Chapter 12 Right-of-Way Plat and Exhibit Development Transportation Project Plat Preparation Section 10

FDM 12-10-1 Guidelines November 15, 2023

1.1 Introduction

This procedure sets forth the requirements for producing a Transportation Project Plat (TPP). Many of these requirements are specified in Wisconsin Statutes Section 84.095. To ensure that all requirements are met, use the checklist in FDM 12-10-5, Plat Preparation Checklist.

These guidelines are to be used when preparing Transportation Project Plats for all projects that involve the permanent acquisition of lands or interests. The Transportation Project Plat will continue to fulfill the role of the right-of-way plat; however, it differs from the traditional right-of-way plat in a number of ways.

- The Transportation Project Plat is the legal document showing the permanent land interests being acquired by the department in conjunction with a transportation improvement project.
- A Transportation Project Plat may be either a stand-alone document that contains all the information pertaining to the parcels shown on one page, or it may consist of a detail page and other sheets accompanying that page.
- Transportation Project Plats will become a permanent document that have an increased value as a reference for all conveyances of land interests within the right-of-way and adjacent to the right-of-way. They will be recorded in the office of the county Register of Deeds, since that is the traditional location for the preservation of land records, and the access point to land records by the public.
- The traditional right-of-way plat did not meet the definition of a plat in that the deed description did not refer to the plat. The land interests were acquired by means of a deed containing a metes and bounds description, which established the limits of the acquisition. The deed will now reference a parcel number and show the parcel on the recorded Transportation Project Plat.

A Transportation Project Plat is a scaled graphical representation of the land interests being acquired by the department and shall include sufficient information to be used as the basic document for surveying, preparing property descriptions, and appraising the proposed right-of-way. The Transportation Project Plat shall show the extent of the acquisition, contain the information necessary to define the right-of-way line, and show the relationship of the plat to the county, township, range, section, quarter-quarter section, recorded private claim, government lot, certified survey map, assessor's plat, subdivision plat, or another Transportation Project Plat in which it is located. Each TPP page is a snapshot in time and shall reflect the current conditions at the time of recording. The information shown on the plat page needs to be clear and legible to depict the department's real estate acquisitions and right-of-way boundaries. Therefore, all information on a TPP shall be shown as black on white with no gray shading or line work.

Since there are no metes and bounds descriptions in the acquisition deeds, the plat must be understandable. Careful attention to placement of all the information in the plat is essential. Utility lines, hatch patterns, access control symbols or other text can make the bearings and distances difficult to read and make the plat inadequate as the means for the description of the lands and interests to be acquired. In cluttered areas, use leaders, arrows, course tables, enlargement details and accompanying sheets to ensure that all bearings and distances can be read.

The Transportation Project Plat shall be prepared either as a single stand-alone plat page or as a combination of a detail page and other sheets accompanying that page. Each stand-alone TPP page will be recorded and referenced as a unique document and shall contain all the required information for that page. If accompanying sheets are included, the recording information will be shown on the first page of the document, which will be the detail page.

Attachment 1.1 is a sample stand-alone TPP example. The Register of Deeds recording block shall be located in the upper right corner of the plat page. All other information shall be positioned based upon the best usage of available space.

For a project with consecutive pages, begin and end each Transportation Project Plat abruptly at a government line (section line, quarter-section line, sixteenth line, etc.) or property line, preferably in that order of importance. If this is not possible, create a match line. Do not overlap, or duplicate information from one plat page to the next, except such information as necessary to define the plat; e.g., section corner and accompanying coordinate information, section line ties and proposed alignment information.

The guidance given below is organized by what information belongs on a TPP detail page and a title sheet. A stand-alone TPP will include all the items listed below except the state map with counties outlined.

1.2 Detail Page

The detail page is the first page in the set. When an accompanying sheet is added to a detail page the detail page becomes sheet 1 of XX in the set. No more than two accompanying sheets shall be included with a detail page. It shall contain the following items as appropriate.

1.2.1 Accompanying Sheets

Sometimes a detail page will become crowded and hard to read that making an accompanying sheet advantageous.

1.2.1.1 Title Sheet

When the detail page/title sheet configuration is used, the title sheet can apply to several detail pages. Attachment 1.5 shows how Attachment 1.1 would look if the plat was set up as a detail page and title sheet. These examples are not intended to restrict the location of specific information, except for the area reserved for the Register of Deeds recording block. In this case the title sheet is recorded with the first detail page submitted for the project. This may or may not be page 4.01. The page that the title sheet is recorded with shall contain a reference note such as the example below.

For additional information refer to the Title Sheet, recorded as Sheet 2 of 2.

Subsequent detail pages shall contain a reference note such as the example below.

Refer to the Title Sheet, recorded as Sheet 2 of 2, in Volume X of Transportation Project Plats, Page X, as Document No. XXXXXXX for additional information.

Refer to Section 1.3.1 for Title Sheet requirements.

1.2.1.2 Extension Sheet

When the detail page becomes crowded and hard to read consider making a second detail sheet. The first page of the recording shall contain a reference note such as the example below. See <u>Attachment 1.9</u> for example

For tables and enlargements refer to Extension Sheet, recorded as Sheet 2 of 2

Refer to section 1.3.2 for Extension Sheet requirements.

1.2.1.3 Utility Sheet

When the detail page becomes crowded and hard to read due to the amount of compensable utilities and utility related information consider making a second detail sheet containing the compensable utility information. The first page of the recording shall contain a reference note such as the example below. See Attachment 1.10 for example

For compensable utilities and utility related information refer to Utility Sheet, recorded as Sheet 2 of 2 Refer to section 1.3.3 for Utility Sheet requirements.

1.2.2 City, Village, Town, and County Designations

The city, village, town, and county names shall be shown on the Transportation Project Plat. The line style designating the city or village limits shall be shown on the plat. When a transportation project is in more than one county, a separate Transportation Project Plat shall be recorded in each county.

1.2.3 Appraisal Plat Date

On every Transportation Project Plat a date shall be shown as the appraisal plat date. This date indicates when the plat is ready for appraisals to begin. This date shall be located outside of the main border of the Transportation Project Plat and normally located below or to the left of the plat. This date will be used in the appraisal process to verify which plat was used for the appraisal. A new appraisal plat date is needed when there are plat changes that will affect interests being acquired by the department. When acquisition interests are changed, the real estate agent responsible for the project should be notified of the changes, the parcels impacted, and the new appraisal plat date. If the plat is submitted prior to the start of the appraisal process use the same date that the plat preparer certifies the plat page.

1.2.4 Relocation Order

Every plat shall contain an official order or resolution of the department, city, village, town, or county authorizing the project. The relocation order shall appear substantially the same as that shown in Figure 1.1. The relocation order on each plat shall pertain to the specific area shown on that plat page. The relocation order is approved on the date the plat is signed in the region by an authorized person for the department. When local entities are the condemning authority, the underlined references in the relocation order below, shall refer to the local municipality, town, or county. The relocation order shall also refer to the appropriate statute(s), authorizing the local entity to acquire. Refer to Section 1.12.2 - Relocation Order of the Local Program Real Estate Manual (LP RE Manual) (wisconsin Department of Transportation Local Program Real Estate Manual (LP RE Manual) (wisconsindot.gov). A plat being created for a LPA or "Connecting Highway" project shall only be signed by the entity under whose authority the property is being acquired in

addition to the person overseeing the plat preparation.

RELOCATION ORDER (HIGHWAY NAME) (PROJECT TITLE and LIMITS) COUNTY.

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, <u>THE STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION</u> DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE-NAMED PROJECT.

TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SUBSECTIONS <u>84.02 (3)</u>, <u>84.09 AND</u> 84.30, WISCONSIN STATUTES, THE DEPARTMENT OF TRANSPORTATION HEREBY ORDERS THAT:

- 1. THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE-NAMED PROJECT.
- 2. THE LANDS OR INTERESTS OR RIGHTS IN LANDS AS SHOWN ON THIS PLAT ARE REQUIRED BY THE <u>DEPARTMENT</u> FOR THE ABOVE PROJECT AND SHALL BE ACQUIRED IN THE NAME OF THE <u>STATE OF</u> <u>WISCONSIN</u>, PURSUANT TO THE PROVISIONS OF <u>SUB</u>SECTION <u>84.09 (1) OR (2)</u>, WISCONSIN STATUTES.

Figure 1.1. Relocation Order

1.2.5 Project Title

Each Transportation Project Plat will have a unique project number. This information should be shown as "TRANSPORTATION PROJECT PLAT (Real Estate Project (TPP) Number) - (Page Number)" and shall be printed on the plat in prominent letters. The following parcel location information (as appropriate) of the property(s) where there are any rights or interests to be acquired, shall be included in the title. See <u>Attachment 1.1</u> for an example location description.

- Subdivision plat including lots and blocks
- Assessors plat including lots and blocks
- Certified survey map including lots
- Government lot
- Recorded private claim
- Vacated Roads
- Quarter-quarter section
- Section, township, range, and county

Since many projects will have multiple plats, the department will include, as part of the project number, the page number to make each plat unique within the project. The first plat of a project shall be numbered _____-__- 4.01, (project number-page number); and the second plat of a project shall be _____-_-_-4.02, (project number-page number), etc. The plat title shall contain the project number and the page number together. This will produce the unique entry for the index in the office of the Register of Deeds. A design project number or a construction project number shall NOT be used in a Transportation Project Plat number. All page numbers shall contain two digits after the decimal, i.e. 4.01, 4.02, 4.10, 4.21, etc. and shall be numbered consecutively, increasing in the direction of the project.

1.2.6 Local Agency Signature

When a Transportation Project Plat is prepared for or in conjunction with a local agency, provision should be made for the signature(s) of the approving local agency official(s). A signature block similar to <u>Figure 1.2</u> shall be incorporated to the into the Surveyor's Certificate in <u>FDM 12-10-1.2.7</u> replacing the Wisconsin Department of Transportation relocation order approval statement for this purpose. Prior to the recording, the plat must be signed by a representative from every agency authorizing approval of the plat.

THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE (CITY, VILLAGE, TOWN, OR COUNTY) OF
PRINTED NAME SIGNATURE DATE

Figure 1.2 Local Government Signature Block

1.2.7 Surveyor's Certificate

Transportation Project Plats prepared under contract by a consultant working for the department, a city, a village, a town, or a county shall be signed and sealed by a professional land surveyor licensed under Wisconsin Statutes Section 443.06. In addition, the name of the consulting firm employing the surveyor is also required. Place either the name of the firm or the company logo in the space provided (refer to Figure 1.3). The logo may be shown only if it does not interfere with the information required to be shown on the plat.

As of August 1, 2014, all Transportation Project Plats prepared by the department shall be sealed and signed by a professional land surveyor licensed under Wisconsin Statutes Section 443.06 (see <u>Figure 1.3</u>).

