

## PREFACE

This *Right of Way Manual* was developed to provide technical guidance to professionals in several fields who are responsible for delivering property rights to support the Maine Department of Transportation's transportation program. It complies with the Maine Statutes (MRSA) and Federal laws and regulations that control the process for acquiring private property rights for public purposes. Importantly the *Manual* encourages sensitivity to the needs and concerns of citizens who are called on to relinquish property, and sometimes home or business, for the overall public good. **Right of way is not merely a financial transaction to acquire real estate. It is a human endeavor that requires the highest level of tact, understanding and respect from the people who represent the State of Maine in this activity. Persons who survey, appraise, acquire property and assist relocation, are aware that public trust and confidence in the highway program rests in high degree with the professionalism and skill they display in carrying out their work.** The *Manual* supports this understanding of the sensitivity and importance of the right of way process

The *Right of Way Manual* will be used not only by Department staff, but also by local agency personnel who acquire property for State funded projects, and by private service providers including contract appraisers, title professionals and acquisition specialists. The *Manual* addresses the specific topics of interest to each user, and also indicates the close relationships and interdependencies of the distinct right of way disciplines.

The *Right of Way Manual* is a living document that will change as controlling laws and regulations change, and more effective management practices develop. The text, headings and page numbering systems are designed to permit insertions or replacement of text without changing the basic structure of the *Manual* or replacement of full chapters or sections. The *Manual* is produced to permit traditional print publication as well as electronic publication.

The Property Office of the Project Development Bureau is responsible for continued maintenance and update of the *Manual*. Users are encouraged to advise the Director of the Property Office of need for corrections or provide suggestions that would improve the content of the *Manual*. Correspondence should be addressed to:

Maine Department of Transportation  
16 State House Station  
Augusta ME 04333-0016  
Attn: Director, Property Office



**Table of Contents**

Chapter One.....ADMINISTRATION

Chapter Two..... MAPPING AND RESEARCH

Chapter Three ..... ADMINISTRATIVE ACQUISITION PROCEDURE

Chapter Four ..... PROPERTY VALUATION

Chapter Five..... ACQUISITION

Chapter Six ..... RELOCATION

Chapter Seven ..... PROPERTY MANAGEMENT

Chapter Eight ..... LOCAL AGENCY ACQUISITION

Chapter Nine ..... CONTRACTING RIGHT OF WAY SERVICES

Chapter Ten ..... QUALITY ASSURANCE AND QUALITY CONTROL

Appendix A..... MAINE REVISED STATUTES ANNOTATED (MRSA)

Appendix B..... CODE OF FEDERAL REGULATIONS

Appendix C..... RIGHT OF WAY FORMS

Appendix D..... RIGHT OF WAY ACRONYMS & ABBREVIATIONS



**Maine Right of Way Manual – Issued August 2018  
Section Revision Dates**

**Chapter 1 — Administration**

<u>Section Number</u>	<u>Revision Date</u>
1-1	
1-1.01	
1-1.01(a)	
1-1.01(b)	
1-1.02	
1-1.03	
1-1.03(a)	
1-1.03(b)	
1-1.03(c)	
1-1.03(d)	
1-1.03(e)	
1-1.04	
1-1.04(a)	
1-1.04(b)	
1-1.04(c)	
1-1.04(d)	
1-1.04(e)	
1-1.04(f)	
1-1.04(g)	
1-1.05	
1-1.05(a)	
1-1.05(b)	
1-1.05(c)	
1-2	
1-2.01	
1-2.02	
1-2.02(a)	
1-2.02(b)	
1-2.02(c)	
1-2.02(d)	
1-3	
1-4	
1-4.01	
1-4.02	
1-5	
1-5.01	
1-6	

**Maine Right of Way Manual – Issued August 2018  
Section Revision Dates**

**Chapter 2 — Mapping and Research**

<u>Section Number</u>	<u>Revision Date</u>	<u>Section Number</u>	<u>Revision Date</u>
2-1		2-6.06(a)	
2-1.01		2-6.06(b)	
2-1.02		2-6.06(c)	
2-1.03		2-6.06(d)	
2-1.04		2-6.06(e)	
2-1.05		2-6.06(f)	
2-1.06		2-6.06(g)	
2-1.07		2-7	
2-2		2-7.01	
2-2.01		2-7.02	
2-2.02		2-7.03	
2-2.03		2-7.04	
2-3		2-7.05	
2-3.01		2-7.06	
2-3.02			
2-3.03			
2-4			
2-4.01			
2-4.02			
2-4.02(a)			
2-4.02(b)			
2-4.02(c)			
2-4.02(d)			
2-4.03			
2-4.04			
2-4.05			
2-4.06			
2-4.06(a)			
2-4.06(b)			
2-5			
2-5.01			
2-5.02			
2-5.02(a)			
2-5.02(b)			
2-5.02(c)			
2-5.02(d)			
2-5.02(e)			
2-6			
2-6.01			
2-6.02			
2-6.03			
2-6.04			
2-6.05			
2-6.06			

