The Right Approach to Right of Way Engineering

www.pcsengineers.com
317-837-9900
The Right Approach to Right of Way Engineering

Presented By:

Grant Niemeyer, PS
30 Years of Experience
grant@pcsengineers.com

Rodney Kelly, PS
19 Years of Experience
rkelly@pcsengineers.com
The Right Approach

- Roles of Team Members
- Teamwork
- Game Strategies
- Scouting
- Kick Off
Roles of Team Members

Coach

That’s you...The Engineer!
Roles of Team Members

Quarterback

Surveyors, we are the quarterback of your team!
Roles of Team Members

The Players!
Teamwork

Communication
Teamwork

Collaboration
Teamwork

Coordination
Game Strategies
Game Strategies

R/W Plan Development

Abstracting → R/W Engineering → Appraising → Buying/Negotiations → Offer Accepted? → Review → Finance → Property Management

Condemnation
Right of Way Plan Development

- Field Survey
- Utility Coordination
- Design
Scouting

• Abstracting
  - Ordering Title and Encumbrance (T & E) Reports
Right of Way Engineering

Kick off!
Right of Way Engineering
Review Location Control Route Survey (LCRS)
Alignment

Legend:
- Right of Way
- Property Line
- Easement
- Section Line
- Set Point
- Calculated Point (not set)
- Rebar
- Right of Way Marker

Right of Way Note:
The right of way, parcel lines and ownership information shown on this plat are illustrative. This information is shown only to help orient the user of this plat as it relates to the centerline. The source of this information is listed in the

Redact Statement:
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.

By: Rodney J. Kelly

[Map of Alignment with various landmarks and measurements]
**Existing Right of Way**

**Existing R/W** - The established right of way line on both sides of a centerline, as depicted upon right of way documents and construction plans AND verified by the Right of Way Engineering Section.

**Apparent R/W** - The estimated location of the existing right of way line based upon plans or survey used as background data for the Location Control Route Survey; may also be determined by the Records Unit of the Land Acquisition Division.
Review Title & Encumbrance (T&E) Reports

TITLE AND ENCUMBRANCE REPORT
PERMANENT

PROJECT: 1006396  COUNTY: Jennings  CODE: R33849  PARCEL: 3
ROAD: State Road 7  POL. TWP:  TWP: Center  DES. NO.: 1006396

Name on Plans: Totten Mobile Home Park & Supply, Inc.

<table>
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<tr>
<th>Tax Legal</th>
<th>Assessed Value</th>
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<tbody>
<tr>
<td>Pt SW</td>
<td></td>
</tr>
<tr>
<td>Sec. 28</td>
<td>Twp. 7</td>
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LAST OWNER OF RECORD

Name: Totten Mobile Home Park & Supply, Inc.
Address: 2201 N. State Highway 7, North Vernon, IN 47265
Title Acquired by: Warranty Deed, Instrument Number 2010000105, re 1/13/2010

MORTGAGE RECORD: No Open Mortgages Found
Judgments: None Found  Easement: See Entries # 15, 16, 17 and 18
Taxes: See Entry # 21  Taxes are current: Yes

CERTIFICATE

I certify that I have searched the records of the above named county for the required period of time and that all recorded transactions which affect the ownership of the Caption Real Estate during that period are set forth in the attached chain of title. I further certify that the information summarized above represents the current status of the fee ownership and encumbrances against the Caption Real Estate.

DATED: May 11, 2015  SIGNED: [Signature]

Appendix “A”
Review Grants, Road Records & Other Acceptable Information
Parcel Lines

Apparent Property Line - The estimated location of a property line based upon a review of the last deed of record and the existence of physical evidence available such as hedgerows, or fencerows, building foundations, etc.
Proposed Right of Way
Right of Way Documents
Right of Way Documents

Legal Description

EXHIBIT "A"

Project: 1006396, Jennings County, S.R. 7 Small Structure Replacement
Code: R33849
Parcel: 3
Key Number: 40-09-28-300-019.000-004
Form: WD-1

