

## ALABAMA DEPARTMENT OF TRANSPORTATION

1409 Coliseum Boulevard, Montgomery, Alabama 36130-3050



Bob Riley Governor Joe McInnes Transportation Director

September 03, 2009

#### MEMORANDUM

- TO: Mr. D. W. Vaughn, P.E. Chief Engineer/Deputy Director
- FROM: Steve Walker, P.E. S. Z. Walker Right of Way Engineer
- RE: Right of Way Mapping Manual

Attached is the Right of Way Mapping Manual to be used by ALDOT Right of Way Personnel and Consultants for all new maps begun on or after November 01, 2009. The manual contains guidelines and standards to create uniformity of maps, deeds and plat sketches.

We request your approval to adopt this manual as the ALDOT Standard for Right of Way map preparation.

Approved: D.W. Vaughn Chief Engineer/Deputy Director

SW/wcj

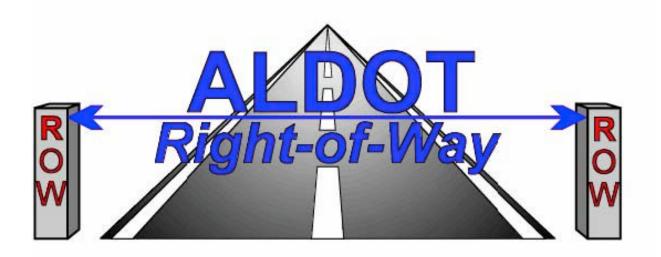
## **REVISIONS**

SHEET

March 19, 2012	7
March 19, 2012	16
September 26, 2012	4
April 12, 2013	8
August 21, 2013	16
August 21, 2013	19
August 21, 2013	24
January 13, 2014	11
November 3, 2016	20
February 3, 2022	16
November 3, 2023	18

#### DATE

# **Right-of-Way Mapping Manual**



## Guidelines & Standards for Development, Distribution, & Use of ALDOT Right-of-Way Maps

## Alabama Department of Transportation Right-of-Way Bureau

**November 1, 2009** 

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## I. Introduction

#### A. General

- 1. The purpose of this document is to establish guidelines and standards for the development of ALDOT Right-of-Way maps.
- 2. The guidelines and standards set forth in this document are intended to ensure that the Right-of-Way maps are legible, consistent in appearance, accurate, and completed in a timely manner.
- 3. Any deviations from the *Guidelines* and *Standards* set forth in this document require prior approval by the State Right-of-Way Engineer.
- 4. *Guidelines* in this manual are intended to provide guidance, define intent and establish parameters for tasks related to, directly or indirectly, Right-of-Way map development, and typically contain the word "should".
- 5. *Standards* in this manual define what is considered mandatory for Right-of-Way map development, and typically contain the word "shall".
- 6. Right-of-Way maps consist of a roll map and one or more Acquisition Deeds and Plats.
- 7. *Roll maps* contain information such as vicinity maps, calculations, and detailed plan views.

#### **B. Intended Audience**

- 1. This document provides guidelines and standards that are to be adhered to by ALDOT personnel and consulting firms under contract with ALDOT.
- 2. This document is not intended to replace dialogue between affected entities. **Proper** communication is essential to accuracy, completeness and precision of maps, plats and deeds.

## II. Roll Map Assembly

#### A. General Format

- 1. Right-of-way maps shall be formatted to fit rolls that are no wider than thirty-six (36") inches.
- 2. Text sizes shall be large enough to be easily read on half-size copies. Minimum text sizes shall comply with the CAD standards.
- 3. Standard roll map borders and workbook templates shall be provided by ALDOT.