**Maine Right of Way Manual – Issued August 2018  
Section Revision Dates**

**Chapter 3 — Administrative Acquisition Procedure**

<u>Section Number</u>	<u>Revision Date</u>
3-1	
3-1.01	
3-1.02	
3-1.03	
3-1.03(a)	
3-1.03(b)	
3-1.03(c)	
3-1.03(d)	
3-1.04	
3-1.05	
3-1.06	
3-2	
3-2.01	
3-2.02	
3-2.03	
3-2.04	
3-3	
3-3.01	
3-3.02	
3-3.03	
3-3.04	

**Maine Right of Way Manual – Issued August 2018  
Section Revision Dates**

**Chapter 4 — Property Valuation**

<u>Section Number</u>	<u>Revision Date</u>	<u>Section Number</u>	<u>Revision Date</u>
4-1		4-4.01	
4-1.01		4-4.02	
4-1.02		4-4.03	
4-1.03		4-4.03(a)	
4-1.04		4-4.03(b)	
4-1.05		4-4.03(c)	
4-1.06		4-4.03(d)	
4-1.07		4-4.03(e)	
4-1.08		4-4.03(f)	
4-1.08(a)		4-4.03(g)	
4-1.08(b)		4-4.03(h)	
4-1.08(c)		4-4.03(i)	
4-1.08(d)		4-5	
4-1.08(e)		4-5.01	
4-1.08(f)		4-5.02	
4-1.09		4-5.03	
4-2		4-5.03(a)	
4-2.01		4-5.03(b)	
4-2.02		4-5.03(c)	
4-2.03		4-5.03(d)	
4-2.04		4-5.03(e)	
4-2.05		4-5.03(f)	
4-3		4-5.03(g)	
4-3.01		4-5.03(h)	
4-3.02		4-5.04	
4-3.03		4-6	
4-3.04		4-6.01	
4-3.05		4-6.02	
4-3.06		4-6.03	
4-3.07		4-6.04	
4-3.08			
4-3.09			
4-3.10			
4-3.11			
4-3.12			
4-3.13			
4-3.14			
4-3.15			
4-3.16			
4-3.17			
4-3.18			
4-3.19			
4-3.20			
4-4			



**Maine Right of Way Manual – August 2018  
Section Revision Dates**

**Chapter 5 — Acquisition**

<u>Section Number</u>	<u>Revision Date</u>	<u>Section Number</u>	<u>Revision Date</u>
5-1		5-7.03	
5-1.01		5-7.04	
5-1.02		5-7.05	
5-1.03		5-8	
5-1.04		5-8.01	
5-1.05		5-8.02	
5-1.06		5-8.02(a)	
5-1.06(a)		5-8.02(b)	
5-1.06(b)		5-8.02(c)	
5-1.07		5-8.02(d)	
5-2		5-8.02(e)	
5-2.01		5-9	
5-2.02		5-9.01	
5-3		5-9.02	
5-3.01		5-9.03	
5-3.01(a)		5-9.04	
5-3.01(b)		5-9.05	
5-3.01(c)		5-9.06	
5-3.02		5-9.07	
5-3.02(a)		5-9.08	
5-3.02(b)		5-9.09	
5-3.02(c)			
5-3.02(d)			
5-3.02(e)			
5-3.02(f)			
5-3.02(g)			
5-3.03			
5-3.03(a)			
5-3.03(b)			
5-3.03(c)			
5-4			
5-4.01			
5-4.02			
5-5			
5-5.01			
5-5.02			
5-5.03			
5-5.04			
5-6			
5-6.01			
5-6.02			
5-7			
5-7.01			
5-7.02			

