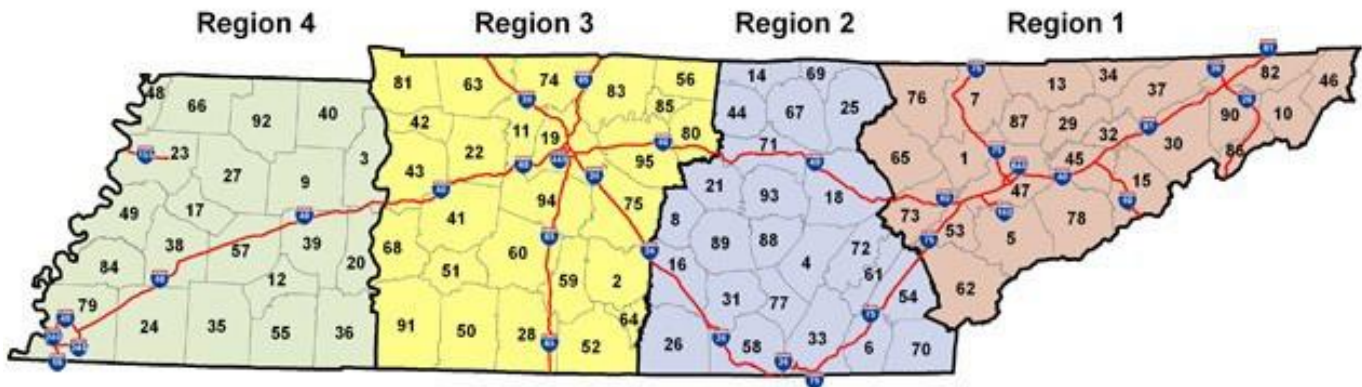


Right-Of-Way Frequently Asked Questions

TDOT Regional Offices



Alphabetical List of Counties in Tennessee

01 Anderson	20 Decatur	39 Henderson	58 Marion	77 Sequatchie
02 Bedford	21 Dekalb	40 Henry	59 Marshall	78 Sevier
03 Benton	22 Dickson	41 Hickman	60 Maury	79 Shelby
04 Bledsoe	23 Dyer	42 Houston	61 Meigs	80 Smith
05 Blount	24 Fayette	43 Humphreys	62 Monroe	81 Stewart
06 Bradley	25 Fentress	44 Jackson	63 Montgomery	82 Sullivan
07 Campbell	26 Franklin	45 Jefferson	64 Moore	83 Sumner
08 Cannon	27 Gibson	46 Johnson	65 Morgan	84 Tipton
09 Carroll	28 Giles	47 Knox	66 Obion	85 Trousdale
10 Carter	29 Grainger	48 Lake	67 Overton	86 Unicoi
11 Cheatham	30 Greene	49 Lauderdale	68 Perry	87 Union
12 Chester	31 Grundy	50 Lawrence	69 Pickett	88 Van Buren
13 Claiborne	32 Hamblen	51 Lewis	70 Polk	89 Warren
14 Clay	33 Hamilton	52 Lincoln	71 Putnam	90 Washington
15 Cocke	34 Hancock	53 Loudon	72 Rhea	91 Wayne
16 Coffee	35 Hardeman	54 McMinn	73 Roane	92 Weakley
17 Crockett	36 Hardin	55 McNairy	74 Robertson	93 White
18 Cumberland	37 Hawkins	56 Macon	75 Rutherford	94 Williamson
19 Davidson	38 Haywood	57 Madison	76 Scott	95 Wilson

Right-Of-Way Frequently Asked Questions

APPRAISALS

Question No. 1: Can you give out copies of appraisals for other properties owned by someone other than me? Can you give out copies of appraisals on specific tracts to use in valuing utility easements on current projects?

Answer: No. Our appraisals are intended for our use and not given to anyone except the property owner or property owner's representative as provided in T.C.A. § 54-5-110(c). This is covered in State law as part of the Public Records Act. See T.C.A. § 10-7-504(a)(6) (state agency records containing opinions of value of real or personal property to be acquired for a public purpose are not open for public inspection until the acquisition is finalized).

