



Arizona Department of Transportation

INTERMODAL TRANSPORTATION DIVISION Construction Group

CONSTRUCTION BULLETIN 04-02

To: District Engineers
Construction & Materials Orgs
Consultant Contract Administrator
Dan Lance, Deputy State Engineer,
Valley Transportation
Doug Forstie, Deputy State Engineer,
Operations

Date: April 20, 2004

From: Julio Alvarado, Assistant State
Engineer, Construction

Subject: Excess Right of Way Parcel Disposal

Disposal of Excess Right of Way Parcels

Purpose

This bulletin is to define the process and procedures for construction personnel to assist with the Right of Way parcel documentation and to facilitate disposal when determined excess. This will enable construction personnel to assist in streamlining the complexities, while not duplicating efforts. (See Attachment A for flowchart of the "Process for Identification and Disposal of Excess Land.")

Background

The approach for disposing excess land has been varied. Two main methods have been employed historically: (1) land is marketed and sold after third-parties have expressed interest directly to the Right of Way Group for a specific property; or (2) recognizing the potential value of a specific property (and generally post-construction of a nearby project), ADOT Districts initiate the disposal process of excess property directly with Right of Way.

Form 60-3311 (Attachments D and E) is the document that initiates the disposal process for excess Right of Way. The Right of Way Group is charged with the actual disposal process, which includes obtaining environmental clearance, new legal descriptions of the parcel(s), and a current appraisal of the property before it can be marketed to the public. Form 60-3311 is accompanied by other supplemental information as needed, such as as-built locations(s) of underground utilities (either existing or installed by ADOT contractor), location map of property and a cover memo stating other special conditions of the property. Examples of these special conditions would be access control, drainage conditions, ingress/egress restrictions, and/or a timeline of when the contractor will vacate the property.

Process and Procedure

During the development of the project (Final Design Phase), the Project Manager (PM) shall be responsible to coordinate with the Development team to identify each of the excess parcels that may be disposed of once the project is constructed. This team will complete Form 60-3311 for each of these parcels and attach any known parcel-specific information, such as location map and other supporting information. This information is kept in a three-ring binder, subdivided into one 60-3311 per parcel, with a summary listing at the front (Attachment B). This booklet of information shall be handed-off by the PM to the Resident Engineer (RE) before the project is awarded to the contractor.

The RE shall be responsible to supplement any parcel information with as-built location of utilities, fencing, sound walls, etc., and shall maintain the organization of the binder throughout the construction phase. At any time during the course of construction, the RE may initiate the disposal process. Consideration should be given to potential future use of the property, such as construction staging or stockpiling, before disposal.

