Right of Way Mapping Procedure Manual

Table of Revisions

Preface.............................................................................................................March, 2008
Added statement briefly describing the changes

Chapter 1  Introduction to the Right of Way Mapping Process......................... May, 2006
Section 1.3.3 Design - Added an additional responsibility
Section 1.3.9 Construction Group - Added an additional responsibility

Chapter 2  Consultant ROW Mapping Services.............................................March, 2008
Section 2.8 Added the following information “If the parcel to be acquired and/or conveyed to NYSDOT has an existing utility line easement running through the parcel and the utility line is not going to be allowed to exist, the developer would be required to extinguish the easement.”

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Chapter 3  Abstract Request Map........................................................................ May, 2006
Section 3.6 Supplemental Abstract Request Map – Added note regarding previous Temporary Reference Numbers

Chapter 4  Highway Boundary and Property Line Determination.....................March, 2008
Section 4.5.3 Setting Minimum Highway Widths – Changed Metric Unit to US Customary Unit

Chapter 5  Acquisition Maps...........................................................................March, 2008
Section 5.2.2 Mapping Beds of Streets and Beds of Streams – Added statement regarding the need for full descriptions, ability to acquire beds on more than one road on a single map, statement regarding intersecting roads, and statement indicating the laws the map should be pursuant to.
Section 5.2.4 Mapping projects of other State Agencies for which the Department of Transportation is the Acquiring Agency – Added information regarding the Statement of Necessity.
Section 5.2.6 New section “Additional maps required during Construction”
Section 5.5 Map Elements With Example Map depicting Element Locations – Changed Example map to meet current mapping standards
Section 5.8.5.2 Tax Map Reference Number (Element 2h) – added Statement regarding use of Tax Map Reference Number and the need for a full description when there is no Parcel Number.
Section 5.8.5.3 City, Village (Element 2i) – Added statement regarding the need to indicate on the map and description all municipalities in which the parcel is located.
5.11.2 Permanent Easement Preambles (Element 5b) - Section 2a Railroad Right of Way – added description of Operating Railroad Right of Way
5.11.2 Permanent Easement Preambles (Element 5b) - Section 2g. Wetlands Mitigation – added reference to additional laws that may be Used and added reference to the addition of a note to the map as requested by the United States Army Corps of Engineers.
5.11.3 Temporary Easement Preambles (Element 5c) – Section 1
Standard Temporary Easement Preamble - Temporary Easement For Excavating And Removing Earth And Other Material And Work Area - added the words And Work Area and modified the insert by adding "... for the purpose and the exclusive right to excavate and remove earth and other material.

5.11.4 Reservation Clauses (Element 5d) – Section A. Reservations on Fee Appropriations – Number 14. Special Reservations - took out Sight Distance item, also the Reservation has been removed Also modified the Permanent and Temporary Easement Preambles to add the words “with access”.

5.12.1 Fee or Fee Without Access Preamble (Element 6a) – Added preamble for fee without access appropriation map and fee with access with a fee without access appropriation map that do not require a full written description.

5.14.2 Project Certification (Element 8b) – Added to section on Local Projects that this is applies to other State Agencies.

5.16 Statement Of Necessity And Authority (Element 10)
Item N - Section 10, Subdivision 34-A, of the Highway Law – Added additional information.

5.16 Statement Of Necessity And Authority (Element 10) – Special Statements of Necessity and Authority - Section 1.Grade Crossing Eliminations – added the following to the statement "Map of property which the Commissioner of Transportation deems necessary to be acquired by appropriation in the name of the People of the State of New York."

5.16 Statement Of Necessity And Authority (Element 10) – Special Statements of Necessity and Authority – Section 4.Appropriations for Off State Systems – this is a new Statement of Necessity and Authority that was added.

5.18.2 Certification Of "True Copy" (Element 12b) – added the word “State” to the certification.

5.9.1 Scale Bar (Element 3a) – Changed reference to map scale from Metric Units to Us Customary Units.

5.9.3 Baseline Ties (Element 3c) - Changed required decimal places from 4 decimal places to 3 decimal places.

5.9.4 Map Delineation (Element 3d)
Section 3. ROW Taking Line – Changed references to minimum distances from Metric Units to US Customary Units.

