Right of Way Plan Development

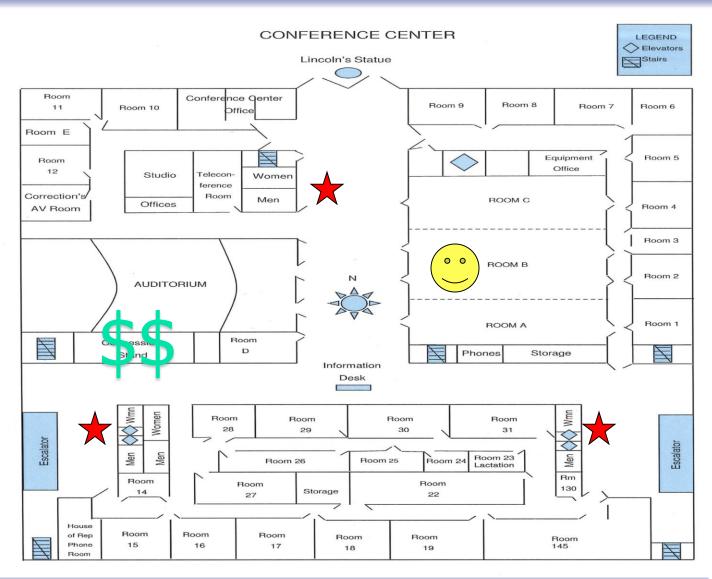
Don West, PS R/W Services Manager

June 14, 2016





Options:







R/W Engineering Highlights

To help facilitate Right of Way Process

- "Completed" Engineering Packets to be transmitted to Central Office (Jim Crall)
- **This provides for earlier APA assignment**

Note: For R/W Engineering to be "Ready" for Appraising ... the following must be complete:

- The APA screen open in LRS
- Plans and pertinent documents uploaded to ERMS
- Packets complete and delivered to Central Office





R/W Plan Development Process

The Review of the R/W Engineering Process (which includes the plans, plats, descriptions, etc.) is still conducted through the District Right of Way Teams.

District	Manager	Phone	E-Mail
Crawfordsville	Bert Herron	(765) 361-5243	bherron@indot.in.gov
Fort Wayne	Matt Witt	(260) 399-7320	mwitt@indot.in.gov
Greenfield	Mickey Rogers	(317) 467-3472	mrogers@indot.in.gov
LaPorte	Jeff Gustke	(219) 325-7572	jgustke@indot.in.gov
Seymour	Nicole Curry	(812) 524-3970	ncurry@indot.in.gov
Vincennes	Kevin Rowland	(812) 895-7384	krowland@indot.in.gov





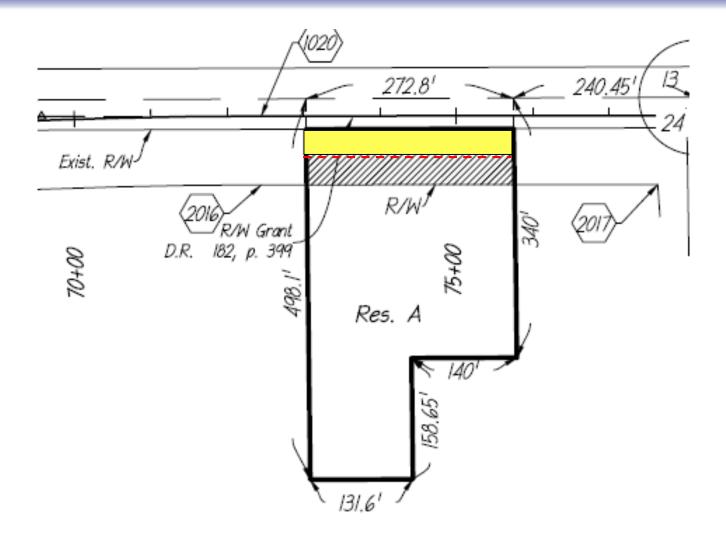
R/W Terms

- Apparent R/W: clearly seen or understood (by current manual the estimated location of the existing right-of-way line based upon plans or surveys ... may also be determined by Records Unit ...) let's go with what appears evident.
- Existing R/W: Actual right of way of record.
- R/W Easement: a limited right to make use of a property owned by another.
- R/W Dedication: an act of setting area aside for a specific purpose.
- R/W Grant: lawful transfer of property or rights by a legal transaction.
- R/W Fee Simple: absolute ownership.





Evaluating R/W







Apparent R/W



















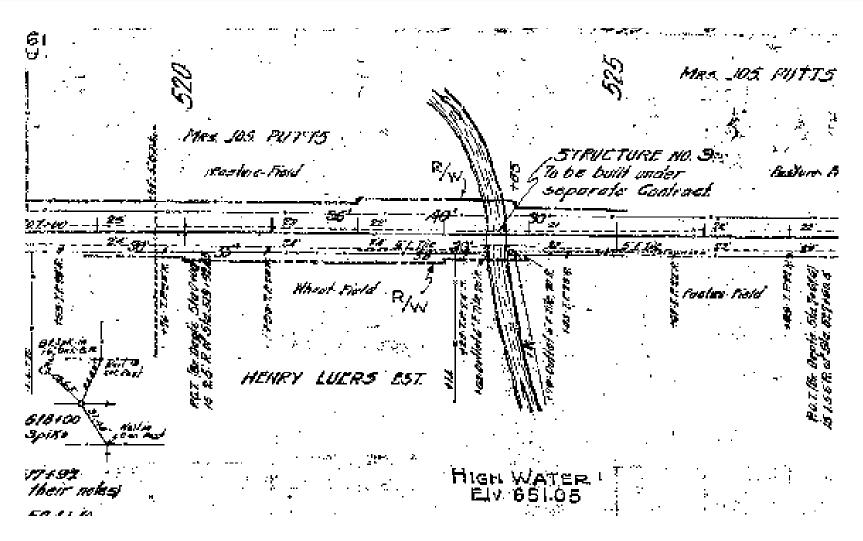
Indiana Code
Title 25 – Professions and
Occupations
Article 21.5 – Land Surveyors
IC 25-21.5-9-7
Land surveyor entry on land,

IC 25-21.5-9-8
Identification before entry; liability for damage

water, or property

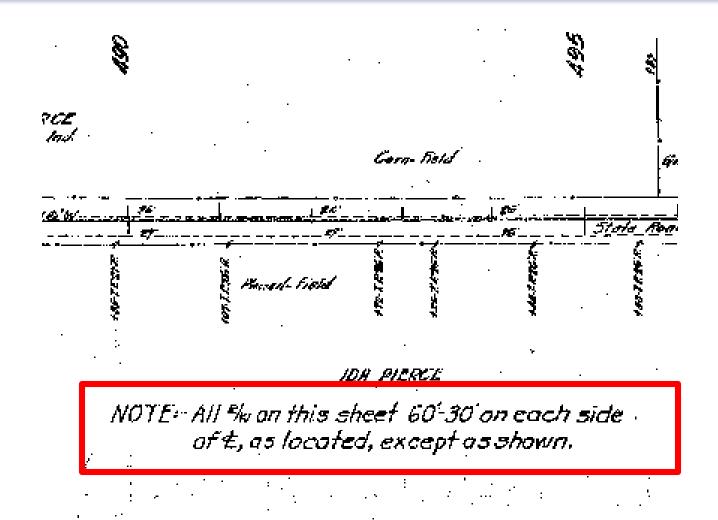








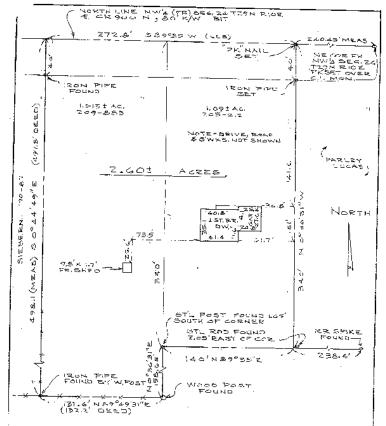








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	(Give address at Payco)				
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NOTE: 'The Flood Boundary and Floodway Map of Huntington County prepared for the National Flood Insurance Program (186498) dated July 18, 1983, does not show this property to be within the boundary of a 100 year flood,

I, William H. Land, hereby certify that learne Land Surveyor Ifcensed in compliance with the laws of the State of Indiana, and that this plat and description correctly represents a Survey completed on June 10, 1984, Ali monuments and distances are to the best of my knowledge accurately abown.





Apparent R/W to Exist R/W

Review of Evidence

- ? Old Plans
- ? R/W Grants
- ? Deeds (caption ref. from Abstract T&E Report)
- ? Survey(s) of Record
- ? Monuments (i.e., R/W Markers, pins, etc.)
- ? Other visibles (i.e., walks, walls, fence)





Before R/W Engineering







Definitions:

865 IAC 1-12-2 Definitions; abbreviations

- (j) "Right-of-way" means land taken by either:
 - (1) easements; or
 - (2) fee simple title;

for the linear routes identified in subsection (k).

- (k) "Route survey" refers to surveys executed for the purpose of acquiring an interest in the tracts of land required for the following:
 - (1) Highways.
 - (2) Railroads.
 - (3) Waterways.
 - (4) Pipelines.
 - (5) Electric lines.
 - (6) Any other linear transportation or utility route.





Definitions: (cont.)

(k) "Route survey" refers to ...

The term does not include surveys executed for acquisition parcels that are of even width and immediately adjacent to an existing title, easement, or right-of-way line and do not require a property survey in order to prepare an accurate legal description for the parcel. Route surveys are not considered either original surveys or retracement surveys.

Note: Most INDOT projects will require a Location Control Route Survey if property is being acquired.





Route survey preliminary research

- Sec. 20. (a) When conducting a route survey, a registered *professional* surveyor shall do the following:
- (1) Obtain or prepare the documents establishing the intended position of the lines to be created by the survey, for example, the following:
 - (A) The client's approved sketch.
 - (B) Instructions defining the lines.
- (2) Obtain the following:
 - (A) Copies of the laws that affect route surveys in the area in which the property is located.





