., and Code, N.J.A.C. 16:47-1.1, et seq."

When acquisition of this right is not required because access is denied by regulation as directed by OAD, the following note shall be placed on the description to indicate this condition (The map should show limit arrows and the note "Access is not permitted by Regulation"):

Clause C

"It is hereby noted that access to the abutting highway, to the extent shown on the aforesaid maps, has been denied by under regulation by the State Highway Management Code, N.J.A.C. 16:47-1.1, et seq."

When access has been denied and there is no reasonable alternative access, the following clause shall be used unless specifically directed otherwise by the OAD (The map should show the double slashed line symbol with the limit arrows and notes (ACCESS PERMITTED, NO ACCESS):

Clause D

"any direct access, which the owner may have to and from the highway and/or ramp; (EXCEPT that the owner shall have direct access to and from Smith Street;) (EXCEPT that the owner shall have direct access as far as the line marked "ACCESS PERMITTED"), as shown on the aforesaid maps."

NOTE: This clause shall only be used when removal of some or all of an owner's ability to cross the existing or proposed right of way

**line and/or where access is being acquired as directed by OAD.
(See Section 9.0, C., 2., c.)**

2) SLOPE

The following clause is to be used to acquire slope rights outside the Proposed ROW Line for support of the roadway:

"the permanent right to form and maintain slopes for grading the said State roadway as far as the line marked "Slope E", as shown on the aforesaid maps, including the right to topsoil; seed, plant trees, vines and shrubs, in such a manner, so as not to interfere with points of access and to maintain the same so as to support the adjoining roadway; stabilize the soil, prevent erosion and/or to improve the aesthetic aspects of the roadway; areas of existing or proposed driveways, parking lots or other paved areas that are to remain in accordance with the construction plans and specifications for the project, may be replaced with equal or better paving or impervious or semi-impervious materials. The owner shall retain the right to use the area within said slope easement consistent with the purposes and rights described above, however, the owner shall not have the right to remove vegetative material, add or remove material from the slope to be constructed, construct walls or other structures, or in any manner modify said slope easement rights, without first applying for permission to the New Jersey Department of Transportation (NJDOT). The permission to modify or release said slope may be obtained from the NJDOT, Office of ROW, where it is demonstrated by the owner, to the satisfaction of the NJDOT in its sole discretion, that the slope is no longer needed to support the roadway or that the proposed modification will not interfere with or adversely affect the integrity of the slope; the NJDOT, however, reserves the right to impose such terms and conditions on the release of any slope rights that are necessary to ensure the stability of the adjacent roadway".

NOTE: See Section 9.0, B, 2, p, 1), for establishing the size of the easement.

3) DRAINAGE

The following clause is to be used for subsurface drains and outfalls.

"the permanent right to access, construct, reconstruct and maintain subsurface drains, headwalls and appurtenances as far as the line marked "Drainage Easement Line", as shown on the aforesaid maps. The drainage improvements shown are for illustration purposes only. The State reserves the right to place all drainage improvements as far as the line marked "Drainage Easement Line", as shown on the aforesaid maps."

or

The following clause is to be used on surface ditches and swales (insert swale instead of ditch where necessary).

"the permanent right to construct, reconstruct and maintain an open ditch as far as the line marked "Ditch Easement Line", as shown on the aforesaid maps. The ditch improvements shown are for illustration purposes only. The State reserves the right to place all ditch improvements as far as the line marked "Ditch Easement Line", as shown on the aforesaid maps"

or

The following clause is to be used for access to natural drainage areas (stream, creek, etc.) for restoration purposes.

"the permanent right to clean and remove debris, silt or other such material which has the potential of impacting the ability of the depicted waterway to drain the adjoining highway and carry out other improvements to such banks or other structures in order to stabilize the adjoining banks of the existing waterway and prevent water from coming in contact with and damaging a state highway or construct such drain or drains as may be necessary to accomplish the preservation of the highway within the existing boundaries of said waterway; together with the right to enter the easement area for the purpose of accessing such waterway with personnel, materials and equipment to perform the above stated or related work as far as the line marked "Drainage Restoration Easement Line", as shown on the aforesaid maps."

NOTE: See Section 9.0, B, 2, p, 3), for instructions on establishing the easement size.

4) TEMPORARY DIVERSIONARY ROAD

The following clause is to be used to acquire rights for a temporary roadway:

"the temporary right to construct and maintain a temporary diversionary road, utility facilities, and appurtenances as far as the line marked "Temporary Diversionary Road Line", as shown on the aforesaid maps. This right shall begin from the date of notice from the State's Resident Engineer for use during the construction of the bridge and/or roadway improvements and shall terminate at the completion of the work, which shall be for a duration of ___ months. When the bridge and/or roadway improvements are completed and prior to opening to traffic, the land will be graded and seeded. All other items, including trees, shrubs, etc. will not be restored. If the State, within its sole discretion, determines that the temporary easement or right needs to be extended in order to complete the Work, such right may be extended simply by written notice from the Resident Engineer to the owner or its assigns. In such event that this

temporary right is extended, payment will be made semi-annually during the extended term of the temporary right, based upon the 'per-monthly' rate set forth in the State's offer letter."

5) TEMPORARY MUCKING AREA

The following clause is to be used to acquire temporary rights to remove and replace unsuitable material:

"the temporary right to remove unsuitable material and replace with suitable material as far as the line marked "Limit of Unsuitable Material Line", as shown on the aforesaid maps. This right shall begin from the date of notice from the State's Resident Engineer and shall terminate upon the completion of this work, which shall be for a duration of ___ months. If the State, within its sole discretion, determines that the temporary easement or right needs to be extended in order to complete the Work, such right may be extended simply by written notice from the Resident Engineer to the owner or its assigns. In such event that this temporary right is extended, payment will be made semi-annually during the extended term of the temporary right, based upon the 'per-monthly' rate set forth in the State's offer letter."

6) PUBLIC UTILITY

The following clause is to be used in connection with a highway construction project when the parcel to be acquired is subject to a specific public utility easement. The second variation (after "or") is to be used when no specific public utility easement is present but utilities are present on the construction project. This clause should be inserted into most descriptions.

"SUBJECT, HOWEVER, to the easement of (name of Public Utility Company) and all other public utility easements, recorded or unrecorded, affecting the herein described premises."

or

"SUBJECT, HOWEVER, to all public utility easements, recorded or unrecorded, affecting the herein described premises;"

7) PRIVATE UTILITY

The following clause is to be used when the parcel to be acquired is subject to a specific privately owned utility, such as Transco, Algonquin, etc.

"SUBJECT, HOWEVER, to all right, title and interest that the (name of Utility Company, e.g. Algonquin Transmission Company) may have in and to the above described premises."

8) PERMANENT EASEMENT ADD ON CLAUSE

The following clause is to be placed directly before the "Right, Title & Interest" clause when any permanent easement is cited in the description.

"The location of all permanent easements and improvements constructed therein shall not be changed or modified in any manner without the specific written permission of the Division of ROW, New Jersey Department of Transportation within its sole discretion and upon such terms and conditions as it determines."

9) RIGHT, TITLE AND INTEREST CLAUSE

The following clause is to be used when the property adjoins a dedicated roadway, whether existing, a road return of an historic ancient roadway or a paper street. This clause should not be used where the roadway has been impliedly dedicated and for which there appears no formal dedication or deed transferring title or making a dedication to a public entity. In such case, the Division of Law should be consulted. Either the right should be acquired as a separate parcel as a fee simple subject to condition subsequent as a public roadway or "all right, title and interest to (the ramp, access road, etc.)" should be inserted.

"any ownership, reversionary or associated right, title and interest that the owner may have in the right of way of (insert name of roadway), as shown on the aforesaid maps."

10) BRIDGE EASEMENT

The following easement shall only be used with the approval of ROWE; in most cases, a fee interest should be acquired for the construction of a bridge or viaduct subject to an access easement where necessary [See 11) below]. A similar form of this clause may be used where only a wing wall or footing is being constructed or where bridge is small in size and does not allow one to traverse or store underneath; in such instances, 19) or 21) below should be used and modified to reflect exact purpose and intent. The number of hours that a car can park within the easement area needs to be calculated by an engineer based on safety criteria. Where parking is not to be allowed, the clause should be modified accordingly.

"a right, in perpetuity, to construct and maintain a bridge (viaduct) and/or associated approaches and roadways as far as the line marked "Bridge Easement Line", as shown on the aforesaid maps. This easement shall further include the right, in perpetuity, to re-enter in the future to reconstruct, improve or enlarge said bridge (viaduct) or associated

approaches and roadways as far as the line marked "Bridge Easement Line", as shown on the aforesaid maps. This easement right shall also include, by way of example and not limitation, the right to enter and re-enter from time to time, along with equipment, personnel and materials, for the purposes of: a) constructing footings, abutments, piers, wing walls, retaining walls, decks, parapets and all related elements, appurtenances and structures associated with or needed for the construction and maintenance of a bridge or viaduct; b) perform maintenance, repair and related activities; and c) perform inspections as far as the line marked "Bridge Easement Line", as shown on the aforesaid maps. The owner, or its assigns, as well as business invitees, tenants lessees and guests (to the extent permitted by the owner) shall retain the right to use the area of the easement, as depicted on the aforesaid maps, so long as such use does not interfere with the rights set forth herein and does not adversely affect the physical integrity of the structures constructed or to be constructed or that may be reconstructed, enlarged or improved in the future within the area of the easement as far as the line marked "Bridge Easement Line", as shown on the aforesaid maps. However, the owner or its assigns as well as invitees, tenants and guests (to the extent permitted by the owner) shall not have the right to a) erect or construct any building or structures (exclusive of parking lots) within the area as depicted on the aforesaid maps, b) park or store vehicles on a continuous long term basis (such continuous period shall not extend more than ___ hours); c) store material or carry out or permit any activity which in any manner involves or includes combustible, hazardous or toxic material that has the reasonable potential of causing, directly or indirectly, a fire, explosion, implosion, or corrosive damage; or d) store material in such a manner or carry out or permit any activity that could have the potential of causing, directly or indirectly, a detrimental effect upon the physical integrity of the structure constructed or to be constructed, or that may be reconstructed, enlarged or improved in the future within the area of the easement as far as the line marked "Bridge Easement Line", as shown on the aforesaid maps. The owner, or its assigns, also, shall not use the easement area in any manner which could reasonably cause, directly or indirectly, a potential health hazard, safety hazard to the traveling public or any personnel of the State or the contractor performing work, maintenance or inspection services on or around the structure. Similarly, the owner, or its assigns, shall not do anything which shall unreasonably prevent or interfere with entry or re-entry by personnel of the State or a contractor, or their material or equipment to the area of the easement as depicted on the aforesaid maps when carrying out or implementing the rights created under this easement. Access to the easement area shall be as far as the line marked "Bridge Easement Line", as shown on the aforesaid maps, except where access is not designated, access shall be permitted across the remainder in such a manner so as to minimize adverse impact upon the use of the remainder. Any permitted improvement removed by the State within the area of the easement during entry, which is not within or near the footprint of a structure, will

be reasonably replaced in kind by the State. Upon ten calendar days written notice from the State, the owner or its assigns shall vacate the area of the easement as depicted on the aforesaid maps and remove all property which may interfere with the construction, reconstruction, enlargement, improvement, maintenance, repair, inspection or operation within the reasonable discretion of the State until written notice is provided by the State that the construction or operation has been completed, except in the event of an emergency which threatens the safety of the traveling public, the owner, or its assigns, shall immediately vacate the area of the easement upon receipt of oral or written notice."