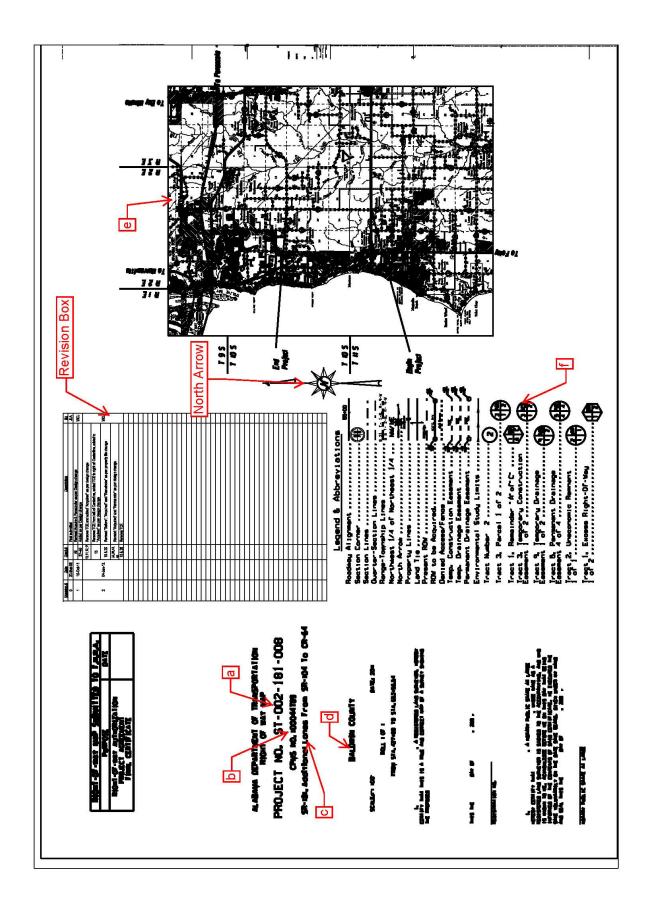
- 1. The left side of the roll map shall display the following information:
  - a) Project #
  - b) CPMS ROW Project #
  - c) Project Description (that matches CPMS)
  - d) County
  - e) Vicinity Map
  - f) Legend & Abbreviations
  - g) Revision Box

#### See sheet 7 of 25

- 2. CPMS project numbers shall be provided to the consultant by ALDOT.
- 3. The vicinity map shall be referenced and clipped from a county map provided by ALDOT.
- 4. Begin and End Project limits shall be clearly delineated within the vicinity map using arrows. Stations shall not be shown.
- 5. The "Vicinity Map" shall provide the area within the county that the project is located.
- 6. All lines, lettering, signs and symbols shall be in accordance with the "Legend & Abbreviations" shown at the beginning of the roll map.

#### C. Revisions

- 1. The "Revisions" box notifies users that a change has been made to the Right-of-Way roll map and provides a historical record of all changes made during the life of the project. A standard workbook template will be provided by ALDOT.
- 2. This box contains the following information: Revision Number Revision Date Tract Number Description By
- 3. The "Revision Number" column lists unique numbers and can refer to a single revision or a group of revisions made on a specific date.
- 4. The "Revision Date" column contains the date on which the revision(s) were made.
- 5. The "Tract Number" column indicates the tract, if any, affected by the accompanying revision(s). If the revision(s) are not specific to a particular tract, an "N/A" shall be sufficient.
- 6. The "Description" column provides details as to what type of revision was made. This information should be specific enough to describe both the graphical changes and the computational changes, if applicable.
- 7. The "By" column indicates the initials of the author of the accompanying revision.



#### **D. Tract Summary**

- 1. The "Tract Summary" shall contain all pertinent information related to each tract of a project. For more detailed information about content, refer to the "Tract Summary" sub-section under the "Area Computations" section
- 2. Formulas are built into the Tract Summary sheet to perform calculations.

#### E. Map Detail

- 1. The "Roll Map" shall provide a detailed drawing of the project and the proposed "takings".
- 2. In the case of multiple rolls, a match line shall be used to separate abutting rolls.
- 3. The map detail shall contain the following:

North Arrow (1 per mile of centerline length) Project Centerlines, Annotations & Geometric Data Curve Data 1/4 1/4 Township & Ranges Existing Topography Names of Intersecting Roads & Streets Present Right-of-way Existing Property Lines Property Ownership Tract Identification Numbers Acquired Right-of-way **Required Easements** Parcel, Easement & Remainder Bubbles Total Property Insets (As needed) **Tract Summaries** Construction Limits (First submittal only for checking purposes) Environmental Cleared Limits (to be removed for Final Submittal)

4. Construction details should not be shown on the roll maps

#### F. Insets

- 1. If the total periphery of a tract is too large to fit on a roll, an inset will be required.
- 2. A border shall be placed around the inset with the tract number and inset scale labeled.

#### G. Scales

- 1. Scales shall be used that allow the most coverage of the project area without compromising the ability to read project details.
- 2. The table shown lists commonly used scales:

Figure	US Customary	Metric
Title (vicinity map)	N/A	N/A
Plan Detail	1" = 50', 1"= 100', 1"=200'	1:1000, 1:2000
Property Sketches	Define as needed	Define as needed
Insets	Define as needed	Define as needed

- 3. The table shown is only a guide; the selected scale must be approved by ALDOT.
- 4. Scales shall be measurable using a standard Engineer's Scale.