APPRAISED VALUES/TAX VALUES

Question No. 2: Why is the appraised value different from the tax records?

Answer: Property tax valuations are mass appraisals and do not always reflect the specific value of an individual property. Properties valued with appraisals for department use are very specific to that property and generally differ in value from the tax valuation.

BLUE INTERSTATE MOTORIST SERVICE (LOGO) SIGNS

Question No. 3: Who do I contact for information about the blue motorist service (logo) signs on the interstate and interstate ramps?

Answer: Please contact Headquarters Traffic Engineering Office, Mr. Eric Jackson at (615) 741-0802 or by e-mail at Eric.Jackson@tn.gov.

CAMPAIGN ADVERTISING, SIGNS IN STATE RIGHT-OF-WAY

Question No. 4: Can campaign advertising signs be placed on State right-of-way?

Answer: No, TDOT does not authorize campaign advertising or any other form of outdoor advertising on State highway right-of-way. This is prohibited by State law. See T.C.A. § 54-21-110 ("No person shall affix any outdoor advertising on any sign erected under the authority of the department, or on any right-of-way of any state highway.")

CONDEMNATION, PROPERTIES IN

Question No. 5: Can you talk with me about my property that is in condemnation?

Answer: No. TDOT Policy 340-02 specifically states: By request of the State Attorney General's Office, it is Departmental policy that once a tract has entered condemnation, all further negotiations/communication are to be conducted, coordinated or approved by the Attorney General's Office.

CONSTRUCTION SCHEDULES

Question No. 6: When will the highway project construction begin and be completed?

Answer: We have tentative schedules for letting projects to construction, but the exact dates for the beginning and end of construction cannot be determined until the contractor has been awarded the contract. Projects generally take anywhere from two to four years depending on the scope of the work. Always note that plans and schedules are subject to change.

DAMAGES DURING CONSTRUCTION

Question No. 7: Who is responsible for damages to my property made during construction?

Answer: The contractor is responsible for damages to real or personal property made during construction. This covers items such as cracks in structures or flooding that occurs during construction.

EASEMENTS: SLOPE, PERMANENT DRAINAGE, AND CONSTRUCTION

Question No. 8: What are slope, construction and permanent drainage easements?

Answer: Slope easements are permanent easements for construction and maintenance of slopes outside of the proposed right-of-way line. The slope easement area remains the property of the Grantor(s) and may be used for any purpose desired, provided such use does not interfere with the use or maintenance of said slopes.

Construction easements are temporary easements used by the State of Tennessee, its contractors or assigns for a period of 3 or more years from and after the commencement of construction.

Permanent drainage easements are acquired for the construction and maintenance of drainage facilities. The permanent drainage easement area remains the property of the Grantor(s) and may be used for any purpose desired, provided such use does not interfere with the use or maintenance of said facility.

Excess Land

Question No. 9: Can I purchase State-owned real property and if so, how do I do this?

Answer: Yes, as per State law (T.C.A. § 12-2-112), the Department does allow for the sale, license or lease of property that is determined to be excess to our needs after completion of construction and litigation. For more information, please contact the regional right-of-way office and ask to speak with the Excess Land Coordinator.

- **Region 1:** 865.594.2496
- **Region 2:** 423.893.3430
- **Region 3:** 615.350.4200
- **Region 4:** 731.935.0100

Mowing

Question No. 10: Who do I contact to get the grass cut on state route rights-of-way?

Answer: Contact the regional TDOT office:

- **Region 1:** 865.594.2403
- **Region 2:** 423.892.3430
- **Region 3:** 615.350.4300
- **Region 4:** 731.935.0193

OFFERS MADE TO NEIGHBORS, BUT NOT ME

Question No. 11: Why are my neighbors getting offers for the purchase of property and nobody has talked with me yet?

Answer: Property owners will be sent a *Notice of Proposed Acquisition* once plans are released to begin the acquisition process. Right-of-way acquisition requires a sequence of activities such as title work, appraisal and appraisal review prior to any offers being made. Generally, tracts requiring owner/tenant relocation are handled first, then remaining tracts will be dealt with as soon as practicable.