A part of the northeast quarter of the southwest quarter and a part of the southeast quarter of the southwest quarter all being in Section 28, Township 7 North, Range 8 East, Center Township, Jennings County, Indiana and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B," more specifically described as follows: Commencing at the southeast corner of the northeast quarter of the southwest quarter of Section 28, thence North 89 degrees 43 minutes 46 seconds West (bearings based on the location Control Route Survey plat recorded as Instrument 2013022796 in the Office of the Recorder of Jennings County) 566.39 feet along the south line of said northeast quarter of the southwest quarter to the southeast corner of the grantor's land; thence continuing South 89 degrees 43 minutes 46 seconds West 319.68 feet along said south line to the east line of the grantor's land; thence South 03 degrees 17 minutes 13 Seconds West 51.00 feet along said east line to the south line of the grantor's land; thence South 73 degrees 17 minutes 43 seconds West 77.11 feet to the northeasterly boundary of State Road 7; thence North 42 degrees 32 minutes 39 seconds West 117.18 feet along said northeasterly boundary to a point designated "6" on said plat and the point of beginning of this description; thence continuing North 42 degrees 32 minutes 39 seconds West 174.78 feet along said northeasterly boundary to a point designated "10" on said plat; thence South 64 degrees 08 minutes 16 seconds East 80.54 feet to a point designated "5" on said plat, thence Southwesterly 59.85 feet along an arc to the right having a radius of 39,305.25 feet and subended by a long chord having a bearing of South 42 degrees 34 minutes 42 seconds East to a point designated "4" on said plat, thence South 42 degrees 39 minutes 30 seconds East 40.00 to a point designated "7" on said plat, thence South 47 degrees 24 minutes 07 seconds West 20.76 feet to the point of beginning and containing 0.004 acres, more or less.

This description was prepared for the Indiana Department of Transportation by PARROTS, CUNNINGHAM & SHARTLE ENGINEERS, INC. on this 28th day of July, 2015.

Brian M. Stanoch, P.Eng.
State of Indiana, LS211200018
The T&E Report

TITLE AND ENCUMBRANCE REPORT
PERMANENT

PROJECT: 1068306  COUNTY: Jennings  CODE: R38649  PARCEL: 3
ROAD: State Road 7  POL. TWP:  TWP: Center  DES. NO.: 1006396
Name on Plans: Totten Mobile Home Park & Supply, Inc.

Tax Legal:  Sec.  Twp.  Rge.  Acres  Land  Improve  Key Number
PI SW  28  7  86  3.749  85, 100  $116,400  40-50-28-300-000.000

LAST OWNER OF RECORD
Name: Totten Mobile Home Park & Supply, Inc.
Address: 2201 N. State Highway 7, North Vernon, IN 47265
Title Acquired by: Warranty Deed, Instrument Number 2010000105, re 1/13/2010

MORTGAGE RECORD: No Open Mortgages Found
Judgments: None Found  Easement: See Entries # 15, 16, 17 and 18
Taxes: See Entry # 21  Taxes are current: Yes

CERTIFICATE
I certify that I have searched the records of the above named county for the required period of time
and that all recorded transactions which affect the ownership of the Caption Real Estate during that
period are set forth in the attached chain of title. I further certify that the information summarized
above represents the current status of the fee ownership and encumbrances against the Caption
Real Estate.

DATED: May 11, 2015  SIGNED: [Signature]

Appendix “A”
Parcel Documentation

PROJECT: 1006396, Jennings County, S.R. 7 Small Structure Replacement
PARCEL 3
DOCUMENTATION

Totten Mobile Home Park & Supply, Inc. – Instrument No. 2010000105

Location Control Route Survey Plat –
The Location Control Route Survey Plat (LCRSP) for this project is recorded in the Office of the Recorder of Jennings County, Indiana as Instrument Number 2013001706.

Boundary Lines –
The property lines were created by using the existing geometry provided by the deed description utilizing the section corner information provided by the LCRSP.