#### H. Disclaimer

The following disclaimer shall be placed on the Roll Map when distributed to the general public:

"This document is to be used by ALDOT for the purpose of acquiring properties for transportation purposes. ALDOT does not perform boundary surveys and is not responsible for property boundary disputes. Existing boundary lines are indicated as accurately as possible, with consideration for the limitations of tax maps, source deeds, monumentation, and other available data. The intent described herein shall supersede all plan measurements and computations. ALDOT does not make claims as to the accuracy of actual in-field marker placement as represented in this document, and it will be the responsibility of the user of this map to reconcile any field differences."

## III. Labels & Terminology

#### A. Property Segments

- 1. The Right-of-Way acquisition process necessitates that properties be clearly delineated. This allows for separate area calculations that are used for the purpose of property appraisal and conveyance.
- 2. Property segments defined by ALDOT include the following:
  - Tract Parcel Permanent Easement Temporary Easement Uneconomic Remnant Excess Right-of-Way Remainder

#### B. Right-of-Way

- 1. The Right-of-Way to be acquired for highway construction and maintenance shall be referred to and labeled as "Acquired" Right-of-Way (Acq'd R/W).
- 2. Present or existing Right-of-Way shall be labeled "Present" Right-of-Way (Present R/W).

#### ALDOT

## C. North Arrow

1. North Arrows shall be shown in all of the following locations throughout the plan assembly:

Title Vicinity Map Map Detail (1 per mile of centerline length) Total Property Insets Property Sketches

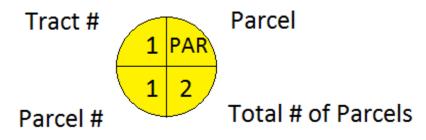
#### D. Tract

- 1. A Tract is defined as the total periphery of a property associated with a unique ownership.
- 2. A tract number shall be assigned to a property only if ALDOT intends to acquire all or a portion for highway construction purposes.
- 3. Tract numbers provide a quick, easy method of locating and identifying properties in a Rightof-Way roll map. Also, correspondence and other reports related to appraisal and acquisition reference these tract numbers.
- 4. The ownership of a property may change prior to acquisition, but the tract number remains the same.
- 5. A Tract is not always contiguous. If however, it is determined that each of these property segments require separate appraisals, it is appropriate to give each segment a unique tract number.
- 6. Tracts are numbered beginning with the number one (1) at the beginning of the project and numbered sequentially until the end of project.
- 7. In the event a numbered tract is determined to be no longer necessary (i.e., due to a change in the design), that tract is deleted. The tract number shall be labeled as "*Deleted*" and **shall not** be assigned to another tract.
- 8. Tracts shall not be re-numbered after any associated project correspondence or reports have been generated.
- 9. Properties plotted from separate source deeds that indicate the same property owner shall be assigned a single tract number. Two, distinct property segments described in separate deeds (or tax map ID numbers) shall be "tied" together with a land hook symbol and treated as a single tract.

#### E. Parcel

- 1. A Parcel is a segment of a tract to be acquired by ALDOT as permanent Right-of-Way. A tract can contain one or more parcels.
- 2. The proposed Right-of-Way limits define the location and extent of each parcel.
- 3. Each parcel is wholly contained within its parent tract.

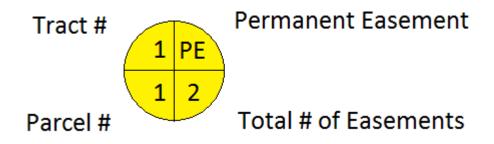
- 4. Within each tract, parcels are numbered beginning with the number one (1) and incremented by one (1).
- 5. A tract may contain more than one "Parcel".
- 6. This property symbol is interpreted as "Tract 1, Parcel 1 of 2".



7. When space permits, the property symbol shall be placed within the boundary of the parcel. Otherwise, a leader line with a circle terminator shall be used.

#### F. Easement

- 1. An easement is the legal right granted to ALDOT to cross or use part of a property.
- 2. Easements acquired by ALDOT are typically classified as "temporary" or "permanent".
- 3. When ALDOT obtains a temporary easement, also known as TCE's, from a property owner, the rights to that land revert back to the property owner at the end of the project or at the end of a given length of time.
- 4. Permanent easements, or PE's, as the name implies, grants ALDOT continued access and use of the property. An easement on which ALDOT constructs and continues to maintain a drainage structure would be an example of a permanent easement.
- 5. A tract may contain one or more easements.
- 6. For each tract, easements should be numbered, beginning with the number one (1) and incremented by one (1).
- 7. The "Pie Symbol" should be used to identify the easement as follows:



This symbol is also used for TCE's with the only difference being the letters in the upper right quadrant.