Section 6. Stations and Offsets - Changed references to minimum distances from Metric Units to US Customary Units.

Section 9. Area of each parcel – Changed reference to area units from Square Meters to Square Feet as follows:
Area shall be shown in Square Feet, to the nearest foot (±), up to 1 Acre, any area greater than 1 Acre will be shown as Acres, to 3 decimal places (±).

Section10. Area of Parcels Underwater - Changed reference to area units from Square Meters to Square Feet as follows:
Total Area = ± Sq. Ft. of which ± Sq. Ft. is underwater.
Total Area = ± Acre of which ± Sq. Ft. is underwater.

Section12. Reservation and/or "Subject To" data – Changed reference to Metric Unit to US Customary Unit
Removed the need for a conversion box or dual dimensions

5.11.2 Permanent Easement Preambles (Element 5b) - 2.Special Permanent Easement Preambles
Section e. Sight Distance – added the statement: The standard reservation clause is included.
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Section f. Flooding and Overflowing – added the statement: The standard reservation clause is included.

5.11.3 Temporary Easement Preambles (Element 5c) - 2 Special Temporary Easement Preambles

Section a. Removing or Razing Structures – added the statement: The standard reservation clause is included.

5.11.4 Reservation Clauses (Element 5d) – Changed the references to distances from Metric Units to US Customary Units

5.11.5 "Subject To" Clauses (Element 5e) - Changed the references to distances from Metric Units to US Customary Units

5.12.2 Parcel Description (Element 6b) - Changed references to distances from Metric Units to US Customary Units

5.15.2 Total Area To Be Acquired (Element 9b) – Changed reference to area units from Square Meters to Square Feet as follows:
Area shall be shown in Square Feet, to the nearest foot (±), up to 1 Acre, any area greater than 1 Acre will be shown as Acres, to 3 decimal places (±).

Chapter 6 Highway Boundary Plan..............................................................................June, 2002

Chapter 7 Transfer of Jurisdiction Maps.................................................................March, 2008

Section 7.1 Chapter Overview – Added additional information regarding Canal Lands and requirement of full descriptions on all maps refered to in this chapter.

7.2 General Information – Section 2. Lands Directly From Other Agencies –Revised section description and added reference to example maps.

7.2 General Information – Section 3 Intra D.O.T. Transfer of Use – added reference to example map.

7.3.4 Canal Lands – Added reference to example map

7.3.5 Lands Underwater – added description of use of T-Map for acquiring Lands Underwater. Added reference to example map.

7.4.3 Forest Preserve Lands - Adirondack & Catskill State Parks – added reference to Section 212 of the Highway Law. Description of special features regarding the Exchange of Jurisdiction.

7.4.4 Reforestation Areas (within sixteen counties) – Added reference to Section 212 of the Highway Law.

7.4.5 Concurrent Use and Occupancy – added an exception and Specific use by the Department of Environmental Conservation. Added reference to example map.

7.5.1 Transfer of Use – Added reference to example map and example Official Order.

7.6 Transfer From D.O.T. to Another Agency – Added reference to submittal procedure for T-Map. Added reference to example map