865 IAC 1-12-20 (cont.)

(B) From:

- (i) the client, or other sources, the record description of the affected parcel or parcels; (ii) the county recorder's office, copies of any recorded subdivision plats and surveys affected by or relating to the survey; and (iii) other public offices, copies of any maps, documents, and field notes that relate to the survey.
- (b) Client specifications may set forth technical minimums for route surveys more stringent than those stated in this section.





Route survey fieldwork

- Sec. 21. When conducting a route survey, a *professional* surveyor shall do the following:
- (1) Establish the location of the control survey points upon which all subsequent work will be based so that they can be retraced and are recoverable by other surveyors without difficulty during and after construction.
- (2) Determine the location of the following:
 - (A) Any lines or corners, or both, necessary to describe any acquisition parcels.
 - (B) Any United States Public Land Survey subdivision corners that are available from the county surveyor or reasonably accessible and relevant to the route survey or acquisition parcels, or both.





Route survey fieldwork (cont).









Route survey fieldwork (cont.)

- (3) Set any final monuments required by section 24 of this rule, and those required by the client.
- (4) Take sufficient check measurements to satisfactorily verify the work.
- (5) Keep survey field notes showing all pertinent information, measurements, and observations made in the field during the course of a survey in a manner that is clear to other land surveyors who may use the information so recorded.
- (6) Make necessary computations to substantiate correctness of field measurements.

Note: Section 24 refers to Route Survey Monumentation





865 IAC 1-12-(22-24)

- Measurements for route surveys (22)
- Publication of route survey results (23)
- Route survey monumentation (24)







Route survey plats

- The following statements are taken from Rule 12, Sec. 25:
 - (8) Nothing in this section shall prevent a complete route survey plat from being the composite of the work of one (1) or more surveyors preparing separate plats of their work as long as the following requirements are met:
 - (A) All of the information required under this section and in sections 21, 22, 24, and 25 of this rule is reflected in the composite of the separate plats, and the data on each of the separate plats is tied to the initial controlling survey line.
 - (B) The separate plats are all recorded.
 - (C) Any plats related to the route survey that are subsequently recorded are cross-referenced to any previously recorded plats related to the same route survey.
 - (D) The work is conducted in accordance with the requirements of section 3 of this rule.





Note

This is obviously NOT an extensive coverage of RULE 12, nor is it intended to be. Please be aware of changes to the rule and how those may affect the subject procedures.

Check for Changes





Abstracting & Ownership

- Each ownership of land within the limits of the project is to be abstracted with a 20 year search of the title for fee takings or the last deed of record for temporaries. This includes properties not identified within new/proposed right of way, but that lie within the project limits.
- Also, abstracting may be needed to verify INDOT ownership of the existing R/W shown on the plans.
 Abstracting coverage should be from the start of construction to the end of construction.





IC 8-23-7-32

Preservation of abstracts of title, title insurance policies, and other title papers

(i.e., Title & Encumbrance Reports)

Sec. 32. All abstracts of title, policies of title insurance, and other title papers shall be kept and preserved permanently by the department.





IC 8-23-7-2

Purposes for acquiring real property

- Sec. 2. The department may acquire real property for any purpose necessary to carry out this article, including the following:
 - (1) To locate, relocate, construct, reconstruct, repair, or maintain a state highway, including area for:
 - (A) the placement of a utility facility within the right-of-way of the state highway system; or
 - (B) the relocation of a utility facility within the right-of-way of the state highway system due to interference with a highway improvement project.
 - (2) To widen or straighten a highway.
 - (3) To clear and remove obstructions to vision at crossings and curves.
 - (4) To construct weigh stations and rest areas.
 - (5) To provide scenic easements and other areas necessary to cooperate with the federal government or carry out a federal law.
 - (6) To facilitate long-range transportation planning.





IC 8-23-7-4

Description of property to be acquired; preparation and filing

Sec. 4. If:

- (1) the department determines the location of a state highway; and
- (2) the location of the highway requires the department to acquire real property, easements in real property, or rights in real property;

the department may prepare a metes and bounds or other description of the property or rights to be acquired. The description shall be filed in the office of the recorder in the county in which the real property is located.





INDOT Abstracting Requirements

- A complete chain of title back to the date the subject property was transferred by a warranty deed at least 20 years old. (transfer by QCD does not fulfill requirement.)
- Copies of all recorded documents found during the 20 year search must be included in the T&E Report.
- Copies of any referenced deeds called for in the documents found during the 20 year search to be included.
- A search of the mortgage record and copy of any mortgage or release of mortgage must be included.
- A search of the judgment record and copy of any judgment found must be included in the report.





INDOT Abstracting Requirements

- A search of the miscellaneous record and copy of any easements or encumbrances found that affect the subject property must be included.
- Copies of any recorded land surveys of the subject property.
- If the subject property is a lot in a recorded subdivision a copy of the recorded subdivision plat must be included in the T&E report.
- Complete Property Tax information must also be included in the report.
- A complete listing of all county tax ID numbers must be included.





Tax ID

• Most counties in Indiana require that private property be indentified by a Tax ID Number. When an owner acquired their property by means of more than one Tax ID Number and the new/proposed right of way is from both (or multiple) Tax ID Numbers, the area from each Tax ID Number tract must be determined. Separate legal descriptions must be prepared for the new/proposed right of way required from each Tax ID Number (tract).





Abstract Investigation

Each Title & Encumbrance Report is plotted and an analysis of the owners deed description is performed. Ownership lines are established. In addition, any special interest noted in the report is plotted and a note placed on the plans. Property owner names are checked and corrected if necessary. Additional abstracting may be needed to resolve any property line location conflicts or uncertainly of the property line location.





Existing Right of Way

 All existing R/W information is gathered and separated by parcel ownership, not by project or from station to station. All areas where no evidence of title to existing R/W is found are noted. Additional abstracting research of title will may be necessary. If no record document is found to establish the existing road boundary, the edge of the pavement/traveled way is used as the road boundary. When using edge of pavement/traveled way as the road boundary a decision must be made as to the width of the pavement, 24 foot, 22 foot, 18 foot, etc. No radii or fillet areas are considered.





Plotting Existing R/W Line

NOTE: Any existing R/W line drawn on the R/W Plans must be documented, such as recorded in the county records. There must be a conveyance to INDOT or other public agency. Power poles, utility lines, fences are never used as existing R/W lines, but are evidence of apparent right of way. R/W grants not timely recorded must be evaluated, and have a determination made as to whether a grant of easement was made to the State before the grant is used as evidence of existing R/W line.





Existing R/W Report

- The existing R/W report is prepared on a parcel by parcel basis. The report states either the State holds fee simple title or a valid highway easement or that re-acquiring the present existing right of way (PER) is required. (PER) is always the area under pavement in the case of an invalid grant.
- All existing R/W must be verified within the limits of the project.
 This includes areas not identified as new R/W takings on the Design R/W Plans.
- INDOT holds clear title only in those cases where we have a warranty deed recorded, a R/W grant recorded timely, or a dedication of R/W. Clear title may not mean fee simple title.
- If the area of a valid R/W grant is being re-acquired the area is considered PER. The area under pavement should be delineated from the remaining R/W.





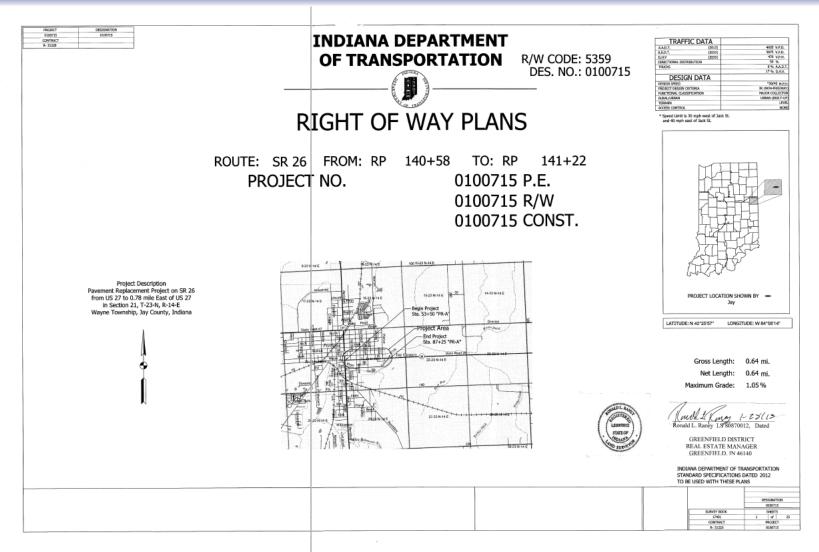
Special Note on Existing R/W

INDOT has several old projects where the R/W grants were signed but the grant was not recorded until several years later. The out of sequence recording creates an uncertainly as to what title INDOT holds to the area of the grant. Parcel documentation regarding existing right of way must contain how INDOT acquired title (by what document) and why the document is evidence of existing R/W.