- 8. When space permits, the pie symbol should be placed within the boundary of the easement. Otherwise, a leader line with a circle terminator should be used.
- 9. Acreage for easements shall not be subtracted from the Before area.

#### G. Remainder

- 1. The part or parts of a tract that are left after the acquisition of one or more parcels are known as remainders.
- 2. The area of a remainder falls outside the proposed Right-of-Way.
- 3. Easements are considered a part of the remainder.
- 4. Within a given tract, each non-contiguous remainder shall be assigned a unique letter designation, beginning with the letter "A" and advancing alphabetically.
- 5. The symbol used to identify a remainder shall be a hexagon (six-sided polygon).
- 6. The information within the symbol should identify the remainder as follows:



7. When space permits, the remainder symbol should be placed within the boundary of the remainder. Otherwise, a leader line with a circle terminator should be used.

#### H. Uneconomic Remnants

- An Uneconomic Remnant is a remaining part of a property that has little or no utility or value to the owner. Uneconomic Remnants purchased by ALDOT shall be clearly labeled and delineated on the plans. Otherwise, they are treated just like any other remainder. Uneconomic Remnants will be placed on the map only after the determination is made by the Division or Central Office personnel.
- 2. The State Right-of-Way Engineer shall designate those remainders that will be labeled as Uneconomic Remnants.
- 3. Within each tract, Uneconomic Remnants shall be numbered, beginning with the number one (1) and incremented by one (1).

#### K. Excess Right-of-Way

- 1. Excess Right-of-Way is property acquired as Right-of-Way, but due to design changes during or after construction, is no longer included in the approved Right-of-Way limits of the transportation facility.
- 2. Excess Right-of-Way shall be clearly labeled and delineated on the map. For details, refer to the "Closed Tracts" sub-section.

#### L. Closed Tracts

- 1. A tract that has been negotiated with and purchased from a property owner is considered "closed".
- 2. Although highly undesirable, occasionally it becomes necessary to negotiate with a property owner of a "closed" tract. For example, after Right-of-Way has been purchased from a property owner, a subsequent change in the design may require additional property from the same owner. Conversely, a segment of the acquired Right-of-Way may later be determined unnecessary and designated as Excess Right-of-Way.
- 3. When additional Right-of-Way is required:

The remainder of the original tract shall become a new, autonomous tract and be assigned a unique tract number. Usually this number is the same as the original tract followed by a letter, starting with "A" and going alphabetically for each successive tract.

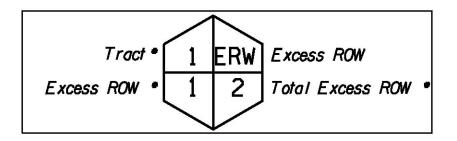
Within the original tract, the parcel and its accompanying label shall be left intact. Within the new tract, the parcels shall be numbered beginning with number one (1) and incremented by one (1).

4. When Right-of-Way is determined to be unnecessary (Excess Right-of-Way):

Within the original tract, the parcel and its accompanying label shall be left intact.

Within the new tract, the Excess Rights-of-Way shall be numbered beginning with number one (1) and incremented by one (1).

The information within the symbol should identify the Excess Right-of-Way as follows:



When space permits, the Excess Right-of-Way symbol should be placed within its boundaries. Otherwise, a leader line with a circle terminator should be used.

Excess Right-of-Way shall not be shown on the Tract Summary Sheet.

#### **N. Multiple Projects**

- 1. Occasionally, a Right-of-Way project may contain more than one source of project funding. For example, a road improvement project and a bridge replacement project may be grouped into a single contract and shown on the same map. A station number delineates the limits of these projects on the Right-of-Way plans.
- 2. On extremely large tracts, it may not be possible to assign the tract to a single project due to funding issues. A dividing line must be drawn at a perpendicular from the project centerline in order to group parcels (and easements) in their respective project funding source. The acquired acreage should be broken down between the projects.

## **IV. Area Computations**

#### A. Units of Measure

- 1. As of 8/1/02, all surveys, maps, and deeds developed by, or for, ALDOT shall be in US Customary units. The area of property segments shall be expressed as acres (ac). This number should be expressed to the second decimal place.
- 2. For projects containing highly valued property, the area of property segments may additionally be expressed as square feet (sf). This will be at the discretion of the State Right-of-Way engineer. This number should be expressed as a whole number.
- 3. For plans already under development using Metric units, areas shall continue to be expressed as hectares (ha). This number should be expressed to the third decimal place.