11) OWNER'S ACCESS EASEMENT (UNDER VIADUCT OR BRIDGE WHERE FEE INTEREST HAS BEEN ACQUIRED)

The following clause is to be used in conjunction with fee acquisitions only where there is a need to provide access to a remainder, such as where the remainder will be landlocked or will not retain reasonable access but for an access way beneath bridge or viaduct and is to be used only where conditions so permit. Thus, it is necessary to tailor this clause to the specific property conditions for which access is being provided, so as to minimize any damages to the remainder and to properly accommodate planned structures or future reconstruction. The intended areas of the access way need to be identified and situated so as to accommodate construction, future reconstruction, maintenance, inspection and other activities. Terms may have to be changed depending upon the purpose of the access way and the use or potential highest and best use of the remainder. If the access way will not accommodate all types of vehicles that could conceivably be using the access way, such clause needs to be amended accordingly. Similarly, if the access way is to be used by vehicles in the other adjacent property, further amendments need to be made. The engineer shall determine the width of access and in doing so shall take into account the needs of the user of the property for current and future uses.

"EXCEPT however, reserving to the owner, or its assigns, as well as business invitees, tenants lessees and guests (to the extent permitted by the owner) a nonexclusive right of ingress and egress under the bridge or viaduct, across the acquired right of way, as far as the line marked "Owner's Access Easement Line", as shown on the aforesaid maps or at such other location which may be re-established by the State, from time to time at its discretion, and at its expense, on a permanent or temporary basis, within the area of the State's right-of-way. Such access way shall, however, be _____feet in width, shall permit two way traffic and shall be constructed or relocated so as to accommodate vehicles from the point of ingress or egress along the border of the remainder(s) as far as the line marked "Owner's Access Easement Line", as shown on the aforesaid maps; after the access way is constructed or relocated in the future, all

maintenance of the improved access way, short and long term, shall be the responsibility of the owner or its assigns, exclusive of highway drainage except that drainage which serves only the remainder(s) and/or the access road, shall also remain the responsibility of the owner or its assigns. The access way shall not be used for storage of any personal property of the owner or its assigns or of anyone else and parking or storage of vehicles shall not be permitted for any reason, except on a temporary basis in conjunction with maintenance of the access way or drainage system only and not to exceed a 12 hour period without the written consent of the State, which consent may be denied within its discretion. The access way within the area of the ROW may be used for access by the State and its contractor(s) without notice and at the State's discretion, but shall not be open to the public."

12) TEMPORARY GRADING ON OWNER'S LAND

The following clause is to be used for small temporary areas of grading, 6:1 or flatter, in lieu of a permanent slope easement. This clause is not intended for any driveway grading work.

"the temporary right to enter upon the remaining lands of the owner for the purpose of grading, topsoiling and seeding as far as the line marked "Limit of Grading", as shown on the aforesaid maps. This temporary right shall begin from the date of notice from the State's Resident Engineer, and shall terminate upon the completion of the work."

NOTE: See Section 9.0, B.2.p.2). (a - e) for instructions.

13) BUILDING ENCROACHMENT

The following clause is to be used to acquire the rights to allow the owner use of specific portions of a building within the proposed ROW:

"it is further agreed that the owner shall have the right to use that portion of the ___ story building (or describe nature of other encroachment permitted to remain temporarily such as septic fields, signs or other structures), which is within the proposed ROW (or existing right of way where applicable as determined by the commissioner pursuant to N.J.S.A. 27:7), during its natural period of usefulness without the right of extending same or causing same to become longer lasting and that upon the termination of the useful life of the structure, the owner will be required to demolish said portion of building and all rights of the parties hereto will be extinguished."

14) FLOOD FRINGE AREA EASEMENT

The following clause is to be used to acquire the rights to restrict the owner from placing any embankment or erect any permanent buildings in the Flood Fringe Area:

"a permanent easement fill for flood control purposes at about Station _____ (Baseline Stationing), specifically the acquisition of the owner's right to place embankment, or to erect any permanent buildings or structures as far as the line marked "Flood Fringe Area Line", as shown on the aforesaid maps; but to allow its use for recreational, landscaping or for other passive use which does not decrease the storage capacity of the Flood Fringe Area as shown on the aforesaid maps."

15) PLACING FILL AGAINST STRUCTURE

The following clause shall only be used with approval of the ROWE Unit; an inset shall be prepared and shown on the IPM, which shall identify limits and height of fill, as well as the angle of the slope and other relevant dimensions and characteristics, including landscaping or paving type as required by the Division of ROW.

"the permanent right to enter upon the remaining lands of the owner to place fill against the existing (type of structure) structure as shown on the aforesaid maps. The owner or its assigns shall not have the right to remove said fill without the written consent of the State and said right can only be annulled where the owner or its assigns has provided and agrees to maintain adequate alternate support or protection for the highway and only after reasonable notice (at least 60 days notice to the NJDOT ROW Division) has been provided to the State. The fill will not exceed a height of ____ feet; the fill shall be topsoiled and seeded or paved."

16) TEMPORARY EROSION CONTROL

The following clause is to be used to acquire the temporary right to enter the remaining lands of the owner to construct temporary erosion control devices:

"the temporary right to enter upon the remaining lands of the owner for the purpose of constructing and maintaining erosion control facilities and appurtenances including the right to construct and maintain temporary fencing as far as the line marked "Temporary Erosion Control Line", as shown on the aforesaid maps, for use during the construction of the channel, culvert, and highway, as shown on the aforesaid maps. This right shall begin from the date of notice from the State's Resident Engineer, and shall terminate when the new construction is completed, which shall be for a duration of ____ months, and prior to opening to traffic, the land will be graded and seeded; all other items, including trees, shrubs, etc., will not be restored. If the State, within its sole discretion, determines that

the temporary easement or right needs to be extended in order to complete the work, such right may be extended simply by written notice from the Resident Engineer to the owner or its assigns. In such event that this temporary right is extended, payment will be made semi-annually during the extended term of the temporary right, based upon the 'per-monthly' rate set forth in the State's offer letter."

17) TEMPORARY SITE MITIGATION WORK

The following clause is to be used when there is need to acquire a right of entry to perform work for the benefit of the remaining lands to mitigate damages to the owner and is not intended to serve or function as part of or facilitate construction or maintenance of the ROW or transportation project. Label as "Parcel S___, at about Station ____, (Baseline __ Stationing) consisting of" to the beginning of the clause when not accompanied by the taking of a fee or lesser permanent right and a right of entry (ROE) was not executed. In all cases label the line "Temporary Site Mitigation Work Line".

"the temporary right to enter upon the remaining lands of the owner with personnel, material and equipment for the purpose of implementing mitigation work in kind such as paving, constructing curb and grading of paved areas and appurtenances (add specific items of work to be carried out for this particular property such as drainage basin, parking lot expansion relocation, landscaping, etc.), as well other forms of construction intended to mitigate or lessen damages, which may otherwise emanate from the proposed acquisition of parcel(s) and or other lesser rights for a proposed transportation project, as far as the line marked "Temporary Site Mitigation Work Line", as shown on the aforesaid maps. This right shall begin from the date of notice from the State's Resident Engineer, and shall terminate upon the completion of the work, after which the improvements constructed shall become the property and responsibility of the owner, its successors and assigns."

18) TEMPORARY SITE ALTERNATIVE ACCESS WORK

The following clause is to be used when there has been a revocation or modification of access and work needs to be carried out to provide alternate reasonable access. It should not be used where the reason the work is being done is to mitigate damages. The consultant should confer with the OAD and the Division of ROW as to the appropriate clause. Label as "Parcel S___, at about Station ____, (Baseline __ Stationing) consisting of" to the beginning of the clause when not accompanied by the taking of a fee or lesser permanent right and a right of entry (ROE) was not executed. In all cases label the line "Temporary Site Alternative Access Work Line".

"the temporary right to enter upon the remaining lands of the owner with personnel, material and equipment for the purpose of implementing the mandates of N.J.S.A. 27:7-94 (d) pursuant to a prior, final administrative determination by the Commissioner of Transportation regarding access modification or revocation for the purpose of providing necessary assistance to the property owner in establishing alternative access by causing to have improvements constructed in kind for the benefit of the property owner such as paving, constructing curb and grading a driveway and appurtenances or other form of construction specified under the aforesaid administrative determination (Specify specific form if not covered herein, such as relocation, construction of drainage, slopes, parking, etc), as far as the line marked "Temporary Site Alternative Access Work Line", as shown on the aforesaid maps". This right shall begin from the date of notice from the State's Resident Engineer, and shall terminate upon the completion of the work, after which the improvements constructed shall become the property and responsibility of the owner, its successors and assigns."

19) CONSTRUCTION AND MAINTENANCE EASEMENT

The following clause to be used when part or all of the permanent sections of the structure are within the proposed easement limits.

"the permanent right to enter upon the remaining lands of the owner or its assigns with personnel, equipment and materials for the purpose of constructing or reconstructing a (insert what is to be constructed. e.g. retaining wall, noise wall) and appurtenances as far as the line marked "Construction and Maintenance Easement Line", as shown on the aforesaid maps; along with the permanent right to access and perform maintenance and repairs upon the (repeat what is being constructed) and appurtenances; the permanent sections of the structures will be limited to the locations as far as the line marked "Construction and Maintenance Easement Line", as shown on the aforesaid maps."

or

The following clause is to be used when the permanent sections of the structure are entirely within the right of way where the construction equipment is within the easement outside of the ROW area.

"the permanent right to enter upon the remaining lands of the owner or its assigns with personnel, equipment and materials for the purpose constructing or reconstructing a (insert what is to be constructed, e.g. retaining wall, noise wall) and appurtenances within the right of way from the proposed easement area along with the permanent right to access and perform maintenance and repairs upon the (repeat what is being constructed) and appurtenances from the easement area as far as the line

marked "Construction and Maintenance Easement Line", as shown on the aforesaid maps."

20) UTILITY EASEMENT

The following clause is to be used to acquire rights to construct and maintain utilities on the owner's property. The designer shall confer with the utility companies and the Utility and Railroad Engineering Unit for the specific rights to be acquired and restrictions that must be maintained.

"Parcel UE ____, at about Station ____, (Baseline __ Stationing), consisting of the permanent right to construct, place and maintain and repair (Identify the type of utility and whether it is above or below ground) utility facilities and appurtenances as far as the line marked "Utility Easement Line", as shown on the aforesaid maps".

21) TEMPORARY CONSTRUCTION EASEMENT

NOTE: The following clause to be used when an additional temporary work area is required for the construction of highway related facilities.

"the temporary right at about Station ____ (Base Line Stationing), to enter upon the remaining lands of the owner or assigns with personnel, equipment and materials to construct ____, (e.g. curb, relocate utility pole, store construction equipment and vehicle etc.) and appurtenances as far as the line marked "Temporary Construction Easement Line", as shown on the aforesaid maps. This temporary right shall begin from the date of notice from the State's Resident Engineer, and shall terminate upon completion of said work, which shall be for a duration of __ months. If the State, within its sole discretion, determines that the temporary easement or right needs to be extended in order to complete the Work, such right may be extended simply by written notice from the Resident Engineer to the owner or its assigns. In such event that this temporary right is extended, payment will be made semi-annually during the extended term of the temporary right, based upon the 'per-monthly' rate set forth in the State's offer letter."

22) AERIAL UTILITY EASEMENT

The following clause is to be used to acquire rights to allow for the overhang of utility wires onto the owner's property only:

NOTE: The standard distance is presently 15'. The designer, however, must check with the Utility Company through the PM to verify this dimension.

