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Sent: Wednesday, February 20, 2008 4:37 PM
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Cc: John Duel; Carwin Gardner; Chuck Deutschlander
Subject: State Land parcels - No gross areas on ORS

This email is being sent to clarify the above policy.

When an adjoining parcel to the highway has fee ownership of the highway and we are acquiring additional new R/W from that parcel, our general policy is to calculate that parcel's existing fee ownership of the highway and add that area to the new R/W area and then show the sum of those two areas in the gross column of the ownership record sheet (ORS). However, our current policy is that we do not show a gross area for State Land parcels. They are an exception to the general rule.

The primary reason why we do not for State Land parcels is that the general intent of showing a gross on the ORS is so that we can include the underlying fee clause in our legal description and so that ADOT can acquire the underlying fee for those particular parcels.

In the case of State Land however, they will not grant us the underlying fee for existing R/W (which typically was previously acquired by ADOT as an easement or permit from them), so therefore we will not list a gross area in that column for State land parcels.

Notwithstanding the above information, the existing R/W area (not gross) within the State Land parcel still needs to be calculated and shown on the ownership record sheet. The existing R/W area is addressed via a 'circle note' shown in the total area column, in the 'notes' column and in the lower left hand corner of the ownership record sheet. This situation is portrayed on standards exhibit C2, on parcel 7-0224 and circle note 4.

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