



Connecticut DOT

Number: ED-2020-4

Office of Engineering

Date: July 22, 2020

ENGINEERING DIRECTIVE

Engineering Administrator

Procedures to Identify Releases, Transfers and Abandonments During the Design Phase of State Projects

The purpose of this directive is to ensure that releases, abandonments and transfers are not overlooked during the planning phase of State roadway or rail projects. Depending on the circumstance, property rights may need to be released under C.G.S. 13a-80, abandoned under C.G.S. 13a-43 or transferred under C.G.S. 13a-44, upon completion of the project.

The procedures outlined herein will help to identify property rights to be released, abandoned or transferred and ensure that the Municipality is aware of, and agreeable with, the Department's intentions.

The procedures are as follows:

1. In most cases, when property rights are acquired specifically to accommodate the reconstruction or realignment of a local roadway, they will need to be released to the respective Municipality under C.G.S. 13a-80.
 - These properties/property rights shall be identified at the Design/ROW meeting and noted on the schedule of owners. This will ensure that Rights of Way and Central Surveys are aware that there will be property to release upon completion of the project.
 - Prior to requesting property maps, the lead design unit will determine the "minimum right of way" required for the State facility. These limits will be depicted on the project plans to identify the future "release line." Any drainage structures, traffic appurtenances or other improvements outside the "minimum right of way" but necessary for the State facility will be identified on the plans with a call-out. This will ensure that these items are not included in the release.
 - The lead design unit will, when possible, ensure that the local roadway is designed in accordance with local criteria.

2. If, as a result of the proposed design, a portion of the existing State Route no longer conforms with the definitions set out in C.G.S. 13a-14 or no longer serves the best interest of the State as part of the highway system, the section of roadway will, in most cases, need to be Transferred under C.G.S. 13a-44 or Abandoned under C.G.S. 13a-43.
 - These sections of roadway shall be identified at the Design/ROW meeting or at the completion of preliminary design for projects with no right of way phase.
 - Once identified, the lead design unit will be responsible for notifying the Chairman of the Route Numbering & Road Reclassification Committee who will provide guidance on how to proceed.
 - Thereafter, the limits of the section of roadway to be transferred/abandoned shall be identified on the project plans.

3. The lead design unit will be responsible for providing written notification to the Municipality regarding the Department's intentions to release/transfer/abandon certain property rights upon completion of the project. If the project spans multiple Towns, notification will be provided to each.
 - At minimum, the notification shall include the following:
 - An explanation of the project and the property rights to be released.
 - A copy of the relevant plan sheets identifying the approximate area(s).
 - Reference to the Department's statutory authority.
 - A request for concurrence with the proposed release/transfer/abandonment and a signature line for the appropriate Municipal official.
 - It is recommended that the lead design unit provide initial notification to the Municipality at the Town Roads meeting. It is further recommended that official written notification be provided, and Municipal concurrence be obtained prior to the public hearing/informational meeting. This will provide adequate time for the lead design unit to make any changes that may be necessary as a result of municipal comments or disagreement.

4. Upon completion of construction and receipt of the Con-501 the following will occur:
 - For transfers and abandonments, the Chairman of the Route Numbering and Road Reclassification Committee will send notification to the municipality in accordance with C.G.S. Sec. 13a-43 and C.G.S. Sec. 13a-44. The ROW Property Management section will assist the Chairman of the Route Numbering and Road Reclassification Committee with recording said notification on the land records in accordance with C.G.S. Sec. 13a-45.
 - For releases, The ROW Property Management section will initiate the release process under C.G.S. 13a-80.