#### B. Before

- 1. The area within the periphery of a tract shall be referred to as the *Before* area. This is the area *Before* any property is acquired by ALDOT.
- 2. Within a given tract, the sum total of the areas of all parcels and remainders shall be equivalent to the *Before* area.

#### C. Source

- 1. The source of the *Before* area shall be defined as *Deed* or *Calculated*.
- The source shall be defined as *Deed* if the area is derived or estimated from a source deed, unless no acreage is specified on said deed. This is the preferred method of *Before* acreage calculation. Every effort shall be made to obtain the source deed before proceeding to other methods of calculation.
- 3. The source shall be defined as *Calculated* if the area is calculated using the boundary lines shown on the Right-of-Way map.

4. Tax maps shall only be used to obtain source deeds. The tax acreage shall not be used for calculating *Before* acreage.

#### D. Required

- 1. The sum total of all parcels within a tract shall be referred to as the Required area.
- 2. The area of each parcel shall be calculated individually and labeled on the map.

#### E. Remainder

- 1. Within a given tract, the Remainder shall be the difference between the Before area and the Acquired area. This is the area that remains after ALDOT acquires property for highway construction.
- 2. The area of each non-contiguous remainder shall be calculated individually and labeled.
- 3. Easements shall be considered a part of the Remainder.

#### F. Tract Summary

The Tract Summary template provided by ALDOT shall be used for all calculations. This box can be used on the roll map if there is insufficient room on the tract itself, as in the case of urban areas.

## V. Acquisition Deeds

#### A. General

- 1. A Deed is an instrument consisting of two (2) documents, a Deed Form and a Property Sketch.
- 2. References to Deeds shall imply an attached Property Sketch.

#### **B. Deed Forms**

The following Deed Forms are used for conveyance to ALDOT: Fee Simple Permanent Easement Temporary Easement Wetlands Mitigation (Central Office needs to be contacted for necessary restrictions) Deed of Correction (To be done by Central Office or Division only)

A copy of each of these can be found on the ROW Bureau portion of the ALDOT web site.

## VI. Property Plat

#### A. General

- 1. Property Plats shall be prepared for each tract and attached to the deed and made a part thereof.
- 2. The property segment being described shall define the scale of the sketch. The scale shall be that which can be found on an engineer's scale.
- 3. When practical, the total periphery of the tract shall be shown. If the periphery is too large to be shown to scale, a separate sheet shall be used with "NTS" for not to scale in the summary.
- The location of each parcel shall be shown with the use of hatching. A different style of hatching or cross-hatching shall be used to define adjacent takings of different kinds (i.e. temporary construction easement)
- 5. The following list defines the minimum required information on the sketch portion of the plat: Roadway Centerline North Arrow

  \*Point of Commencement
  \*Point of Beginning
  \*Course or Leg Numbers
  \*Metes Table Match Line (if applicable) Inset (if applicable)

#### **B.** Summary

The Summary portion of the plat shall contain the following:

County Project # CPMS # Tract # Owner Before Acquired (or Total TCE if no parcels acquired) Remainder Scale Sketch # of # Date

## VII. Deed Form

1. Each Deed Form consists of the following parts:

Name of person deed prepared by Division, Central Office, or Consulting Firm name and address Revision # Header Introduction Property Description Closing Acknowledgement

2. Deed templates can be obtained from the Central office.

## **VIII. Property Description**

#### A. Intent

It is ALDOT's intent to describe acquired property as accurately as possible, but with consideration for the limitations of tax maps, source deeds, monumentation, plan measurements and computations, and other available data.

#### **B.** Types

1. Metes and Bounds

This measurement system defines the angle and distance along the path between two (2) points. It also includes the boundary descriptions (See Section "N")

2. Lot and Block

The modern day version of the lot and block system is the subdivision. In this system, a survey is done and a larger tract of land is divided into smaller parcels to be drawn up on a map or plat. The plat is created and recorded, and subsequent descriptions refer to the recorded plat by lot number (and blocks, if applicable).

#### C. Parts

A property description generally has four parts, each of which serves a specific purpose.