Existing R/W –
The existing right of way for State Road 7 was established using the Northwestern title line per the deed description in Instrument No. 201000105. As this existing right of way was established by the owner’s deed, and no right-of-way grants were found in the deed research for the adjacent parcel, it is assumed that title for the owner carries to the centerline of the road and re-acquiring of the existing right-of-way (RER) will be required.

General –
Line “A” was established per the LCRSP provided.

Miscellaneous –
Easements:
- Sanitary Sewer Easement in favor of the City of North Vernon described in Deed Record 20, Page 441.
- Water Main Easement in favor of Ezoo Meat Company described in Deed Record 25, Page 514.
- Sanitary Sewer Easement in favor of the City of North Vernon described in Instrument No. 9701011
- Blanket Easement in favor of Kroger Limited Partnership for construction of a concrete wing wall and associated work for construction of a driveway as described in Instrument No. 2000002089.

Mortgage: None

Brian M. Stanoch
Date: October 5, 2015
**Land Acquisition Code Sheet (L-10)**

**Parcel Listing for Land Acquisition Code Sheet (L-10)**

**Master Sheet**

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<tr>
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<th>Parcel</th>
<th>Suffix</th>
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**Grantor:** Totten Mobile Home Park & Supply, Inc.

**Bridge:**

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<th>RW Existing</th>
<th>Units</th>
<th>Instrument</th>
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<td>3,978</td>
<td>0.229</td>
<td>AC</td>
<td>WD R</td>
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**Environment Comments:**

**Parcel Comments:**

**Centerline:**

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<th>From Station</th>
<th>To Station</th>
<th>Plan Sheets</th>
<th>Nature</th>
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<tr>
<td>71+00</td>
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**Land Acquired:**

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<th>Building</th>
<th>Eliminated Date</th>
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**Residue:**

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<td></td>
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<tr>
<td>B 0.000 AC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C 0.000 AC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E 0.000 AC</td>
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**Suffix:**

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<tr>
<th>DA-SZ SIGNS</th>
<th>S1-S9 FEE OWNER SUPPLEMENT</th>
<th>XA-XZ CORRECTION DEED</th>
<th>YA-YZ INVERSE CONDEMNATION</th>
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**Units:**

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<th>H</th>
<th>ACRE</th>
<th>SM</th>
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**Instrument:**

| WD WARRANTY DEED | QQ QUITCLAIM DEED | QT GRANT | SP SPECIAL |

**Codes & Definitions:**

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<tr>
<td>R</td>
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<td>LR</td>
<td>LEFT &amp; RIGHT</td>
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**Nature:**

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<th>TE</th>
<th>TEMPORARY RW</th>
<th>PV</th>
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**Clearance:**

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<th>DATE</th>
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<tr>
<td>BDS</td>
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**Revised:**

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**Data Entered By:**

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### Area Computation Report

#### (Area Comp. Sheet)

#### AREA COMPUTATIONS

**Sheet 1 of 1**

By: BM9  
Date: 10/12/2015  
Child By: TN  
Date: 10/12/2015

**PROJECT: 100636**  
**CODE: 5959**

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<tr>
<td>Existing Right of Way</td>
<td>= 0.222 AC</td>
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<tr>
<td>Subtotals Areas = 3.978 AC</td>
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<td>Less Total Exceptions</td>
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#### EXISTING RW... CALCULATIONS

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<td>Total RW Existing = 0.229 AC</td>
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<th>FEE SIMPLE AREAS</th>
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<td>0.094 AC</td>
<td>Total Area = 3.978 AC</td>
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<tr>
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<td></td>
<td>RW Existing = 0.229 AC</td>
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<tr>
<td>F.S.</td>
<td>0.094 AC</td>
<td>Total F.S. Area = 0.094 AC</td>
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<td>Total P.E. Area =</td>
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<th>EXCESS LAND AREAS</th>
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<td>Total Residue Area = 3.855 AC</td>
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<tr>
<td>E.L.</td>
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<td>Residue'A' = 3.855 AC</td>
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<td>Residue'B' =</td>
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<td>Revised By:</td>
<td>Date:</td>
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**Note:** This report outlines the computation of areas for a specific project, including calculations for existing right of way and other land areas, with details on subtotals and exceptions. The report is designed to ensure accurate measurement and calculation for engineering and construction purposes.
# Parcel Map Check Report