**Maine Right of Way Manual –August 2018  
Section Revision Dates**

**Chapter 6 — Relocation**

<u>Section Number</u>	<u>Revision Date</u>	<u>Section Number</u>	<u>Revision Date</u>
6-1		6-6.01	
6-1.01		6-6.02	
6-1.02		6-6.03	
6-1.03		6-6.04	
6-1.04		6-6.05	
6-1.05		6-6.06	
6-1.06		6-6.07	
6-1.07		6-6.08	
6-1.08		6-6.09	
6-1.09		6-6.10	
6-1.10		6-6.11	
6-1.11		6-6.12	
6-1.12		6-7	
6-1.13		6-7.01	
6-2		6-7.01(a)	
6-2.01		6-7.01(b)	
6-2.02		6-7.02	
6-2.03		6-7.02(a)	
6-2.04		6-7.02(b)	
6-3		6-7.02(c)	
6-3.01		6-7.02(d)	
6-3.02		6-7.02(e)	
6-3.03		6-7.03	
6-3.04		6-7.03(a)	
6-3.05		6-7.03(b)	
6-3.06		6-7.03(c)	
6-3.07		6-7.03(d)	
6-3.08		6-7.03(e)	
6-3.09		6-7.03(f)	
6-3.10		6-7.03(g)	
6-4		6-7.03(h)	
6-4.01		6-7.04	
6-4.02		6-7.04(a)	
6-4.03		6-7.04(b)	
6-4.04		6-7.04(c)	
6-4.05		6-7.04(d)	
6-5		6-7.04	
6-5.01		6-7.04(a)	
6-5.02		6-7.04(b)	
6-5.03		6-7.04(c)	
6-5.04		6-7.04(d)	
6-5.05		6-7.04(e)	
6-5.06		6-7.04(f)	
6-6		6-7.05	

**Chapter 6** (Continued)

<u>Section Number</u>	<u>Revision Date</u>
6-7.05(a)	
6-7.05(b)	
6-7.06	
6-7.07	
6-7.07(a)	
6-7.07(b)	
6-8	
6-8.01	
6-8.02	
6-8.02(a)	
6-8.02(b)	
6-8.02(c)	
6-8.02(d)	
6-8.02(e)	
6-8.02(f)	
6-8.02(g)	
6-8.02(h)	
6-8.02(i)	
6-8.03	
6-8.04	
6-8.05	
6-9	
6-9.01	
6-9.02	
6-9.03	
6-9.04	
6-9.05	
6-9.06	
6-9.07	
6-9.07(a)	
6-9.07(b)	
6-9.07(c)	
6-9.07(d)	
6-10	
6-10.01	
6-10.02	
6-10.03	
6-10.04	
6-10.05	
6-10.06	
6-10.07	
6-10.08	

**Maine Right of Way Manual – Issued August 2018  
Section Revision Dates**

**Chapter 7 — Property Management**

<u>Section Number</u>	<u>Revision Date</u>
7-1	
7-1.01	
7-1.02	
7-1.03	
7-1.04	
7-1.05	
7-2	
7-2.01	
7-2.02	
7-2.02(a)	
7-2.02(b)	
7-2.02(c)	
7-2.02(d)	
7-2.02(e)	
7-3	
7-3.01	
7-3.02	
7-4	
7-4.01	
7-4.02	
7-4.03	
7-4.04	
7-4.05	
7-5	
7-5.01	
7-5.02	
7-5.03	
7-5.04	
7-5.05	
7-5.06	
7-6	
7-6.01	
7-6.02	
7-7	
7-7.01	
7-7.02	
7-7.03	
7-7.04	
7-7.05	

**Maine Right of Way Manual – Issued August 2018  
Section Revision Dates**

**Chapter 8 — Local Agency Acquisition**

<u>Section Number</u>	<u>Revision Date</u>
8-1	
8-1.01	
8-1.02	
8-1.03	
8-1.04	
8-1.05	
8-1.06	
8-2	
8-2.01	
8-2.02	
8-2.03	
8-2.04	
8-2.05	
8-2.06	
8-2.07	
8-2.08	
8-2.09	
8-2.10	
8-2.11	
8-2.12	
8-3	
8-4	
8-4.01	
8-4.02	
8-4.03	
8-4.04	

**Maine Right of Way Manual – Issued August 2018  
Section Revision Dates**

**Chapter 9 — Contracting Right of Way Services**

<u>Section Number</u>	<u>Revision Date</u>
9-1	
9-1.01	
9-1.02	
9-1.03	
9-1.04	
9-1.05	
9-2	
9-2.01	
9-2.02	
9-2.03	
9-2.04	
9-2.05	
9-2.06	
9-2.07	
9-2.07(a)	
9-2.07(b)	
9-2.07(c)	
9-3	
9-3.01	
9-3.02	
9-3.03	
9-3.03(a)	
9-3.03(b)	
9-3.03(c)	
9-3.03(d)	
9-3.03(e)	
9-3.03(f)	
9-3.03(g)	

**Maine Right of Way Manual – Issued August 2018  
Section Revision Dates**

**Chapter 10 — Quality Assurance and Quality Control**

<u>Section Number</u>	<u>Revision Date</u>
10-1	
10-1.01	
10-1.02	
10-1.03	
10-1.04	
10-1.04(a)	
10-1.04(b)	
10-1.05	
10-2	
10-2.01	
10-2.02	
10-2.02(a)	
10-2.02(b)	
10-2.02(c)	
10-2.02(d)	
10-2.02(e)	
10-2.02(f)	
10-2.02(g)	
10-2.02(h)	
10-3	
10-3.01	
10-3.02	
10-3.03	
10-3.04	
10-3.05	
10-3.06	