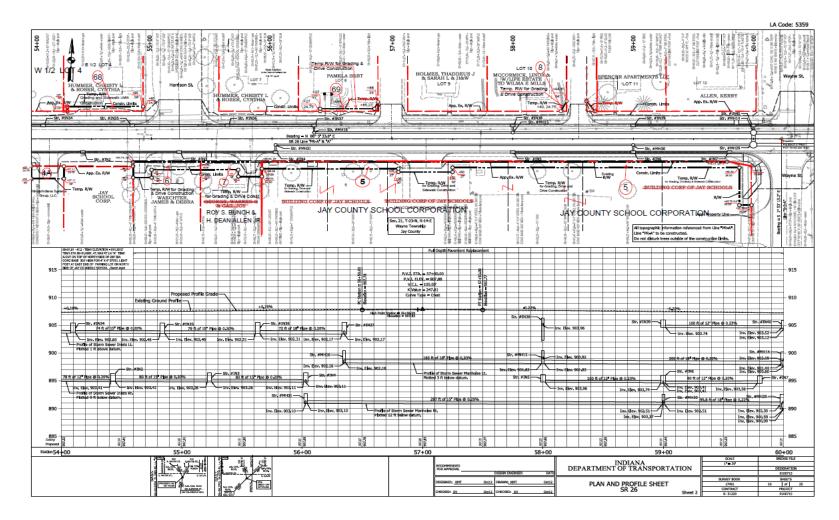
R/W Plans Today — Title Sheet







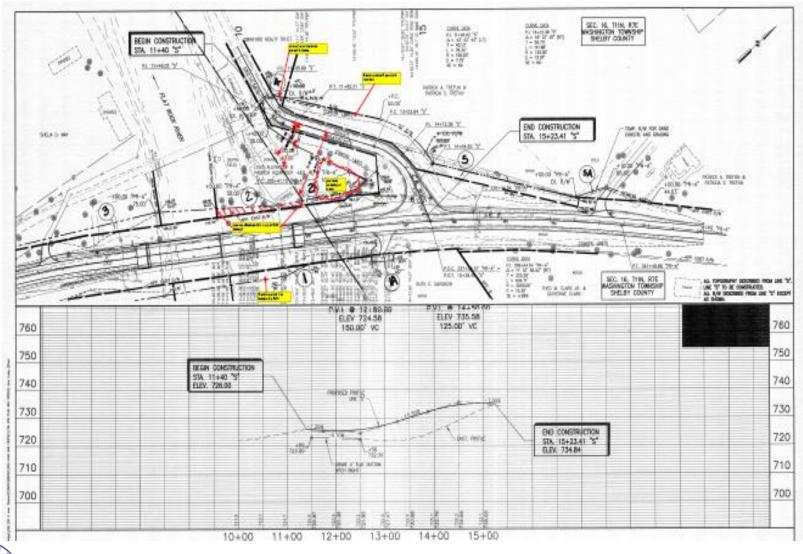
R/W Plan & Profile Sheet







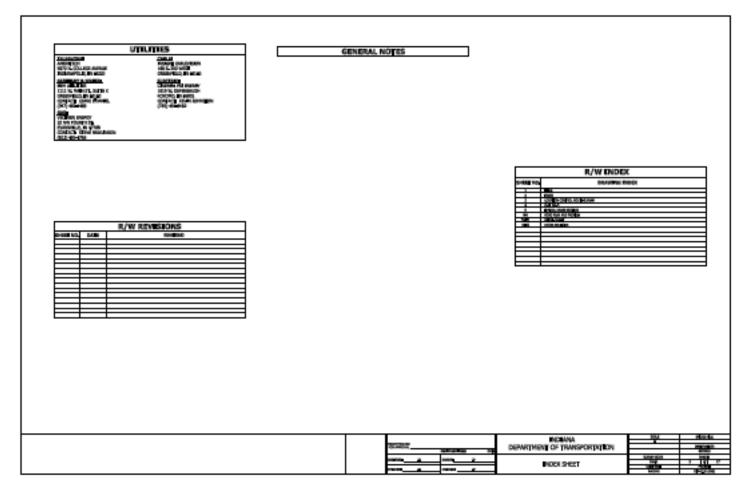
Example of Required Revisions







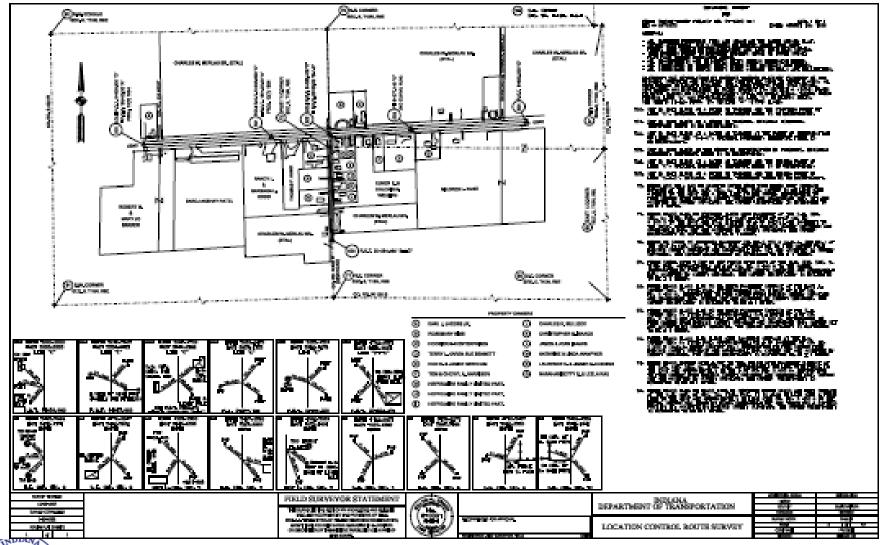
General Notes Sheet





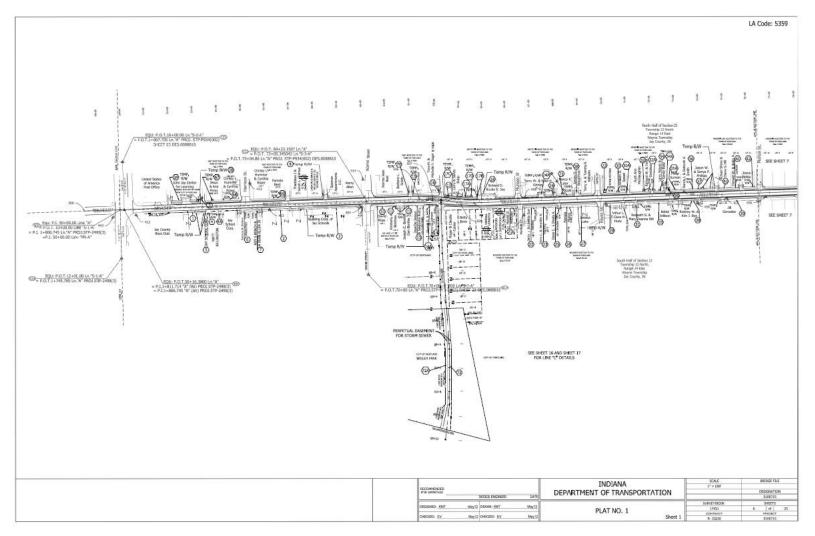


Location Control Route Survey Sheet





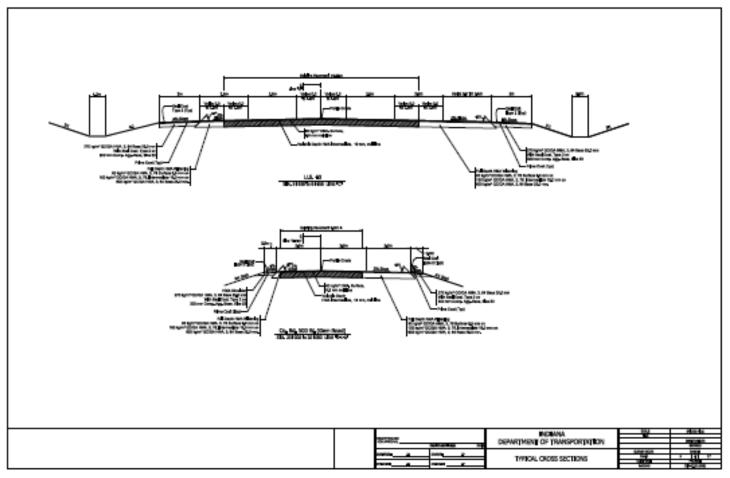
Plat No. 1







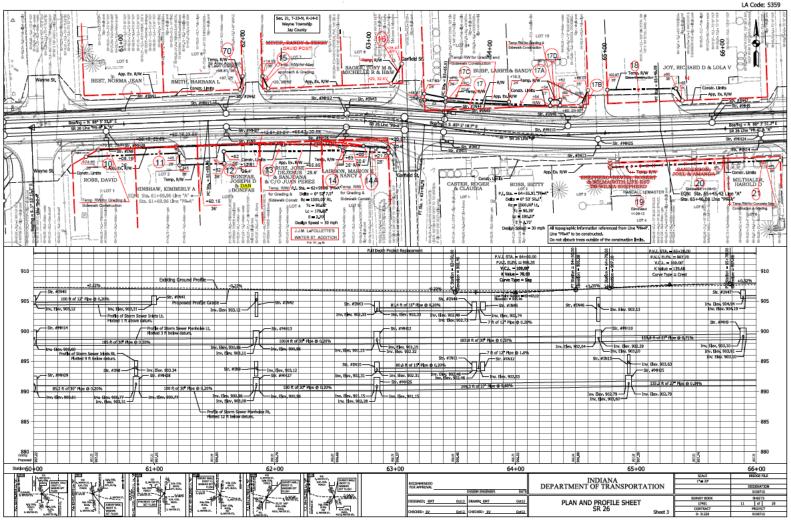
Typical Cross Sections







R/W Plan and Profile







Surveyor's Affidavit



SURVEYOR'S AFFIDAVIT for Clarification of a Previously Recorded Document

201300393 DEEDA \$14.00 02/13/2013 10:34:27A 2 PGS Beverly D Myers Jay County Recorder IN Recorded as Presented

Sheet 1 of 2

Re: Location of the Northwest Corner of the Southwest Quarter of Section 21, Township 23N, Range 14E, INDOT Location Control Route Survey Plat, Instr #0902740 Recorded 10-21-2009, INDOT Project #0100715, State Road 26 (Water Street), Jay County, Indiana, L.A. Code 5359

A Location Control Route Survey Plat (LCRSP) for SR 26 was recorded on 10-21-2009 as Instrument #0902740 in the Jay County Indiana Recorder's Office. Said LCRSP was prepared for the Indiana Department of Transportation by Henry Aldridge, Indiana Land Surveyor #LS2930018, INDOT – Greenfield District, for INDOT Project 0100715.