Caption Body Qualifying Statements Conclusion

#### D. Caption

1. The caption establishes the following:

That ALDOT maintains a copy of the original Right-of-Way roll map and original deeds The ALDOT project number The ALDOT tract number The county or counties in which the tract lies The Office of Judge of Probate in which the maps and deed are recorded The quarter-quarter, section and township in which the tract lies

2. The caption establishes the general location or neighborhood in which the parcel is located and works as a filter for the rest of the description. Special attention should be paid when preparing the caption, since any information in the balance of the description, which does not meet the criteria described in the caption, shall be considered void. In situations where the intent is not clear or there is a discrepancy between the caption and the body of the

#### Right-of-Way

description, the information in the caption holds priority. The following is an example of a caption:

"As shown on the Right-of-Way map of Project No. APD-471(514) of record in the Alabama Department of Transportation, a copy of which is also deposited in the office of the Judge of Probate of Jefferson County, Alabama, as an aid to persons and entities interested therein and as shown on the Property Plat attached hereto and made a part hereof:

A part of the NW ¼ of the NE ¼, Section 5, T-14-S, R-8-W identified as Tract No. 2 and being more fully described as follows:"

#### E. Body

This is where the actual description details are given. The language used within the body is the basic tool for expressing intent.

#### F. Format

- 1. The traverse between the POC and POB and along the periphery of a property is described by a series of connecting courses or legs. A "course", as it relates to property descriptions, is the path between two points.
- 2. Each course contains two (2) sets of calls, a "metes" (measurements) and "bounds" (boundary lines).
- 3. Each course shall be shown as a separate paragraph.
- 4. ALDOT property descriptions shall contain a combination of both types of calls for each course described.

#### G. Point of Commencement

- 1. Descriptions for parcels and permanent easements shall contain a point of commencement (POC).
- 2. The POC is a described, recoverable, point of reference found in the general area of the property being described.
- 3. The POC shall not lie within the boundary of the property being described or the Acquired R/W.
- 4. The preferred location for a POC is a Government corner, such as a Section Corner monument, or quarter section corner monument. Another acceptable POC would be a lot corner from a nearby-recorded subdivision, preferably marked with an iron pin or other type of monument. In cases where no government corners are located and no recorded subdivisions exist, an iron pin referenced in a source deed of a nearby property owner may be used as long as the recording data (deed book and page of the source deed) are referenced. Also, existing right of way monuments may be used when other sources are not available. (Note: If a monumented corner has not been found within a practical distance from the acquisition, then an assumed corner based on the order of preference as shown below, may be used.)

- 5. POC's are listed below in the order of preference:
  - a) Section Corner
  - b) Quarter-section corner
  - c) Subdivision Lot Corner
  - d) Property Corner
  - e) Existing Right-of-Way Marker
- 6. A Point of Commencement is not necessary when describing a Temporary Easement, since there is no need to re-establish the boundary of the easement upon completion of the construction of the project.
- 7. A Point of Commencement is not necessary when describing a total taking by Lot and Block.

#### H. From POC to POB

- 1. Traversing the path between the Point of Commencement and the Point of Beginning can be accomplished in a number of ways. There does not appear to be any right or wrong method, yet some methods are preferable under certain conditions. The following text is only a guideline. Professional judgment shall be applied for each site.
- 2. It is preferable to traverse, as nearly as possible, the same path as shown in the source deed. Traversing the same path as the source deed helps retain the chain of title. If the source deed is unavailable or unclear, use the guidelines in the following table:

POC	Traverse
Government	For new construction, traverse a path along government lines to the
corner	Roadway Centerline, and then follow the Roadway Centerline until
	intersection with parcel.
Government	For existing roadways, traverse a path along government lines until
corner	it intersects a Acquired or existing Right-of-Way line, and then follow
	until intersection with parcel.
Subdivision	Follow lot line until it intersects a Acquired or existing Right-of-Way
	line, and then
Lot Corner	follow until intersection with parcel.
Property	Follow property line until it intersects a Acquired or existing Right-of-
Corner	Way line, and then follow until intersection with parcel.
Existing	Follow along existing Right-of-Way until intersection with parcel.
Right-of-	
Way Marker	

- 3. Government corners are preferred, but may sometimes be to far from the parcel to be practical as a POC.
- 4. If the methods listed above are inconvenient or impractical, a "free form" method can be used that does not follow any boundary lines, sometimes with a single course or leg.
- 5. When more than one path is available for traversing between the POC and POB, it is preferably to choose the shorter of the two.
- 6. Any of the above methods, when applied correctly, shall be deemed suitable for ALDOT property descriptions.