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7.3.4 Canal Lands - Added step by step procedure for transferring property from the Canal Corporation to DOT, when the property is not part of the existing canal.
Chapter 8  Miscellaneous Special Maps.............................. March, 2008
8.1 Chapter Overview - Added reference to Correction Map and Break in Access Sections.
8.2 Deed Maps (“D” Maps) – Added information to the Section.
8.2.1.2 Remnant Parcels – Added information to the Section.
8.2.1.3 Scenic Enhancement – Added additional statement
8.2.1.5 Lands of Mary W. Harriman Estate – added statement on ownership
8.2.1.6 Urban Renewal Agencies – added statement about deed necessary to acquire property
8.2.1.7 Maintenance Sites – added additional information one new statement is about disposal of property.
8.2.1.8 Power Authority of the State of New York – New section added to the manual.
8.2.2 Map Preparation – Added statement regarding exception on remnant parcel Deed maps.
8.2.2.1 Parcel Description – Added information on statement of intent.
8.2.2.4 Standard Element Alteration – Most of the information in this section was revised.
8.3.1 Authorization and Use – Added statement that begins with "If not prohibited…"
8.4.1 Necessity and Use – Added statement about property line errors on Claim Maps.
8.5.1 General Comments (Conveyance Maps) – Added a description of the various laws used for conveying property.
8.5.3.3 Map Delineation (Conveyance Maps) – Modified comment “b” and added comment “g”.
8.5.3.5 Parcel Description (Conveyance Maps) – Added statements regarding conveyance of county owned property.
8.5.3.6 “Subject To” Reservation and Reverter Clauses – added comment on if property to be conveyed is encumbered by an easement. Also added section on reverter clauses along with modifications to the other portions of this sections.
8.6 Abandonment Maps - Disposal of Property – In subsection “a” there is a statement indicating that a full description is needed on Abandonment Maps. Subsections “b” and “c” are new.
8.6.2 Standard Element Alteration (Abandonment Maps) – Added additional alterations when property is to be abandoned to a city, town or village.
8.7.2 Bankruptcy Clause – modified the Bankruptcy Clause
8.7.3 Standard Element Alteration (Bankruptcy Maps) – This section was added to define the differences in the standard element information.
8.8 Correction Maps – This new section in the manual defines the necessity and preparation of Correction Maps.
8.9 Access – This new section in the manual defines the process for creating a break in access to a highway and the process for prohibiting access to a highway
8.2 Deed Maps (“D” Maps)
8.2.1.9 – Metropolitan Transportation Authority (MTA)-New section added to the manual.
8.2.2.1 Parcel Description – Changed the statements of Intent as follows:
When conveying all the remaining rights use the following:

It is intended herein to convey to the People of the State of New York (Department of Transportation) all the remaining rights of ________________ (reputed owner) as they were conveyed by deed recorded in the ____________________ County Clerk’s Office on ____________________ in Liber ________ of deeds at page ________.

When conveying only a portion of the remaining rights use the following:

It is intended herein to convey to the People of the State of New York (Department of Transportation) a portion of the remaining rights of ________________ (reputed owner), as described above, as they were conveyed by deed recorded in the ____________________ County Clerk’s Office on ____________________ in Liber ________ of deeds at page ________.

8.3 Temporary Occupancy (T.O.) Maps
8.3.4.3 Typing
d. Total Area – The units were changed from Metric to US Customary as follows:
Total Area = 1,234 ± Sq. Ft. when the Total Area is less than 1 Acre or
Total Area = 1.123 ± Acre when the total area is greater than 1 Acre

8.8 Correction Maps
8.8.1 Necessity and Use – Revised the description of when to use Affidavits and Correction Maps.
8.8.2 Correction Map Preparation – Revised the clauses used on Correction Maps.

Index.........................................................................................................................................................March, 2008
List of Abbreviations of Terms........................................................................................................March, 2008
Included additional Abbreviations
Glossary of Terms................................................................................................................March, 2008
Included additional Terms, Added definitions of Turnpikes and Plank Roads
Appendices........................................................................................................................................March, 2008

All the current example maps in Appendix “Q” have been revised to the Microstation Version 8 Format. Also there have been 12 new examples added to the list of example maps. Most of the new example maps define mapping procedures located in Chapters 7 and 8 of the manual.

All the example maps in Appendix “Q” have been revised to US Customary Units from Metric Units.
Added Appendix “R” - Affidavits for correcting maps.

DECEMBER 2014 Limited Revision

3.5 Added 1 digital copy to the 4 prints of the ARM that the ROW Mapping Unit transmits to the Regional Real Estate Group.

SEPTEMBER 2019 Limited Revision

1.2.5 and 5.14.1 Revised to allow for electronic seal and digital signatures.