**Client:** HMB Professional Engineers  
**Prepared by:** B. Stanoich, PCS ENGINEERS  
**Date:** 10/5/2015 10:49:14 AM

**Parcel Name:** PARCEL 3 ENTRY (FEE)  
**Description:** Process segment order counterclockwise: False  
Enable mapcheck across chord: False  

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<th>Segment#</th>
<th>Type</th>
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<th>Length</th>
<th>North (W)</th>
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<tbody>
<tr>
<td>1</td>
<td>Line</td>
<td>N89°43'46.22&quot;W</td>
<td>566.380'</td>
<td>1,373,021.2928'</td>
<td>335,654.6978'</td>
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<td>Line</td>
<td>N89°43'46.22&quot;W</td>
<td>319.680'</td>
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**Parcel Name:** PARCEL 3 ENTRY (PARENT)  
**Description:** Process segment order counterclockwise: False  
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<td>N89°43'46.22&quot;W</td>
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<td>1,373,021.2928'</td>
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</table>
## Point Report

**PCS ENGINEERS**  
1924 South Dan Jones Road  
Avon, IN 46123  

---

**Report Date:** 10/5/2015 4:31:13 PM  

---

### Point Report

**Project:** C:\Users\bstanoch\Documents\Project Working Files\120049 Small Structure RWE\120049.01 SR7 Small Structure RWE\10-2-2015 Revisions\CRS_RW_BOUNDARY\RWE\Parcel 3\Plat\120049.01_RWPP_03.dwg

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Parcel Plot
MEMO TO FILE, APPRAISERS, BUYER AND ALL WORKING WITH THIS PARCEL
Division of Area of Fee Taking

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<th>Ex. Right of Way in Taking:</th>
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<td>Not Under pavement: 0.114</td>
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<td>Not Under pavement: 0.114</td>
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<td>Not Under pavement: 0.000</td>
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<th>Ex. Right of Way in Taking:</th>
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<td></td>
<td>Not Under pavement: 0.000</td>
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</tbody>
</table>

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WARRANTY DEED

Form WD-1
REV 2010

Project: 1006396
Code: 5959
Parcel: 3
Page: 1 of 2

THIS INDENTURE WITNESSETH, That

the Grantor(s), of ___________________________ County, State of ___________________________ Convey(s) and
Warrant(s) to the STATE OF INDIANA, the Grantee, for and in consideration of the sum of ___________________________ Dollars
($_________________) (of which said sum $___________________ represents land and
improvements acquired and $___________________ represents damages) and other valuable consideration, the
receipt of which is hereby acknowledged, certain Real Estate situated in the County of ___________________________,
State of Indiana, and being more particularly described in the legal description(s) attached hereto as Exhibit “A” and depicted
upon the Right of Way Parcel Plat attached hereto as Exhibit “B”, both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the Real Estate conveyed herein is conveyed in
fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the
abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use,
conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any
right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant
running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

Interests in land acquired by the Indiana
Department of Transportation
Grantee mailing address:
100 North Senate Avenue
Indianapolis, IN 46204-2219
I.C. 8-23-7-31
R/W ENGINEERING CONSULTANT QUALITY ASSURANCE FORM FOR
CODE _R33849 PARCEL_ 3

1. CHECK CONTENTS OF THE LARGE ENVELOPE
   (A) T & E REPORT
   (B) L-10 TRANSFER INSTRUMENTS WITH DESCRIPTIONS, AND MEMO TO APPRAISERS OR
      BUYERS IF NECESSARY.

2. CHECK CONTENTS OF SMALL ENVELOPE
   (A) PARCEL DOCUMENTATION, INCLUDING EXISTING RAW FOR EACH PARCEL.
   (B) COGO PRINT OUT WITH AREAS
   (C) COPIES OF TRANSFER INSTRUMENTS
   (D) IS THERE A COPY OF A PLOT OF OWNERS DESCRIPTIONS (SHOWING CLOSURE) WHERE
      FEE TAKING OR TEMPORARY RW IS BEING ACQUIRED (DEED PLOTTER)?