The location of the Northwest Corner of the Southwest Quarter of Section 21, Township 23N, Range 14E, as recorded in said LCRSP needs clarification for legal descriptions prepared for the transfer of real property needed for the INDOT SR 26 road project and identified as Project #0100715, L.A. Code 5359. Said LCRSP shows said Corner on the centerline of State Road 26 as point #502 P.O.T. 50+00 Line "A". However, subsequent evidence was discovered during the Right of Way Engineering process which places the location of said Corner 20 feet, more or less, South of the position indicated on said LCRSP. Said evidence discovered is as follows:

Subdivision Plats

Wilson's Addition to the City of Portland, Plat Book B Page 100 places the North line of the subdivision 13' South of the South curb line of State Road 26 (Water Street). The North line of said subdivision is also stated as the North line of said Quarter Section.

J.J.M. LaFollette's Water Street Addition to the City of Portland, Plat Book A Page 63 (which is located to the West of Wilson's Addition) states that the North line of the subdivision is also the North line of said Quarter Section.

Recorded Local Surveys

Jay School Corporation Property Survey Instr #0301244 Recorded 3-24-2003 prepared by Richard E. Ward, Indiana Land Surveyor #30432 which states in the legal description that the South Boundary of State Road 26 (Water Street) is also the North line of said Quarter Section. (The Jay School Corporation Property is located to the West of J.J.M. LaFollette's Addition)

Said subdivision plats and said property survey agree with property owner occupation and the physical location of said SR 26 (Water Street).

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Linda A. Morris





Final R/W Plan Preparation

Differences in Project Design R/W Plans and Final R/W Plans?

- Project Design R/W Plans show R/W design requirements for the construction of the project.
- Project Design R/W Plans are prepared according to Chapter 85 – Part 9 of INDOT Design Manual, Stage 2 plans.
- Final R/W Plans show what R/W was actually acquired/purchased for the project. Final R/W Plans are prepared for INDOT appraisers, buyers, property owners, and other surveyors. R/W Plans are public record.





Final R/W Plan Revisions

Revision requests to the design R/W plans are made to the design consultant through the INDOT project manager. This includes additional new R/W design on properties with construction limits outside the existing or new R/W, also any temporary rights of way that were omitted or miss-labeled, or areas where the existing R/W could not be verified. Revisions continue through the appraising and buying phases. Small R/W takings should be eliminated if possible.





Preparing R/W Parcels

- R/W parcels can now be prepared. Descriptions of all fee takings, temporary rights of way and easements are prepared along with R/W parcel plats according to the 1998 R/W Engineering Manual. Transfer documents and INDOT forms are prepared according to the 1998 R/W Manual. In regard to total area and R/W existing R/W take areas, residues areas and all areas of fee and temporary R/W takings.
 - Note: Revised transfer forms are available.





R/W Parcel Plat

RIGHT OF WAY PARCEL PLAT EXHIBIT "B"

Code: 4857

Parcel 12 Project: 1203016 Road: U.S.R.85 County: Howard

Road: U.S.R.3 County: Howard Section: 33 Township: 24 N. Range: 5 E. Grantor: LADD Management Group, LLC Instrument # 0234002512, Dated 1-17-2001

Helched Area is the approximate teleng

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Partial Coordinate Climit

Scale: 1" = 100"

Drawn By: J.Pak Sr. 8-16-11

Ck'd By: R.L. Raney

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326	32876.6762	28355,0261	447482.88	82.09 LT	A						
327	38844,8035	28861.0194	447+39.71	50.00° LT	Α						
328	32824.078A	28377.4014	447+65.00	30.00° LT	A						
237	32825,7897	20653,3096	449431.00	30.00° LT	A						
336	32835.9074	28557,3534	449+35.00	43.00°LT	А						
339	32858.6463	28561,2483	449139.00	62.82° LT	Λ.						
340	32863.5D65	28550.4092	449+2B.27	B7.82' LT	Α						
343	32806.7090	28657,9658	449435.45	09,6011	Α						
	Sign See Location Control Royla Survey Plat										
Starton and offsick are to contrat over North and East coordinates and bearing and distances.											

SURVEYOR'S STATEMENT

To the best of my knowledge and befief, this plot, together with the Location Control Route Survey Plat recorded as Instrument # 2034012066, in file Office of the Recorder of Howard County, Indiana, (incorporated and made a part hereof by reference) compress a Route Servey executed a secondance with Indiana Admitwatrative Code R85 [AC 1-12,("Rule12")]



Ronald L. Raney 4:580870012, Dates





Exhibit "A"

EXHIBIT "A"

Project: 1203016 Code: 4857

Parcel: 12 Fee Simple

Form: WD-1

Tax ID# 34-05-33-354-005.000-012

Sheet 1 of 1

A part of the South Half of the Southwest Quarter of Section 33, Township 24 North, Range 5 East, Howard County, Indiana, and being all that part of the grantor's land lying within the right of way fines depicted on the attached Right of Way Parcel Plat, marked as EXHIBIT "B", described as follows: Commencing at the southwest corner of said section; thence North 89 degrees 35 minutes 41 seconds East 841.50 feet along the south line of said section to the southwest comer of the grantor's land and the point of beginning of this description: thence North 3 degrees 15 minutes 49 seconds East 88.93 feet along the west line of the grantor's land to point #326 on said plat; thence North 89 degrees 44 minutes 10 seconds East 5.85 feet to point #325 on said plat; thence South 0 degrees 15 minutes 50 seconds East 32.00 feet to point #327 on said plat; thence South 39 degrees 25 minutes 37 seconds East 25.80 feet to point #328 on said plat, thence North 89 degrees 44 minutes 10 seconds East 176.00 feet to point #337 on said plat; thence North 21 degrees 32 minutes 15 seconds East 10.77 feet to point #338 on said plat; thence North 9 degrees 40 minutes -41 seconds East 23.17 feet to point #339 on said plat; thence North 23 degrees 29 minutes 35 seconds West 27.21 feet to point #340 on said plat, thonce North 66 degrees 30 minutes 48 seconds East 18.06 feet to centerline of N. Carter Streat (Kokomo, Greentown and Jerome Grave) Road); thence South 24 degrees 09 minutes 11 seconds East 110.72 feet along the centerline of said N. Carier Street (Kokomo, Greentown and Jerome Gravel Road) to the south line of said section; thence South 89 degrees 35 minutes 41 seconds Wost 257.66 feet along said south line to the point of beginning and containing 0.257 acres, more or tess, inclusive of the presently existing right of way which contains 0.195 acres, more or less,

This description was prepared for the Indiana Department of Transportation by Ronald L. Rancy, Indiana Registered Land Surveyer, License Number LS 80870012 on the 16th day of March, 2011

Ronald L Raney

STATE OF STREET





Area Computation Sheet

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				-			
					1		1
Total Area	0.965 AC		-				
					Total Area		0.019.AC
PARCEL I	PEE SIMPLE AREA	Same of the last o					
1	2,000 As				TOTAL AREA	-	100:000 As
1A.	0.539 Ac				R/W EXISTING		> 0.965.Az
					MET TOTAL AREA		179:005 Az
		_			TOTAL F.S. AREA	-	2:509 As
				77	OTAL RESIDUE AREA	-	179.495 Au
					RESIDUE "A"	-	179.495 Ac
т	lotal Fee Simple:_	2:559 Ac					
PARCEL	TEMP, RAW AREA	9					
10 0	1455 Az						
	_						





Area Computation Sheet

- CAREFUL ATTENTION MUST BE GIVEN IN CALCULATING THE RESIDUE AREA.
- NOTE: THE AREA(S) OF PRESENT EXISTING R/W (PER) IS INCLUDED IN THE AREA ACQUIRED.
- AREAS ARE CALCULATED FOR THE PURPOSE OF ESTABLISHING JUST COMPENSATION TO THE OWNER.





L-10

- Data land acq. code number & parcel number
 - OWNERS NAME LAST NAME FIRST (always)
 - TOTAL AREA
 - R/W EXISTING AREA VERIFIED
 - LEFT/RIGHT
 - CENTERLINE
 - STATION TO STATION
 - AREA OF FEE TAKING (INCLUDING PER)
 - RESIDUE AREA
 - RESIDUE AREA + FEE AREA + R/W EXISTING AREA = TOTAL AREA





Tax ID Numbers

- ALL counties are requiring that any new R/W takings be confined to the appropriate tax ID from which it is taken.
- Legal Descriptions are prepared for each fee taking from each tax ID number.
- An area break down by tax ID number is prepared on the area computation sheet.
- Parcel 1 Tax ID Area
- Parcel 1A Tax ID Area





Requirements Concerning PER

CHAPTER III

LEGAL DESCRIPTIONS

OCTOBER 2007

R/W ENGINEERING MANUAL REVISION - CHAPTER III - PAGE III-14

F. MISCELLANEOUS REQUIREMENTS FOR WRITING LEGAL DESCRIPTIONS

1. Takings

a. Presently Existing Right-of-Way:

All permanent (fee simple) takings that abut presently existing right of way which is not held in fee simple by the public, shall be consider for re-acquisition of the presently existing right of way with the new fee taking. The decision to include presently existing right of way with the fee taking legal description is made on a parcel by parcel basis. This decision shall be based on the quality of title the State holds to the presently existing right of way. The visible evidence of the presently existing right of way, such as right of way markers, drainage facilities, fences, old utility poles or other objects on the ground do not support the claim of the State's title to the existing right of way. In cases where the State claims title to the existing right of way by an recorded right of way grant, the grant must be recorded timely (within 1 year of the signature date on the grant) and in the county where the existing right of way is located and the description of the existing right of way on the grant must be plotted on highway plans on file in INDOT office of records. In cases where there are no recorded documents of any kind, the re-acquisition of the presently existing right of way must be included in the legal description of the new fee taking.

Inclusion of the presently existing right of way in the legal description shall not apply to:

Platted territories where the numbered lots reach only to the side lines of the street. This would apply
mainly to territories that are recorded on plats of subdivision's of land accepted by the county under
the platting laws of the State of Indiana and where there is an acceptance of the road dedication by
the county.

Inclusion of the presently existing right of way shall apply to the following:

Un-platted territories when title information from the owner's deed conclusively demonstrates that the
abutting owner's description includes no part of the presently existing right of way; The assumption
will be made by INDOT the abutting owner owns to the centerline of the existing traveled way or to
the title lines established by the legal descriptions in the adjoining owners deeds. This would include
un-recorded subdivisions that were recorded but not under the platting laws of the State of Indiana.







