

## **Chapter 29 - Right of Way, Access and Approaches**

Before advertising for bids on a project, ODOT must either certify that the right of way is clear or list the property files that it still does not have the right to enter, in the Contract Special Provisions.

Do not allow the Contractor to enter upon any property before ODOT has obtained the right of entry. Contact the Region/BDU Right of Way Manager if you have any questions. ODOT may be able to obtain a permit of entry before it actually acquires the property.

### **Right of Way Obligations**

For each real property transaction that involves construction obligations of ODOT, the Right of Way Section will send the Project Manager (PM) a copy of Obligations of Oregon Transportation Commission on Real Property Acquisitions, Form 734-3300.

The PM must review the requirements of that form to assure that all obligations are included in the project plans correctly. If there is a discrepancy or a change is necessary, the PM must resolve the issue with the Region/BDU Right of Way Manager and follow up with the Contractor.

When the work required to fulfill the right of way obligation, Form 734-3300, has been completed, the PM signs the form and sends copies to the Region/BDU Right of Way Manager and the District Manager.

### **Additional Right of Way**

If additional right of way is needed to construct the project, the PM should work with the Region/BDU and Right of Way Manager to acquire the needed property or right of entry. Do not enter the property without proper written permission. Do not allow the Contractor to enter the property until a right of entry has been obtained.

### **Road Approach, Driveway Construction**

ODOT has an Access Control program. The PM must not change the road approaches/driveways or other accesses shown on the project plans without obtaining prior approval. The PM may need to contact the designer, Region/BDU Right of Way Manager, or the District Manager to secure approval for any proposed change.

If the approach must be constructed at a different location than shown on the plans and in the right of way obligation, the PM must request the Region/BDU Right of Way Manager to modify the obligation.

Construct road approaches/driveways and surfacing according to the right of way obligation and as shown in the contract plans and specifications.