

# Design Standards Letter

**Letter Number: G-1966-28**

**Letter Date: 08/15/1966**

**Effective Date: 08/15/1966**

**Section/Plan No.: None**

**Subject: Federal Participation in Right-of-Way Acquisition - Partial Rights**

## Body

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RIGHT-OF-WAY

Federal Participation in  
Right-of-Way Acquisition -  
Partial Rights

ALL DIVISION AND DISTRICT ENGINEERS AND CHIEF COUNSEL:

Present Federal regulations pertaining to Right-of-Way require the State to request permission from the Bureau of Public Roads to acquire anything less than all the rights in a property, where Federal funds are involved in either right-of-way or construction. Since the permission can only be approved at the Washington level, it is necessary that the request be made at an early stage.

When the District determines that it will be to the State's advantage to acquire less than the complete surface and aerial rights under or over a structure, specific note of each exception shall be included in the letter of transmittal requesting approval of right-of-way plans. An estimate of the savings in Right-of-Way costs, prepared by the Right-of-Way Division will be attached.

If this situation occurs after receiving approval of Right-of-Way plans, the District shall submit a request to the Surveys and Plans Division (Main Office) immediately, along with a revised plan sheet setting out the exception and including an estimate of Right-of-Way Savings.

Upon receipt of this information, the Surveys and Plans Division will submit a request to the Bureau of Public Roads for approval, and immediately upon receipt of same, will notify the District.

It is expected that this procedure will affect only a minimum number of projects involving Interstate or high-type Urban design. Right-of-Way acquisitions reserving certain rights of the property owner should be held to a minimum, and approval may be requested, provided

Substantial Savings in Right-of-Way costs can be shown.

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