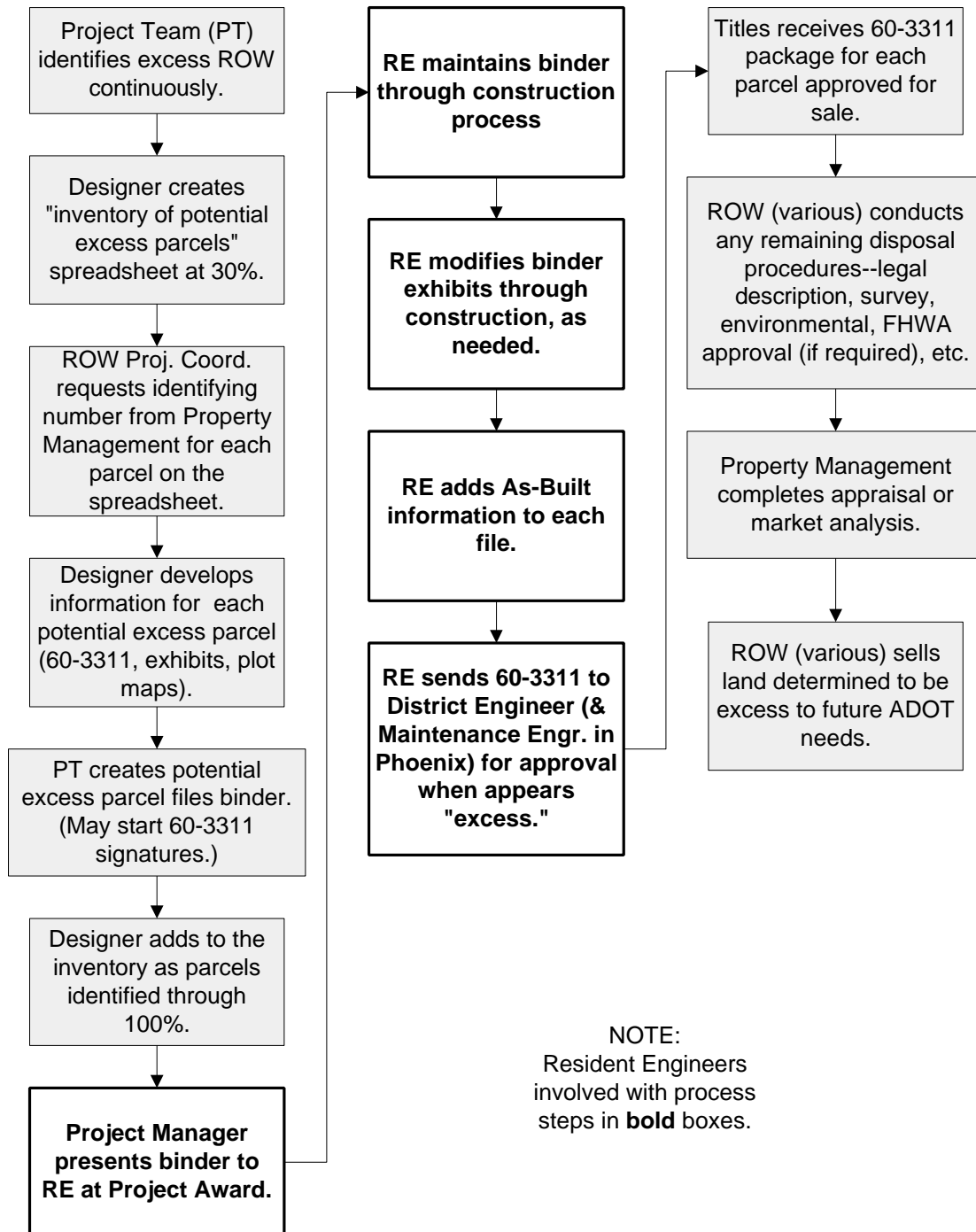
To initiate the disposal process the RE shall prepare a cover memo addressed to the District Engineer (Attachment C) explaining any special circumstances of the property, current access restrictions or expected ingress/egress points. The supporting documentation from the section of the binder for the specific parcel shall be attached. The District Engineer reviews and forwards the documents to the State Engineer's Office for approval.

At the conclusion of the roadway construction phase (and/or subsequent Landscape Establishment or FMS Warranty Phase), the RE shall initiate the disposal process for any remaining parcels in the binder. At this time only, the RE can summarize in one memo a list of the remaining parcels and each of their special circumstances. This memo and attached documents are then forwarded to the District Engineer for review and subsequently to the State Engineer's Office for approval.

List of Attachments

- Attachment A – Process for Identification and Disposal of Excess Land;
- Attachment B – Example of Completed Excess Right of Way Inventory form;
- Attachment C – Example of Memo to District Engineer;
- Attachment D – Explanation of Form 60-3311 fields;
- Attachment E – Example of completed 60-3311 with supporting documentation.