#### I. Point of Beginning

- 1. The Point of Beginning shall be a point lying directly on the boundary of the property being described and on the Acquired ROW so that it is recoverable.
- 2. The selected POB shall be dictated by the method of traverse chosen from the previous section.
- 3. The last course within the body of the description shall terminate at the initial Point of Beginning.
- 4. Properties should be described in a clockwise direction.
- 5. The body of the description shall be formatted so that each "course" begins as a new paragraph, with no indentation, and separated by a single line. This clearly defines each change of direction within the description and greatly improves readability.

#### J. Qualifying Statements

Qualifying Statements are restrictive language added to the description to express exceptions, reservations, covenants, or other limitations. ALDOT typically accomplishes this through the use of various types of "clauses". The following is a list and brief description of clauses used by ALDOT:

1. Indirect Access

#### LIMITED ACCESS CLAUSE WITH SERVICE ROAD AGREEMENT

This conveyance is made for the purpose of a controlled access facility and adjacent service road or roads, and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights appurtenant to grantor's remaining property, in and to said controlled access facility, provided however, that there is hereby reserved along a line (beginning at a point) the right of ingress to and egress from such remaining property to and from said service road and roads which will be accessible to the controlled access facility only at such points as may be established by public authority.

#### 2. Denied Access

As a part of the consideration herein above stated there is also bargained, sold, conveyed and relinquished to the grantee all existing, future, or potential common law or statutory rights of access between the right of way of the public way identified as Project No.\_\_\_\_, County of \_\_\_\_\_ and all of the grantor's remaining property consisting of all parcels contiguous one to another, whether acquired by separate conveyances or otherwise, all of which parcels either adjoin the property conveyed by this instrument or are connected thereto by other parcels owned by the grantor.

3. Limited Access Agreement

#### Right-of-Way

This conveyance is made for the purpose of a controlled access facility and adjacent service road or roads and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights appurtenant to grantor's remaining property in and to said controlled access facility, provided however, that there is hereby reserved the right of ingress to and egress from such remaining property to and from said service road or roads which will be accessible to the controlled access facility only at such points as may be established by public authority.

#### 4. Reversion

(Use only after a temporary easement on a deed with acquired right of way—*never* use on a Form 6 or Form 6A-not needed. These are for easements only. Form-6 is for permanent easements)

It is expressly understood that all rights, title and interest to the above-described easement(s) shall revert to the grantor upon completion of said project.

#### K. Conclusion

This part of the property description is often combined with the body of the description. The conclusion lists the area of the parcel just described. This is also where the "more or less" phrase is applied, immediately following the stated area.

#### L. "More or Less"

The phrase "more or less" shall be applied once within the conclusion of the property description to avoid "nuisance suits" for insignificant variations. It typically follows the calculated area of the parcel and serves as a "safety net" for the entire description. The term can also be used to describe metes and bounds where the length, station, offset, etc., are not precisely defined on the property plat.

#### M. Seniority of Calls

There are several basic types of calls, which can be used to describe property, all of which may be legally correct. However, hundreds of years of case and common law have forced these calls to be "ordered" in rank of seniority, giving some calls more "power" than others, allowing them to supersede those of lower rank. In Alabama, the general order of calls is as follows:

- 1. A natural monument
- 2. An artificial monument
- 3. A record ad joiner (subject to Junior/Senior rights)
- 4. A record survey or tie to such
- 5. Distances
- 6. Bearings
- 7. Area
- 8. Coordinates

#### N. Informative vs. Controlling

- 1. From the Seniority of Calls list shown above, calls one (1) through four (4) are considered the bounds calls of the metes and bounds system. These calls are controlling in that they outrank or supersede all other calls.
- 2. Again, from the Seniority of Calls list shown above, Items five (5) and six (6) are the metes portion of the metes and bounds system and are considered informative calls.
- 3. Controlling calls shall supersede informative calls in all cases.
- 4. Metes or measurements are informative, whereas bounds or boundary lines are controlling.
- 5. The following course has been diagrammed in the following table to illustrate the function and rank of each call:

"Thence N72<sup>o</sup>05'40"E along Grantor's property line a distance of 102.23 feet to the existing Right-of-Way line."

Calls	Thence N72º05'40"E	Along Grantor's property line	A distance of 102.23 feet	To the existing Right-of-Way line
Metes	Yes	No	Yes	No
Bounds	No	Yes	No	Yes
Informative	Yes	No	Yes	No
Controlling	No	Yes	No	Yes

- 6. In the example above, if the angle was not exactly as the measurement stated, the "Grantor's property line" would control, likewise, if the distance measurement fell short of the "existing Right-of-Way line", the later would control.
- 7. This combination of metes and bounds, or informative vs. controlling calls allows for precise measurements for closure checks and area calculations without implying precision that may or may not be present. Once again, this method emphasizes intent over plan measurements and calculations.