New Requirements Concerning PER

CHAPTER III

LEGAL DESCRIPTIONS

OCTOBER 2007

- Un-platted territories when title information from the owner's deed conclusively demonstrates that the
 abutting owner's description includes all or a part of the presently existing right of way. The area of
 that part of the presently existing right of way included in the legal description will be determined by
 the title lines of the owners abutting the presently existing right of way.
- Temporary takings. No temporary right of way can be acquired where no boundary of the roadway
 can be established by conveyance of right of way to the state or county, therefore re-acquisition of
 present existing right of way is necessary, in a temporary only taking shown on the design right of
 way plans. All the requirements of a fee acquisition must be complied with.

The legal description which involves presently existing right of way shall identify:

- Gross area to be acquired
- · Computed area of the presently existing right of way
- The net area, which is used to establish fair market value for the acquisition, is the difference between the gross area to be acquired and the area of the presently existing right of way. The area statement at the end of the legal description will read:
- ".....containing hectares (acres), more or less, inclusive of the presently existing right
 of way, which contains _____hectares (acres), more or less.

Presently Existing Right of Way (PER) shall be defined as follows:

- The area of the roadway that is under pavement (the traveled way).
 INDOT maintains roadway pavements as traveled lanes of 10 feet, or 11 feet or 12 feet, no area of the shoulder or turning lanes, passing blisters or radii fillet areas are included in the calculation of the present existing right of way area.
- The practice of including PER area outside of pavement (the traveled way) in the area statement in the legal description, became obsolete when the INDOT appraisal manual was revised (Feb, 2006) to pay 100% value for areas outside of pavement (the traveled way).

III - 15

END





Preparing Temporary R/W Descriptions

Descriptions for temporary right of way require special attention. Temporary right of way for the purpose of building removal requires a separate transfer document and description, other temporary rights of way takings for other purposes can be combined into one transfer document. Be sure you are using the revised temporary right of way transfer forms. The T-3 (general) and T-1 (drive construction). Only the T-2 (building demolition) is a sole purpose document.





If a fee taking is included use deed Form WL-1

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as **ROAD** and as Project **DES NO.** to and from the Grantor(s) remaining lands where they abut the Real Estate. This restriction is a covenant running with the land and shall be binding on the Grantor(s) and on all successors in title to the said abutting lands.





If fee taking with only partial control of access use Form WL-2

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as <u>ROAD</u> and as Project <u>DES NO.</u> to and from the Grantor(s) remaining lands along the line or lines specifically described in the said exhibits. This restriction is a covenant running with the land and shall be binding on the Grantor(s) and on all successors in title to the said abutting lands.





- Use Form WL-3 if the fee taking is only access rights <u>"LIMITATION OF ACCESS CONTROL LINE"</u>
 - The permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as (ROAD) and as Project (DES NO) to and from the Grantor(s) remaining lands where they abut a certain limited access control line situated on Real Estate located in the County of NAME OF COUNTY, State of Indiana, the said line being more particularly described in the legal description(s) attached hereto as Exhibit "A" and the Right of Way Parcel Plat attached hereto as Exhibit "B", which said exhibits are incorporated herein by reference. The limitation of access granted herein is a covenant running with the land and shall be binding on the Grantor(s) and on all successors in title to the said abutting lands.





Use Form WL-4 PARTIAL LIMITATION OF ACCESS **CONTROL LINE** permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known a **ROAD** and as Project (DES NO) to and from the Grantor(s) remaining lands where they abut a certain limited access control line situated on Real Estate located in the County of **NAME OF COUNTY**, State of Indiana, the said line being more particularly described in the legal description(s) attached hereto as Exhibit "A", which said exhibit is incorporated herein by reference. The limitation of access granted herein is a covenant running with the land and shall be binding on the Grantor(s) and on all successors in title to the said abutting lands.



- Legal descriptions that describe line(s) for control of access do not start "A part of" but start "Commencing at"
- Never contain an area
- The beginning clause should be "For the Purpose of." For the purposes of establishing a limited access facility, the permanent extinguishment of all rights and easements of ingress and egress to from and across the limited access facility (to be known as USR 52, and as INDOT project______), to and from the owners land along the line or lines described as follows:
 - Insert description
 - The above access control line restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.





Limited Access R/W

- PRIVATE EASEMENTS MUST BE CLEARED
- OTHER RIGHTS NOT VESTED WITH THE FEE HOLDER.
- MINERAL RIGHTS ARE CLEARED SOME/MOST OF THE TIME BY INDOT – BY ONLY ACQUIRING SURFACE RIGHTS.
- ALL INGRESS AND EGRESS EASEMENTS MUST BE CLEARED.
- DEED FORMS: MQCD 1 to 6 ARE USED FOR CLEARANCE.





Limited Access R/W Issues

- WHEN INDOT IS CLOSING AN OWNER'S ACCESS TO A PUBLIC WAY, BUT INDOT IS PROVIDING ACCESS TO THE OWNER'S PROPERTY BY A LOCAL ACCESS ROAD.
- THE LEGAL DESCRIPTION OF THE ACCESS CONTROL WILL BE FOLLOWED BY A reservation clause – HOWEVER: The owner and their successors in title shall have access rights to a Local Service Road where the owner's remaining land abuts upon the following described line(s).
- The above access control line restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.





Preparing Final R/W Plans

Final R/W Plans. The plans must show all property line and road boundaries delineated with a bold dashed line. Each ownership of property is identified with a parcel number in a circle with an arrow to the take area. Special interests notes are added such as, 20 foot gas line easement in favor of....., contract of sale in favor of....., or lease in favor of....., sign easement in favor of....., life estate in favor of....., or mortgage line etc. The owners name is corrected as necessary to match the name of record shown in the Title & Encumbrance Report. Each intersection of a property line and a road boundary is identified with a station and offset and labeled (PL)/(PL).





Preparing Final R/W Plans (cont.)

- Each intersection of existing road boundaries is identified with a station and offset and labeled (PL)/(PL). All intersections of property lines and new R/W must be identified by station and offset and labeled (PL)/(R/W). All special interests must be labeled as to who the interest is in favor of and identified by note and arrow to the area to be cleared. If the interest is not to be cleared only the note is added to the plans. Note each line shown on the R/W Plans must be located by station and offset. All buildings, private signs must be located by station and offset.
- ALL MITIGATION SITES SHALL BE SHOWN ON THE R/W PLANS
- USE DES# AS NOTE ON R/W PLAN TITLE SHEET.





Final R/W Plan Details

 All subdivisions must be plotted showing lot lines and lot numbers. Subdivision lot lines which fall in existing public ways are shown as dashed lines and labeled original lot lines. The Subdivision name (as shown on the recorded plat), platted utility easements, easements of ingress and egress, cross easements and access control easements are shown on the Final R/W Plans. Lot set back lines are not typically shown on the plans. Also, any existing limited access R/W acquired by the INDOT must be shown on the R/W Plans. Copy of Final R/W Plans are sent to the designer.





Plat No. 1

The Plat No. 1. Parcel numbers in circles are added and arrows to the correct ownership, identification of residue areas are added only by name, residue "A", residue "B" etc, no areas in acres or square feet are shown on the Plat No. 1. Owner access to all residues should be shown on the Plat No. 1. All property lines are labeled (PL), the same procedure applies to a Plat 3. On limited access projects the Plat 1 is very important. Show any landlocked residues.





Final R/W Plan Details

Revision notes are added to each Final R/W Plan sheet and to the revision index box as revisions occur during the R/W Engineering phase, Appraising phase, and Buying phase. The revision note contains the parcel number that was revised, what was changed and the date of the revision, LRS is updated as needed.





Additional Survey Data

- If additional surveying is requested and approved by INDOT, all additional survey data collected by the consultant (this includes section corners, quarter section corners, additional property corners, new drives, buildings, private signs, etc.) must be added to the Final R/W Plans and revised copies distributed as necessary. Recording in the county and crossreferenced as necessary to LCRS plat already recorded for the project.
- Why is the additional survey data needed?





Preparing R/W Parcel Packet for Appraising

- Prepare R/W parcel packet for appraising
 - Includes original signed legal descriptions,
 - Original signed R/W Parcel Plats,
 - Original prepared exhibits for transfer documents.
 - Copy of Title & Encumbrance Report
- White tyvek Envelope –(paper) (NEEDED)
- All loaded into ERMS 4 for "Real Estate"
- INSTRUCTIONS for ERMS 4 is online.





ENG File

- L-10
- Area computation sheet
- All cogo output and traverses
- Existing R/W documentation
- Title & Encumbrance Report
- Special Parcel documentation
- Final R/W Plans
- All loaded into ERMS 4 for "RE"— no paper





Construction R/W Staking

- 865 IAC 1-12-5 Property surveys affected
- Authority: IC 25-21.5-2-14
- Affected: IC 25-21.5
 - (2) Construction surveys made for the purpose of marking the limits of existing easements or rights-ofway for the construction
 - of improvements within the easement or rights-ofway must be executed by a registered land surveyor but are only subject to
 - The provisions of sections 1 through 4 and 6 of this rule.





R/W Staking

- 1. All major R/W break points that fall outside of pavement will be set with a 5/8 by 24 inch re-bar with a plastic cap at least 2 ¾ inches in diameter. The cap can be a Berntsen M43F-MORASSE 2 ¾" diameter plastic cap or other of comparable quality may be used.
 - All major R/W break points falling in a paved area will be set with a steel nail marker 3 inches in length and 11/32 in diameter with a survey washer 1 9/16 inch diameter and 3/32 inch thickness stamped with the surveyors ID number. The Berntsen SNM1 steel nail marker and the Berntsen AT1 survey washer or other comparable quality may be used
- 2. All property line and property line intersections (PL,PL) or property line and right of way intersections (PL, R/W), points will be set using a Mag-Nail set under a wooden hub of at least 12 inches in length and protruding about 4 inches (1 ½ inches if set in a lawn area) if the location is in dirt. This is in order to facilitate the recovery of the location if the hub is inadvertently destroyed or removed.