A plat prepared for recording under Wisconsin Statutes Section 84.095. shall include a certificate of a professional land surveyor licensed under Wisconsin Statutes Section 443.06. which states that the plat is a correct representation of the project described and that the identification and location of each parcel can be determined from the plat. Use a signature block as shown in Figure 1.3 on a plat prepared by a professional land surveyor licensed under Wisconsin Statutes Section 443.06. Figure 1.3 also includes the department or municipal approval statement and signature in the same block. Signature block is available on WisDOT page templates.

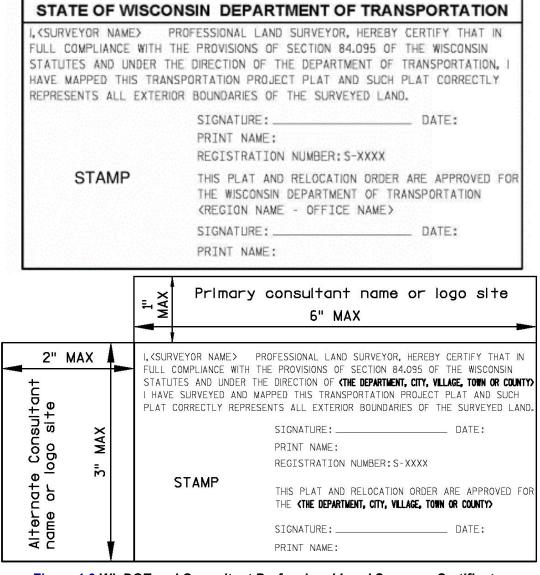


Figure 1.3 WisDOT and Consultant Professional Land Surveyor Certificates

1.2.8 Plat Dimensions and Register of Deeds Recording Block

The Transportation Project Plat which is recorded in the county office of the Register of Deeds is required to have a 1-inch margin on all sides. It is to be reproduced on any material that is capable of clearly legible reproduction and is acceptable to the Register of Deeds. The TPP will be either 30" x 22" or, if acceptable to a

specific Register of Deeds, it may be 34" x 22".

Space will be provided for the Register of Deeds to add recording information to the plat. This will include a notation for the recording information for that specific plat and references to any affidavits of correction or amendment plats. A standard text block like the one shown in Figure 1.4 shall be used. A block that measures 3 inches wide by 3-3/4 inches high allows enough room for the Register of Deeds recording information. The lower portion of the signature block should be 3/4-inches high and include space to note the project number with page number included, amendment number and any accompanying sheets as shown below. If a TPP page doesn't contain any accompanying sheets, then the block can be edited to remove accompanying sheet information. The area reserved for the Register of Deeds recording block will be located in the upper right-hand corner of the plat.

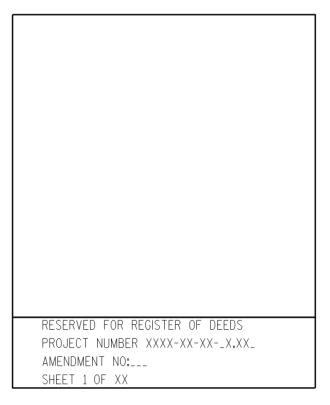


Figure 1.4 Register of Deeds Signature Block

1.2.9 Scale and North Arrow

Plat pages will typically be drawn using one of the scales listed below.

1 inch = 200 feet (rural areas) 1 inch = 50 feet 1 inch = 100 feet 1 inch = 20 feet

These values have proven to be the most useful in the greatest number of situations; however, other scales may be used in certain situations. Additional scales that may be used are 1 inch = 10 feet, 1 inch = 30 feet, 1 inch = 40 feet and 1 inch = 60 feet (scales shown on an engineer's scales). Consider the readability of the pages when choosing a scale. The information shown on the TPP page needs to be clear and legible to depict the department's real estate acquisitions and property boundaries. Data on reduced size sheets become difficult to show clearly if the full-size document is drawn smaller than 1 inch = 200 feet. Even a scale of 1 inch = 100 feet is sometimes difficult to read when the document is reduced. Therefore, not all consecutive plat pages need be drawn at the same scale. Plat pages crowded with data may be drawn at 1 inch = 50 feet and others at 1 inch=100 feet. If an otherwise adequately scaled plat has isolated spots of cramped detail, enlargements of the crowded areas may be used on the plat to provide clarity. When such enlargements are used, it is not necessary to reproduce base page topography unrelated to what is intended to be communicated by the enlargement.

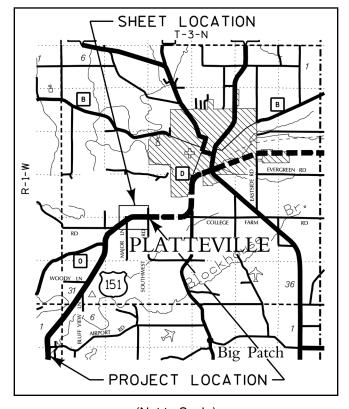
Each plat shall have a north arrow symbol along with a graphic scale bar. The right-of-way plat staff will determine the size and location of the scale and north arrow symbols to best use the space available. North should be oriented to the top of the page unless the detail proportions are such that the orientation to the right side (rotated clockwise 90 degrees) is desirable.

1.2.10 Location Sketch

Maps should be to an appropriate scale and in sufficient detail to readily depict the project location. Portions of county, town, or city maps may be used. Sufficient detail must be shown to enable the user to relate to known geographic features. The maximum size of the location sketch on the detail page shall be 4" x 4". Show the following information on the location sketch:

- Show the beginning and ending locations of right-of-way acquisition for each page.
- Show additional, streets or highways that may help in the location of the project.
- Show the location of the village or city when the highway improvement project is located near the limits of the village or city.
- The location sketch shall have the same orientation as the Transportation Project Plat page. (North should be oriented to the top of the page unless the TPP page proportions are such that the orientation to the right side is desirable.) The location sketch does not need to show a north arrow except when the orientation of the sketch is different than the orientation of the TPP page.

See Figure 1.5 for example location sketch.



(Not to Scale)

Figure 1.5 Sample Location Sketch

1.2.11 Coordinate Reference

All coordinates and bearings shown on Transportation Project Plats (TPPs) shall be oriented to the Wisconsin Coordinate Reference System (WISCRS) in accordance with <u>FDM 9-5-10</u>, Standard Geodetic References. The coordinate reference note to be used on all TPPs shall read: "*Positions shown on this plat are Wisconsin Coordinate Reference System Coordinates (WISCRS), (County name) County, NAD 83 (year) in US Survey Feet. Values shown are grid coordinates, grid bearings, and grid distances. Grid distances may be used as ground distances."*

The notes may include a reference to the station or stations used and the year the survey was done. When the project is located in more than one county or parallels the county line and rights or interests are acquired in both counties, use the multiple county overlap guidance as stated in FDM 9-20-27.

1.2.12 U.S. Public Land Survey System Reference Information

Describe and reference at least two United States Public Land Survey System (USPLSS) corners to the new

highway reference line and to the highway right-of-way lines shown on each TPP page at the time of recording. A USPLSS corner is defined as a government lot corner, section corner, or quarter-quarter corner. A minimum of two USPLSS corners need to be recovered or reestablished to establish a reference basis for the plat. If more than two USPLSS corners were recovered or reestablished and are shown on the TPP page, then describe and reference them to the highway reference line and to the highway right-of-way lines shown on the TPP page. If a USPLSS corner is not located within the platting limits depicted on the detail sheet, a line sketch, not to scale, may be used to reference the USPLSS corner to the highway reference line and to the highway right-of-way lines shown on the TPP page.

Each USPLSS corner shown that was not recovered or reestablished shall include the note, "Not Recovered" or "Computed". If the location of the USPLSS corner was computed include the reference information stating how the location of the monument was determined and the coordinates of the computed location. If one or more USPLSS corners need to be perpetuated to establish a reference basis for the plat, this shall be done in accordance with <u>FDM 9-5-1</u>, Perpetuation of Landmarks.

Each recovered USPLSS corner shall include coordinate values to a minimum of two decimal places, relating to the Wisconsin Coordinate Reference System (WISCRS), three decimal places are preferable, contact Region plat coordinator. Whether two decimal places or three decimal places are chosen, all the coordinates on all the TPP pages for the TPP project need to be shown in a consistent manner. Descriptions of all depicted USPLSS corners should include the type of monument (e.g., Harrison Monument, Berntsen Monument).

Section corner and quarter corner information (see Attachment 1.2) shall be readable and oriented to the north arrow shown on the TPP page. Show numbers and proper designation of government lots. Show section, township, and range numbers. When a section corner is located beyond the limits of the TPP page, the corner shall appear in line with its actual location, separated from an extension of the section line or quarter-section line by a broken line.

1.2.13 Existing and New Locations of the Transportation Facility

The Transportation Project Plat will clearly show the highway number and name of adjacent and intersecting roads, the existing reference or centerlines, the existing right-of-way lines, and the new reference and right-of-way lines. See Chapter 9, Section 50 for further resource information.

1.2.13.1 Existing Locations

Show existing highway centerlines, reference lines, right-of-way lines and widths when the existing right-of-way lies within or abuts the proposed right-of-way. Right-of-way lines and widths shall be shown from the previous project reference line or conveyance that established the right-of-way lines. If monuments have been found and accepted from a previous monumentation plat, the right-of-way lines and widths shall be shown from the previous right-of-way delineation plat reference line. If right-of-way lines were established by platted land surveys or other surveys of record, show platted widths. If no records can be found, show state statutory widths using existing centerline of the highway. When the existing right-of-way is parallel to the reference line that established or re-established the lines, the widths shall be shown perpendicular from the reference line to the existing right-of-way line. When the existing right-of-way is not parallel to the reference line that established or re-established the lines, the widths shall be shown perpendicular from the reference line to the angle points in the line. If found right-of-way monuments from previous right-of-way plats are being accepted, include "as recorded" information from the previous right-of-way plats. The information shall be indicated in parentheses. The use of the parenthesis is to show the previously recorded or filed widths.

1.2.13.2 New Locations

The new right-of-way line should generally parallel the construction limits, with sufficient allowances for construction operations. Where the alignment curves, right-of-way may be defined along either a curve or a series of tangents, whichever best fits the situation (see Attachment 1.3). When the new right-of-way line curves, include the right-of-way curve length, long-chord length, long-chord bearing, and the radius length. When a right-of-way curve intersects a field located USPLSS, recorded private claim or federal reservation line, two sets of curve data should be shown for the parts of the curve on either side of the located line. When a new reference line curve intersects a field located USPLSS, recorded private claim or federal reservation line, three sets of curve data should be shown. Two for the parts of the curve on either side of the located line and one that is continuous through the located line (see FDM 12-1 Attachment 15.1). When a right-of-way curve continues onto the next plat page, each plat page shall show the curve data that is specific to that page. Do not place right-of-way line angle points on or near intersecting property lines that have not been located by acceptable survey practices or have not been retraced in the field, because the angle point may be misinterpreted by others to be on the intersecting property line. If an angle point in the right-of-way must be located on an intersecting property line, show a non-monumented right-of-way point at the angle point on the derived location of the property line.