Process for Identification and Disposal of Excess Land



ATTACHMENT A FLOWCHART

L101, Pima Freeway
Pima/Princess Road to Shea Blvd

RBM-600-1-703
Nan Wilcox 602-712-6126
Steve Chierewick, HDR 602-508-8317

Parcel No.	Total or Partial Take	Excess Land No.	Site Plan <input checked="" type="checkbox"/>	Remnant Area (Sq.Ft.)	Utilities Y/N *	Access Y/N *	Const Need Y/N *	Special Conditions	Comments	60-3311 <input checked="" type="checkbox"/>
7-4048	T		X	371,694	Y	Y	N	Access is available from Cholla Rd. City of Scotts. Sanitary sewer and force main run along the east edge of disposal property (but not within). Also some unknown underground utilities from previous development were never removed.	Previous Owner: Dix Corporation	<input checked="" type="checkbox"/>
7-4161	T			2,025	Y	N	N	Landlocked with 4289, 5438, Sanitary sewer and force main run along and within west edge of property.	Previous Owner: Bradley A. Anderson Candidate for abandonment back to City of Scottsdale for maintenance	
7-5438	P		X	8,340	Y	N	N	Landlocked with 5439 and 8042. APS and Cox utilities have easement within property. AG Office currently negotiating condemnation settlement.	Previous Owner: Armenian Center Church AG office may be able to return land to Armenian Church for condemnation settlement	
7-5439	P		X	4,857	Y	N	N	Landlocked with 5438 and 5440. APS and Cox utilities have easement within property.		
7-4239	T		X	4,720	Y	Y	N	Access is available from Sunnyside Drive. Sanitary Sewer and force main run along west edge of property.	Previous Owner: George A. Alory, et. Ux Candidate for abandonment to City of Scottsdale for maintenance.	

1 of 2

EXCESS RIGHT-OF-WAY INVENTORY

L101, Pima Freeway
Pima/Princess Road to Shea Blvd.

Construction Project Number: RAM-600-1-544
Construction TRACS No.: 101L MA 036 H4083 01C
ADOT Project Manager: Jim Romero 602-712-7195
Resident Engineer: John Akin 602-712-8110
Date: June 10, 2004

R/W Project Number:
R/W TRACS No.:
R/W Coordinator:
Engineering Consultant:

RBM-600-1-703
Nan Wilcox 602-712-6126
Steve Cherevick, HDR 602-508-6617

Parcel No.	Total or Partial Take	Excess Land No.	Site Plan <input checked="" type="checkbox"/>	Remnant Area (Sq.Ft.)	Utilities Y/N *	Access Y/N *	Const. Need Y/N *	Special Conditions	Comments	60-3311 <input checked="" type="checkbox"/>
7-4310	T		X	4,720	Y	Y	N	Access is available from Jernan Drive. Sanitary sewer and force main run along west edge of property.	Previous Owner: Robert J. Arbutnot, et. Ux Candidate for abandonment to City of Scottsdale for maintenance.	
7-4261	T		X	4,700	Y	Y	N	Access is available from Jernan Drive. Sanitary sewer and force main run along west edge of property.	Previous Owner: Bertram B. Puttermann, et. Ux, Candidate for abandonment to City of Scottsdale for maintenance.	
7-8138	P		X	1,535	N	N	N	Access is available from 88th Place.	Potential for homeowners' association to take over maintenance.	

Note:

* A yes requires a comment
60-3311 - Recommendation for Disposal to Real Property - Check if Initiated.

RAM-600-1-544 (RAM-600-1-544) - 101L MA 036 H4083 01C

**Arizona Department of Transportation****Intermodal Transportation Division****MEMORANDUM**

To: Perry Powell
District Engineer

Date: January 17, 2003

From: John Akin

Subject: Disposal of Real Property

Please find attached Form 60-3311 and supporting documentation for the disposal of a large parcel in Scottsdale as a result of the construction of the Pima Freeway.

A noise berm was constructed to the east of this parcel during construction to maximize the amount of property that could be sold at a later date. Utilities in the area include a 24" and 30" sanitary sewer for the City of Scottsdale. The right of way fence was located to allow maintenance access behind the sound berm, and is located to the west of the sanitary sewer to allow access for the City of Scottsdale.

The contractor utilized this area as a staging area for construction. At this time, the land has been restored to the same condition we found it when the project began. This initial condition included asphalt paving, curb and gutter, sidewalk and some underground water and sewer originally constructed by a developer prior to acquisition by ADOT. The underground utilities were not disturbed during ADOT's contract.

Although no direct access is available directly to an ADOT roadway, the property does have access to Cholla Road, which is a public, city-maintained street.

For these reasons, I recommend this property be disposed by way of sale.