R/W Staking Continued

- 3. All points set will be marked with a lath with ribbon and the station and offset written on the lath.
- 4. A R/W Staking report is required. The report will state which original survey control monuments were used, the method and procedure for coordinate stake out, and if GPS is used, the basis of calibration between WGS84 and the grid coordinates. The report will also state the difference between the computed coordinate from the description and the "as staked" coordinate of the monument set.
- 5. All private signs will be located and shown in the sign inventory. If the sign is not shown on the R/W plans the R/W plans will be revised to show the sign or signs.





R/W Staking Continued

- 6. All encroachments into existing R/W will be located and added to the R/W Plans as necessary. Report to District Permit section.
- 7. R/W staking report will be completed and returned to the District Real Estate Office.
- 8. Staking Report will include control points found/used for staking R/W, also method, total station, GPS.
- 9. Temporary R/W break points will be set using re-bar as stated in item two above, a mag nail will be set if the temporary R/W break point falls in a paved area, all points set are to be marked with station and offset.





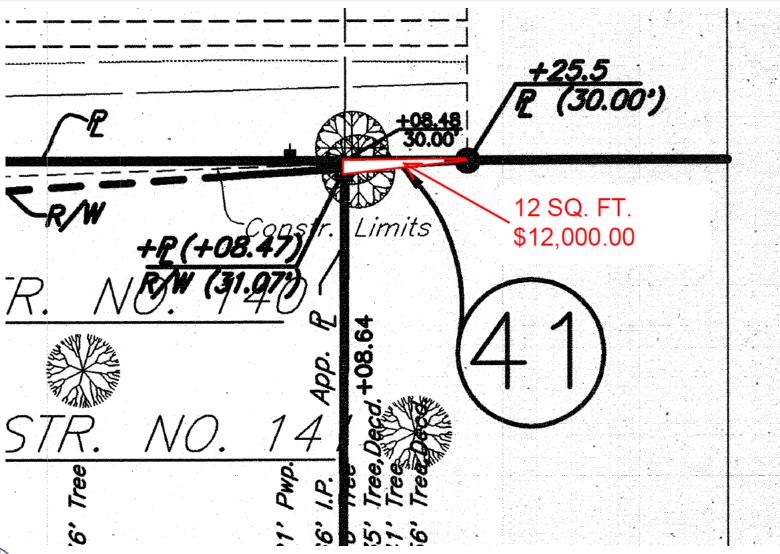
Private Sign Inventory

During the R/W staking process a private sign/ encroachment inventory is created for the project. All private signs and encroachments are located with pictures taken. In addition, any new topographical features such as new drives, buildings, or other features not previously located on the current plans are located and added to the plans. A revision note is added. This inventory is used by the appraisers and the real estate office to clear the right of way.





Should I take a second look?







Land Records System

LRS Administrators

Kathy Heistand
Operations Manager

Office: (317) 232-5004

Email: <u>kheistand@indot.in.gov</u>

Cindy Gorman

Finance Supervisor

Office: (317) 232-5009

Email: cgorman@indot.in.gov

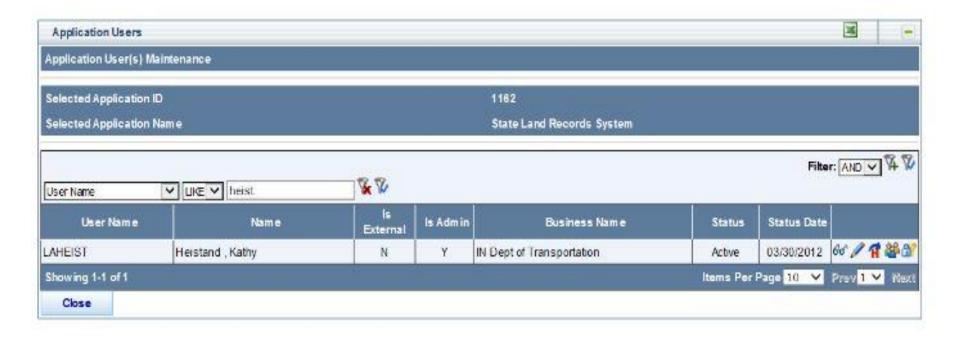






LRS — External User Access to Assignments

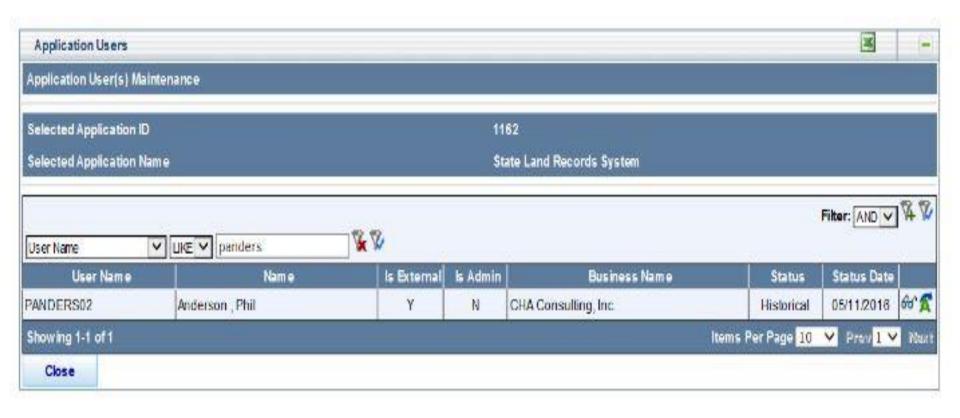








LRS – External User Access to Assignments







LRS Project Contract Association

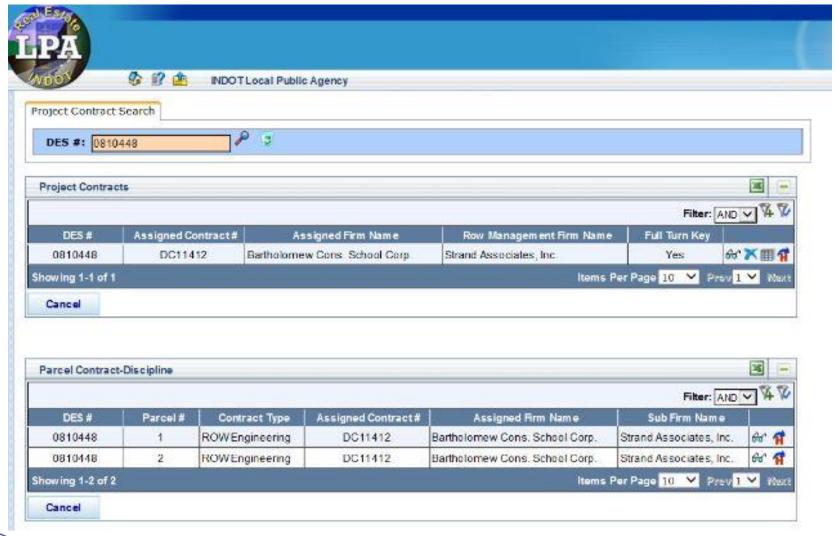


and Acq. Code	Parcel#	Contract Type	Assigned Contract#	Assigned Firm Name	Sub Firm Name	
5770	1	ROWEngineering	120505	Crawford, Murphy & Tilly, Inc.	CrossRoad Engineers, P.C.	66' 1
5770	1	Title Research	120505	Crawford, Murphy & Tilly, Inc.	Dodd Title Corporation	66 1
5770	.1	ROWManagement	120505	Crawford, Murphy & Tilly, Inc.	CrossRoad Engineers, P.C.	66' 1
5770	1	Appraising	120505	Crawford, Murphy & Tilly, Inc.	Atlas Appraisals, LLC	60 1
5770	1	Appraising Problem Analysis	120505	Crawford, Murphy & Tilly, Inc.	Traynor & Associates, Inc.	66 1
5770	1	Appraising Review	120505	Crawford, Murphy & Tilly, Inc.	Traynor & Associates, Inc.	60 1
5770	.1	Buying	120505	Crawford, Murphy & Tilly, Inc.	CPS Acquisitions, LLC	66 1
5770	2	ROWEngineering	120505	Crawford, Murphy & Tilly, Inc.	CrossRoad Engineers, P.C.	66' 1
5770	2	Title Research	120505	Crawford, Murphy & Tilly, Inc.	Dodd Title Corporation	66 1
5770	2	ROWManagement	120505	Crawford, Murphy & Tilly, Inc.	CrossRoad Engineers, P.C.	66' 1





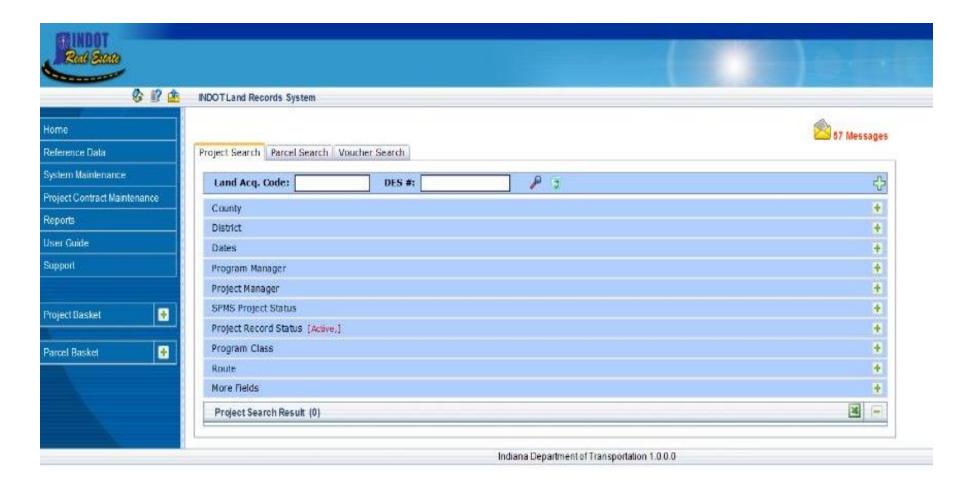
LPA LRS Project Contract Assoc.