The location of the new highway reference line shall be tied to the nearest two monumented USPLSS, recorded private claim or federal reservation corners by bearing and distance. The distance and bearing between the

reference line and the ends of the right-of-way boundary lines shall be shown. If one or both ends of the highway reference line and the right-of-way boundary line(s) on the plat intersect with a USPLSS, recorded private claim, or federal reservation line, the location of each shall be shown without showing the placement of a physical monument. Placing monuments on USPLSS, recorded private claim, or federal reservation lines should be avoided, unless the location of these lines has been determined.

Where a USPLSS line lies on or near the highway reference line, the relationship between the lines shall be clearly shown. Use an enlargement detail of the area if necessary. Show reference line stations of intersecting USPLSS, recorded private claim or federal reservation lines. Distances and bearings shall be shown as close to the line segment as possible or in a table.

Show reference line alignment data for curves and points of intersection when applicable. Include P.I. stations for alignment curves and points of intersection, coordinates of P.I. in project coordinate system, delta angle (Δ) with direction, tangent length (T), length of curve (L), the radius (R), and the degree of curve (D) of the reference line alignment. Long-chord bearing and distance can be shown instead of direction of curve. When a reference line curve continues onto the next plat page, each plat page shall show the curve data that is specific to that page and the entire reference line curve data on both pages. The ahead or back alignment tangent direction and the PC or PT station of the portion of the curve that isn't shown on the plat page shall be included in the curve data.

Show only reference lines that are used to define the right-of-way on the TPP page. If multiple alignments are shown on the TPP page, then alpha designations shall be shown for secondary or auxiliary alignments, see FDM 15-1-35.2.

Use dashed lines to show limits of existing highway right-of-way. Show new highway right-of-way with a bold solid line. If an existing highway easement is to be converted to fee, show the existing highway right-of-way line for the portion of the easement to be converted as a bold solid line (see FDM 12-1 Attachment 15.1).

Show the exact station of intersections of the right-of-way lines with USPLSS, recorded private claim or federal reservation lines when these lines have been located as stated above.

1.2.14 Basis of Existing Highway Right-of-Way

A historical reference to the existing highway shall be shown on the plat. This information is a very important reference for the reestablishment of existing highway corridors. This information will include such items as how the highway was previously established or re-established, e.g., highway project, platted land surveys or other surveys of record, road record, road dedication, statutory etc. Other applicable information would be the date the highway was established and recording information of legal documents, which established the highway. This information may be shown either in a table or in the notes.

1.2.15 Monumentation

The monumentation of department lands is required to preserve the location of highway boundaries for future use by the department and others. Since physical monuments identify the area of acquisition and are easily understood by the property owner, placed and identifiable monuments are very important to the acquisition process. Existing monuments that are found from previous plats, platted land surveys and other surveys of record shall be shown on the plat and labeled by the size and type of the monument (e.g., 1" IP). Coordinate values (Y and X) shall be shown for all existing monuments. If a table is used in lieu of showing the information in the detail area, each found monument shown in the detail area of the TPP shall be assigned a point number that corresponds with a point number in the table. The following disclaimer shall be added to the notes section on each TPP page or incorporated into the table.

Found monument Information shown represents type and location of existing monuments without opinion as to their validity and use as a property corner.

Monuments set for new or re-established right-of-way will typically be department Type 2 monuments¹. Type 2 monuments are defined in <u>FDM 9-25-10</u>. Non-monumented and computed right-of-way points should also be indicated on the plat.

The primary method for monumentation of land to be acquired is for the monuments to be set prior to the completion of the project. To identify the size and kind of new right-of-way monuments on the Transportation Project Plat, use a statement similar to those found in <u>FDM 12-10-1.3.1.5</u> on each plat page. Refer to the Conventional Symbols for the kind of monument set, see <u>FDM 12-10-1.3.1.4</u>.

FDM Chapter 9 contains department policy and information on right-of-way monumentation. See <u>FDM 9-5-5</u>, Policies, Right-of-Way Monumentation, for the policy; <u>FDM 9-25-6</u>, Right-of-Way Monumentation, for instructions on monument setting; and <u>FDM 9-25-10</u>, Engineering Survey Monuments, for the various

¹Type 1 monuments may be used in lieu of Type 2 monuments.

monument types.

1.2.16 Boundary Point Labels

Boundary point labels are essential if tabular data are shown on the plat. The labels become the identifiers of boundary points and can be used in conjunction with course tables and/or station and offset tables. The labels are used as a way of clearly showing the relationship of the items in the table with their location on the plat. A boundary point label, corresponding to each right-of-way monument, shall be shown on the plat near the right-of-way point. The boundary point labels, which define line segments, should be numbered and the bearings and distances of each line segment shown.

1.2.17 Bearings and Distances

All bearings shall be retraceable on the ground and shall be referenced to the Wisconsin Coordinate Reference System (WISCRS). All plat distances shall be ground distances. Bearings and distances shall be shown for all permanent interests being acquired. Show sufficient bearings and distances of the proposed and existing right-of-way lines that remain, to provide a closed metes and bounds description (right-of-way traverse) of the Department's boundary lines. Show bearings and distances from the proposed alignment and right-of-way lines to recovered U. S. Public Land Survey System (USPLSS) corners to re-establish the department's boundary lines in the future. Bearings and distances shall be shown as close to the line segment as possible or in a course table. To alleviate clutter and ensure that necessary information is not obscured, a "course table" may be utilized. End points that define line segments should be labeled using boundary point labels and the bearings and distances of each line segment should be shown as in Attachment 1.3.

Distances should begin and end at intersections with located USPLSS, recorded private claim or federal reservation lines, angle points, and the beginning and ending of curves. Distances and bearings may be shown to a subsequent point on an adjacent plat page but also needs to be shown to end at the same USPLSS, recorded private claim, federal reservation line or property line at which the plat page ends. A "survey of public record" is defined in <u>FDM 9-5-1</u> as a survey recorded or referred to in the official records of a governmental body, including, but not restricted to, the State Commissioners of Public Land, the county office of the Register of Deeds, the county clerk, or the county surveyor.

If found and accepted existing monuments from previous right-of-way plats, prior platted land surveys or other surveys of record are included in the pages right-of-way traverse, include the "as recorded" information from the document that previously monumented the boundary line. The information shall be indicated in parentheses. The use of the parenthesis is to show the previously recorded or filed information. If any existing monuments are not accepted but are near a right-of-way point, show the difference between location of the found monument(s) and the determined location of the right-of-way point. See Attachment 3.1 and Attachment 15.1 for examples.

1.2.18 Parcel Information

The Department defines a parcel as one contiguous piece of land owned by the same party. A parcel may encompass several tax parcels. Show property lines, parcel numbers, and enough other pertinent information to identify parcels of land and to provide a basis for appraising the impact of the new facility on involved properties. Use property connectors (Z) to combine multiple tax parcels into one contiguous DOT parcel. See Figure 1.6 and Attachment 1.3 for example. References to platted land surveys or other surveys of record shall be shown on the plat.

In platted areas, the lots that are pertinent to the right-of-way plat shall be shown. Other data such as exterior boundaries or other lots may be included for identification purposes. Show recorded names of subdivision, condominium and assessor plats with lot and block numbers and outlots. Show certified survey map numbers, platted lot numbers, and outlots with maps and recording information. If the parcel is part of a recorded private claim or federal reservation, show private claim name, reservation name or Government Lot number.

It is important for the Department to know the property boundary relationship between the properties that abut the highway and the right-of-way. The Department may own the right-of-way or have an easement allowing the Department to use the right-of-way for highway purposes. Property lines for impacted properties shall be derived from filed/recorded maps and documents of public record. Place property line labels (PL) along the existing property boundaries of the impacted properties. If any of the property's boundary lines are USPLSS land lines, existing right-of-way lines or centerlines, show the appropriate line style for these lines and add a PL label along these lines. The property line style shall be used for the remaining property boundary lines. If the property line style is not clearly distinguishable, then add a PL label along the line. If the existing right-of-way was previously acquired in fee simple or was dedicated by a previous platted land survey, add PL labels along the existing right-of-way lines. If the existing right-of-way is an easement, show the property lines extending into the right-of-way corridor to the appropriate boundary line described in the property deed.

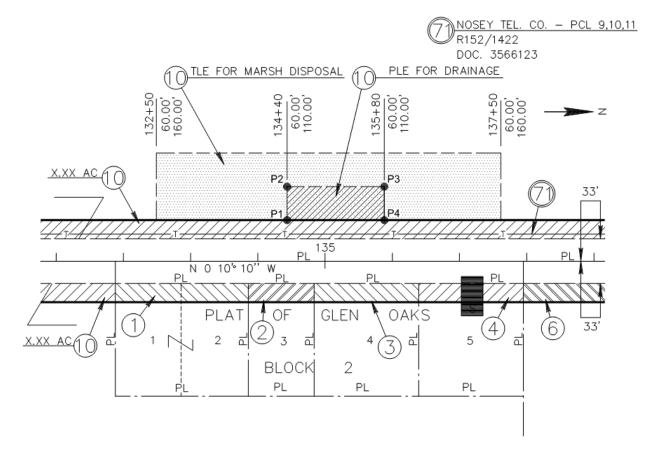


Figure 1.6 Subdivision & Utility Interest Example

All existing buildings and structures shall be shown. Buildings and structures located within 100 feet of the proposed right-of-way line (Fee or HE) on rural projects or within 50 feet of the proposed right-of-way line (Fee or HE) on urban projects shall be dimensioned to reflect the distance to the new right-of-way line. If a cluster of buildings on one parcel is within 100 feet or 50 feet of the proposed right-of-way line (Fee or HE), show a dimension for the structure closest to the proposed right-of-way line and the dimension to the residence or principal structure. Buildings and structures that will be removed shall be shown with a bold line along the entire perimeter or shown as solid black.

Parcel numbers shall be sequential but not necessarily consecutive. When more than one Transportation Project Plat page is developed within an improvement project, the parcel numbers for each plat page shall be arranged so the parcel numbers are sequential through the entire improvement project. When a parcel is deleted from a project, do not use the number again. Remove the parcel number from the Schedule of Lands and Interests Required table. Parcel numbers shall increase within an improvement project in the same direction as the improvement project stationing increases.

Since each Transportation Project Plat is a stand-alone document, the areas shown on a plat page shall refer only to the parcels shown on that plat page. Each Transportation Project Plat page will show the areas to be acquired for the parcels on that plat page only. Consecutive plat pages are to end on a USPLSS, recorded private claim, federal reservation line or property line, preferably in that order of importance. Acquisition areas shall be calculated to the limits of the Transportation Project Plat page. The deed will reference all the Transportation Project Plat pages on which a parcel appears. If the TPP parallels a county line and rights or interests are acquired in two or more counties, a separate TPP with a correct legal description needs to be recorded in each appropriate county.