ATTACHMENT C
SAMPLE LETTER TO DISTRICT ENGINEER

ARIZONA DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
RIGHT OF WAY GROUP
RECOMMENDATION FOR DISPOSAL OF REAL PROPERTY

TO: Daniel S. Lance
DEPUTY STATE ENGINEER

FROM: John Hauskins
☐ MAINTENANCE DISTRICT ENGINEER
☐ CONSTRUCTION DISTRICT ENGINEER

FOR: RIGHT OF WAY GROUP

DISTRICT: Phoenix

R/W PROJECT NO: ###	HIGHWAY	DISPOSAL ACTION TO BE TAKEN:	
CONSTRUCTION NO: #REFI	#REFI	<input type="checkbox"/> ABANDON <input checked="" type="checkbox"/> SALE <input type="checkbox"/> EXTINGUISH/RELINQUISHMENT	
TRACS NO: H408301R	SECTION	MILE POST OR STATION	
	Scottsdale to Doubletree	Rt. Sta. 69+500 to 69+900	
ROUTE NO: OLD: SR 117	COUNTY	L-M-305 (7-4048)	
	Maricopa	Corona Vista Subdivision, Lots 1-32	
CURRENT SR L101	SECTION 24	TOWNSHIP 3N	RANGE 4E
THE FOLLOWING ARE SUBMITTED IN SUPPORT OF THIS REQUEST:			
A. <input checked="" type="checkbox"/> A memorandum stating and supporting the reason for the request. B. <input type="checkbox"/> Description, mile post designation, legal description or engineers station. C. <input checked="" type="checkbox"/> A map or plat of the described area. D. <input type="checkbox"/> A statement to <input type="checkbox"/> the receiving agency or political subdivision. from <input type="checkbox"/>			
		SIGNATURE MAINT. DISTRICT ENGINEER DATE	
		SIGNATURE CONST. DISTRICT ENGINEER DATE	
REVIEW PROCESSING			
<small>SIGN IN THE APPROPRIATE COLUMN ATTACH MEMO IF NOT "RECOMMENDED"</small>			
REVIEWED BY	RECOMMENDED	NOT RECOMMENDED	DATE
DEPUTY STATE ENGINEER			
<input type="checkbox"/> STATEWIDE OR			
<input type="checkbox"/> VALLEY PROJECT MGMT.			
RIGHT OF WAY PLANS MANAGER			
MANAGER-ROADSIDE DEVELOPMENT SECTION			
ASST. STATE ENGINEER ROADWAY GROUP			
ASST. STATE ENGINEER MAINTENANCE GROUP			
ASST. STATE ENGINEER MATERIALS GROUP			
MANAGER TRANSPORTATION PRIORITY PROG. BRANCH			

INSTRUCTIONS: This form is to be used to initiate disposal proceeding of all real property no longer required by the Arizona Department of Transportation. It is to be initiated by appropriate District Engineer, and must bear his signature.

ATTACHMENT E1
EXAMPLE OF COMPLETED FORM 60-3311 (Page 1 of 2)

ARIZONA DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
RIGHT OF WAY GROUP
RECOMMENDATION FOR DISPOSAL OF REAL PROPERTY

RIGHT OF WAY SECTION

DESCRIPTION	DATE REQUESTED	DATE RECEIVED
1. <input type="checkbox"/> Legal Description and Plans		
2. <input type="checkbox"/> Title Information		
3. <input type="checkbox"/> Appraisal		
4. Federal Aid Participation		
a. participating in R/W acquisition	YES <input type="checkbox"/> NO <input type="checkbox"/>	
b. participating in construction	YES <input type="checkbox"/> NO <input type="checkbox"/>	

DEPOSITION: _____
Who is to receive jurisdiction? _____

FHWA CONCURRENCE REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	<input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED
DATE SUBMITTED _____	
CONCURRENCE RECEIVED: YES <input type="checkbox"/> NO <input type="checkbox"/>	CHIEF RIGHT OF WAY AGENT _____ DATE _____

BOARD APPROVAL YES <input type="checkbox"/> NO <input type="checkbox"/>	RESOLUTION NUMBER _____	DATE DAY _____ MONTH _____ YEAR _____		
RESOLUTION RECORDING INFORMATION	DOCKET / DOCUMENT	PAGE	COUNTY	DATE

NOTIFICATION

DISTRICT ENGINEER	ABUTTING OWNER	POL. SUB.
R/W PLANS	TRANSPORTATION PLANNING	TRAFFIC ENGINEERING
		OTHER

INSTRUCTIONS: This form is to be used to initiate disposal proceeding of all real property no longer required by the Arizona Department of Transportation. It is to be initiated by appropriate District Engineer, and must bear his signature.
All supporting data must accompany the form to ensure complete and rapid processing.

