

# RIGHT OF WAY INSTRUCTION SHEET

## A RIGHT OF WAY CAN ONLY BE USED FOR THE PURPOSE FOR WHICH IT IS ISSUED

<u>TYPE OF R.O.W. EASEMENT</u>	<u>FEES APP</u>	<u>TERM</u>	<u>EXAMPLE OF USE</u>	<u>LEASE RENTAL</u>
Annual (KE-17)	\$500	10 years	Temporary use only; construction easement, haul road, etc.	Annual Payment
Short-Term (KE-18)	\$500	10 years	Non-exclusive access roads, service roads, utilities, power, communication, gas, water, sewer, etc.	Full payment in advance
Mid-Term (KE-14)	\$500	50 years	Major transmission lines: communication, 69 kV and above; electric lines, pipelines, etc., utility, facilities, etc.	50, 25 or 10 year advance payment
Perpetual* (KE-16)	\$500	Perpetual	Public roadways	Full payment in advance

\*(Rights of way exceeding 50 years will be offered at public auction. Advertising and administrative fees paid for by applicant.)

### TYPES OF ACCESS/ROADWAYS:

- Public Roadway** Easements acquired by federal, state, or local governmental agencies. The public roadway must be built to city/county/federal standards.
- Access Roads** Limited use easement (10-year maximum) for non-exclusive individual use, to gain access to State Land under lease, Federal mining leases, communication sites, and private land landlocked within State Lands, where no other reasonable access is available.  
  
*NOTE: Federal mining claim leases should contact the Mineral Section of the State Land Department before filing for access at (602) 542-4628.*
- Haul Roads** Non-exclusive acquired by mining, sand, gravel and timber operators. The roadway is used by heavy equipment, and is not a public access road. A damage and restoration bond and rehabilitation of the lands used for the haul road or damaged by the users of the haul road is required.
- Service Roads** Easements acquired by a utility company for the purpose of installation, service, and repair of utility lines. This type of easement is not a public access road.

### HOW TO APPLY FOR A RIGHT OF WAY

#### APPLICATIONS CAN NOT BE ACCEPTED WITHOUT THE FOLLOWING INFORMATION:

- Answer all questions on the right of way application and sign the certification page of the application.
- Attach all required Supplemental Forms. They are available at 1616 W. Adams or online at [www.land.state.az.us](http://www.land.state.az.us).
- Be specific about what you propose to construct.**
- State the purpose of the right of way.
- Preliminary description:** A U.S.G.S. seven and one half minute topographic quadrangle map or an aerial map showing the proposed right of way alignment, including the width and approximate length of right of way crossing State Trust Land. This map should include township, range and section lines/designations.
- Include any additional information or material available that would aid in the Department's evaluation of the application.
- Return signed application and fee to:

ARIZONA STATE LAND DEPARTMENT  
Public Counter  
1616 WEST ADAMS  
PHOENIX, ARIZONA 85007

**CLEARANCES REQUIRED:**

1. Archaeological - State Historical Preservation Office, Phoenix, AZ 85007 (602) 542-7142.
2. Native plants - Department of Agriculture, 1688 W. Adams, Phoenix, AZ 85007 (602) 542-4373.
3. Clearance/Permit may be required if there is impact to "Waters of the U.S."
4. Clearance may be required from various other State agencies, including the Department of Environmental Quality.

Initial contact for the clearances will be handled by the Land Department. All costs for clearances shall be borne by the applicant.

**ALIGNMENTS:**

A preliminary review of the Right of Way application is done to evaluate impact and suitability as to the acceptability of the proposed alignment. A field inspection may be required. Applicant will be notified of the acceptable alignment and, if applicable, survey requirements.

**APPRAISAL:**

The rental and purchase prices will be based on the appraised fair market value of the land as approved by the Department.

**RIGHT OF WAY FINAL DESCRIPTIONS & SURVEY DATA:**

1. The final description for an approved right of way alignment shall consist of a written description and map in accordance with the State Land Department's "Standards for Final Right of Way Descriptions"; copies available from the State Land Department Right of Way Section.
2. If the description is irregular enough to require a survey, it must be certified by an Arizona Registered Land Surveyor.
  - Samples of survey requirements are available from the Right of Way Section or CADASTRAL and SURVEY REVIEW UNIT.
  - For information regarding the survey, contact the CADASTRAL and SURVEY REVIEW UNIT at (602) 542-2601, 542-2602 or 542-2603.

**POWER OF ATTORNEY:**

If you are acting as an Attorney in Fact for the applicant you must submit a copy of your notarized Power of Attorney and a \$50.00 additional fee.

**PROCESSING TIME:**

Approximate time for processing an accepted application is twelve (12) months to sixteen (16) months.

**For further information, contact:**

**Right of Way Section  
Arizona State Land Department  
1616 West Adams  
Phoenix, Arizona 85007  
(602) 542-4098**