"Parcel AE _____, at about Station _____, (Baseline ___ Stationing), consisting of the permanent right to allow utility facilities to overhang the owner's property, including the right to construct, maintain, repair and replace overhead utility facilities and appurtenances, including the right to trim trees and remove vegetation as far as the line marked "Aerial Utility Easement Line", as shown on the aforesaid maps. The owner or its successors and assigns shall not be allowed to construct any structures and/or structure additions or improvements above ** feet vertically under said overhead utility facilities. The State and/or the utility owner must approve any installations encroaching into the restricted area."

23) SERVIENT ESTATE

The following clause is to be used to acquire the property encumbered by a private easement (for example, access, conservation, parking, or similar types):

"Parcel SP_____, at about station _____, Baseline Stationing, including all the land and premises of the owner, exclusive of the right (name type of easement, e.g. to ingress and egress through a private easement held now or formerly by [the owner of the easement]), as shown on the aforesaid maps, and is more particularly described as follows;" (metes and bounds descriptions follows).

24) DOMINANT ESTATE

The following clause is to be used to acquire the rights on a property containing an existing private (access, conservation, parking, or similar types) easement owned by another entity encumbering a parcel being acquired:

Where rights remain on the remainder of the Servient property after the DE parcel is acquired, use the following:

"Parcel DE_____, at about station _____, Baseline Stationing, consisting of the owners' right to **(insert right acquired...ingress, egress and parking)** through the private easement held in lands now or formerly of (owner of the Servient parcel) as shown on the aforesaid maps. The acquisition of Parcel DE_____ does not change any rights the owner may have within the remainder of the existing easement and is more particularly described as follows:" (metes and bounds description follows).

Where no rights remain on the Servient property, use the following:

"Parcel DE_____ at about station _____, Baseline Stationing, consisting of the owners' right to **(insert right acquired...ingress, egress and parking)** through the private easement held in lands now or formerly of (owner of the Servient parcel) as shown on the aforesaid maps and is

more particularly described as follows:" (metes and bounds description follows).

25) PRIVATE EASEMENT

The following clause should reflect all properties that are to use or may use the private easement. This clause applies to easements being created to provide access to remainders or to properties where access was denied and is to be distinguished from existing private easements (DE Parcels). The PE clause should not be used where an access road for maintenance purposes is needed by the State. Instead a special clause would have to be drafted using PAE (Private Access Easement) as the pre-fix to the parcel, but using the same color as the PE parcel. The PAE pre-fix may be used where access is needed by the State on a permanent basis from a public roadway to a fee parcel under a bridge, viaduct, a drainage, utility, construction or maintenance easement. Where a specific access route is not feasible or will result in significant damages to the remainder, a 'floating' easement may be used. This shall take the form of a general right to use a private ring road, parking lot, internal circulation road or driveway which connects or intersects with the easement or fee parcel to which access is sought. Use of such easements for the State's access to fee parcels or easements should be used only when necessary and should be flexible so as not to unreasonably restrain potential development of a RA. When no specific route is to be depicted, the pre-fix PAE should not be used, although the right may be described as a right of non-exclusive ingress and egress to (parcel or easement) and from (describe public road from which access is sought) for purposes of performing maintenance, repair and inspection across the remaining lands with personnel, equipment, and material. Because of the diversity of rights that may be needed, no standard clause is provided; the required language will be dependent upon the surrounding circumstances. Thus, consultation with ROWE shall be required in such instances and the particular clause chosen must be approved. The engineer must determine which entity is to maintain the roadway; typically the one who will primarily enjoy such use. Where it is equal, the clause should say both parties should be responsible.

"Parcel PE (or PAE) _____, at about Station _____, (Baseline Stationing), consisting of the permanent, nonexclusive right of ingress and egress for the owners, successors and assigns, as well as business invitees and guests (to the extent permitted by the owner) of Lot _____ Block _____, _____, across lands of _____ in Lot _____ Block _____, as far as the line marked "Private Easement Line", as shown on the aforesaid maps; maintenance shall be the responsibility of the owner of Lot ____ Block

(change as necessary depending upon circumstances) as far as the line marked "Private Easement Line", as shown on the aforesaid maps."

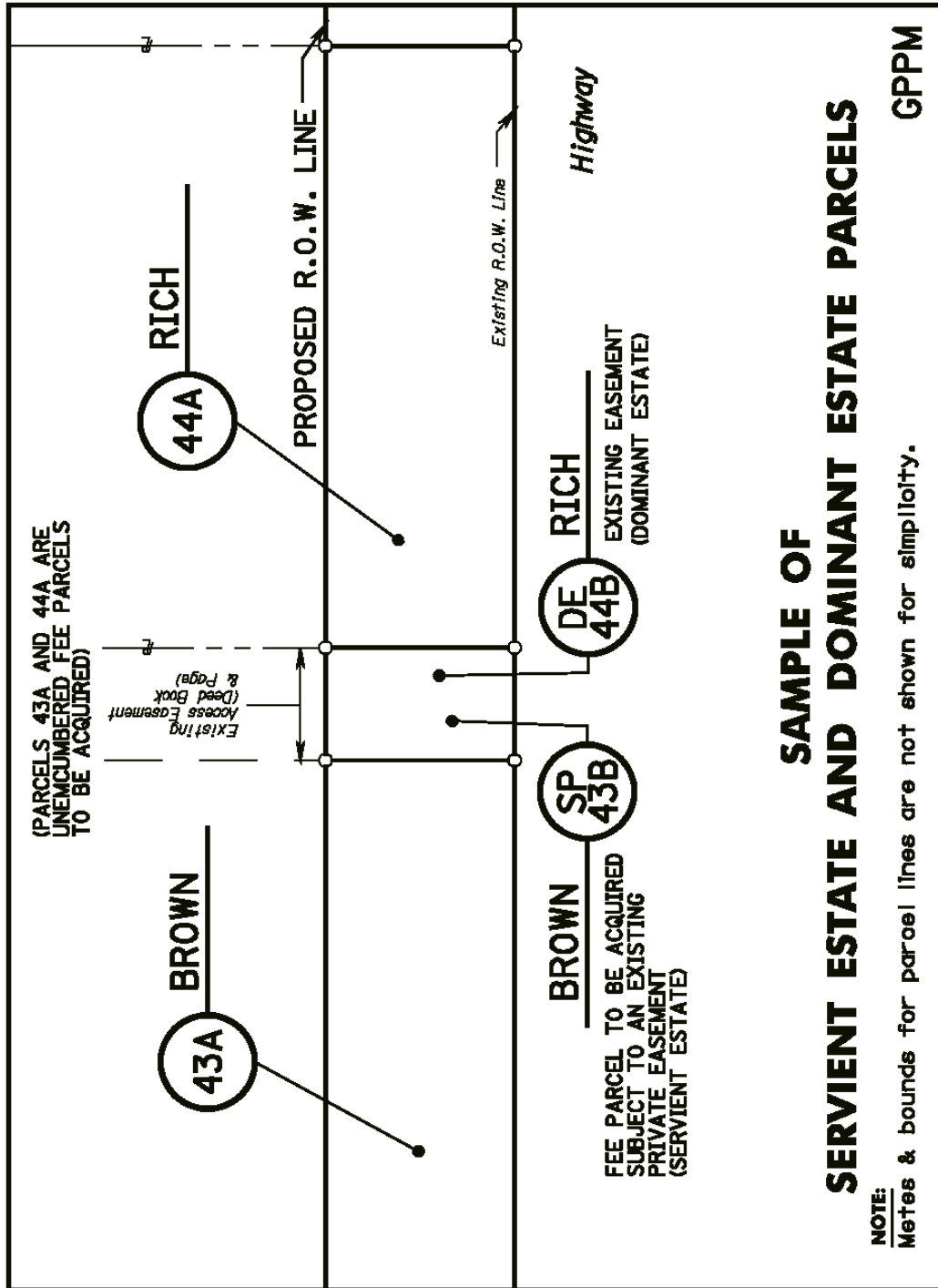
26) SIGHT TRIANGLE EASEMENT

The following clause is to be used when it is necessary to acquire the rights to keep the owner's property clear of items that could restrict the line of sight of a driver:

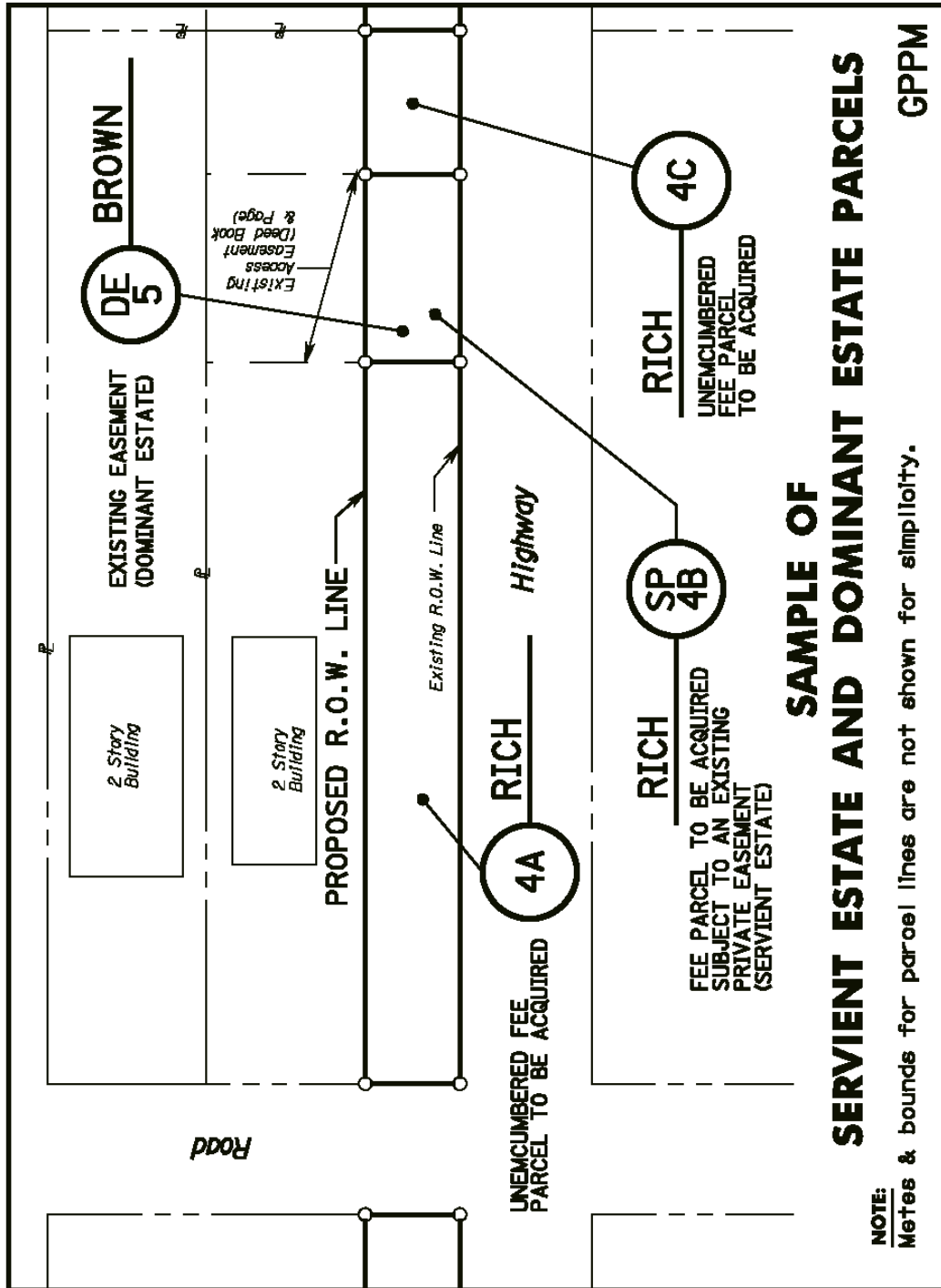
"consisting of a permanent restriction against the use of any portion thereof for any structure, growth or physical impediment that would in any manner infringe upon a free and open line of sight over the same, as far as the line marked "Sight Triangle Easement Line", as shown on the aforesaid maps. The State has the permanent right to enter the easement area to remove any of the aforementioned impediments should the owner or its assigns fail to maintain the integrity of the sight triangle."