It is good practice to leave parcel numbers open for better Schedule of Lands & Interests Required table legibility, and to allow for additional parcels if design changes dictate.

Do not use alphabetical suffixes for parcel numbers. If a property owner owns two geographically separated properties, the decision as to when it is necessary to use one or two parcel numbers should be directed to the region real estate supervisor.

Parcel numbers shall be shown at a location near or entirely within the interest area to be acquired. If the parcel number will not fit within the interest area, then a leader line from the parcel number to the interest area being acquired will be shown. Each interest being acquired shall be identified with a parcel number. If multiple Fee,

HE, PLE, TLE and RDE acquisitions are being acquired from the same property owner, then the same parcel number shall point to each acquisition. An area value needs to be shown for each separate acquisition of the same type being acquired from the property. The area value shown in the Schedule of Lands & Interests Required table shall be the combined total of each acquisition being acquired. When access interests are being acquired in conjunction with other interests, the access interest does not need to be identified with a parcel number. The location of the access symbols shown on the plat pages define the acquisition area. If access rights are the only interest being acquired from a property, a parcel number needs to be placed within the boundaries of the property along with the access symbols defining the location of the acquisition area. It is very important to clearly depict what interest is being acquired because there will not be a metes and bounds description for each interest. Confusion as to the identity of each individual interest could lead to adverse impacts on the department and the abutting owner of record.

Hatching patterns shall be used to delineate new areas of acquisition. It is important to use distinctive hatching patterns for every interest to be acquired. The fee or highway easement hatching pattern shall be different for abutting parcels.

Hatching patterns shall not be used within the existing highway right-of-way. This is because state and local jurisdictions are assumed to have the necessary rights to operate, maintain and reconstruct highway facilities within the existing highway right-of-way limits. Areas of existing highway easement that are to be acquired in fee from the property owners shall not be shown as hatched areas in the detail portion of the plat. A bold solid existing highway right-of-way line combined with the area value in the existing right-of-way column of the Schedule of Lands and Interests Required table will identify the portion of the easement being converted. The area value will be the portion of the existing right-of-way of the property being acquired from that is contained within the right-of-way traverse on the page. See FDM 12-1, Attachment 15.1 for example.

1.2.19 Schedule of Lands & Interests Required Table

The Schedule of Lands & Interests Required table is the location on a plat page where all the information for each parcel is shown. <u>Attachment 1.1</u> shows an example of a layout for the Schedule of Lands & Interests Required table. The following items should be presented in the order listed:

- 1. Parcel Number.
- 2. Names of owners as shown on the deed of record at the time the plat was recorded with the Register of Deeds office. If there is a land contract, show the vendor and vendee. If there is an off-premise sign on the property being acquired from, include sign owner name.
- 3. Right, title, or interest in land to be acquired (fee, highway easements, access rights, permanent limited easement, temporary limited easement, etc.).
- 4. Acres or square feet of the parcel to be acquired: subdivided into new (new fee interest being acquired), existing (existing highway easement being converted to fee), and total acres or square feet required.
- 5. Acres or square feet of easements, both temporary and permanent, if required.

Since owners may change after the plat has been recorded, show the following disclaimer note in the Schedule of Lands & Interests Required table:

Owner's names are shown for reference purposes only and are subject to change prior to the transfer of land interests to the Department.

For local public agency (LPA) or connecting highway projects the underlined reference above needs to be changed to the local or municipal authority approving the TPP page.

A separate utility interest required table shall also be shown on the plat page when a land right, as defined in WisDOT Guide to Utility Coordination, Chapter 11 (Utility Reimbursement Process) is being acquired from a utility company, see <u>Attachment 1.1</u>. The utility schedule shall be titled "Utility Interests Required" and include the following items;

- 1. Utility Number
- 2. The name of the Utility Company at the time the plat is being recorded with the Register of Deeds office
- 3. Interest Acquired.

When utility easements need to be acquired, each utility easement shall be listed with the corresponding utility number assigned to the facility owner that is shown in the Utility Interests Required table and noted on the TPP page or in a table. See Attachment 1.7 for table examples.

1.2.20 Off-Premise Signs

Off-premise signs are signs that do not qualify as on-premise signs under <u>Wisconsin Statutes Section 84.30</u>. To qualify as an on-premise sign the sign must be located within 50 feet of the buildings, parking area or driveway

serving that property and only advertise goods and services produced or sold on the site. On-premise signs are considered fixtures on the real estate on which they stand and generally are acquired as part of the acquisition of the real estate on which they stand or are relocated on the same site prior to WisDOT's acquisition of the underlying real estate. Usually, relocation of an on-premise sign is accomplished by agreement.

Any sign not qualifying as an on-premise sign must be permitted as an off-property sign or be old enough to qualify for grandfathered or nonconforming status. Off-premise signs often are owned by a sign company and are located on a leased site or easement. The sign's site constitutes real property and therefore must be identified on the plat. The sign is a structure on that property. The sign site is part of the parcel on which the sign is located. The schedule of lands and interests required for a parcel that includes a sign site shall identify all of the property owners including anyone with an interest in the sign site or structure.

WIsDOT does not always know what contractual agreement exists between a sign owner and the landowner on whose property the sign exists. The Real Estate section should provide guidance to the plat preparer as to the extent of the sign owner's interests in real estate, When real estate is unable to determine the extent of the land interest held by the sign owner, both the sign owner and the landowner should be named in the Schedule of Lands and Interests Required table on all contiguous parcels (even if on multiple sheets). Where a lease, easement, or other contract provides definition as to the extent of the sign owner's interest in the lands, the sign owner need only be named as a party of interest on the parcels in which the sign owner holds an interest. It is important to keep in mind that a sign owner may own an interest in lands being acquired even in situations where a taking will not impact the sign structure; a lease or easement, for example, may grant the sign owner rights in an entire 40-acre parcel rather than just the specific area where the sign exists. If it is determined that a sign owner does own an interest in the land and the associated off premise sign is not located within the platting limits, a sign structure identifier (detailed below), shall be shown in the detail area of the plat with a leader line pointing in the general direction of the off-premise sign. In this situation, as stated above, the sign owner and the property owner's names shall be included in the Schedule of Lands and Interests Required table. In addition, the sign number shall be included in the schedule of sign structures ownership table along with both the sign owner and the property owner's names.

When there is an off-premise sign on land to be acquired, the sign structure shall be shown on the plat. The sign structure shall be assigned a number, which is placed in a hexagon adjacent to the sign. The sign structure number is a two-part number; the first part indicating the number of the land parcel upon which the sign structure is located and the second part of the number being a sequential number. The first sign structure on a property is designated "1"; the second sign structure would be designated "2," etc. A typical sign structure number is "23-2," indicating the sign structure is located on parcel 23 and there are at least two off-premise sign structures on that parcel.

A schedule of sign structures ownership table shall be placed on each plat page that has an off-premise sign. The table shall consist of three columns:

- the first column listing the sign numbers
- the second column listing anyone with an interest in the sign site or structure
- and the third column showing the OASIS (Outdoor Advertising Sign Inventory System) number obtained from the Region.

See <u>Attachment 1.1</u> for an example of a plat that includes a sign site for an off-premise sign structure and a schedule of sign structures.

See <u>Attachment 20.2</u> Example 12 for a legal description of a fee acquisition which includes the purchase of an off-premise sign. For other situations, such as a TLE acquisition, non-conforming sign, etc., please contact the Real Estate section at the appropriate DOT regional office.

1.2.21 Stations and Offsets

Stations and offsets shall be used on the plat to show the relationship between the reference line(s) and the right-of-way lines and easement boundary lines. The use of stations and offsets is not a substitute for distances and bearings along the reference line(s), right-of-way lines and permanent interest boundary lines. Stations and offsets can aid in the laying out of the right-of-way and providing information on the width of the right-of-way at the locations noted on the plat. The stations and offsets may be shown at the specific locations on the plat or in a table if the area is cluttered as shown in Attachment 1.3.

1.2.22 Geodetic Survey Control Stations

Geodetic survey control stations that are located within the page limits of the TPP shall be shown. The monuments shall be referenced to avoid destruction or facilitate replacement. Use the geodetic survey monument symbol from the Conventional Symbols to show the location of the monument. Include the station designation and a station & offset from nearest alignment and/or coordinates of the monument. The station designation should be the National Geodetic Survey 6-digit Permanent Identifier (PID) for NGS stations or local

designation for other stations. Contact the Region Survey Coordinator for station designations and locations.

1.2.23 Highway Structures

Some highway improvement projects have structures located within the limits of the project. If the project requires a TPP, the structures shall be shown on the TPP pages. Highway structures should be shown by outline. Some of the common types of structures are overpasses, bridges and culverts. If the existing structure is being replaced, show the location of the new structure with the new structure number. If the existing structure is not being replaced, show the structure in its current location with the structure number.

1.2.24 Access Control

The access restricted by acquisition symbol "IIIIII" is used when the right of access along existing highways is to be acquired in accordance with Wisconsin Statutes Section 84.09. Generally, highways other than freeways or expressways on new alignment must have access rights purchased; but this should be verified by the region's Access Management Coordinator. If access rights are being acquired, show the symbol across the entire frontage of the parcel that is being acquired. Do not leave a gap to indicate a driveway that is being allowed to stay. The user should go to the deed to determine what the access restrictions are on the parcel. If the parcel has a large frontage and access rights are only being acquired on a portion of that frontage, show the symbol along only the frontage that is being acquired. For example, if a parcel has 1000 feet of frontage and access rights are being acquired on the westerly 300 feet of that frontage, show the symbol only on the westerly 300 feet of the frontage.

A second no access control symbol ("••••••••") is used to show access control in accordance with Wisconsin Statutes Section 84.295, without compensation (specifically for access rights) to the abutting owner. This applies only to Wisconsin Statutes Section 84.295 designated expressways and freeways on new alignment. It is important to note that there is a legal process in Wisconsin Statutes Section 84.295 that must be followed to designate a freeway or expressway. Not all highways that are built to freeway or expressway standards are designated.

At intersections of an Wisconsin Statutes Section 84.295 designated expressway or freeway on new location with existing highways, use the acquisition symbol associated with access control in accordance with Wisconsin Statutes Section 84.09 when the right-of-way line is more nearly parallel with the existing highway and beyond the relocated highway (including its ramps and tapers). See Attachment 1.4.

A third access control symbol ("★◆◆◆◆★*") is to be used to designate access control in accordance with a previous restriction (previous project control, Wisconsin Statutes Section 84.25 controls, certified survey map, subdivision, covenants, deeds, condominium plats, etc.). Refer to the deed for more information regarding existing access control restrictions.