ATTACHMENT E2
EXAMPLE OF COMPLETED FORM 60-3311 (Page 2 of 2)

- ① New R/W requirements not received as of 11-30-87 to be added at later date.
- ② Total Area only includes all of Parcel 1 and a portion of Tract A.
- ③ New Legal Description to be prepared at a later date.
- ④ Parcel 7-5396 & 7-5428 Were combined under Parcel 7-6208.
- ⑤ For Acquisition of Existing Drainage Easment to City of Scottsdale, Recorded DKT. 14593, PG.1388,1395 & 1398. -
- * Parcel to be Acquired as a Total Take.
- ⑥ For Access Control.
- ⑦ Net Area encumbered by Reversionary Landscape Buffer. Rights to be acquired under Parcel 7-8081.
- ⑧ TRE Only

OWNERSHIP

PARCEL NUMBER	OWNER	DESCRIPTION
7-3750	State of Arizona (S.L.D.)	Pt. of Section 28, T.4 N., R.4 E.
7-3751	State of Arizona (S.L.D.)	Pt. of Section 36, T.4 N., R.4 E.
7-3752	State of Arizona (S.L.D.)	Pt. of Section 25, T.4 N., R.4 E.
7-3753 -L1	State of Arizona (S.L.D.)	Pt. of N.1/2 of Section 35 T.4 N., R.4 E.
-L2	Forest City Scottsdale Co.	Pt. of N.1/2 of Section 35 T.4 N., R.4 E.
7-3809	State of Arizona (S.L.D.)	Pt. of Lot 4 Section 31, T.4 N., R.4 E.
7-4024	Pima & Shea Property Ltd.	Pt. of Pima & Shea Of
7-4048	Dix Corporation	Colina Vista Subdivision Lots 1-32
7-4160	Malouf Brothers, Development Company	Lots 52-55,58,59,62,65 Pt. Lots 51,56,57,60,61,63,64,66 Greenstone Subdivision
7-4161	Bradley A. Anderson	Pt. of Lot 114 Sundown Ranchos No. 2
7-4163	Marcella J. Welch	Lot 55, Desert Hills North
7-4183	Tommy Joe Davis, et. ux.	Lot 58, Desert Hills North
7-4235	Charles R. Baughman, et. ux.	Lot 57, Desert Hills North
7-4239	George A. Aliory, et. ux.	Lot 52, Desert Hills North
7-4257	George Miceli	Lot 13 Section 6, T.3 N., R.5 E.
7-4258	Alan K. Pace, et. ux.	Lot 56, Desert Hills North
7-4261	Bertram B. Putterman, et. ux.	Lot 54, Desert Hills North
7-4280	Thomas H. Treacchar, et. ux.	Pt. of E.1/2, S.E.1/4, Section 12, T.3 N., R.4 E.
②③ 7-4281	Northsight Partnership	Pt. of S.E. 1/4 Section 12, T.3 N., R.4 E.
7-4283	Peter J. Nevak, et. ux.	Pt. of Lot 17 Section 12, T.3 N., R.4 E.
③ 7-4284	Northsight II	Pts. of Lots 1, 2, 15, 18, 19, 31 & 32 Sec. 12 & S.E.1/4 Sec. 1, T.3 N., R.4 E.
7-4285	Thomas H. Treacchar, et. ux.	Pt. of N.E.1/4, S.E.1/4, Section 1, T.3 N., R.4 E.
7-4289	Aaron T. Bliss, jr.	Lot 68 Sundown Ranchos No. 2
7-4310	Robert J. Arbuthnot, et. ux.	Lot 53 Desert Hills North
⑦ 7-5054	KAUFMAN MORTGAGE CO.	Pt. of S.W.1/4, S.W.1/4 Section 30, T.3 N., R.5 E.
7-5063	Darlene J. Johnson	Lot 80 Desert Hills North
7-5069	Costain Arizona Inc.	Pt. of Lots 14 & 37, Tract E, a Private Streets, Mission Santa Fe
⑤ 7-5141	SHEA 90 CORP.	Pt. of N.W. 1/4 Section 30, T.3 N., R.5 E.
④ 7-5396	Billy Ray Danner, et. ux.	Pt. of N.E.1/4, N.E.1/4, S.E.1/4, Section 13, T.3 N., R.4 E.
③ 7-5398	CORRIGAN LAND & LIVESTOCK COMPANY LIMITED PARTERSHIP	Pt. of W.1/2, W.1/2 Section 28, T.4 N., R.4 E.
⑧ 7-5399	The Estate of Scottsdale International Corporate Center, Inc.	Pt. of Lot 1 Section 1, T.3 N., R.4 E.
7-5400	Fay P Chiano, et. al.	Pt. of Lot 14 Section 8, T.3 N., R.5 E.