Superseded

ATTACHMENT A



ATTACHMENT B



SAMPLE OF G.P.M. TITLE BLOCK

SCALE : FULL SIZE

NEW JERSEY DEPARTMENT OF TRANSPORTATION

GENERAL PROPERTY PARCEL MAP

ROUTE U.S. 1 (1953) SECTION 5

From South of Deans Road
to North of Route 26

Showing Existing Right of Way
And Parcels To Be Acquired In The

Townships of South Brunswick
and North Brunswick

County of Middlesex
March 1994

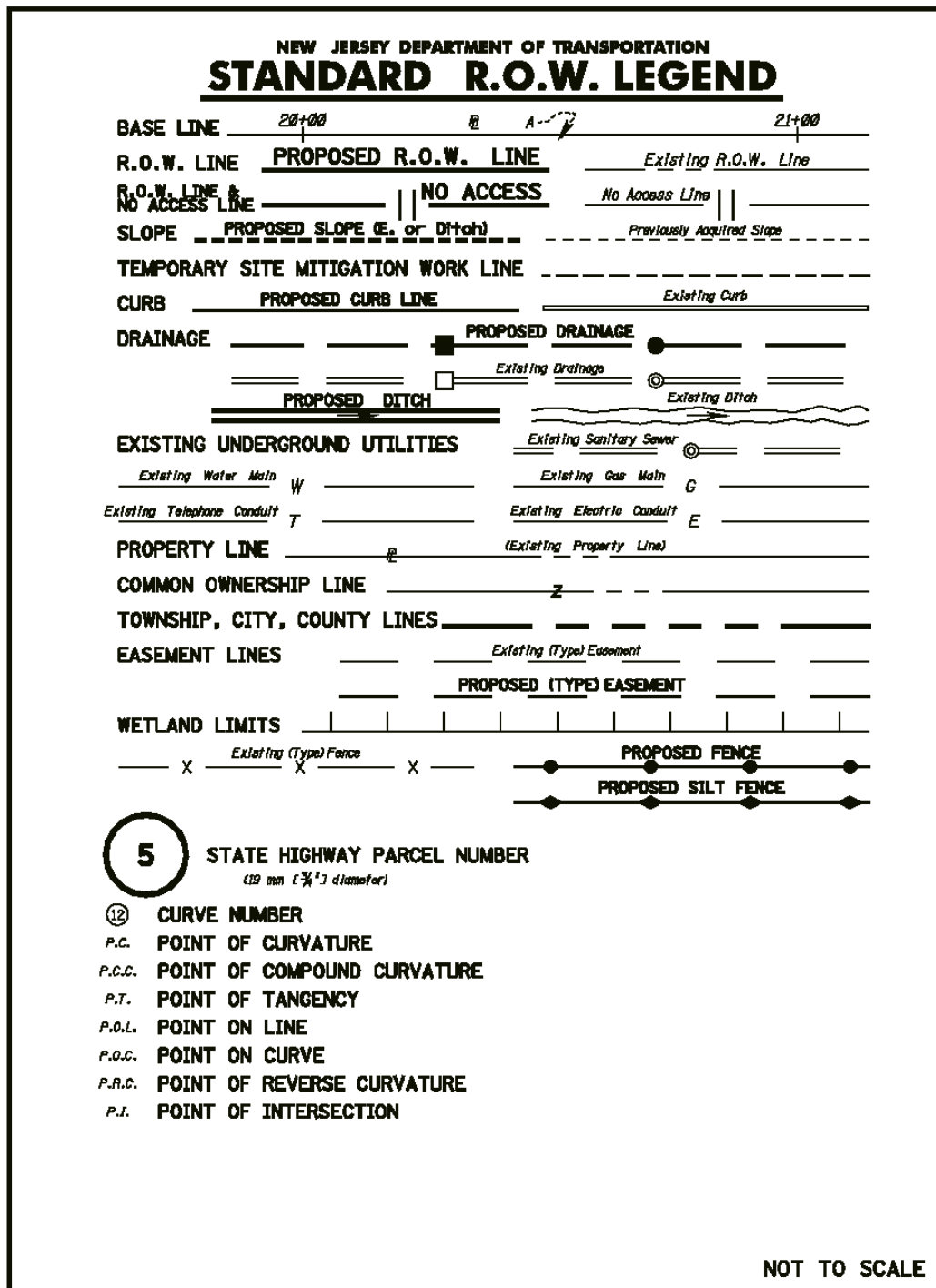


LOWER RIGHT-HAND CORNER OF BORDER

PROJECT: ROUTE U.S. 1 (1953)
SECTION 5E & 6S

NOTE:
See Section 9.8, B, 2, a

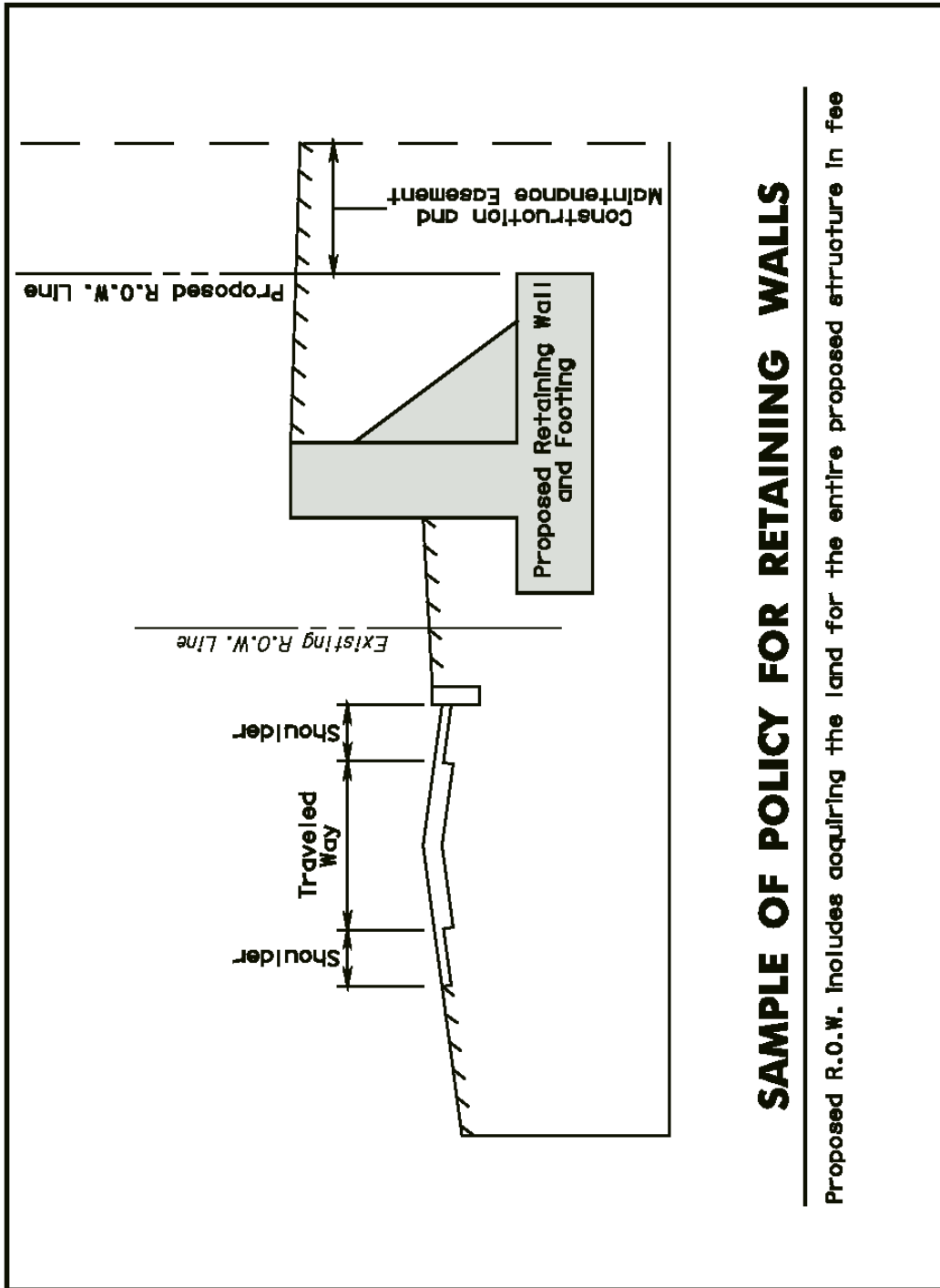
ATTACHMENT D



ATTACHMENT E

<ul style="list-style-type: none"> ⊖ BASE LINE ⊖ PROPERTY LINE ⊖ CENTER LINE ⊖ SURVEY LINE DEED COURSE NUMBER (m) MEASURED (c) CALCULATED (±) MORE OR LESS (D) DEED DATA (sur.) SURVEY DATA D.A. DEED AREA (F.M.) FILED MAP (T.M.) TAX MAP (S) SCALED 94 TAX MAP BLOCK NO. 94 FILED MAP BLOCK NO. 21 TAX MAP LOT NO. 21 FILED MAP LOT NO. 6987 DEED BOOK 586 PAGE □ PROPOSED MONUMENT ○ WATER GATE VALVE ○ GAS GATE VALVE ○ POLE Hyd. ○ HYDRANT ⊗ DECIDUOUS TREE ⊗ SHRUB × EVERGREEN TREE ⊗ HEDGE ⊗ SWAMP R.A. REMAINING AREA 	<p>BUILDINGS</p> <div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p>1½ Story Frame Dwg • 485 (House number)</p> </div>
---	---