A fourth no access control symbol (" A A A A M) is used to show access control on new highways where no highway existed previously. This determination is in accordance with court decisions and is not controlled by statute. The Department does not have to acquire access rights for this type of access control and it can be applied to any state trunk highway on new relocation. One word of caution, a property cannot be landlocked without acquiring access rights. Do not put triangles on a property if it does not have alternative access. If alternative access is provided, a property is not landlocked. When this symbol is used additional verbiage shall be added to the legal description being used to acquire the interests from the property, refer to FDM 12-10-20.1.3 for additional verbiage.

1.2.25 Trans 233 Information

Administrative Rule Trans 233, which relates to the division of land abutting a state trunk highway, places certain highway-related restrictions on land divisions. These restrictions could include access controls, vision corners, and highway setbacks. These restrictions can affect a highway improvement project. The plat shall reference the source document volume and page, document number, etc. and the recording date. Place the diamond symbols across the entire frontage of the property to indicate that access restrictions exist. Do not indicate what the access restrictions are or whether any access points are allowed. The TPP will indicate there are restrictions but does not attempt to interpret them.

The statement "Trans 233 Restrictions Apply" shall be noted on the Transportation Project Plat below the CSM number, subdivision name, condominium plat, warranty deed, etc. when applicable. This will indicate to the user

that the source document and any subsequent revisions may need to be researched for additional information not shown on the plat.

1.2.26 Compensable Utilities

Some utilities that are required to be relocated because of a transportation improvement project are classified as compensable utilities. These compensable utilities (which are further described below) have some land right that is being acquired, conveyance of rights obtained on an earlier project, or they have a right to compensation by statute. Show the entire utility on the plat when it's compensable or when any part of the facility is compensable. Solid symbols shall be used for compensable utility facilities. Only utility facilities that are compensable, or partially compensable shall be shown on the plat or accompanying utility sheet. In addition, compensable utilities will be listed in a table as required by the Schedule of Lands & Interests guidance contained within Chapter 12 of the FDM. For state trunk and connecting highways, consult with the region utility coordinator regarding compensable utility facilities.

Types of compensable utilities:

- Utility easements or utility facilities on private lands. Utility easements on lands that are being
 acquired must be extinguished, even if the easement is unoccupied or it has not been recorded.
 Utilities may also be eligible for prescriptive rights per Wisconsin Statutes Section 893.28.
 Compensation for the easements, interests, or rights that are acquired is based upon a percentage of
 the cost for the relocation or adjustment of the utility facilities.
- 2. Conveyance of rights obtained on an earlier project. Utility facilities may be compensable because of a conveyance of rights document granted on an earlier project. Since about 1962 WisDOT has been granting conveyance of rights documents to utilities when there were compensable utility facilities on lands being acquired for the highway project. The conveyance of rights document grants the utility the right to future compensation for relocations caused by a highway project. This results in utility facilities inside "existing" highway right-of-way being eligible for compensation. The conveyances of rights documents are recorded at the office of the Register of Deeds and should show up in a title report.
- 3. **Municipally owned utility relocations on a freeway project**. Wisconsin Statutes Section 84.295(4m) requires the department to pay for 90% of municipally owned utility relocations on any freeway projects undertaken by the department under Wisconsin Statutes Section 84.295. Not all roadways designed to freeway standards are designated as freeways under Wisconsin Statutes Section 84.295. The highway must be designated as a freeway under Wisconsin Statutes Section 84.295 in order for municipally owned utility facilities to qualify for compensation.

It is necessary to acquire land rights with the use of release of rights documents. Further information on these documents can be found in <u>Chapter 11.5 of the WisDOT Guide to Utility Coordination</u>. "Release of rights" is used on a plat to describe a generic acquisition of interest from a utility when the specific type of acquisition has not yet been determined.

1.2.27 Utility and Railroad Company Interests

When railroad company land interests that do not require any compensable work are to be acquired or a license agreement obtained, the project I.D. number for these interests would be the same as that for the non-railroad parcels on the same right-of-way plat. When railroad company land interests that require compensable work are to be acquired, a separate I.D. number should be assigned to each railroad company interest.

The utility coordinator will work with the plat preparer/designer to properly identify the utility and interests and the compensable utilities on the TPP (see <u>Figure 1.6</u>) for an example of how to show utility interest). Utility numbers shall be shown on the TPP using a double circle as an identifier.

The necessary land interests for construction of a highway across railroad lands are usually obtained with a highway easement. The easement width should be sufficient for all proposed construction operations and future maintenance. On the plat page indicate the width of the railroad right-of-way corridor (see <u>Figure 1.7</u>). The description of an easement over railroad property will be written as described in Wisconsin Statutes Section 84.095.

After a railroad interest has been acquired, its number should not be reused as changes to this roadway occur. It must be given a new interest number in new projects.

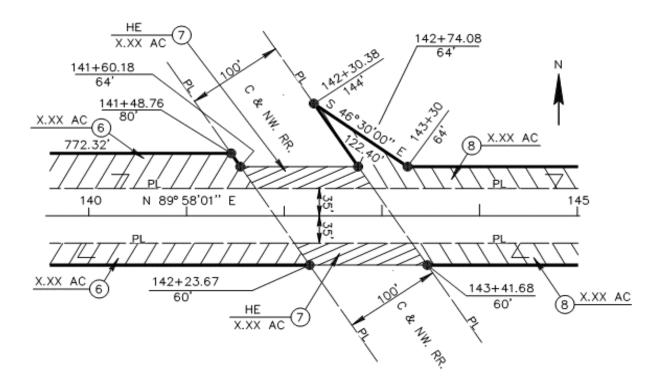


Figure 1.7 Railroad Parcel Example

1.2.28 Vacated Roadway

Since the department can vacate only state trunk highways by its own action, the resolution, ordinance, or other legal device used by a local government unit to accomplish the vacation should be shown. If vacated prior to approval of the original relocation order by the department, it can be indicated by a note such as:

Vacate - City of Egg Harbor Resolution file No. 63-2866-B, June 2, 1994.

If the right-of-way to the road, street, or alley is to be vacated sometime in the future and has not been vacated prior to the recording of the plat page, it should be shown as:

TO BE CLOSED

1.2.29 Documentation of Remnants

A remnant is a portion or all of a property remaining after a partial acquisition, which become uneconomic or undesirable for the owner to retain. See Real Estate Program Manual 3.3.1.1.

Under state law WisDOT must offer to purchase uneconomic remnants. See <u>Wisconsin Statutes Section</u> 32.05(3m).

Remaining areas of owners are not to be shown on the detail pages except for those parcels that have more than one remainder or areas that are severed or are remnants and shall be so labeled. See Attachment 1.8 for an example showing remaining land.

Neither the acquisition nor sale of remnants are reflected on the *recorded* version of a project TPP. It is necessary, however, that record of these transactions are preserved internally on a permanent, non-recorded version of the TPP.

Following both acquisition and sale of remnant parcels, the region real estate unit will provide the plat unit with a marked up copy of the TPP illustrating the boundaries of the remnant along with a copy of the conveyance documenting the transaction. The plat unit will create an internal non-recorded composite version of the project TPP reflecting this transaction. A notation shall be made indicating that the original plat is found at the Register of Deeds office. Acquired remnants will be easily identified by unique boundaries or hatching patterns, including the term "Remnant" along with parcel size. Recording data will also be shown for remnants sold (see Figure 1.8).

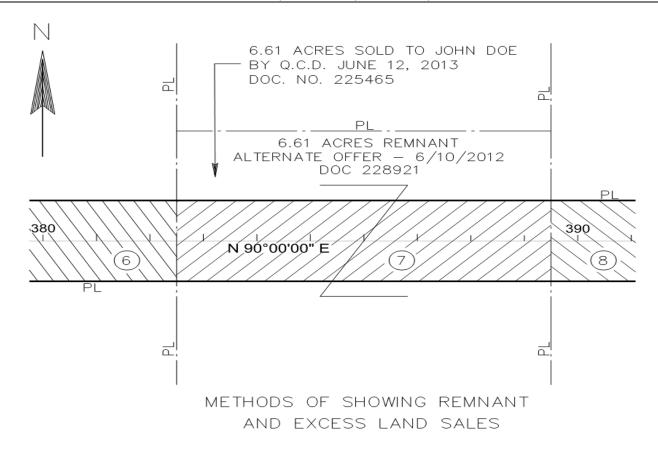


Figure 1.8 Remnant and Excess Land Sale Example

Once the composite version is completed, it shall be placed on the appropriate drive under the project Real Estate ID so that it can be uploaded for use in the Department's GIS system. It is also good practice to include any relevant surveys with the composite version.

1.3 Accompanying Sheets

If a stand-alone TPP page becomes too crowded to read, consider dividing the information between a detail page(s) and an accompanying sheet(s). Such as an extension sheet or utility sheet. See sections 1.3.1, 1.3.2 and 1.3.3.

1.3.1 Title Sheet

A title sheet will contain all of the general information applicable to all the TPP detail pages it covers. Highway easement, temporary limited easement and permanent limited easement notes, however, shall be shown on the title sheet if any of these interests is acquired from any parcel in the project. The title sheet will show the project number, highway number and county name in the title. The title sheet will not be numbered as all other pages in the project. When a title sheet is used for a project, it will be recorded with the first TPP detail page submitted for the project. This may or may not be page 4.01. The title sheet shall also show that it is sheet 2 of 2 with the accompanying TPP detail page being sheet 1 of 2. In the event a project is located in two different counties, each county will receive a title sheet, which will be submitted with the first detail page for that specific county.

The following information shall be shown on a title sheet if the TPP project uses a title sheet. If the TPP project does not use a title sheet the symbols, abbreviations and notes will appear on each page, when applicable. See <u>Attachments 1.1</u> and 1.5 for examples.

For a TPP created for a Local Public Agency (LPA) or "Connecting Highway" project that utilizes a title sheet, the reference to the "Department of Transportation" needs to be changed to reflect the local entity approving the TPP.

1.3.1.1 Project Title and Limits

Urban project titles typically give the name of the road being improved (e.g., West Brown Deer Road) along with the town, village, or city name when applicable; followed by the project limits that defines the general limits of the work (e.g., N. 92nd Street-N. 68th Street).

Rural project titles typically identify the project location by giving its termini (at or beyond the construction limits)

using the names of municipalities, highways, rivers, county lines, etc. (e.g., Cedarburg-Grafton Road, South County Line-S.T.H. 76 Road).

1.3.1.2 State Map with Counties Outlined

Show the state map and indicate the county in which the project is located by shading the appropriate county.

Exception: The state map shall be omitted when a stand-alone TPP page is used.

1.3.1.3 Location Sketch

A location sketch shall appear on the title sheet as well as on the detail page(s). See text under "Detail Page" for guidance and an example. On the title sheet add a North arrow and graphic scale of the location sketch directly beneath the sketch.

