

District 6

Right of Way Policy

Policy Basics

- “Required Right of Way to be Deeded to the Commonwealth”
- Least intrusive take
 - 4 to 5 feet beyond the edge of shoulder or the back of curb.
 - Right of way lines will be set at an even dimension parallel to center line. All Right of Way lines will close at right angles.

Right of Way Projects

- Simple Projects use:
 - DM Part 3 section 3.3.06
- Large Projects use:
 - DM Part 3 section 3.3.01
 - Strike off letter 432-00-04

Types of Acquisition

- Fee Simple M950 D-1
- Highway Easement M950 D-2
- Drainage Easement M950 D-3
- Slope Easement
- Temporary Construction Easement

**Abstract of Title, Title Report
or Title Search**

- District 6 requires a title certificate for each parcel of land conveyed

**Amicable Conveyance of Right
of Way**

- Permittee acquires property
- Property is then conveyed to PENNDOT by the Permittee
- Warranty of title remains in chain of conveyance

Right of Way by Condemnation

- Municipality: Rights of Eminent Domain
- Department must authorize Municipality
 - Department's consent is the signature of Secretary on the right of way plans
 - Strike Off Letter 432-00-04
 - Local Public Brochure Pub 98

Utilities in Right of Way

- Right of way lines will be extended to include all utilities
- No utilities will be placed in private status.
- It is the responsibility of the developer to deal with a Right of Way take which will include an existing utility in a private easement

PRIOR TO ISSUANCE OF PERMIT

- All Right of Way must be given to the Department by the use of a M 950 D-1 (fee simple deed) the M 950 D-1 must be accompany be the following
 - A Platt plan
 - A meets and bounds description
 - A certificate of title
- All deeds must be then recorded in the county court house before the permit is issued

**BEFORE PERMIT IS CLOSED
OUT**

- A set of right of way plans must be prepared
 - These plans will be reviewed by the Department
 - Once the plans are accepted they will be forwarded to Harrisburg for the Secretary's signature.
 - The signed set of plans will then be recorded in the county court house
 - Finally, the recorded plans will be send to Harrisburg for archiving.
- No permit will be closed out until the right of way procedure is complete