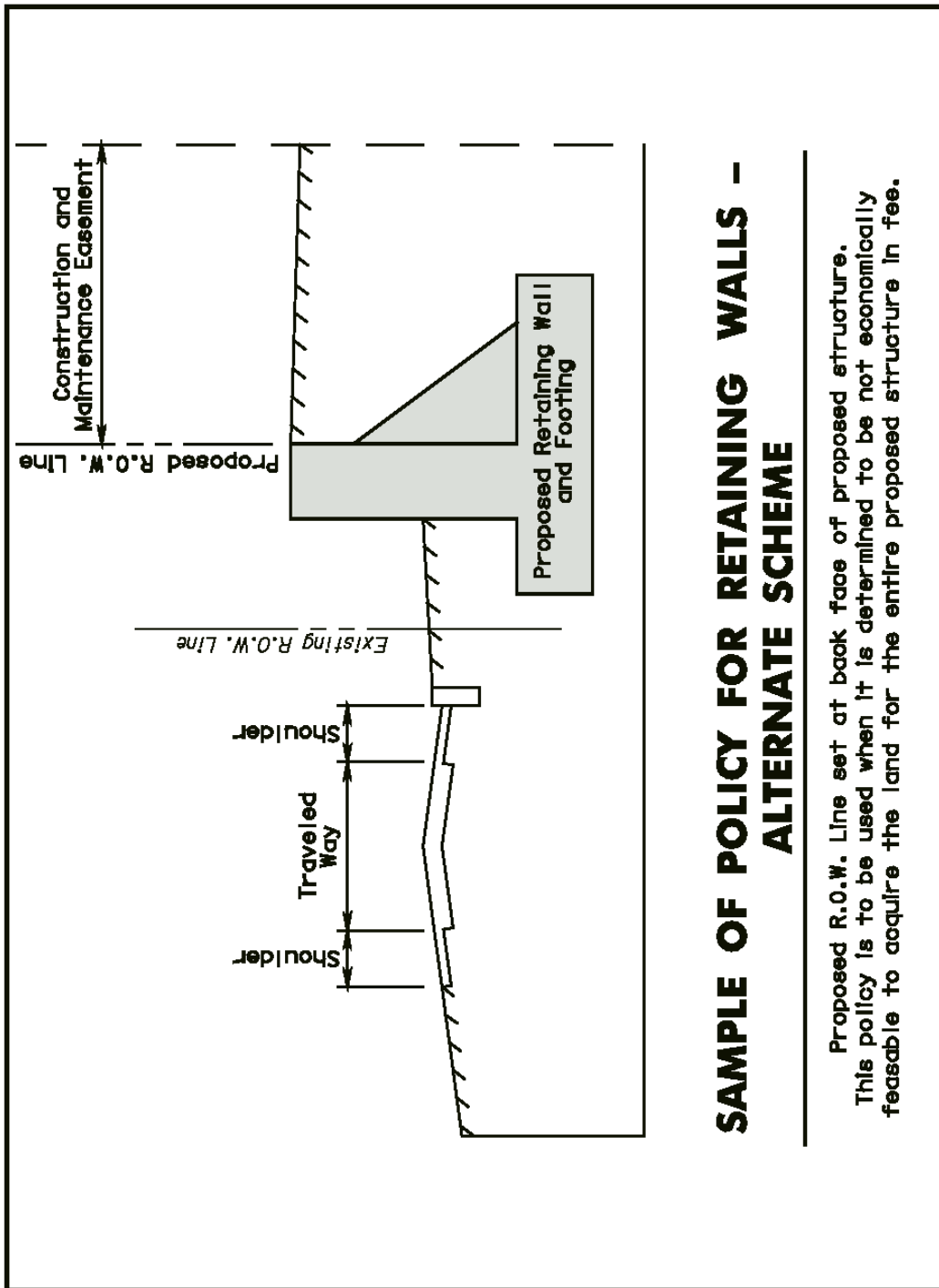
ATTACHMENT F



SAMPLE OF POLICY FOR RETAINING WALLS

Proposed R.O.W. Includes acquiring the land for the entire proposed structure in fee

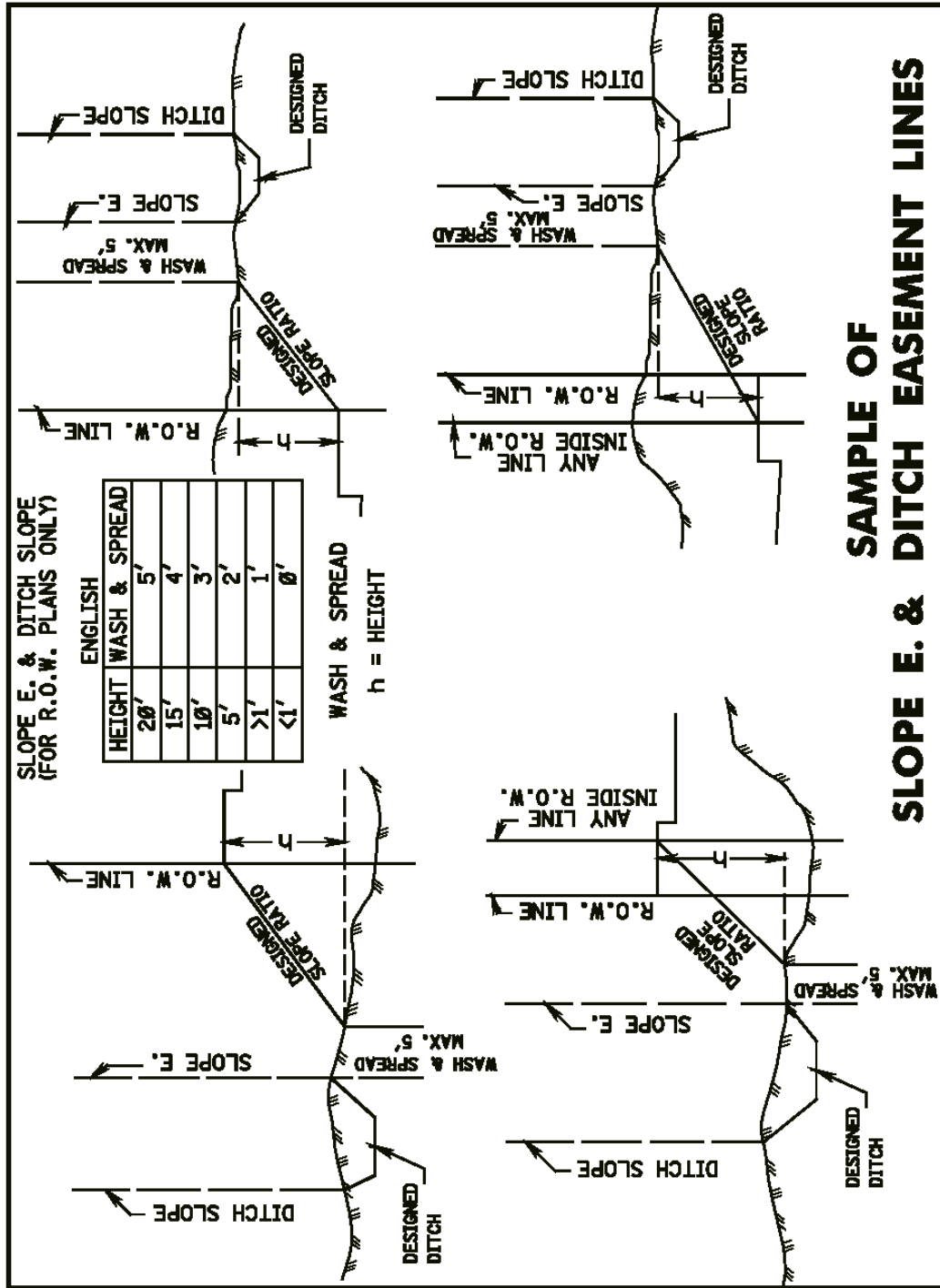
ATTACHMENT G



**SAMPLE OF POLICY FOR RETAINING WALLS -
ALTERNATE SCHEME**

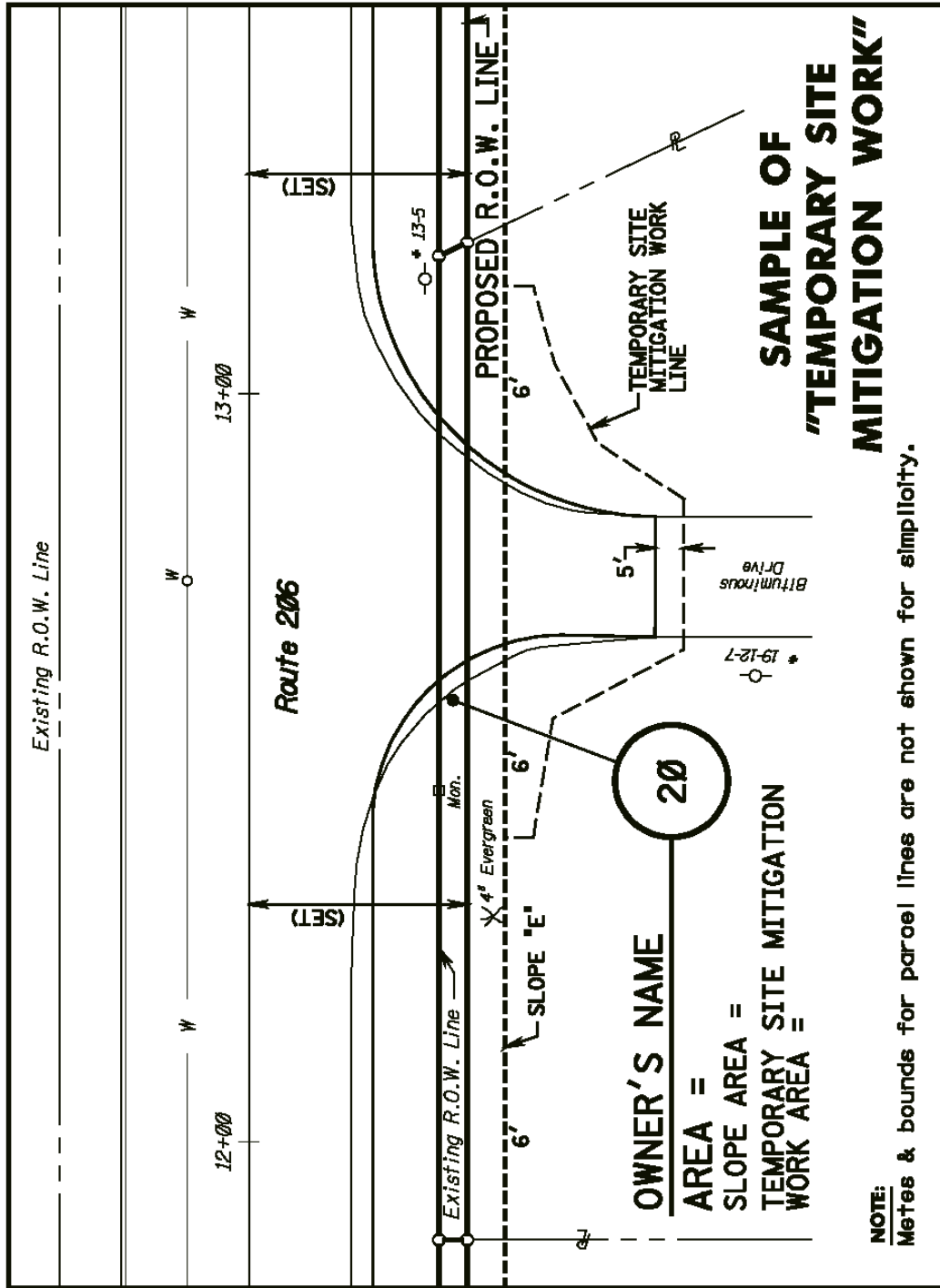
Proposed R.O.W. Line set at back face of proposed structure.
This policy is to be used when it is determined to be not economically
feasible to acquire the land for the entire proposed structure in fee.

ATTACHMENT H



SAMPLE OF SLOPE E. & DITCH EASEMENT LINES

ATTACHMENT I



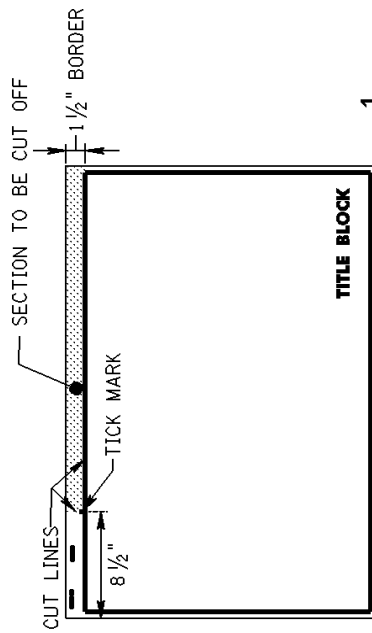
**SAMPLE OF
"TEMPORARY SITE
MITIGATION WORK"**

NOTE:
Metes & bounds for parcel lines are not shown for simplicity.