1.3.1.4 Conventional Symbols and Abbreviations

Conventional symbols and abbreviations used within the project should be shown in a table. A basic symbol and abbreviation table is built into the Civil 3D cell file for a title sheet. If other symbols or abbreviations are needed, see <u>FDM 15-5-25</u> and <u>FDM 15-5-30</u>. If a title sheet is not used with the TPP project, each detail page shall contain the Conventional Symbols and Abbreviations tables.

1.3.1.5 Notes

Notes shall be added to the title sheet to explain the information shown on the page(s). Notes must be clear and should be used only when additional information is necessary to document the intent of the plat. Unnecessary notes add clutter and may take away from the readability of the plat. The following notes shall be shown on the title sheet. If a title sheet is used the underlined notes shall also be shown on every detail page:

- <u>Positions shown on this plat are Wisconsin Coordinate Reference System Coordinates (WISCRS), (County name) County, NAD 83 (adjustment year) in US Survey Feet. Values shown are grid coordinates, grid bearings, and grid distances. Grid distances may be used as ground distances.</u>
- Right-of-way boundaries are defined with courses of the perimeter of the highway lands referenced to the U.S. Public Land Survey System or other "Surveys" of Public Record.
- Dimensioning for the new right-of-way is measured along and perpendicular to new reference lines.
- Property lines shown on this plat for properties being impacted are drawn from data derived from filed/recorded maps and documents of public record. This plat may not be a true representation of existing property lines, excluding right-of-way, and should not be used as a substitute for an accurate field survey.
- All right-of-way lines depicted in the non-acquisition areas are intended to re-establish existing right-ofway lines as determined from previous projects, other recorded documents, centerline of existing pavements and/or existing occupational lines.
- Parcel and Utility identification numbers may not point to all areas of acquisition, as noted on the TPP detail pages.
- Information for the basis of existing highway right-of-way points of reference and access control are listed on the TPP detail pages.
- A Temporary Limited Easement (TLE) is a right for construction purposes, as defined herein, including the right to operate necessary equipment thereon, the right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem desirable. All (TLEs) on this plat expire at the completion of the construction project for which this instrument is given.
- A Permanent Limited Easement (PLE) is a right for construction and maintenance purposes, as defined herein, including the right to operate necessary equipment thereon and the right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities.
- An easement for highway purposes (HE), as long as so used, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable.
- <u>For current access/driveway information, contact the Planning Unit of the Wisconsin Department of Transportation office in (City).</u>

A TPP created for a LPA or Connecting Highway project shall replace reference to the Department of Transportation in the above note with the name of the local entity doing the approving.

Use a note similar to the following to identify the type of monumentation used.

- All new right-of-way and permanent easement monuments will be Type 2 (typically ¾" x 24" iron rebars), unless otherwise noted, and will be placed prior to the completion of the project.

or

- All new right-of-way and permanent easement monuments will be Type 2 (typically 1" x 24" iron rebars), unless otherwise noted, and will be placed prior to the completion of the project.

1.3.2 Extension Sheet

An extension sheet can be used for tables and enlargements. The extension sheet shall have the same project identification number and page number as the page it is accompanying. The accompanying extension sheet shall show that it is sheet 2 of 2 with the detail page being sheet 1 of 2. The project identification number, page number, parcel location information, relocation order, recording block, signature block, the schedule of lands and interest required table, the utility interest required table and the project location sketch shall remain on the first page of the recording. The following information shall be shown on an extension sheet. See Attachment 1.9 for example.

- Project ID Number.
- Page Number.
- Project Title and Limits
- Highway and County
- Accompanying sheet type: "EXTENSION SHEET"
- North Arrow
- Title Sheet Reference Note
- Coordinate Note (if applicable)

1.3.3 Utility Sheet

When a TPP page becomes too crowded to read due to the amount of compensable utility facilities and compensable utility related information consider moving the utility information to a utility sheet. All compensable utilities and utility related information will be shown on the utility sheet. The utility sheet shall have the same project identification number and page number as the page it is accompanying. The accompanying utility sheet shall show that it is sheet 2 of 2 with the detail page being sheet 1 of 2. The project number, page number, parcel location information, relocation order, recording block, signature block, the schedule of lands and interest required table and the project location sketch shall remain on the first page of the recording. The following information shall be shown on a utility sheet. See Attachment 1.10 for example.

- Project ID Number.
- Page Number.
- Project Title and Limits
- Highway and County
- Accompanying sheet type: "UTILITY SHEET"
- North Arrow
- Scale Bar
- Project Location Sketch
- Title Sheet Reference Note
- Coordinate Note (if applicable)

For more on what utility information should be included, see Chapter 8 (Right of Way Plat) of the WisDOT Guide to Utility Coordination.

1.4 Quality Control and Closure Sheet

After the TPP is complete, another qualified person, somewhat unfamiliar with the project, should be asked to review the plat for accuracy.

The regions will be required to submit to the Surveying & Mapping Section, a closure report of the exterior right-of-way boundaries for each Transportation Project Plat to be recorded. Consultants shall provide this closure report to the region for any Transportation Project Plat they submit for final review. One example of a closure report would be a COGO printout from Civil 3D (<u>Attachment 1.6</u>). The closure report shall include the project I.D. and page number, the highway number, the county the project is in, and the date the closure is computed. It shall also show a bearing and distance from a section corner or quarter corner to the point of beginning on the right-of-way. It shall also show corresponding point numbers and coordinate values for each angle point shown on the right-of-way and bearings and distances between each set of ensuing points along the exterior right-of-way boundary until the traverse returns to the point of beginning. Ties to the reference lines and coordinates for where the traverse intersects the reference lines shall be included. This will ensure that the exterior boundaries of the right-of-way and alignments contain no errors. The closure report shall also show the closing distance and direction along with the precision ratio. Surveying & Mapping Section will make other spot checks on the TPP

including, but not limited to, the location description, appropriate signatures and dates, location sketch, notes,

Regions will document justifications for amendments and affidavits of correction. Quality control at the regions, prior to recording, is the most effective way of assuring that a Transportation Project Plat is prepared correctly.

1.5 Local Review

No state agency, city, village, town, or county may require the review or approval of a Transportation Project Plat as a condition of recording the plat if the plat is prepared in accordance with Wisconsin Statutes Section 84.095.

LIST OF ATTACHMENTS

Attachment 1.1	Transportation Project Plat Example		
Attachment 1.2	U.S. Public Land Survey System Information		
Attachment 1.3	Right-of-Way Example		
Attachment 1.4	Access Control at Intersections on New Relocation		
Attachment 1.5	Sample TPP Detail Page with Accompanying Title Sheet		
Attachment 1.6	Sample Transportation Project Plat Closure Sheet		
Attachment 1.7	Easement Table Examples		
Attachment 1.8	Access Symbol Example		
Attachment 1.9	Sample Accompanying Extension Sheet		
Attachment 1.10	Sample Accompanying Utility Sheet		
(Larger images available upon request)			

FDM 12-10-3 Using a Monumentation Plat to Establish Existing Right-of-Way

February 16, 2021

A monumentation plat may be used to establish and delineate existing highway right-of-way. One of the primary reasons the Department began recording Monumentation Plats at the county Register of Deeds office was to make highway right-of-way information more accessible to the public. This information is then available to surveyors, tax listers, homeowners, real estate agents, title companies, etc. and also better aligns our land records with other existing land records. In many cases, creating a monumentation plat to show our existing highway right-of-way can be an efficient process as the right-of-way boundaries may have been determined through the design process and with minimal effort this information can be preserved indefinitely by recording a monumentation plat. This type of plat may be either a series of stand-alone plats created solely to establish and delineate existing highway right-of-way or may be any number of plats incorporated into a current highway improvement project where other TPPs are being used to acquire interests for that project (Attachment 3.1). A plat that is being incorporated within a highway improvement project would be used to fill in gap areas within that project or to extend the project to establish and delineate the right-of-way owned or controlled by the Department. The stand-alone project plats would be used to establish and delineate right-of-way boundaries in areas where the right-of-way is vague or unknown.

These types of plats will look similar to a Transportation Project Plat, however, the main difference between these plats and a regular TPP is that there will be no acquisition of rights or interests for the highway improvement project shown. These types of plats will be in compliance with Wisconsin Statute 84.095. To ensure that all requirements are met, use the checklist in <u>FDM 12-10-5</u>, Monumentation Plat Checklist. There are some differences between an acquisition plat and a monumentation plat. Those differences are as follows:

- Plat pages where there are no rights or interests required shall not show a relocation order. Instead, a statement shall be placed on the plat pages, which indicates the Department is creating the plat in order to establish and delineate the right-of-way. The following statement shall be placed under the location description, which is normally in the upper right of the plat. When local entities are the approving authority, the underlined references in the following statement, shall refer to the local municipality, town, village or county. Refer to Section 3.2 Relocation Order of the Local Program Real Estate Manual (LP RE Manual) for guidance regarding the appropriate statute(s)."
 - <u>The State of Wisconsin</u> has deemed it necessary to monument right-of-way interests previously acquired under sections <u>82.01</u>, <u>82.31(1)</u>, <u>82.31(2)</u>, <u>and 84.09</u> of the Wisconsin State Statutes and does hereby certify the <u>Department of Transportation</u> has surveyed the highway right-of-way; that this plat is a true and correct representation of the exterior boundaries of the land surveyed and shows accurate measurements thereof.
 - Plat pages do not need to include a Schedule of Lands and Interests Required table. There are no acquisitions on these type of plat pages.

- Since there are no acquisitions nor an official Relocation Order or resolution statement, the approval signature statement is different than on a regular TPP. The following statement shall be placed under the Surveyor's Certificate in the approval signature block. When local entities are the approving authority, the underlined reference in the following statement, shall refer to the local municipality, town, village or county.
 - THIS PLAT IS APPROVED FOR <u>THE WISCONSIN DEPARTMENT OF</u> TRANSPORTATION {REGION – OFFICE}
- Plat pages shall list in the location description only the USPLSS quarter-quarters or equivalents in which the highway is located and where monuments are being set to delineate highway right-of-way. CSM and sub-division information will not be included in the location description.
- Property lines and "PL" labels may be shown on a monumentation plat but are not required. Survey lines from platted land surveys and other surveys of record that abut the R/W corridor shall be shown. See Attachment 3.1 for example.
- Monumentation plat pages shall not show existing utility information. Since this information is always subject to change the following note should be added to the general notes:
 - Utility information is not shown on this plat.

In the event the plat is amended to acquire any rights or interests, the plat shall be prepared in accordance with FDM 12-10-1.