3. CHECK DESCRIPTION, DOES IT CLOSE?
   (A) IS THE AREA CORRECT?
   (B) DOES THE DESCRIPTION CONTAIN QUALIFYING CALLS?
   (C) DISTANCES AND AREAS IN BOTH ENGLISH AND METRIC UNITS?
   (D) DOES THE DESCRIPTION CALL FOR POINT NUMBER ON THE RW PARCEL PLAT?
   (E) DOES THE DESCRIPTION CONTAIN THE R.E.R. (P.E.R.) STATEMENT IF NEEDED?
   (F) IS THE CAPTION CORRECT? SECTION, TOWNSHIP, AND RANGE, QUARTER SECTION.
   (G) WAS THE CORRECT TRANSFER INSTRUMENT USED?

4. CHECK AREAS ON L-10
   (A) DOES THE AREA MATCH THE AREA ON THE DEED?
   (B) IS THE NATURE OF TITLE CORRECT? (FS OR TE)

5. CHECK THE RW PARCEL PLAT (EXHIBIT "B")
   (A) IS THE OWNERS NAME CORRECT?
   (B) IS THE DEED RECORD AND PAGE CORRECT?
   (C) ARE THE STATION AND OFFSETS AND THE COORDINATE VALUES MATCH THE COGO
      PRINT OUT?
   (D) HAS THE PLAT BEEN SIGNED AND SEALED BY AN INDIANA LAND SURVEYOR?
   (E) CAN THE OWNERS DEED BE LOCATED (PARTIALLY TRACED) ON THE PLAT?
   (F) DOES THE PLAT SHOW AT LEAST THE SECTION CORNER, QUARTER SECTION CORNER,
      QUARTER-QUARTER SECTION CORNER, OR NAME OF SUBDIVISION WITH PLAT BOOK AND
      PAGE?

6. CHECK THE PLANS
   (A) IS THE OWNERS NAME CORRECT?
   (B) ARE THE PARCEL NUMBERS ON THE PLANS, PLAN & PROFILE & PLAT NO. 1 OR DETAIL
      SHEETS?
   (C) ARE THE PROPERTY LINES LOCATED WITH AT LEAST TWO POINTS (PLUS OFFSET, RANGE
      PLUS, ANGLE) AND DELINEATED?
   (D) ARE THE LOTS AND SUBDIVISION NAME SHOWN IF NECESSARY?
   (E) IS THE RW CODE NUMBER ON EACH SHEET?
   (F) EASEMENTS AND EASEMENT NOTES PERTAINING TO THE PARCEL, ARE THEY ON THE
      PLANS?

I, the undersigned Professional Land Surveyor for Parsons, Cunningham & Sharpie Engineers, Inc

certify the above items have been reviewed and are correct.

Brian M. Stanoch, P.S
State of Indiana No. LS 2100018

7/28/2015

8/27/01 -- Revised 9-26-01 -- RLR
How Do We Pass on the Information?
Electronic Record Management System
Land Record System (LRS) Entry/LRS Approval
Land Record System (LRS) Entry/LRS Approval
Right of Way Services
Remaining Land Acquisition Services

• Appraising
• Buying
• Negotiations
• Review/Finance & Clearance
What Sets Back a Project?
What Sets Back a Project?

• Engineering Design Changes/Conflicts/Negotiations

• Property issues/Right of Way changes/Ownership/Encumbrances
Property Issues/Right of Way Changes/Ownership/Encumbrances
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Property Issues/Right of Way Changes/Ownership/Encumbrances
Change in Ownership/
T & E Report update needed
Questions?
Sources for this presentation:

2. INDOT LPA Guidance Document (July 31, 2015)
4. Real Estate Division Manual (January 2016)
5. Indiana Land Title Associations Real Estate Handbook (Vol. 1)

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grant@pcsengineers.com

Rodney Kelly, PS  
rkelly@pcsengineers.com

www.pcsengineers.com