ATTACHMENT J

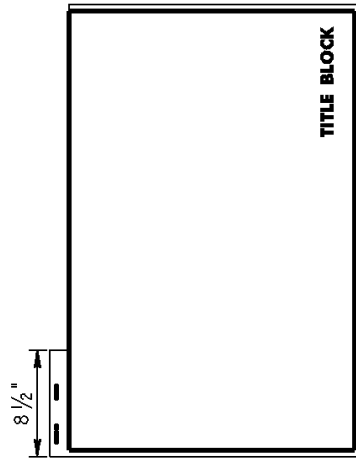
FOLDING PROCEDURE FOR IPM PRINTS

SEE NEXT PAGE FOR GENERAL NOTES



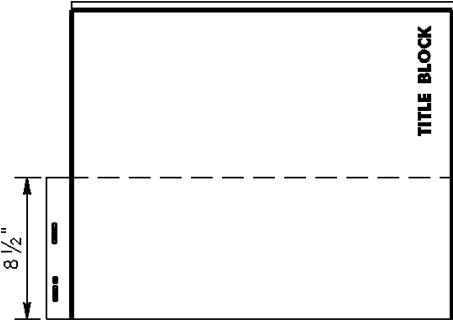
1

EXAMPLE: 36" X 24" IPM



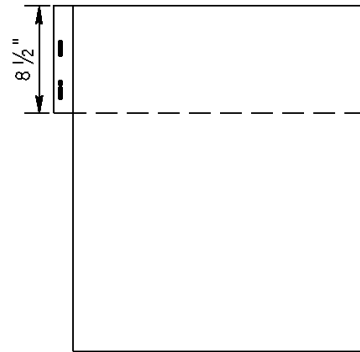
2

MAP AFTER TRIMMING



4

SECOND FOLD



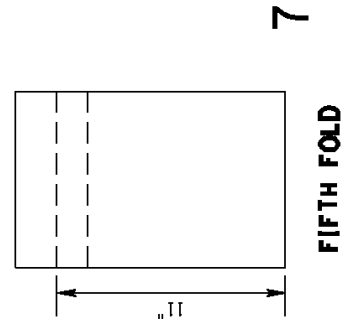
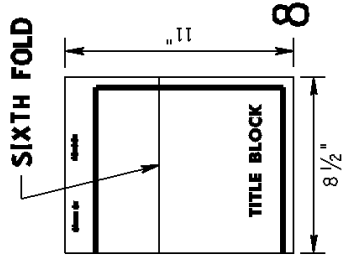
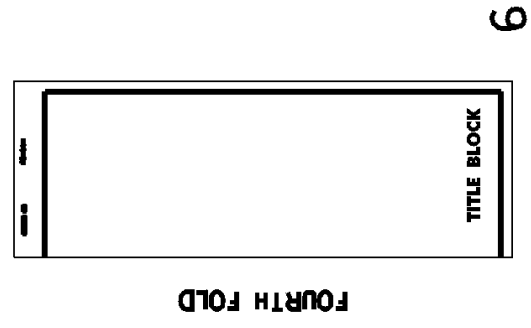
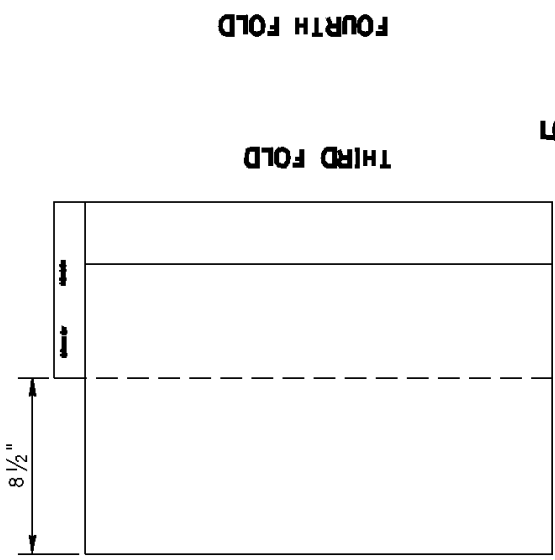
3

FIRST FOLD

ATTACHMENT K

GENERAL NOTES

1. - WHEN THE MAP IS DRAWN, A SMALL TICK MARK SHOULD BE PLACED AT THE VERTICAL CUT POINT IN THE TOP BORDER, 8 1/2" FROM THE LEFT EDGE OF THE MAP AS SHOWN IN SEQUENCE 1.
2. - FOR MAPS OF SIZES OTHER THAN THE ONE SHOWN, FOLLOW THE SEQUENCE UNTIL A FINAL SIZE OF 8 1/2" x 11" IS ATTAINED. IT IS DESIRABLE THAT THE WHOLE TITLE BLOCK BE VISIBLE ON THE FOLDED MAP, BUT THIS IS NOT POSSIBLE ON ALL ALLOWABLE MAP SIZES. DO NOT MAKE EXTRA FOLDS TO DISPLAY ONLY A SMALL PORTION OF THE TITLE BLOCK.
3. - IF THE LAST HORIZONTAL FOLD IS LESS THAN 8 1/2" WIDE, THAT PORTION SHOULD BE FOLDED SO AS TO LIE ALONG THE RIGHT EDGE OF THE FOLDED MAP.
4. - FOLDING IS REQUIRED ONLY WHEN MAPS ARE TO BE USED FOR CONDEMNATION.



ATTACHMENT L

Circle size proportional to map size

The Latin abbreviations et ux, et vir and et al may be used

21

JOHN SMITH, ET UX

AREA = 3398 SF ±
TOTAL SLOPE EASEMENT AREA = 2091 SF ±
DRAINAGE EASEMENT AREA = 436 SF ±
R. A. = 23564 SF ±

Note:
All easement areas follow parcel area with total areas given when there are two or more easements of the same kind

The parcel may be indicated by a line and arrow from the title circle to the parcel or by a smaller circle within or adjacent to the parcel. Parcels on the entire tract insert will be indicated with a small circle.

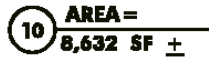
NOTE:
See Section 9.0, B, 2, o ,3) & 4) for showing the area calculations

**SAMPLE OF
TITLE AREA (ALL MAPS)**

ATTACHMENT M

When two or more fee parcels are contiguous, each shall be indicated by a small parcel circle showing the area:

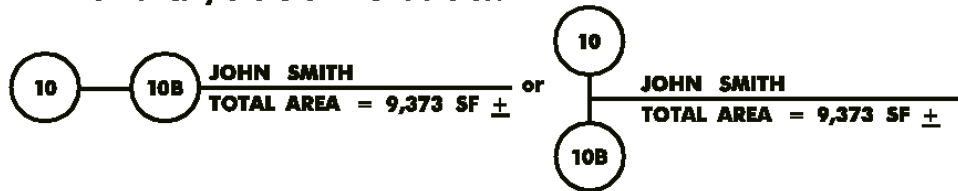
Inside Parcel:



Outside Parcel:



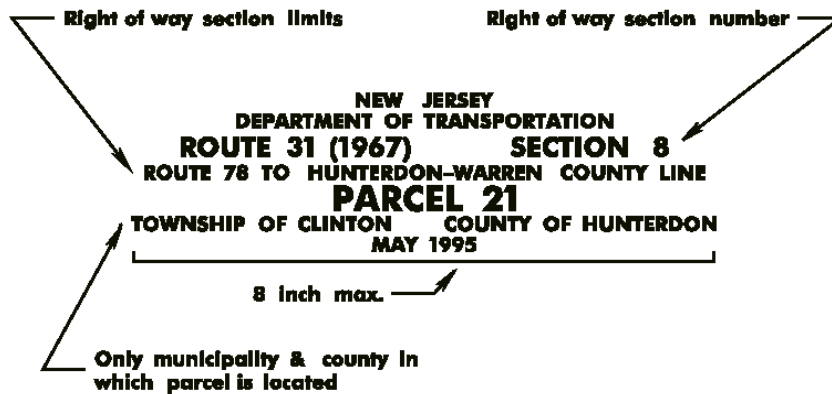
and the main title will have the circles connected either horizontally or vertically and show the total area:



Contiguous fee parcels are the only parcels joined in the title because they will be described together in the description. Easement or utility easement parcels, even when they adjoin a fee parcel, require a separate title bubble.

NOTE:

See Section 9.0, B, 2, o, 3) & 4) for showing the area calculations



SAMPLE OF I.P.M. TITLE BLOCK

10.0 Application Of Upland Owner On Tidal Water For A Lease Or License/Grant Of Riparian Land

To the Bureau of Tidelands Management in the Land Use Regulation Program of the Department Of Environmental Protection:

WHEREAS, a State Highway designated as Route _____ Section _____, _____ (ROW section limits) as heretofore been laid out and construction provided for pursuant to the provisions of Title 27 of the Revised Statutes of New Jersey; and

WHEREAS, portions of the said State Highway (or roadway, as required) are over tidal lands, lands owned and/or claimed to be owned, pursuant to Titles 12 and 13 of the Revised Statutes of New Jersey;

NOW, THEREFORE, I, the undersigned, Director of ROW, Department of Transportation of the State of New Jersey, acting for and in the name of the State of New Jersey, do hereby apply for a grant of tidelands as indicated on a map entitled: (insert Map Quote)

Parcel T _____ (insert description) _____ or TE _____ (insert description) _____.

THE STATE OF NEW JERSEY, Department of Environmental Protection, Division of Coastal Resources, Bureau of Tidelands, AT THE RECEIPT OF THIS APPLICATION, is requested to make the herein above described GRANT to the STATE OF NEW JERSEY, Department of Transportation in accordance with and subject to the provisions of an act of the New Jersey Legislature entitled: "A further supplement to an act entitled: 'An act to ascertain the rights of the State and riparian owners in the lands lying under the waters of New York Bay and elsewhere in the State', approved April eleventh, one thousand, eight hundred and sixty-four", which said supplement was approved March 16, 1916.

Applicant recognizes that the State is under no obligation to make the grant or lease desired and the issuance of same is within the sole and absolute discretion of the State.

Applicant recognizes that the action of the Tidelands Resource Council is subject to the approval of the Commissioner of the Department of Environmental Protection, the Attorney General and Governor, and that no grant is valid unless and until actually delivered.

We therefore request the State to consider this application and if in the State's discretion, decide to issue a grant or lease, to fix the fair consideration or annual rental for the conveyance and to designate the lands now or formerly under tidewater that may properly be included in the conveyance and to fix such other terms and consideration of said conveyance as may be deemed appropriate.

Date: _____

Director, Division of ROW
Department of Transportation

Witness:

11. ROW Documents Submission

A. GENERAL

1. All documents shall be completely checked before being submitted.
2. Plans shall be checked for compliance with this manual's checklists and procedures. The design of all ROW parcels, slopes, drainage, etc., including temporary features, shall facilitate the building of the highway to its complete and final design.
3. The ROW line shall only indicate what is required for highway purposes. The Division of ROW shall determine whether to acquire any additional property (for example, an uneconomic remnant).
4. A complete ROW submission shall include:
 - ETMs, including a Key Sheet
 - GPPMs, including an Alignment Schematic Plan and a Tab Sheet
 - IPMs
 - Descriptions (CD-ROMs may be substituted for the 3.5" diskette)
 - Riparian application, if needed
 - Other documentation - Deeds, tax maps, etc.
5. The PM, in coordination with the ROWE Unit, may waive the requirement to include any of the above. The PM may request a copy of the ROW submission. This copy should be sent directly to the PM and is not part of the Preliminary or Final ROW Submission.