LIST OF ATTACHMENTS

Attachment 3.1 Monumentation Plat Example

(Larger image available upon request)

FDM 12-10-5 Transportation Project Plat and Monumentation Plat Checklists

November 15, 2019

The information on the Transportation Project Plat and a Monumentation Plat should be presented in a consistent manner. This will aid the surveyor, description writer, appraiser, negotiator, property owners, and others as they use the plats. Attachment 5.1, Transportation Project Plat Checklist and Attachment 5.2, Right-of-Way Monumentation Plat Checklist, is intended to aid the plat preparer with this consistency during the different phases of plat development. The checklist will not cover all situations. It will act as a general guideline for most plats.

5.1 Transportation Project Plat Checklist

The checklist is divided into three sections: title sheet, detail page and accompanying sheet(s). If a stand-alone Transportation Project Plat is prepared, then the information on the detail page and title sheet will be combined into the single detail page.

5.2 Monumentation Plat Checklist

The checklist is divided into two sections: title sheet and detail page. If a stand-alone monumentation plat is prepared, then the information on the detail page and title sheet will be combined into the single detail page.

LIST OF ATTACHMENTS

Attachment 5.1 Transportation Project Plat Checklist

Attachment 5.2 Monumentation Plat Checklist

FDM 12-10-10 Recording the Plat

February 15, 2023

10.1 Recording the Plat

Once the plat is complete and the approval signatures are in place, a pdf file of the Transportation Project Plat will be submitted by the Region to the Surveying & Mapping Section. The TPP or Monumentation Plat page will then be recorded with the appropriate county Register of Deeds office. The plat page(s) will either be electronically recorded or mailed to the Register of Deeds, depending on county preferences. Electronically recording (e-recording) the plat is an efficient and cost-effective way to record the plat page(s). The Department uses an approved e-recording vendor to record the plat page(s) with the counties. Some counties prefer the hard copy of the plat page(s). These plat page(s) will be reproduced on permanent material acceptable to the county Register of Deeds office and sent to the appropriate county Register of Deeds office. Within three days of the arrival of the plat page(s) at the Register of Deeds office, the Register of Deeds will record the page(s). The Register of Deeds will send notification containing the recording information to the Region or the Bureau Plat Coordinator. Once the recording information is received in the region it should be placed on their electronic version of the plat page(s). For TPPs or Monumentation Plat pages that will not be e-recorded, the text in Figure 1.9 may need to be added to the recording block on each page. Contact the Region Plat Coordinator prior to the

final TPP being submitted to the Region Office to verify the county's preference. For local public agency (LPA) or "Connecting Highway" projects, the recording of the TPP will be the responsibility of the local or municipal authority approving the TPP.

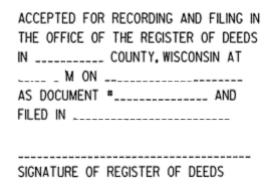


Figure 1.9 Recording Block Text

FDM 12-10-15 Amendments, Corrections, and Vacations

February 15, 2024

15.1 Introduction

While every effort should be made to record a Transportation Project Plat (TPP) only once, there are occasions when it becomes necessary to record an amendment plat. Once the original TPP is recorded in the office of the Register of Deeds, there are three methods of modifying it. The first method is to record an amendment plat, the second is to record a vacation order, and the third is to record an affidavit of correction.

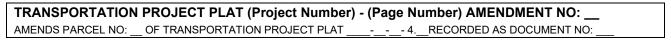
15.2 Amendment Plat

An amendment plat is recorded when the size, shape, interest of a parcel, utility, permanent easement or temporary easement is altered. An error on the original plat pertaining to the acquisition interests or rights of a parcel would also require the recording of an amended plat. Since the relocation order is the justification for acquiring interests, an amendment plat with a new relocation order needs to be recorded with the county office of the Register of Deeds before the amended interest can be acquired. Examples of changes that would cause an amendment plat to be recorded would include:

- Change in right-of-way acquired
- Change in permanent or temporary easement acquired
- Change in interest
- Change in access rights being acquired
- Change in the parcel/utility numbering
- Change in compensable utility interests
- Change in property boundaries of a property being acquired from
- Incorrect acreage or interest listed in the Schedule of Lands and Interests Required or Utility Interests Required tables on the original plat.
- Adding or removing a parcel or utility number (If removal of a parcel or utility number is the only necessary change, this shall be handled using <u>Form DT2222</u>, not with a plat amendment. See Section 15.4 for additional information.)

An amendment plat shall be made on the same size page as the original Transportation Project Plat. The base file for the amendment needs to be the last recorded TPP for that TPP page. If amendment one is being prepared, the original recording of the TPP page shall be used as the base file for the amendment. If a subsequent amendment is being prepared, the latest amended TPP page shall be used as the base file for the new amendment. Each amended Transportation Project Plat will have a unique name based on the name of the original plat plus an amendment number. See Attachment 15.1 for example.

When amending a parcel or utility number the title and caption shall read:



When adding a parcel or utility number the title and caption shall read:

```
TRANSPORTATION PROJECT PLAT (Project Number) - (Page Number) AMENDMENT NO: ___

ADDS PARCEL NO: __ TO TRANSPORTATION PROJECT PLAT ___ - _ - 4. _ RECORDED AS DOCUMENT NO: ___
```

This wording shall be printed on the plat in prominent letters with the location description of the property being acquired noted. When a parcel or utility number is being amended, the previous page that the parcel or utility number was amended on shall be shown in the amendment caption. All parcel or utility identification numbers being amended on amendment number one shall reference the original recording of the plat page. Parcel or utility numbers being amended on subsequent amendments shall reference the original recording or the previous amendment that the parcel or utility number was amended on. See Attachment 15.5 for example. If the plat needs to be amended to revise the existing R/W or change any table other than the Schedule of Lands and Interests Required or the Utility Interest Required tables, changes shall be shown in the amendment caption after the word REVISES. Listing the specific existing right-of-way location, acquisition points, course(s),

TRANSPORTATION	PROJECT PLA	T (Project Number) - (Page Number) AMENDMENT NO:	
AMENDS PARCEL NO: _ DOCUMENT NO:	_AND REVISES	ON TRANSPORTATION PROJECT PLAT 4 RECORDED AS	

Examples of revisions would include:

- Errors in the location of the existing right-of-way. (ex. REVISES EXISTING R/W)

section corner, alignment or easement information shall not be included in the caption.

- Errors in section corner information shown on the plat if the change represents the correcting of a mislabeled number or coordinate and not the moving the location of the corner. (ex. REVISES SECTION CORNER INFORMATION)
- Errors in alignment information shown on the plat if the change represents the correcting of a mislabeled line, curve information or coordinate and not the moving the location of the alignment. (ex. REVISES ALIGNMENT INFORMATION)
- Errors in or adding points to the station and offset table(s) or labels that wouldn't affect the interests being acquired or moving the location of an acquisition point. (ex. REVISES (type of point) STATION AND OFFSET (table or labels))
- Errors in utility easement table or notes that wouldn't affect the utility interests being acquired. (ex. REVISES UTILITY (table or notes))
- Errors in or adding bearings and/or distances shown on the plat if the change represents the correcting of a mislabeled line or course and not the moving the location of the line. (ex. REVISES R/W COURSES

In some counties, naming the amendment plat in this format will cause a computerized index system to put the amendment plat(s) next to the original plat, showing the progression of the project. In the remaining counties, the county office of the Register of Deeds will make a note on the image of the original plat indicating that an amendment plat has been recorded.

The same process shall be used for recording an amendment plat as was used for the original plat. A similar note should be attached to the face of the original plat, which is being kept in the region office by someone designated in the region.

Once the amendment plat has been recorded in the county office of the Register of Deeds, acquiring the land interests of the amended parcels within the right-of-way and adjacent to the right-of-way will be conveyed by means of a deed referencing the Transportation Project Plat amendment. Deeds written to convey amended parcels shall reference the specific Transportation Project Plat the parcel was amended on. Deeds conveying parcels that have not been amended shall reference the original plat. Other rights and interests need to be referenced on the deed even if the right or interest can be clearly shown on the face of the plat. If there have been any affidavits of correction recorded, then the changes specified in the affidavits shall be included in the amendment plat.

When a Transportation Project Plat (TPP) page includes an extension and/or a Utility accompanying sheet and changes are needed to either the detail page or the extension and/or the Utility sheets, the extension and/or the Utility sheets shall be included in the amendment. In the event the original TPP page is accompanied with a title sheet and needs to be amended, all accompanying sheets other than the title sheet shall be submitted for recording. The title sheet does not need to be included. The TPP page set numbers will need to be revised to reflect the removal of the title sheet from the original recorded set. The amended page, however, needs to reference the recording information of the original title sheet. In the event a title sheet needs to be amended, both the title sheet and the detail page shall be submitted together as an amended plat and all other subsequent recordings shall refer to the newly recorded title sheet.

15.3 Affidavit of Correction

File an Affidavit of Correction form (<u>Attachment 15.2</u>) when there is an error or the information on the original plat was incomplete or inaccurate and needs to be corrected. Examples of errors that would cause an Affidavit of Correction form to be prepared are:

- Typos and misspelled words and/or numbers
- Errors in the coordinate reference
- Errors in the reference to a previously filed or recorded Transportation Project Plat(s) or other surveys of record
- Errors in the highway designation, or name of adjacent or intersecting streets
- Errors in bearings shown on the plat if the change represents the correcting of a mislabeled line and not the moving of the line.
- Errors in distances shown on the plat if the change represents the correcting of a mislabeled line and not the moving of the line.

An Affidavit of Correction form, <u>DT1590</u> or similar form, shall be recorded in the county office of the Register of Deeds. Only the preparer of the original or amended Transportation Project Plat may record an Affidavit of Correction form. If the original preparer is unable to perform this function a designated representative may record the form on his/her behalf. The original form will be retained in the office of the Register of Deeds. The Register of Deeds will note the existence and recorded location of the Affidavit of Correction form on the image or page of the original Transportation Project Plat. A copy of the original Affidavit of Correction form will be returned to the region or local entity for their records. For TPPs prepared for non-LPA or non-connecting highway projects the Region will forward a copy of the returned form to the Bureau Plat Coordinator.

Correcting the information on an **Amendment Plat per 15.2** doesn't correct the information on the original recording **(which non-amended parcel deeds will still refer to.)** An Affidavit of Correction will <u>also</u> need to be recorded correcting the information on the original recording unless every parcel and utility number on the original recording was amended on the amendment. For example, if the original recorded TPP had an incorrect coordinate reference, an Affidavit of Correction must be filed to correct the error on the original recording if any deed(s) refers to the original recording, even though the error was corrected on a subsequent amendment.

Authorized DOT forms can be found at:

https://wigov.sharepoint.com/sites/dot/forms-docs/Pages/AuthorizedForms.aspx

15.4 Vacation Orders or Notice of Non-Acquisition

File a Vacation Order form whenever it is necessary to vacate a plat (<u>Attachment 15.3</u>) or a parcel from a plat (<u>Attachment 15.4</u>). For example: if a Transportation Project Plat was recorded by a region and some or all of the parcels are no longer being acquired, recording a Vacation Order form is necessary.