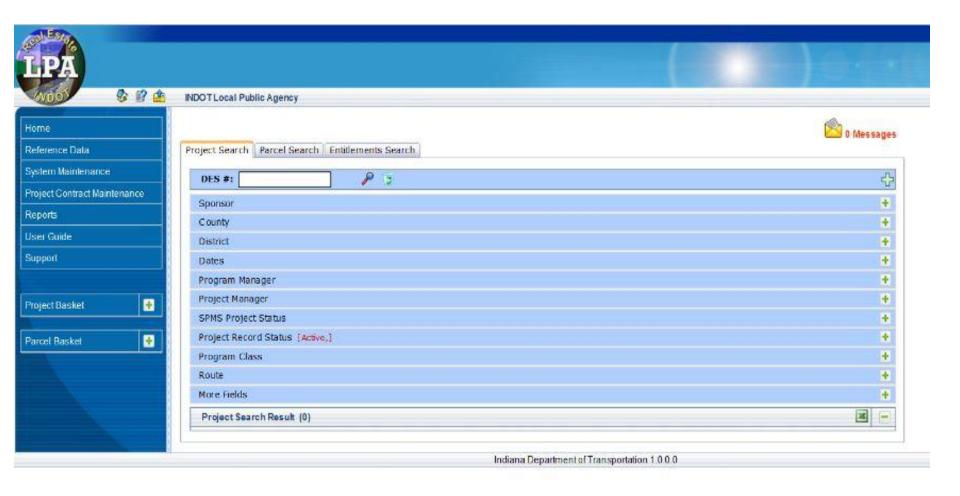
LRS Home Page







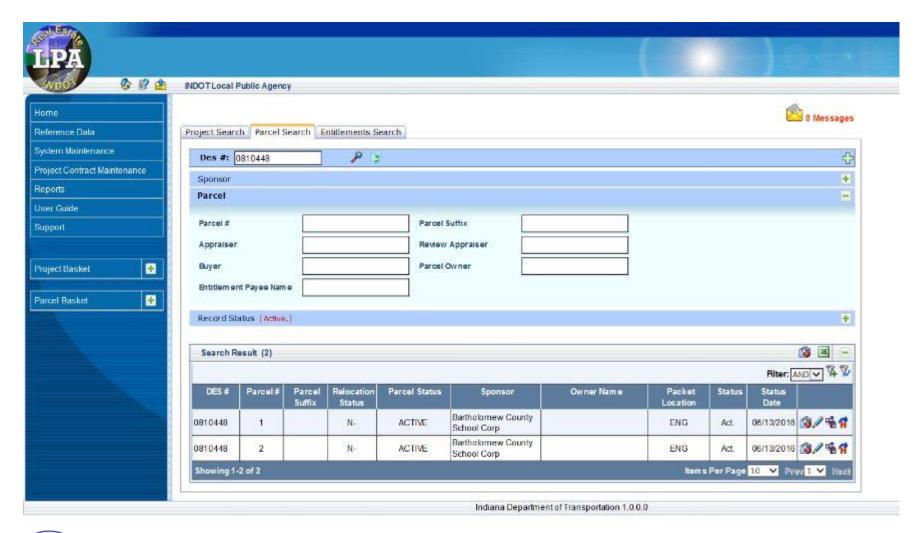
LPA LRS Home Page







Creating New Parcels - Example







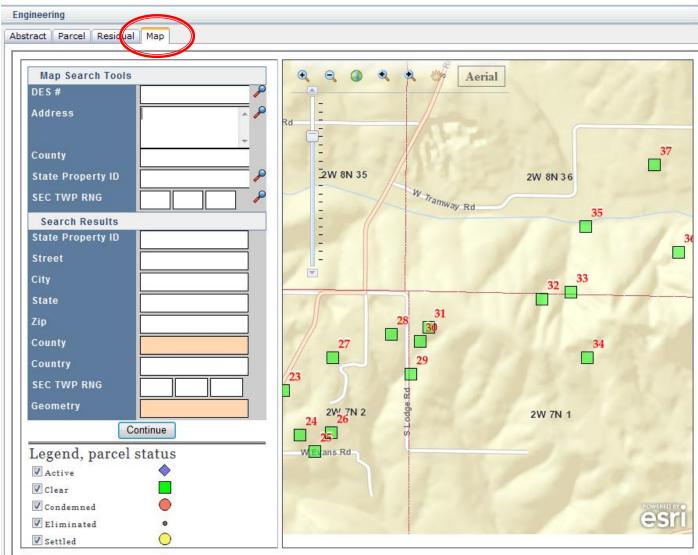
Continued







LRS Parcel Map







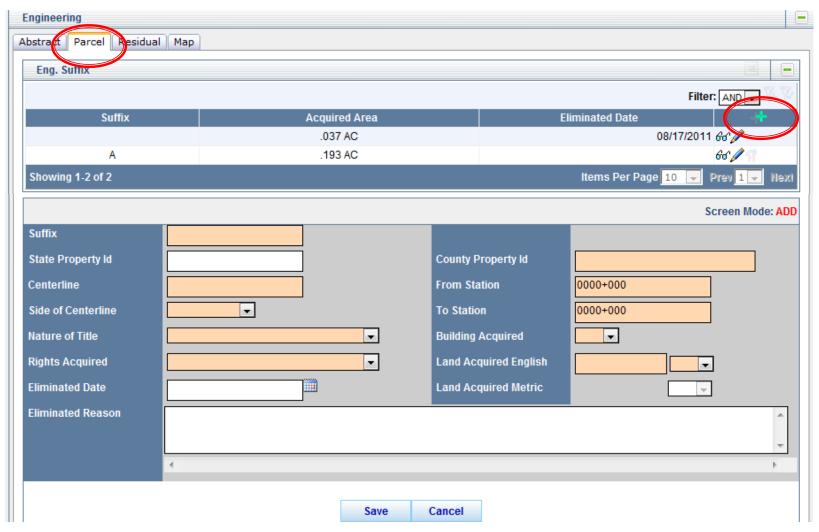
LRS Abstract (Parcel Data)

Engineering										
	Abstract Parcel Residual Map									
	143262									
			Section	Township	Range	+				
			2	7N	2W					
	County	Monroe			Total Area	5.52				
	Legal Description	Pt of SW 1/4		<u></u>	Present Existing R/W Area	0 AC 🔻				
	Canto Dono and Id	5310023000	11000007	7	County Boom and 14	531002300011.000-007				
	State Property Id	53 10023000	11000007		County Property Id					
	Abstractor Name	Gorman, Lucir	nda		Abstract Assigned Date	2/19/2013				
	Abstract Due Date	04/05/2011			Abstract Complete Date	04/05/2011				
	Abstract Effective Date	04/05/2011			Property Location	7212 Rockport Road,				
						Bloomington, In 47403				
	Map Location	-86.6038, 39	.0711							
		,								
	Reviewer Name			<u></u>	Reviewer Assigned Date					
	Reviewer Received Date				Reviewer Due Date	111				
	Reviewer Complete Date									