Sample
↓ Parcel

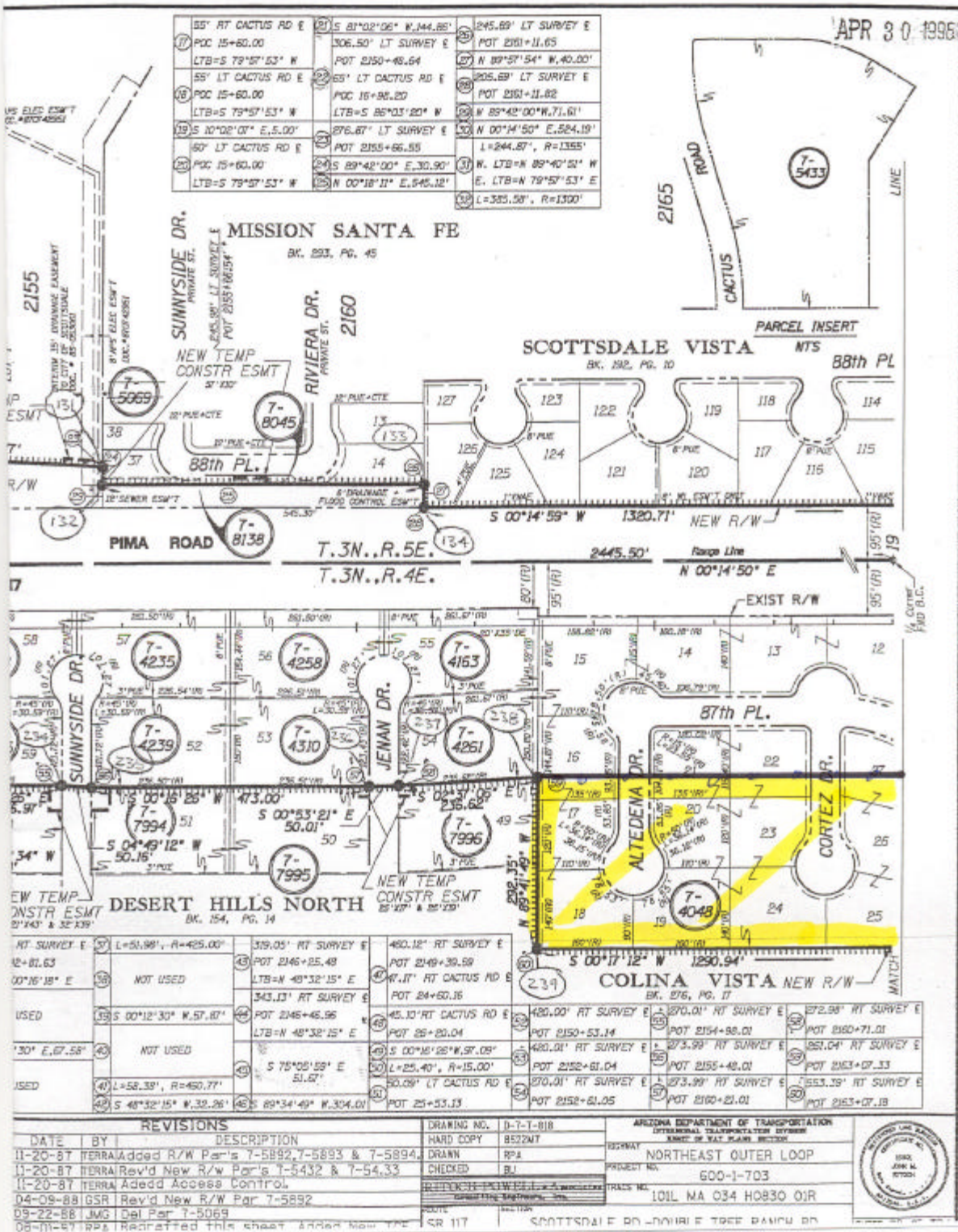
ATTACHMENT E3
SUPPORTING DOCUMENTATION FROM ROW PLANS (Page 1 of 2)