PAYMENT, WHEN TO EXPECT RECEIPT OF

Question No. 12: When will I receive payment for the property you are acquiring?

Answer: It usually takes 45 to 60 days to secure a check after an agreement has been reached. A closing will be scheduled upon receipt of the check. In some cases such as when a lender is involved, it can take longer.

PAYMENT, TO MORTGAGE LENDERS

Question No. 13: Why does my mortgage lender have first rights to the proceeds for the acquisition of my property rights?

Answer: Most mortgages include language that note that they have first right to any and all compensation received from TDOT or any governmental entity that has eminent domain rights. These proceeds are used to pay toward the loan principle.

PERMIT FOR DRIVEWAYS

Question No. 14: How do I apply for a driveway entrance permit on a state route?

Answer: Contact the regional TDOT office:

- **Region 1:** 865.594.2403
- **Region 2:** 423.892.3430
- **Region 3:** 615.350.4300
- **Region 4:** 731.935.0193

GRADING PERMITS

Question No. 15: How do I apply for a grading permit to do work on State right-of-way?

Answer: Contact the regional TDOT office:

- **Region 1:** 865.594.2403
- **Region 2:** 423.892.3430
- **Region 3:** 615.350.4300
- **Region 4:** 731.935.0193

PERMITS FOR UTILITIES

Question No. 16: How do I apply for a utility permit?

Answer: Permits for utility work on State right-of-way are obtained through the Regional Utilities Office and are subject to the *Rules and Regulations for Accommodating Utilities within Highway Rights-of-Way (Chapter 1680-06-01)*. For more information, please contact your regional right-of-way office.

- **Region 1:** 865.594.2496
- **Region 2:** 423.893.3430
- **Region 3:** 615.350.4200
- **Region 4:** 731.935.0100

RIGHT-OF-WAY BONDS

Question No. 17: Who do I contact to get a right-off-way bond released?

Answer: Contact the regional TDOT office:

- **Region 1:** 865.594.2403
- **Region 2:** 423.892.3430
- **Region 3:** 615.350.4300
- **Region 4:** 731.935.0193

RIGHT-OF-WAY COSTS

Question No. 18: What is the total cost of right-of-way that has been spent on a project?

Answer: This information must be requested from the Community Relations Officer in your region. You can find that information here: <https://www.tn.gov/tdot/community-relations/community-relations-officers.html>

RIGHT-OF-WAY; CUTTING TREES, REMOVING ROCKS, HUNTING

Question No. 19: Can I cut trees, remove rocks or hunt on State right-of-way?

Answer: No. State right-of-way is purchased for the construction and maintenance of our State Highway System only. Any vegetation or rock removal needed for the safety of motorists is handled by the District Operations Supervisor.

RIGHT-OF-WAY WIDTHS

Question No. 20: How wide is the right-of-way at a specific location?

Answer: Right-of-way widths vary and experience changes due to subdivisions, transfers, etc. The best source of information is your local Register of Deeds Office. You may request old project plans, but it is always recommended to verify the information shown on the plans with the warranty or easement deed.

SETBACK REQUIREMENTS FROM RIGHT- OF-WAY

Question No. 21: Is there a setback requirement from the right-of-way for signs or improvements such as fences or buildings?

Answer: There are no State setback requirements for any type of improvement on your property from our right-of-way. On-premise signs cannot overhang our right-of-way. We do not allow any personal or real property to be on the right-of-way by State law (T.C.A. § 54-5-136). It is also recommended to check with the local municipality for any setback requirements they may have.

SURVEY STAKES

Question No. 22: Why are there stakes on my property and what are they for?

Answer: The Regional Survey Office will stake all tracts on projects to note the area of acquisition, and slope, permanent drainage, and construction easements. These stakes are for the benefit of the appraisers and the property owners alike.

WORKING FOR TDOT

Question No. 23: How do I get on an approved list of vendors for performing work for TDOT?

Answer: Visit the TDOT Website at www.tn.gov/tdot/ and click on the link for "Business how do I do Business with TDOT".