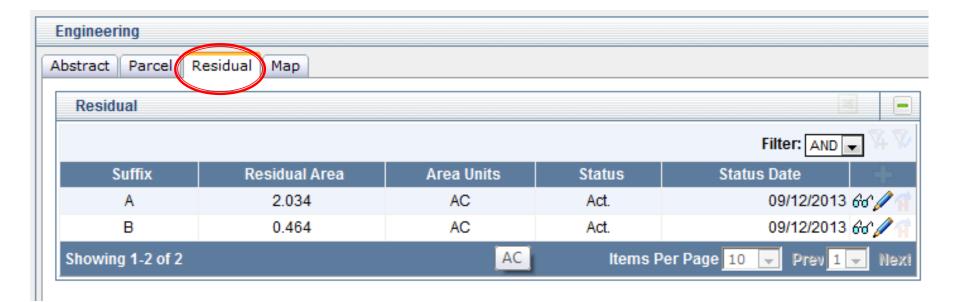
LRS Suffix Screen







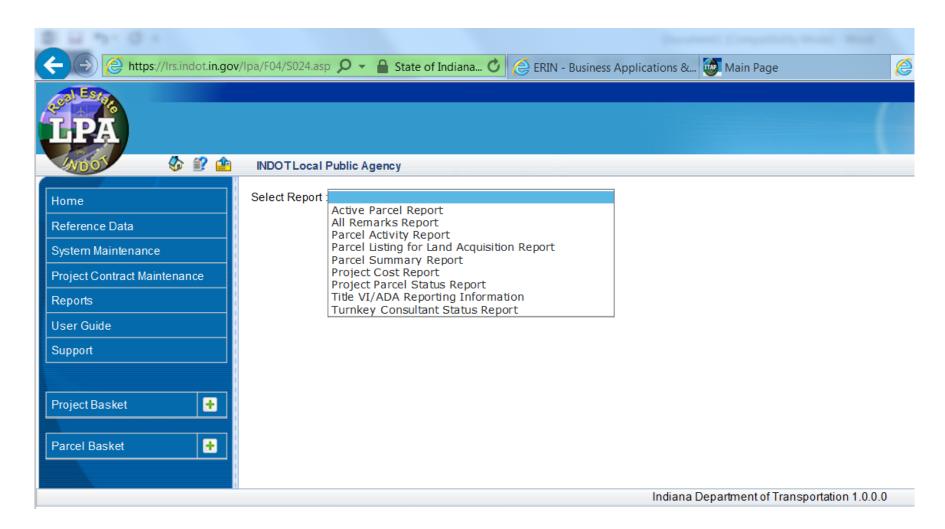
LRS Residue Screen







LPA LRS Static Report







LRS Parcel Listing

Parcel Listing for Land Acquistion Date:6/13/2016 11:27:40AM Indiana Department of Transportation Road: 165 Project R/W: 800129719900ST7 Des #: 1297199 County: Johnson L/A Code: 5770 Land Eliminated Parcel Station Nature Grantor Centerline From To of Title LTIRT Acquired Rights Acquired Building Date Neal. Thomas et. Ux A 1081+000 1087+025 FS LEFT 0.001 AC 08/23/2013 3.494 AC Htx, James ET UX 1090+000 1108+075 LEFT 2 A PR-200E 0078+027 0081+079 FS RIGHT 0.143 AC 28 PR-200E 0079+069 0080+002 TE RIGHT 0.021 AC 20 PR-200E 0080+002 0080+086 TE RIGHT 0.010 AC 2 D PR-200E 0080+086 0081+025 TE RIGHT 0.023 AC 2 E S-13-FR2 TE 0.213 AC 0026+045 0031+043 LEFT S-13-FR2 2F 0018+000 0018+090 TE LEFT 0.036 AC 3 Devore, Donald L. PR-A 0121+000 0128+050 RIGHT 4.980 AC Yes 4 BOTH ACCESS RTS Taylor, Jon W., Et. Al. A 1110+000 1114+050 2.371 AC 4 A 1112+050 1118+050 0.687 AC ACCESS RTS A RIGHT 4 B PR-A 0127+050 0128+075 LEFT 0.082 AC ACCESS RTS 4 C PR-A 0128+075 0141+070 FS LEFT 2.381 AC ACCESS RTS 4 D PR-GRM 0094+050 0100+075 RIGHT 0.215 AC PR-GRM 0100+075 0108+080 RIGHT 0.381 AC 4 E FS PR-GRM 4 F 0100+075 0114+000 BOTH 3,405 AC 4 G PR-A 0120+050 0126+050 TE LEFT 1.417 AC EASMNT RTS 4 H PR-GRM 0106+090 0110+060 TE RIGHT 0.063 AC EASMNT RTS 4 J PR-GRM 0107+030 0110+090 LEFT 0.083 AC EASMNT RTS 5. Wide, Edward G. Jr. PR-A 0115+620 0110+150 FS LEFT 1.098 AC Yes Heeringa, Edward P. Et. Al. A 1112+050 1137+050 42 048 AC BOTH 0081+097 0086+050 6 A PR-GRM BOTH 0.457 AC YES in the building column indicates a building to be removed is partially or completely within the right of way required. SP = special instrument of clearing special interests (QC deed, special r/w grant, release of leasehold, etc.) FS - fee simple site TE = temporary right of way 8.113 -+ A





LPA LRS Parcel Listing

LPA Parcel Listing for Installation of a trail along Parr 3 at Richards/East side of Parkside

Indiana Department of Transportation

County: Bartholomew Project R/W: Sponsor: Bartholomew County School Road: ST 1001 Des #: 0610448 Corp Parce! Station Nature Land Eliminated Rights Acquired Grantor Centerline From of Title LT/RT Acquired Date Building 0000+000 0000+000 2 0000+000 0000+000

Total Land Acquired for: 0 AC

Total Land Acquired for all titles: 0 AC





Date:6/13/2016 11:35:44AM

LRS Active Parcel Report

Active Parcel Report L/A Code Des #		Road	County(s)	Estima	ated Completion	# of Parcels
Engineering	-					
6240	1297980	State Road 218	Wells			2
5825	1382584	Proposed Route 69	Monroe			1
6153	1298598	State Road 32	Delaware			6
5798	1297885	Proposed Route 69	Monroe	_	1/00/0011	2
5671	0800958	State Road 32	Delaware	С	1/30/2014	1
5738	1006121	State Road 38	Hamilton		5/13/2016	9
6241	1298228	State Road 332	Delaware		7/16/2016	8
6086	1298108	U.S. Highway 40	Wayne		9/10/2016	6
Engineering	- (On Call)					
5527	0710632	State Road 258	Jackson			2
6208	1400123	State Road 37	Crawford			2
6236	1006762	U.S. Highway 30	Marshall			2
5725	1296457	State Road 55	Newton			4
6237	1296448	U.S. Highway 30	Marshall			2
5211	0500028	State Road 2	Lake			4
6234	1383717	State Road 14	Fulton			2
6225	1400203	State Road 10	Newton			3
6165	1298274	State Road 250	Jackson			3
6162	1298633	State Road 258	Jackson			5
6210	1172237	State Road 14	Pulaski			3
6240	1297980	State Road 218	Wells			3
6163	1298322	State Road 258	Jackson			4
6164	1298642	State Road 258	Jackson			4
6170	1296479	State Road 14	Fulton			5
6169	1298551	State Road 14	Fulton			2
6204	1296500	State Road 8	LaPorte			4
6235	1006761	U.S. Highway 30	Marshall			2
6205	1296499	State Road 8	LaPorte			2
6226	1296489	State Road 8	Starke			2
4453	9900980	State Road 327	Dekalb		9/9/2013	8
5891	1298351	State Road 47	Montgomery		2/14/2016	3
6137	1298199	U.S. Highway 50	Daviess		7/1/2016	6
5890	1298350	State Road 47	Montgomery		8/9/2016	4
5888	1298348	State Road 46	Clay		8/9/2016	4
6115	1006457	State Road 257	Pike		9/15/2016	2





LPA LRS Active Parcel Report

https://lrs.indot.in.gov/lpa/F04/S018.aspx?rid	l=12&dn= - Internet Explorer				
<u>Engineering -</u>					
Warrick County	0400152		City Street 1008	Warrick	1
Allen County	0902238	0902238	City Street 1001	Allen	7
South Bend	1400634		City Street 1001	St. Joseph	7
Westfield	1400864		City Street 1061	Hamilton	15
Portage	0900080		City Street 1001	Porter	2
Highland	0710068		City Street 1038	Lake	10
Jennings County	1382875	1382875	County Road 1005	Jennings	3
Veedersburg	1383311	1383311	City Street 1001	Fountain	2
Indianapolis	1173048		City Street 1001	Marion	2
Warsaw	1297651	1297651	City Street 1001	Kosciusko	18
Goshen	1382811		City Street 1033	Elkhart	34
Hobart	1401034		County Road 1004	Lake	16
Hamilton County	1400788		County Road 1066	Hamilton	20
Valparaiso	1382601		City Street 1001	Porter	5
Bloomington	0901730		City Street 1029	Monroe	22
Elkhart	1400712		City Street 1001	Elkhart	10





LRS Parcel Activity Report

Date:6/13/2016 11:44:07AM

Parcel Activity Report

L/A Code: 5770 Des #: 1297199 Project Priority: Normal Project Project R/W: 800129719900ST7

Est. Parcels: 15

Project Location: @ Worlhsville Road, 7.7 Miles North Of SR 44

Turnkey: Crawford, Murphy & Tilly, Inc. Road: 165 Project Manager: Peters, KimberLee

County: Johnson

Scheduled Activity Completion Dates

	Engineering	Appraising	Auth Proc	Buying	Condemnation	R/W Clear	RFC
Estimated:	07/25/2013			05/15/2014	10/01/2014		
Completed:			06/20/2013		09/22/2014	10/14/2014	07/02/2014

Current Status of All Active Parcels

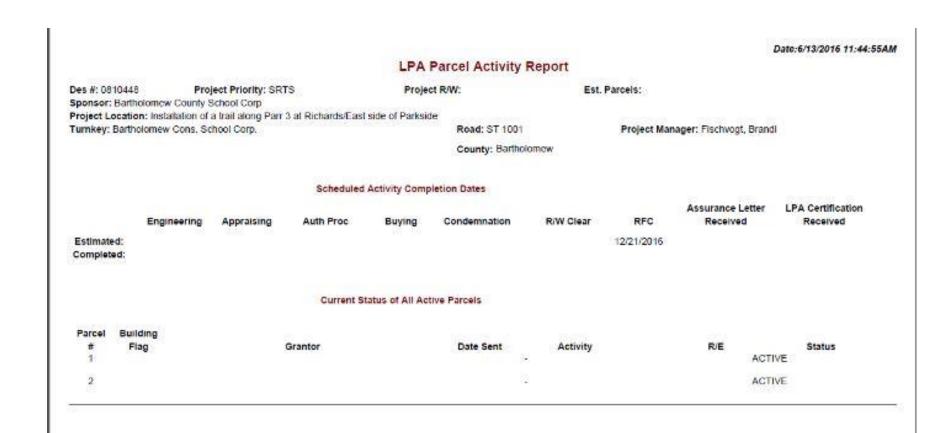
Parcel	Building		Date	Turnkey			
#	Flag	Grantor	Sent	Flag	Activity	R/E	Status
1	N	Neal, Thomas et. Ux	3/12/2013	Υ	Engineering - NEW PARCEL		ELIMINATED
2	N	Hix, James ET UX	12/31/2013	N.	Records - FILE	10/18/2013	CLEAR PRIME
3	Y	Devore, Donald L.	8/6/2014	Y	Buying - AG-Condemnation		CLEAR PRIME
4	N	Taylor, Jon W., Et. Al.	7/15/2014	N	Records - FILE	2/22/2014	CLEAR PRIME
50	Y	Wilde, Edward G. Jr.	2/10/2014	Y	Buying - AG-Condemnation		CLEAR PRIME
6	N	Heeringa, Edward P. Et. Al.	5/5/2014	N	Records - FILE	10/16/2013	CLEAR
6SA	N	CBS OUTDOOR, INC.	5/22/2015	N	Records - FILE		CLEAR PRIME
7	N	Balnbridge South Lake, LLC	7/15/2014	N:	Records - FILE	3/19/2014	CLEAR
8	Y	Taylor, Marcy R. Et. Al.	2/4/2014	Y	Buying - AG-Condemnation		CLEAR PRIME
9	N	Vinyard Community Church, Greenwood, Inc.	2/10/2015	N	Records - FILE		CLEAR PRIME
10	N	JRM Associates, L.P.	12/31/2013	N.	Records - FILE		CLEAR







LPA LRS Parcel Activity Report







Future Enhancements

- Multiple features to track time & money
- Option to eliminate parcel without populating required fields
- Excess Land Identification starting in RW Engineering

Add Area Comp sheet





Questions?



Thanks for attending!