RECORD						ACQUISITION RECORD					
TOTAL AREA	AREA GROSS INCLUDING EXISTING R/W	AREA NET EXCLUDING EXISTING R/W	EASEMENT AREA	REMAINDER		SHEET NUMBER	BOARD APPROVAL	TYPE & DATE OF INSTRUMENT	RECORDED		
				LEFT	RIGHT				DATE	BOOK	PAGE
480 AC.		31.1 AC.		433.5 AC.	15.4 AC.	10-11	8-1-91	GRNT 6-11-86			
663.25 AC.	78.49 AC.	76.07 AC.		137.07 AC.	447.69 AC.	11-14	"	"			
76.38 AC.		0.25 AC.		76.13 AC.		11-14	"	"			
319.77 AC.		8.99 AC.			310.78 AC.	11	"	"			
319.77 AC.		8.99 AC.			310.78 AC.	11	"	"			
249.8 AC.	5.4 AC.	3.1 AC.		244.2 AC.		14	"	"			
356,851 S.F.		122,840 S.F.		234,011 S.F.		21-23	11-14-86	W.D. 11-5-86	11-24-86	86	
591,173 S.F.		591,173 S.F.				20-21	7-3-86	6-24-86	7-10-86	86	353382
1278,528 S.F.		297,874 S.F.			878,554 S.F.	19-20	10-2-86	W.D. 8-25-86	10-8-86	86	519770
38,508 S.F.		38,508 S.F.				21	6-25-87	W.D. 6-4-87	7-2-87	87	422283
35,918 S.F.		35,918 S.F.				20	6-6-86	W.D. 5-9-86	6-17-86	86	302184
38,583 S.F.		38,583 S.F.				20	8-15-86	W.D. 7-2-86	8-27-86	86	459707
37,002 S.F.		37,002 S.F.				20	10-24-86	W.D. 9-26-86	10-30-86	86	596843
35,875 S.F.		35,875 S.F.				20	2-19-87	W.D. 12-1-87	2-26-87	87	116735
197,418 S.F.		197,418 S.F.				14-15	11-6-87	W.D. 11-3-87	11-3-87	87	688258
37,378 S.F.		37,378 S.F.				20	12-2-87	W.D. 12-18-86	1-29-87	87	056839
35,413 S.F.		35,413 S.F.				20	11-5-87	W.D. 11-17-86	1-26-87	87	048616
435,500 S.F.		152,981 S.F.			282,519 S.F.	18		F.O.C. 1-8-88	1-12-88	88	013562
1,638,042 S.F.		285,600 S.F.			1,352,442 S.F.	17-18		"	"	"	"
DELETED		8-97						NO INFO AVAILABLE			
141,676 S.F.		154,401 S.F.			1278,285 S.F.	16-17		F.O.C. 1-8-88	1-12-88	88	013562
DELETED		8-97									
43,490 S.F.		43,490 S.F.				21	10-24-86	W.D. 10-14-86	10-30-86	86	516834
35,587 S.F.		35,587 S.F.				20	3-25-87	W.D. 2-3-87	4-8-87	87	211855
74,887 S.F.		39,608 S.F.			35,081 S.F.	24	8-1-96	W.D. 7-22-96	8-15-96	96	0575079
35,032 S.F.		35,032 S.F.				20	4-2-87	W.D. 2-27-87	4-8-87	87	213474
DELETED		9-22-88									
DELETED		9-22-88				22-23					
DELETED		9-22-88									
4,801,413 S.F.		448,394 S.F.			4,353,019 S.F.	10					
135,428 S.F.		10,270 S.F.			134,398 S.F.	14-15					
242,014 S.F.	178,529 S.F.	168,818 S.F.			72,196 S.F.	15					