## O. Protocol

- 1. The protocol used for structuring calls within a single course or leg shall be as follows: Thence "angle measurement" (informative) along "boundary line" (controlling) a distance of "xx feet" (informative) to a "boundary line" (controlling).
- 2. Angle measurements shall be defined as bearings.
- 3. Distance measurements shall be defined as feet for imperial units and meters for metric units.
- Curves shall contain the following data: Chord distance Chord bearing Radius Length of curve

- 5. Traversing from the POC to the POB, controlling calls along and to a boundary line shall be one or more of the following:
  - Township Line Range Line Section Line ¼ Section line Military, Forestry, or other government line Present Right-of-Way Line Acquired Right-of-Way Line Property or Lot Line (referenced from source deed)
- Controlling calls along the periphery of the subject parcel shall be one of the following: Present Right-of-Way Line Acquired Right-of-Way Line Grantor's Property Line
- 7. All of the controlling calls listed above may control either the angle or distance measurements contained within a course.

Along	То
Grantor's property line	Acquired Right-of-Way line
	Existing Right-of-Way line
	Flare in Grantor's property line
Acquired Right-of-Way line	Existing Right-of-Way line
	Grantor's property line
	Flare in Acquired Right-of-Way line
	Acquired Right-of-Way line
Existing Right-of-Way line	Grantor's property line
	Flare in Existing Right-of-Way line

8. Along the periphery of a parcel, controlling calls are further structured as follows:

#### P. Precision

- 1. Some mappers are of the opinion that showing bearings and distances to any significant degree of accuracy implies that we have surveyed each property and are sure of the location of all property lines. That is not the case. Our goal is to take advantage of the automation tools available and to use them to provide the best graphical and mathematical representation possible of the property to be acquired.
- 2. Bearings should be expressed to the second
- 3. Distances should be expressed to at least two decimal places and three when describing a small parcel or on a metric project.
- 4. Controlling calls shall clarify the intent of the description since we do not survey each property and re-establish the exact location of property lines and existing Right-of-Way.

5. Boundary calls shall supersede any measurements, based on seniority of calls. The following is a partial list of bounds which should be used as controlling calls, when available, to describe property:

An existing property line An existing right of way line An existing ROW marker or property pin A river or creek Station/offsets from a surveyed control line

#### Q. Partial Taking

When acquiring a segment or segments of a tract, a metes and bounds description shall be used. Additionally, acquired Right-of-Way shall be described using a centerline description as the controlling call.

#### **R.** Parcels, Easements, Excess Properties

- 1. All property segments shall be described on the deed form, with the exception of the remainder.
- 2. Occasionally, the remainder shall be described if required by the Court or if an uneconomic remnant is acquired.

#### S. Revision Number

The last revision number shall match the revision number indicated on the Property Plat.

#### T. Revision Number

- 1. Any property that is being taken in its entirety should be described verbatim from the latest recorded source deed to maintain chain of title.
- 2. The second preferred description is from a title opinion.
- 3. The last preference is a metes and bounds description from survey.

## IX. Revisions

- 1. All changes to the Right-of-Way map shall be noted on the Revisions Box.
- 2. Each time a new version of the Right-of-Way map is published, there shall be a new revision number and date noted on the Revisions Chart.
- 3. A revision entry shall consist of the following: Revision number Revision date Tract number (if applicable) Description Author initials

- 4. Each revision entry shall be associated with a specific tract number.
- 5. The description for each revision entry shall contain sufficient detail to avoid the necessity of referring to the previous version of the plans.
- 6. If a revision is not tract specific, such as a change in the project number or an incorrectly labeled township, an "n/a" shall be shown under the Tract column on the Revisions Chart.
- Descriptions shall be consistently worded to provide the following information: Action taken Affected item(s) Details
- 8. Details typically explain why the Action was taken or further defines what Action was taken.
- 9. An example can be obtained from the ROW Bureau Central Office.
- 10. Once a revision has been made it is the mapper's responsibility that all affected parties are notified *immediately*. The chain of communication is as follows:

Preparer	Affected party
Central Office	Division
Division	Central Office
Consultant	Central Office and Division

## X. Recording and Filing

#### A. Deed

- 1. After a tract is closed, the acquisition deed must be filed with the Office of Probate. ALDOT division personnel typically file these documents.
- 2. A copy of the original stamped acquisition deed shall be forwarded to the Montgomery Central Office Right-of-Way Bureau.