B. SUBMISSION PACKAGING

1. The designer shall submit the ROW documents for the required submission, Preliminary or Final, to the units listed in Attachment N. All documents for a Preliminary Submission shall be stamped "Preliminary". The requirements for the PD ROW Plan submissions are listed in Section 3.0, B and are shown in ATTACHMENT N. **The PD ROW Plan submission shall be sent only to The Division of ROW, HQ.** The requirements for the Pre-Final Submission are listed in Section 3.0, C. and are shown in a note on Attachment N. **The Pre-Final submission shall be sent only to ROWE.** CD-ROMs may be substituted for the 3.5" diskettes for the Pre-Final & Final submissions.
2. The consultant designer shall fill out and submit Attachment O to ROWE with the Preliminary and Final ROW Submissions.
3. The designer shall submit 1 set of final sepia mylars (or equivalent) of the GPPMs & ETMs, **without signatures and seals**, to the EDU as the Final ROW submission. The Designer shall provide and hold 2 sets of signed & sealed ETM & GPPM mylars, for each county, and submit them when notified by the Engineering Documents Unit.

ATTACHMENT N

SEND TO LABELED FOR		Director, ROW Technical Support; Attn: Project Coordination and Funding									
		Disks	Headquarters	Title Section	* R.O.W. Engineering	Railroad & Utility, DEP Owned Parcels if Utility, Rd. if Riparian	Engineering Document Unit	FHWA	Bureau of Environmental Services	TOTALS	
DOCUMENTS (COMPLETE SETS)	SUBMISSION										
	ROW PLANS (PRINTS)	2		1	2			1	1	7	
IPMs (PRINTS)	PRELIMINARY	2		2				1	1	6	
	FINAL				20%					20%	
DESCRIPTIONS (SET)	PRELIMINARY	9	1 PDF *	2						11 + PDF	
	FINAL	1		1	1					3	
CURRENT DEEDS	PRELIMINARY			1						1	
	FINAL			2	1					3	
TAX OR DEVELOPMENT MAPS	PRELIMINARY				1					1	
	FINAL	1		2						3	
1/2 SCALE ROW PLANS (PRINTS)	PRELIMINARY	1								1	
	FINAL	1	1	1	1					3	
ROW PLANS (SEPIA MYLARS)	PRELIMINARY										
	FINAL				1		1			2	
CONSTRUCTION PLANS (PRINTS)	PRELIMINARY	1			1					2	
	FINAL	1								1	
APPLICATION FOR RIPARIAN GRANT	PRELIMINARY	1			1					2	
	FINAL	1						3		4	
DESCRIPTIONS ON 3.5" DISKETTES	PRELIMINARY										
	FINAL		1		1					2	

*** SEND ALL MATERIAL LABELED FOR R.O.W. ENGINEERING DIRECTLY TO THAT OFFICE. ALL OTHER MATERIAL IS TO BE SUBMITTED AND LABELED AS NOTED ABOVE.**

**** PDF FILES ARE TO BE PROVIDED ON CD-ROM. WHEN REVISIONS OR CORRECTIONS ARE MADE TO THE IPM, REVISED PDF FILES ARE TO BE PROVIDED TO HEADQUARTERS.**

Note: A PD ROW Plan shall be sent directly to the Division of ROW. It shall consist of 2 sets of prints of the GPPMs. A Pre-Final Submission shall be sent directly to ROWE. It shall consist of 2 sets of prints of the ETMs, GPPMs, one set of descriptions and a portion of the IPMs as directed by ROWE.

Attachment O

Consultant Quality Control Checklist

ROW Documents

Route _____ Section _____

Federal Project _____ County _____

State Project No. _____

Preliminary Submission Final Submission

- | | <u>YES</u> | <u>NO</u> | <u>NA</u> |
|--|--------------------------|--------------------------|--------------------------|
| 1. All right-of-way plans (ETMs, GPPMs & IPMs), and descriptions have been prepared in accordance with the requirements outlined in the ROW Manual. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. All right-of-way lines and easement lines have been identified and are consistent between the right-of-way plans and construction plans. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The access control has been established in accordance with direction from the Project Manager/other offices within NJDOT and is in accordance with all applicable laws, regulations, FHWA and NJDOT policies. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. All comments regarding the right-of-way plans and descriptions have been addressed. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. A field check was conducted on _____ to verify that all buildings and other important features are accurately shown on the ROW plans (<u>final submission only</u>). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

NOTE: Any item checked **NO** shall be explained in the space provided below. Attach additional sheets if needed.

