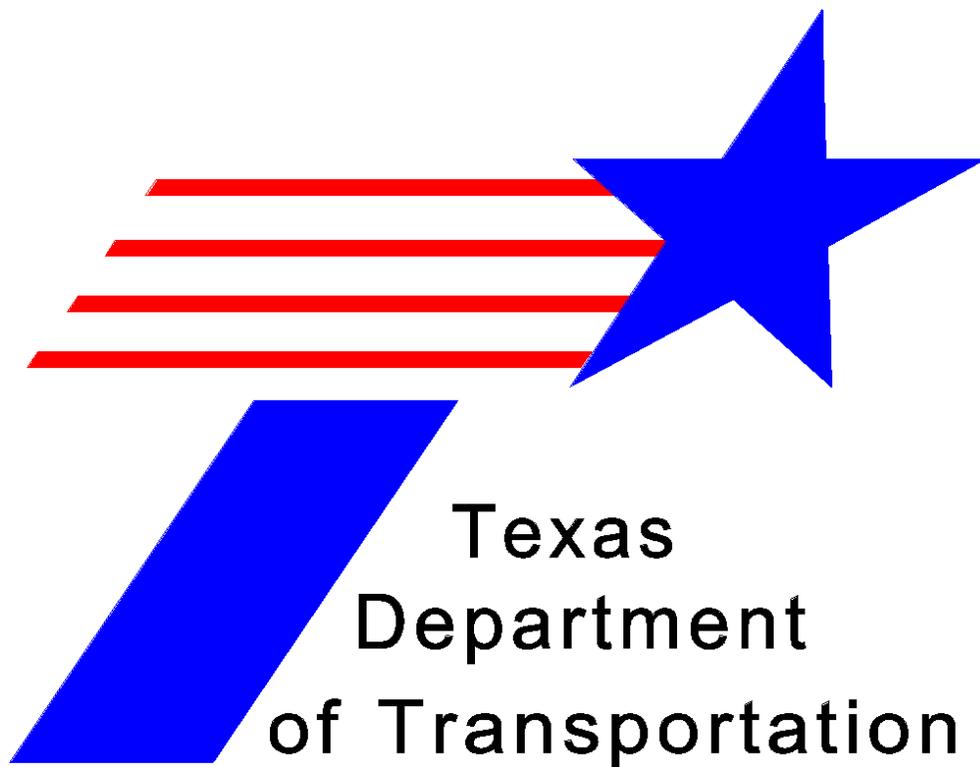


ROW Vol. 8 - Records, Reports and Closing Projects



Revised December 2010

© 2010 by Texas Department of Transportation
(512) 302-2453 all rights reserved

Manual Notice 2010-1

From: John P. Campbell, P.E., Right of Way Division Director

Manual: Right of Way Manual Vol. 8 - Records, Reports and Closing Projects

Effective Date: December 01, 2010

Purpose

To update information on Records, Reports, and Closing of Projects. To eliminate references to District right of way sections, and replace those with the new Regional structure.

Changes

Chapter 1, Section 1 - [Records](#): Replaced reference to *Communications Manual* with reference to *Records Management Manual*.

Chapter 1, Section 2 - [Final Closing of Projects](#):

- ◆ Added verification that relocations & utility adjustments are completed prior to submitting request to close a project.
- ◆ For parcels not being acquired, eliminated requirement to notify ROW Division and added requirement to suspend the parcels in ROWIS.
- ◆ Added requirement to submit Parcel Summary Report by Project & Statement of Cost.
- ◆ Added verification that the construction project is completed and closed prior to closing right of way project.
- ◆ Changed District references to Region throughout the section.

Chapter 1, Section 3 - [ROW Record Requirements](#):

- ◆ Added requirement that the cost records breakdown must include utility adjustments.
- ◆ Repeated requirement to submit Parcel Summary Report by Project & Statement of Cost.
- ◆ Changed District references to Region throughout the section.

Contact

Hilda Correa, R/W Staff Services, 512.416.2902.

Archives

Past manual notices are available in a [pdf archive](#).

Table of Contents

Chapter 1 — Records, Reports and Closing of Projects

Section 1 — Records	1-2
ROW Records	1-2
Section 2 — Final Closing of Projects.....	1-3
Preparation for Closing ROW Projects	1-3
Submission for Closing ROW Projects	1-3
Closing of the ROW Project	1-3
Section 3 — ROW Record Requirements	1-4
General Objectives.....	1-4
Specific Requirements (for State and LPA)	1-4
ROW Cost Records	1-4
ROW Project Progress Records.....	1-5
Miscellaneous Records Maintenance	1-5
Final Close-Out of ROW Projects.....	1-6

Chapter 1 — Records, Reports and Closing of Projects

Contents:

[Section 1 — Records](#)

[Section 2 — Final Closing of Projects](#)

[Section 3 — ROW Record Requirements](#)

Section 1 — Records

ROW Records

The original ROW project records must be retained for four years after closing a project. As a general rule, these records will be electronically stored before final retention date. After being electronically stored, and after the retention period, the original records may be destroyed **except** for the following, which are retained in the ROW Division as part of TxDOT's permanent files:

- ◆ ROW conveyances,
- ◆ final ROW maps,
- ◆ title insurance policies, and
- ◆ other instruments pertaining to the State's title to land or interests therein.

The TxDOT Records Management Manual contains a list of items which must be retained, and identifies which items must be retained permanently.

Record Retention Schedules are available in chart format for both District and Division ROW operations at the Department's Intranet site as follows:

District ROW Record Retention Schedule: <http://crossroads.org/gsd/Records%20Management/retsked.htm>.

Division ROW Record Retention Schedule: <http://crossroads.org/gsd/Records%20Management/retsked.htm>.