Sample
↓ Parcel

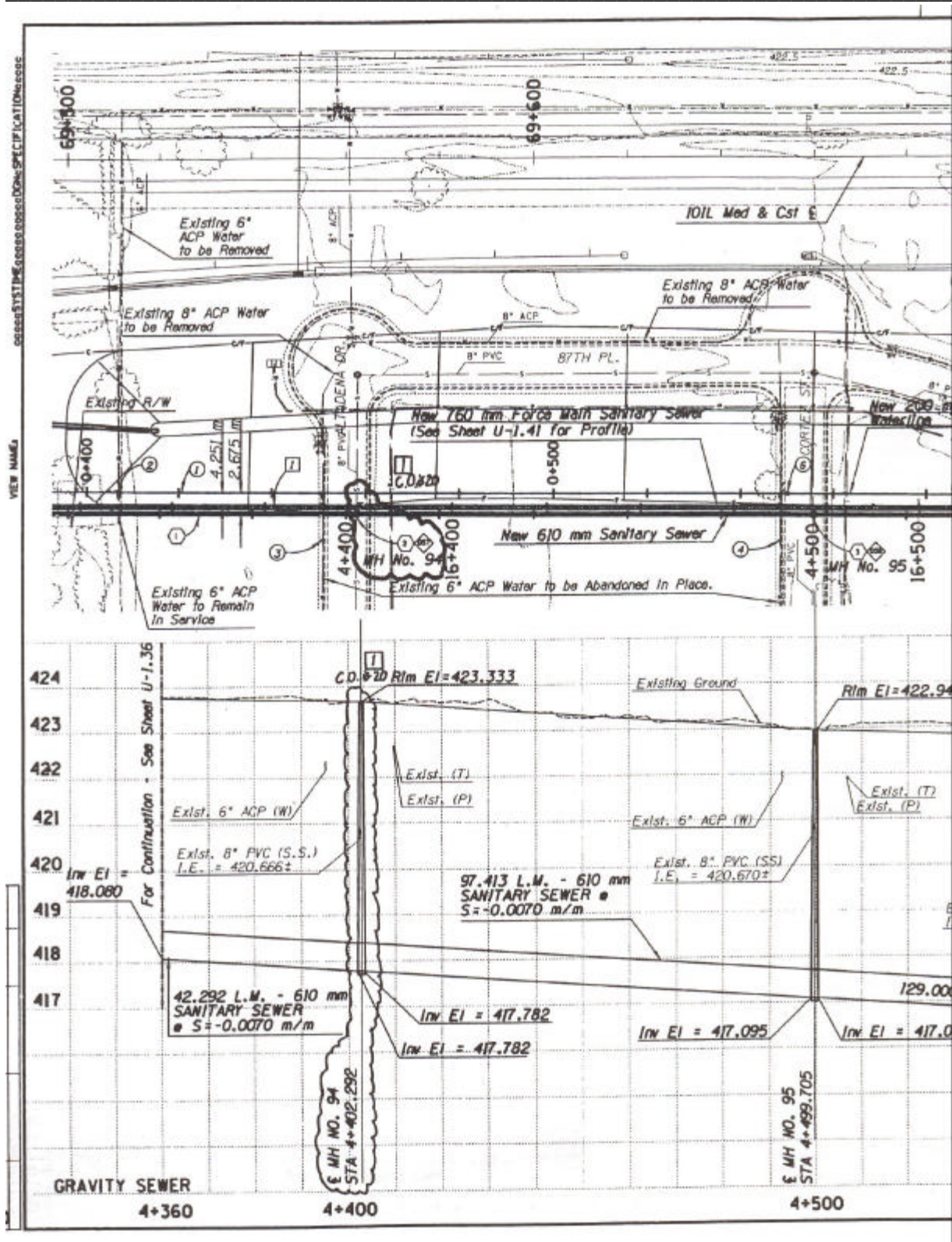
ATTACHMENT E4

SUPPORTING DOCUMENTATION FROM ROW PLANS (Page 2 of 2)



ATTACHMENT E5
HIGHLIGHTED PARCEL FROM ROW PLANS (Page 1 of 2)





ATTACHMENT E7
CONSTRUCTION PLAN SHOWING UTILITIES FOR PARCEL (Page 1 of 3)