Item No _____

Consultant _____

Project Manager _____ Date _____

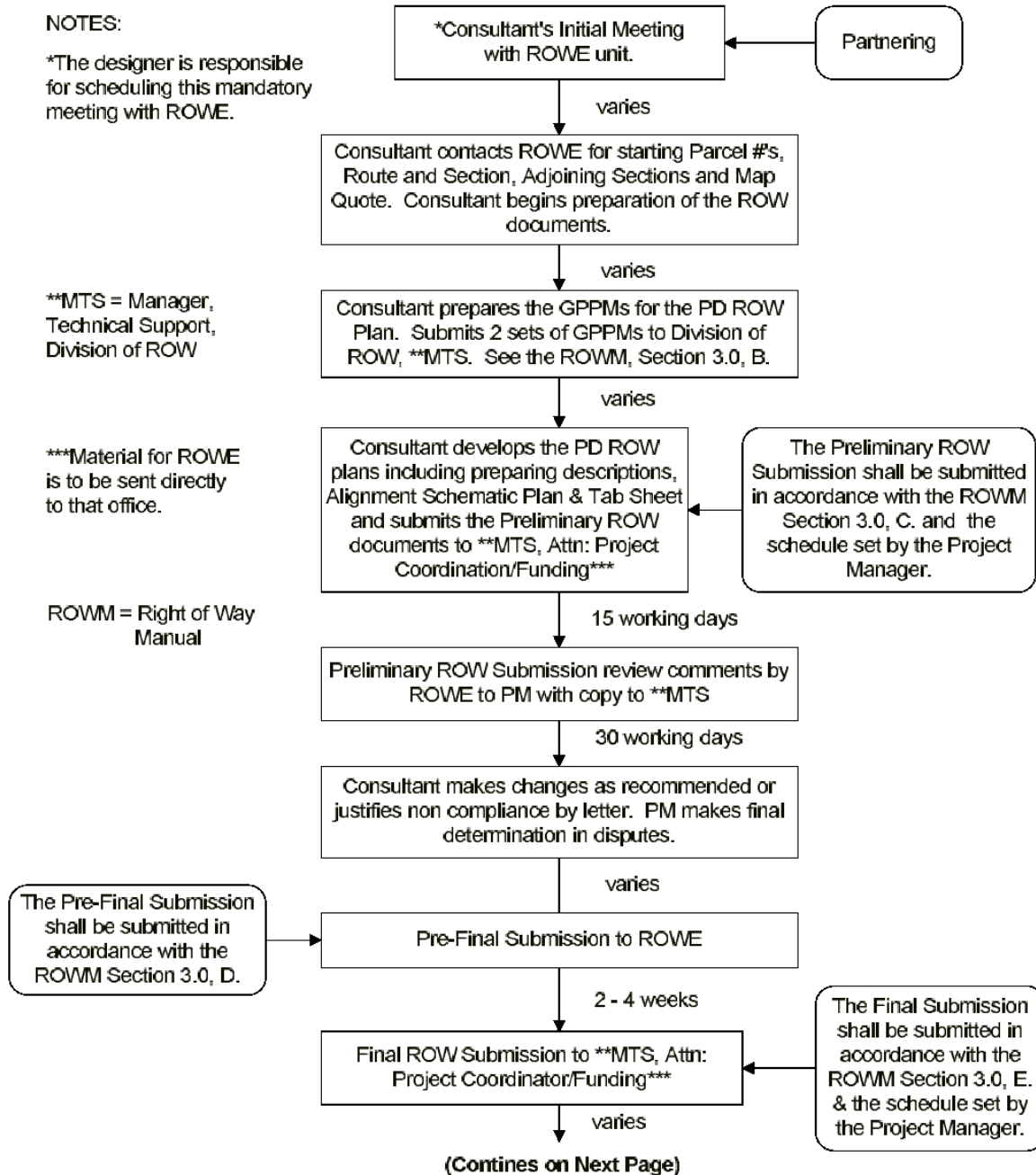
Sub-consultant* _____

Project Manager _____ Date _____

* If applicable

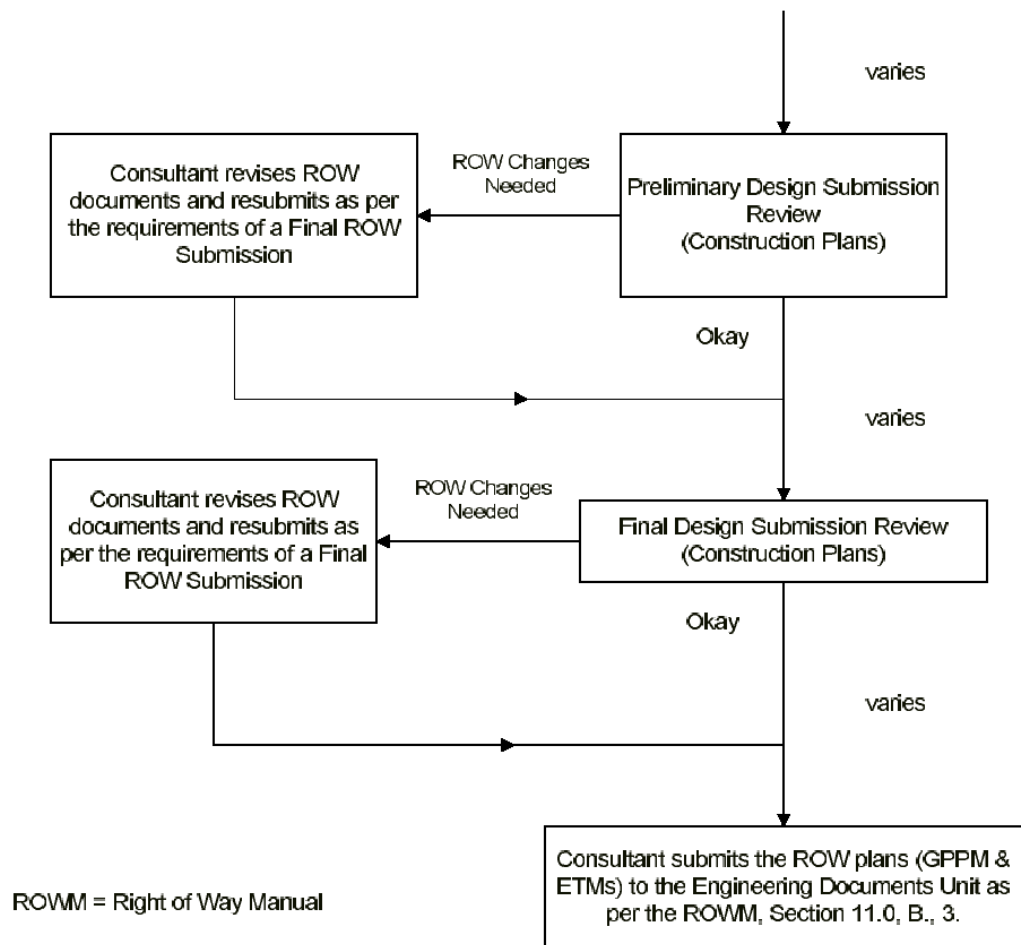
12.0 ROW Engineering Process

A. CONSULTANT DESIGNER

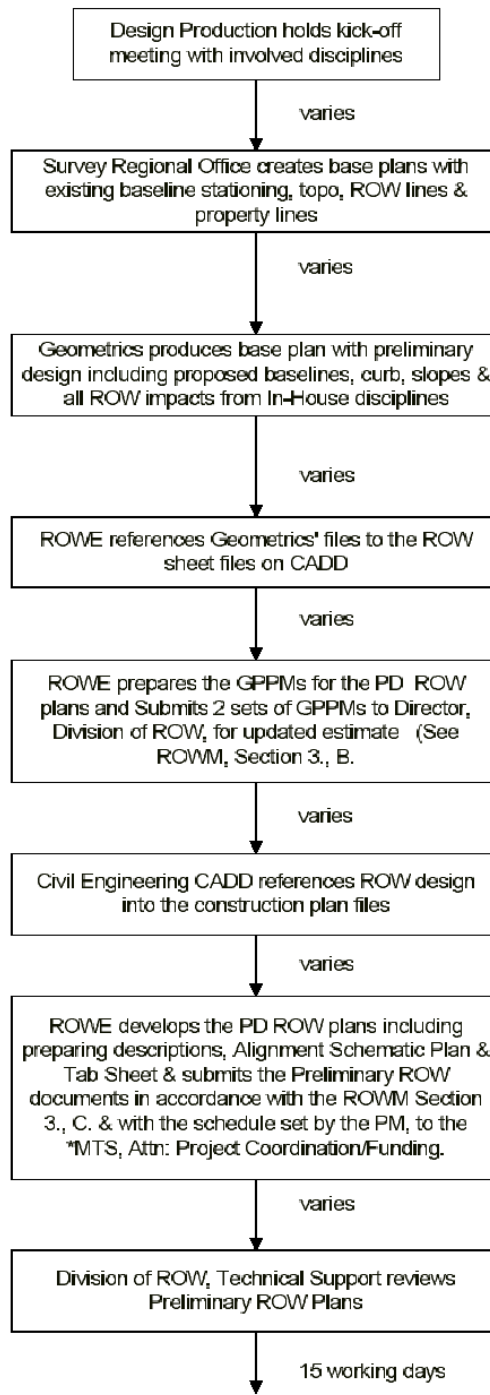


12.0 ROW Engineering Process - continued

A. CONSULTANT DESIGNER



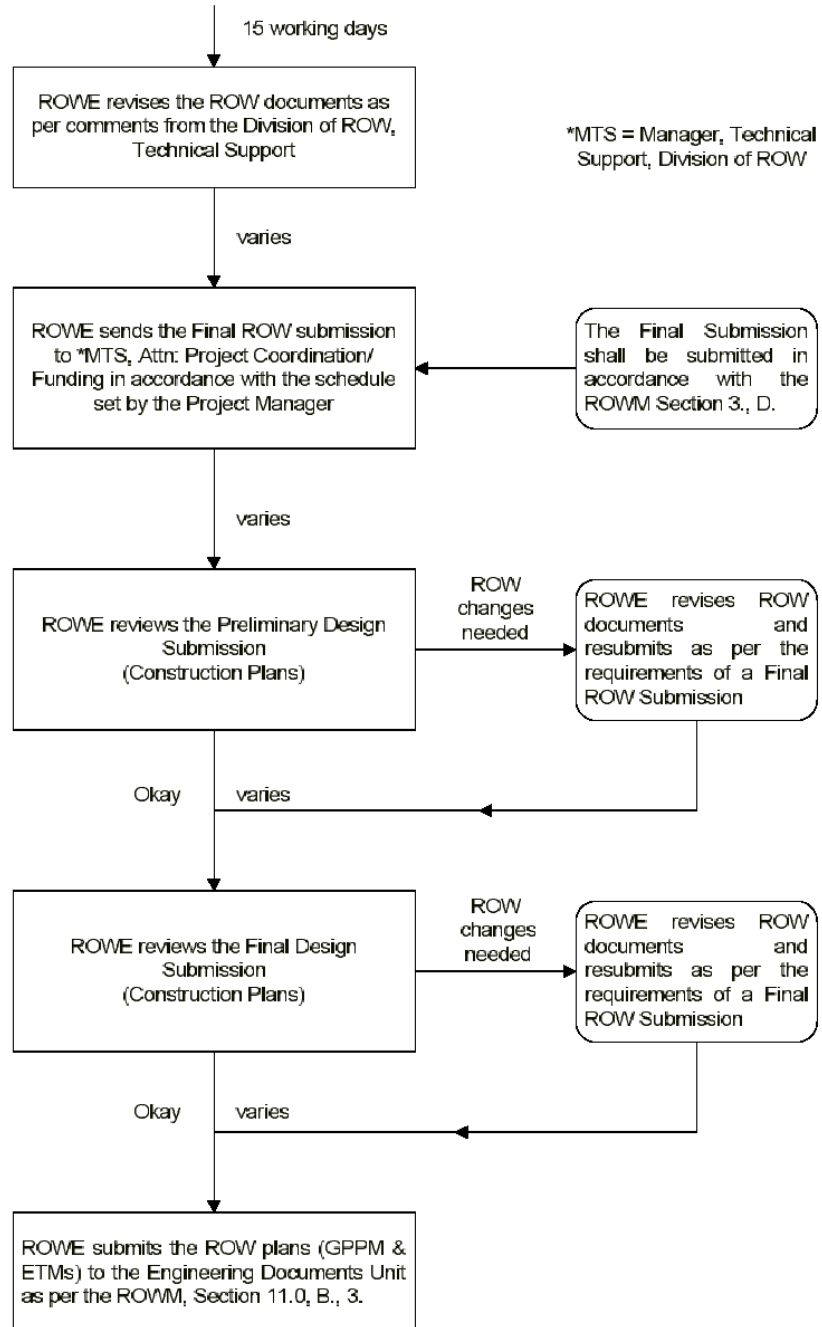
B. IN-HOUSE DESIGNER



NOTES:
*MTS = Manager, Technical Support, Division of ROW
ROWM = Right of Way Manual

(Continues on Next Page)

B. IN-HOUSE DESIGNER – continued



13.0 Process For Eliminating A Parcel

- A. The PM contacts the Project Coordination/Funding Unit within ROW Technical Support, by memorandum or e-mail, with a copy to ROWE, requesting the acquisition status of a parcel to be eliminated.
- B. After the parcel acquisition status is determined, Project Coordination/Funding will advise the PM whether the parcel can be eliminated. A parcel cannot be eliminated if the NJDOT has already taken possession of it. However, a parcel may be eliminated after a Declaration of Taking is filed, but only if the property owner agrees.
- C. If the parcel can be eliminated, the PM will contact the design consultant or ROWE, if the PM desires the work to be done in-house. The designer will update the ETM and GPPM, showing the parcel elimination using the following procedure:
 1. Draw an "x", through the parcel number. Print "Eliminated" on the GPPM and ETM near the affected parcel number. Place the parcel number, date and "Eliminated" in the revision block.
 2. Draw a line through the parcel on the Tab sheet and place "Eliminated" and the date in the remarks column.
- D. The designer shall submit the updated ETM and GPPM to ROW Technical Support, ATTN: Project Coordination/Funding as outlined in Attachment I, Final Submission.

14.0 Process For Revising A Parcel

- A. The initiator of the revision (ROW designer, Department ROW negotiator, etc.) shall notify the PM that a revision is necessary (The initiator of the revision shall contact ROWE to determine if a revision is required before making contact with the PM.). Consultant designers **must** contact ROWE before beginning any work on a revision. The PM then requests the acquisition status of a parcel to be revised from the Project Coordination/Funding Unit within ROW Technical Support by memorandum or e-mail, with a copy to ROWE. All revisions made to ROW plans after the Final Submission must be made only with the authorization of the PM.
- B. After the parcel acquisition status is determined, Project Coordination/Funding will contact the PM and advise whether the parcel can be revised. A parcel cannot be revised if the NJDOT has already taken possession of it. However, a parcel may be revised after a Declaration of Taking is filed, but only if the property owner agrees.
- C. If the parcel is already owned by the NJDOT, a new parcel will have to be added to include whatever rights are needed for that parcel.
- D. If the parcel can be revised, the PM will place that parcel "on hold" with the Office of ROW and will contact the design consultant or ROWE (if the work is to be done in-house), who will revise the ROW documents.

- E. Changes to the ROW after the final ROW submission that would necessitate another appraisal shall require a revision number (e.g. area changes, adding or removing slope, drainage, denial of access, limit of grading, etc.).
- F. The following procedure shall be followed for revisions to the ROW documents:
1. Change the parcel number on the ETMs, GPPMs, IPMs, and descriptions. For example:

	Original	1st. Revision	2nd Revision
Parcel	8	R8	2R8
Easement Parcel	E8	ER8	E2R8
Utility Parcel	U8	UR8	U2R8
Utility Easement Parcel	UE8	UER8	UE2R8
Tideland Parcel	T8	TR8	T2R8
Tideland Easement Parcel	TE8	TER8	TE2R8
Landscape Parcel	L8	LR8	L2R8

2. Specify all revisions in the revisions block of the ETMs (not including the Key Sheet) and the GPPMs. Show the parcel number, date and, under the revisions column, the revised parcel number and the revision. For example:

Parcel	Date	Revision
48	01-02-98	Parcel 48 to parcel R48; Revised parcel area
R35	02-15-98	Parcel R35 to 2R35; Slope area added
E20	03-06-98	Parcel E20 to ER20; Slope area revised

- G. The design consultant or ROWE shall submit the revised ROW documents to ROW Technical Support, ATTN: Project Coordination/Funding, as outlined in Attachment N, Final Submission. Submission of the descriptions on 3.5" diskettes is required. However, other formats, for example, e-mail, CDs (compact discs), when approved by ROWE, may be used. Specify all revisions in the revisions block, showing date, parcel affected, and the reason for the revision. The submission letter should also note the reasons for the revision of each parcel.

15.0 Process For A Condemnation Case

- A. When negotiations have reached an impasse, the District Office Supervisor contacts the supervisor of the Acquisition Section (AS) of ROW Technical Support to advise that this case must go through the condemnation process.
- B. The supervisor of the AS is responsible for obtaining the proper number of condemnation maps (IPMs) and descriptions. The number of copies is based on the number of parties having an interest in the subject parcel and the number required by NJDOT personnel (the average is 30 copies).

- C. The supervisor of the AS must contact the PM, who decides who will supply the condemnation documents. **NOTE:** The decision by the PM as to who supplies the condemnation map is based on the designer's contract/proposal, time considerations, where the existing color copies of the IPM's are located and whether any revisions to the IPMs are required. **The PM should have the designer supply the condemnation material for consultant designed projects.**
- D. If the PM chooses the consultant and authorizes him to supply the condemnation material, then the consultant is responsible for supplying all the condemnation material (including properly folded IPMs) to the AS, while copying the PM on all transmittals. The PM may request that the consultant and the AS deal directly with each other on any questions that arise.
- E. If the PM chooses to have ROWE supply the condemnation material, ROWE will be responsible for making the color copies of the IPM. The AS will be responsible for providing ROWE with a color copy of the IPM and a copy of the complaint description (both supplied to the AS at the Final ROW Submission).
- F. If the project is being designed in-house, ROWE will be responsible for supplying the required number of copies of the description and IPM, properly folded, to the AS.
- G. The AS is responsible for the proper distribution of the condemnation material.

16.0 ROW Parcel Dedication Requirements

The requirements and process for a ROW dedication package can be found in N.J.A.C. 16:47-4.20. Any dedicated parcel, including parcels involved in Developer's projects shall follow this process.

Parcels that are "donated" on standard ROW projects, that is, parcels that are given to the NJDOT at a minimal cost without appraisal, usually \$1.00, shall be set up like other parcels, except they shall be labeled "Donated". Donated parcels shall also have an IPM and description prepared.