Section 2 — Final Closing of Projects

Preparation for Closing ROW Projects

Before submitting the request for final closing of a project, the Region should verify that:

- ◆ all required ROW is acquired
- ◆ all condemnation cases are closed by final judgment
- ◆ all utility adjustments are completed
- ◆ all charges owed by the State are paid
- ◆ (if applicable) the LPA has requested reimbursement on all expenses eligible for State participation
- ◆ all relocation assistance is completed
- ◆ (if applicable) the LPA has billed the State for their share of the receipts from the sale of improvements.

During final closing submission, check Region records as to the disposition of all parcels for which values were approved, and determine whether the ROW Division was notified. If it appears that there are parcels having approved values that are not to be acquired, these parcels should be suspended in ROWIS.

Submission for Closing ROW Projects

When all ROW is acquired, all improvements disposed of and all expenses paid and properly charged on a ROW project, submit one hardcopy of the final ROW map and one electronic copy, if available, one copy of Form [ROW-RM-9](#) (Final Disposition of Improvements), a copy of the Parcel Summary Report by Project from ROWIS, and Statement of Cost to the ROW Division. See also [Closing Out the Inventory](#).

Closing of the ROW Project

The Region's closing submission is reviewed by the ROW Division and then sent to the Finance Division for the actual close out and cancellation of any remaining funds. Before any project is closed, give special attention to see that all costs are in and the construction project is completed and closed.

Section 3 — ROW Record Requirements

General Objectives

In the acquisition of land for ROW and other highway purposes, complete records and files must be maintained to document the various processes, conclusions, and actions of TxDOT relative to each step of evaluation, acquisition and disposition. Various operations of TxDOT (in acquiring properties, selling improvements, and in the ultimate disposal of properties no longer needed for highway purposes) are subject to close scrutiny, both now and at any time in the future. While certain features of a transaction might be clearly understood at the time an action is taken, this understanding might not be as clear at a later date **unless** detailed documentation is provided which shows all the facts pertinent to the transaction.

To simplify and facilitate orderly development of a ROW project, payments and records should be maintained on a parcel basis, determined by the parcel identification numbers assigned on the ROW map. From the inception of the ROW project, all appraisals, approved values, payments, conveyance instruments and related items should be initiated, processed, accounted for, and permanently filed on the basis of the assigned parcel numbers. Since the entire ROW procedure is based upon the parcel numbers assigned, **any** changes in the parcel numbers requires corresponding corrections of all existing records of the activity on the parcel. This involves correcting Region, LPA, and ROW Division records. Therefore, if a parcel or parcel number is added, deleted or changed in **any** way, correct all copies of the ROW map and inform the ROW Division, in detail, of the action and of all transfers of charges or cancellations of values to be made as a result of the change in the identifying parcel number. Only by following this procedure can values remain correct and payment properly charged.

Keep ROW records in a manner that facilitates and supports a final closing of the project which will indicate the total cost of each parcel and the total project cost.

Specific Requirements (for State and LPA)

ROW acquisition records must be retained for four years after a project is closed. FHWA may audit the records at any time to verify that FHWA ROW acquisition requirements were met.

ROW Cost Records

To facilitate recording of ROW costs, as well as establishing a system to facilitate a final audit, parcel and project costs must be recorded in a manner that allows them to be accumulated by categories of expenditures. The Region must maintain cost records broken down to show at least the following items of parcel costs:

- ◆ land,

- ◆ damages and adjustments,
- ◆ improvements,
- ◆ title,
- ◆ appraisal fees,
- ◆ court costs,
- ◆ miscellaneous (to include those costs normally submitted directly to the Finance Division for payment),
- ◆ relocation costs, and
- ◆ credits (net amount received from sale of improvements)
- ◆ utility adjustments.

ROW Project Progress Records

For proper control of progress on each ROW project, the Region should establish and maintain project progress records. These records should indicate, by individual parcels, progress being made toward acquisition. Close control and coordination are essential if the Region is to have the necessary ROW available when construction is scheduled.

Miscellaneous Records Maintenance

In addition to the project progress and cost records, the Region should also maintain files and records relative to:

- ◆ approved appraisers,
- ◆ approved appraisal fees,
- ◆ appraisal contracts,
- ◆ appraisal reports,
- ◆ efficiency records for appraisers,
- ◆ approved values for negotiation,
- ◆ copies of executed Memorandums of Agreement (if applicable),
- ◆ standard Purchase Agreements,
- ◆ utility agreements,
- ◆ notice of proposed installation (utilities),
- ◆ complete negotiation reports documenting and supporting the negotiation for each ROW parcel,

- ◆ leases, and
- ◆ other items as set forth throughout this manual.

Final Close-Out of ROW Projects

Projects should be closed out promptly after all ROW is acquired and utility adjustments are accomplished. However, make provisions for **all** charges (e.g., utility audits, charges for reduction of the final map). When ROW acquisition is completed **and** all expenses paid and properly charged to the project, submit the following to the ROW Division:

- ◆ Statement of Cost
- ◆ [ROW-RM-9](#), Final Disposition of Improvements. One copy. Submit promptly after all improvements are disposed of. See also [Closing Out the Inventory](#).
- ◆ One hardcopy of the final ROW map and electronic copy, if available.
- ◆ Parcel Summary Report by Project from ROWIS.

To successfully and completely close a ROW project, all instruments of conveyance for all ROW parcels and the necessary evidence of title must be submitted to the ROW Division. All necessary joint use agreements with utility companies must be secured and final payment made for eligible utility adjustment costs. Also, all relocation obligations must be met and payments made. The ROW Division advises the Finance Division in writing that the project is closed.