A Vacation Order form, <u>DT1875</u>, or similar form, shall be recorded in the county office of the Register of Deeds by the regional office or local entity that approved the plat in order to vacate an entire plat. In the event a region or local entity needs to vacate one or more parcels from a plat, but not the entire plat, form <u>DT2222</u>, or a similar form, may be used. A utility number may also be vacated using this method. When form <u>DT2222</u> is used, all the interests that were to be acquired from the parcel or utility number shown in the interest required tables will be vacated. If any of the interests from the parcel or utility number are needed for the project, then an amendment shall be prepared.

Removing a parcel or utility number on an **Amendment Plat per 15.2** doesn't remove the information on the original recording. A Vacation Order form will **also** need to be recorded removing the information on the original recording unless every parcel and utility number on the original recording was amended on the amendment. If a utility easement that is shown on a recorded TPP or amendment was never acquired, then form DT2218 shall be used to give notification of the unacquired interest(s).

The original form will be retained in the office of the Register of Deeds. The Register of Deeds will note the existence and recorded location of the form on the original Transportation Project Plat. A copy of the original

form will be returned to the region or local entity for their records. A Vacation Order or a notice of non-acquisition form may only be prepared by the preparer of the original or amended Transportation Project Plat or the Region/local entity that approved the relocation order. If the original preparer is unable to perform this function a designated representative may prepare the form on his/her behalf. For TPPs prepared for non-LPA or non-connecting highway projects the region will forward a copy of the returned form to the Bureau Plat Coordinator. Authorized DOT forms can be found at:

https://wigov.sharepoint.com/sites/dot/forms-docs/Pages/AuthorizedForms.aspx

15.5 Archive Files in Region Office

The region will determine the best way to archive the Transportation Project Plat annotated by the Register of Deeds. There are several methods available; from archiving the full-size plat with the recording information to scanning the plat to an electronic record. The TPP shall be kept up to date with reference to any recorded transactions, vacation orders, or affidavits of correction to create a composite version. It is essential that these records are preserved internally on a permanent, non-recorded version of the TPP created by the region plat unit. A notation shall be made indicating that the original plat is found at the Register of Deeds office. Once the composite version is completed, it shall be archived using the project Real Estate ID so that it can be incorporated into the Department's GIS system. It is also good practice to include a copy of any relevant surveys and correction instruments with the composite version.

LIST OF ATTACHMENTS

Attachment 15.1	Transportation Project Plat - Amendment Plat
Attachment 15.2	Transportation Project Plat - Affidavit of Correction
Attachment 15.3	Transportation Project Plat - Vacation Order
Attachment 15.4	Transportation Project Plat - Parcels - Vacation Order
Attachment 15.5	Amendment Caption Example

FDM 12-10-20 Description of Lands

May 18, 2020

20.1 Legal Description

Since Transportation Project Plats will now be recorded at the county Register of Deeds office, the conveyance documents will need to reference the recorded Transportation Project Plat. Since the primary purpose of a Transportation Project Plat is to show the property intended to be conveyed to the State of Wisconsin or local units of government, the plat must contain sufficient information to meet the requirements of a valid legal description. The most important requirement of a valid legal description is that the parcel can be retraced on the ground.

The legal descriptions shall be written in a lot and block format instead of a metes and bounds description, as done for a traditional plat. The deed will identify the parcel as it is shown on the recorded Transportation Project Plat and the specific recording information for the Transportation Project Plat will follow. This will include the recorded volume and page (or drawer, cabinet, etc.) of the Transportation Project Plat, the document number, and the county and state names. Other information such as the recording date, USPLSS, recorded private claim or federal reservation designations or platted land surveys does not need to be shown on the conveyance document as this information is shown on the face of the recorded plat. Parcels that are amended shall be conveyed by means of a deed referencing the last amended Transportation Project Plat on which the parcel was amended. Parcels that are not amended shall be conveyed by means of a deed referencing the original Transportation Project Plat.

All acquired interests, whether permanent or temporary, which apply to each individual parcel, shall be noted on the deed. This will be accomplished by using the statement "Property interests and rights of said Parcel ____ consist of", and then all acquired interests will be listed in the description.

Descriptive notes (e.g., "...a right for construction purposes, as defined herein, including the right to...") for a Highway Easement (HE), Permanent Limited Easement (PLE), or Temporary Limited Easement (TLE), will be shown on the plat. If the plat has a title sheet, the notes will appear there and not on the other pages. If the plat does not have a title sheet, the notes will appear on whichever pages illustrate the location of the easement to be acquired. The notes will not be included in the legal description.

Due to their complex nature, access rights will be described in the legal description only. The plat will contain the symbology for access control.

A PLE will not be used to acquire the interest of a Restrictive Development Easement (RDE). The RDE note will appear only in the deed, and not on the plat. See Attachment 20.1 for example.

The specific purpose for a PLE (such as drainage or a retaining wall), or for a TLE (such as grading or driveway) will be shown on the detail portion of the plat, but not in the legal description.

Acreages will not be shown in the legal description.

Legal descriptions will not reference any affidavits recorded for a TPP.

20.1.1 General Instructions

- 1. Prepare legal descriptions using Microsoft Word software, and provide a copy of them in electronic format to the Department. Provide a sample product for review prior to writing all descriptions.
- 2. Consult with regional Real Estate staff for guidance on typestyle, font size, footers, and page formatting.
- 3. Consult with regional Real Estate staff on whether to insert the Register of Deeds' plat recording information.
- 4. Consult with the regional Access Control Coordinator and Real Estate staff on every description involving access rights. Be very specific about any restrictions placed on access control.
- 5. Insert the words LEGAL DESCRIPTION (capitalized, bolded, and centered) on the first line. Put three hard returns after LEGAL DESCRIPTION, so there are two blank lines between it and the text of the description. Put one blank line between each paragraph thereafter, and two blank lines between descriptions for a parcel that appears on more than one plat page.
- 6. Highlight the interest(s) being acquired by bolding "Fee simple", "Permanent limited easement", etc.
- 7. List the interests in the following order: fee, highway easement, permanent limited easement, access rights, temporary limited easement, scenic easement, and restrictive development easement.
- 8. When a parcel appears on more than one plat page, write a full description for the interests that appear on each page; do not combine the information from both. See Section 20.1.3 for an example.
- 9. The project I.D. that appears in the footer should **not** include the TPP page number (e.g., -4.01).
- 10. Save each parcel's description to its own Word document. All interests acquired for a parcel, even when that parcel appears on more than one TPP page, will be saved to one document. The document's file name represents the project number, followed by the parcel number shown as a threeplace extension.

Example: Project 7570-02-21, Parcel 9 should be saved as 75700221.009
Project 7570-02-21, Parcel 10 should be saved as 75700221.010

11. Microsoft Word will automatically attach another extension, called "docx", at the end of each file name. Regional real estate staff may ask that this extra extension be removed, to enable DOT's software program ("READS") to recognize the files. In that event, use the "rename" function to remove the "docx" extension from each file name.

20.1.2 Legal Description Verbiage and Examples

For details on verbiage of legal descriptions, see Attachment 20.1.

Completed legal description examples can be found in Attachment 20.2.

For examples of legal descriptions for utility release of rights documents, see Chapter 11 (Utility Reimbursement Process) of the WisDOT Guide to Utility Coordination.

20.1.3 Additional Verbiage

contents.

1. Excluding buildings that lie partially or wholly within a temporary limited easement

When the plat shows a TLE line running **through** a building, instead of around it, the intent is usually to exclude the building's footprint from the easement. In those cases, include the following sentence after the standard TLE language:

Excluded from this easement is any land currently occupied by buildings.

To exclude structures other than buildings (such as retaining walls, planters, light poles, etc.), use the "Statement to Construction" form. Do not put those types of exclusions in the deed.

When a building or improvement is acquired, and the acquisition leaves a portion of the acquired building or improvement located on the owner's remaining property, the use of the owner's adjoining land will likely be required in order to complete the demolition and removal process. A temporary limited easement shall be acquired for use in this situation. The TLE must be designed and legally described to be of sufficient size and duration to accommodate all demolition needs, including ingress, egress, razing and removal of the building(s), fixtures, appurtenances, and any acquired building

2. Accessing owner's land adjacent to his building, for the purpose of removing the building

3. Notification of no access rights on new highway alignment

When acquiring a fee interest for the purpose of constructing a highway in an area where no highway

presently exists, include the following sentence as the last paragraph of the parcel's description:

Also, no access rights shall accrue between the highway, herein designated as _____, and all of the abutting remaining real property of the owner.

See Legal Description Examples 18 and 19 in Attachment 20.2

Note: Property owners whose land abuts such new highway alignment, but from whom no land is being acquired, are also given notice that no access rights will accrue. See DOT document DT2051. These documents should be recorded and sent to the property owners prior to the right-of-way meeting the requirements of Cert 1.

LIST OF ATTACHMENTS

Attachment 20.1 Legal Description Verbiage
Attachment 20.2 Legal Description Examples

FDM 12-10-25 Plat Deliverables

February 15, 2023

When the final TPP, amended TPP or R/W Delineation Plat (Monumentation Plat) is submitted to the Region the following information shall be included in the submittal:

- 22" x 34" or 22" x 30" .PDF file (Signed, Stamped, Dated)
- Closure/Precision Report for each plat page
- 22" x 34" or 22" x 30" Color Utility PDF file with C3D layers included. (if applicable)
 (See FDM 12-1-5.2)
- Digital copies of the parcel Legal Descriptions (if applicable)
- Final survey values in an ASCII PNEZD comma delimited format (CSV) or LandXML file with descriptors as per WisDOT descriptor key list. (This file should include all the R/W points, new permanent easement points, temporary limited easement points and alignments shown on the TPP pages)
- CSV or LandXML control point file. (Including coordinates for found monuments/IPs and USPLSS monuments)
- Digital copies of all TPP pages in C3D format including survey database folder.
- ACAD drawing file for GIS (See FDM 12-1-35)

To be able to provide AutoCAD® Civil 3D® (C3D) drawing information to future user's and for use in DOT applications, all C3D drawing information shall be delivered in a specified folder structure format to the Region. This format is titled "Typical Civil 3D Project Folder Structure for Right-of-Way Plats" and is detailed in <u>FDM 15-5 Attachment 3.1</u>. This folder structure includes all the necessary information to create a plat. While there are several folders listed in this directory, one will be titled PlatExp. This folder will contain drawing files containing specific layers that can be downloaded directly into the Departments GIS system. One CADD file containing the existing R/W, proposed R/W (Fee and/or HE), new and existing permanent interests (PLE, RDE, LHE), and the four types of access control (if applicable) within the limits of the project shall be submitted to Central Office after all the TPP pages have been recorded. If project has an Intermittent layout, one file is preferred but depending on the situation, multiple files may be accepted. These layers are specified in <u>FDM 15-5 Attachment 3.5</u>.