

Jim Crume

From: Daniel Miller [DnMiller@azdot.gov]
Sent: Thursday, December 22, 2005 2:27 PM
To: Al Reece; Bob Umbanhowar (E-mail); Clyde King (E-mail); Dan Mardock; David Shane (E-mail); Jerry Hughes (E-mail); Jerry Van Gompel; Jim Crume (E-mail); Jim Trujillo (E-mail); Joe Falinski (E-mail); John Litteer (E-mail); Rob Pecha; Roland Michaud; Ron Dorsey
Subject: FW: Updated Policy Regarding Temporary Construction Easements for Turnouts
Attachments: TCE Memo.pdf



TCE Memo.pdf (123 KB)

FYI

> -----Original Message-----

> From: Henri Verdugo
> Sent: Thursday, December 22, 2005 1:34 PM
> To: Right of Way; Robert Miller; Steve Jimenez; Jim Romero; Steve Beasley; Mike Bruder; Larry Doescher; Mary Viparina
> Subject: Updated Policy Regarding Temporary Construction Easements for Turnouts

>
> Please be advised of the attached memo.
> The policy regarding TCE's for turnouts has been expanded as recited and illustrated.
> As applicable, please share this information with your staff and consultants under your direction.

> Thank you.

>
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>
> <<TCE Memo.pdf>>

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Arizona Department of Transportation

Right of Way Group

Memo

To: All Right of Way Group Personnel

Date: December 21, 2005

**From: Henri C. Verdugo
Assistant Chief Right of Way Agent
Right of Way Group**

**Subject: Temporary Construction Easements
(TCE's) related to the improvement of
Turnouts**

Per long standing Right of Way Group policy, TCE's are not required for the installation or replacement of cattleguards that are located totally within or along (straddling) ADOT Right of Way lines. Also, TCE's are not required for the installation or replacement of ADOT fencing located within or along (typically immediately inside) ADOT Right of Way lines. Cattleguards and Right of Way fencing are a benefit to both ADOT and to the adjoining land owner(s).

The logic of this policy will now be expanded and applied to the improvement of turnouts. When the turnout improvements will be located totally within ADOT Right of Way, or when the improvements will not extend outside the ADOT Right of Way line, ADOT will no longer require/acquire TCE's for improving these turnouts. As in the case of cattleguards and Right of Way fencing, these turnout improvements are a benefit to the adjacent owner(s).

On the other hand, if improvements or construction activities directly related to a turnout will extend beyond the Right of Way line, a TCE will generally be required.

However:

If this situation occurs on Federal lands (including B.L.M., B.O.R., National Park Service, and Forest Service lands but not including B.I.A. lands) per current procedures, a TCE will be illustrated on the Design plans and will be subject to approval by the FHWA, but the TCE will not be illustrated on the Right of Way plans and will not be acquired by the Right of Way Group.

Additionally, if this situation occurs on a private parcel upon which New R/W will be acquired, per current procedures, a TCE will not be acquired by the Right of Way Group from that particular parcel for the turnout improvements but the temporary rights needed will be acquired by the Right of Way Group through the Right of Way Purchase Agreement of that parcel.

Please refer to the attached drawing for examples of when a TCE will or will not be required for turnout improvements.

