Publications Transmittal

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<td><em>Right of Way Manual M 26-01.09</em></td>
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**Remarks and Instructions**

The complete manual, revision packages, and individual chapters can be accessed at [www.wsdot.wa.gov/publications/manuals/m26-01.htm](http://www.wsdot.wa.gov/publications/manuals/m26-01.htm)

For printed manuals, page numbers indicating portions of the manual that are to be removed and inserted are shown below.

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Please contact Danny Johnson at 360-705-7317 or johnsoda@wsdot.wa.gov with comments, questions, or suggestions for improvement to the manual.

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Washington State Department of Transportation  
Real Estate Services  
PO Box 47338  
Olympia, WA 98504-7338  
[www.wsdot.wa.gov/realestate/default.htm](http://www.wsdot.wa.gov/realestate/default.htm)

Approved By  
Dianna Nausley  
Signature  /s/
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Washington State Department of Transportation
Real Estate Services
PO Box 47338
Olympia, WA 98504-7338

Phone: 360-705-7317
Email: johnsoda@wsdot.wa.gov
www.wsdot.wa.gov/realestate/default.htm
Date

Mr. Dan Mathis  
Division Administrator  
Federal Highway Administration  
Olympia, WA  98501  

RE: Federal Aid #:  
Project Title:  
Program:  
Anticipated Ad Date:  
Anticipated Bid Opening:  
County:  

RIGHT OF WAY CERTIFICATE (#2)  
RESIDENTIAL AND NON-RESIDENTIAL RELOCATION  

Dear Sir:

As per 23 CFR 635.309(c), right of way has been acquired in accordance with current FHWA regulations (49 CFR Part 24) and policies covering the acquisition of real property and the following applies:

I hereby certify that although all necessary rights of way have not been acquired, the right to occupy and use all rights of way required for the proper execution of the following project have been acquired:

Insert Project Description: What is the planned project (scope, limits, work description, etc.)? Resources for information would be STIP, project web page, NEPA document (SEPA if state only funds).

Attach the pertinent right of way plan sheets or other equivalent document.

All residential and non-residential occupants have vacated the lands and improvements and the state has physical possession and the right to remove, salvage, or demolish these improvements and enter upon all lands.

I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented. All eligible residential persons and occupants of the right of way within this project have been relocated to decent, safe and sanitary housing or have been offered decent, safe and sanitary housing.

Sincerely,

Manager, Real Estate Services

cc:

RES-391  
WSDOT Certificate 2, Combination of Relocation Types
Date

Mr. Dan Mathis
Division Administrator
Federal Highway Administration
Olympia, WA  98501

RE: Federal Aid #:
  Project Title:
  Program:
  Anticipated Ad Date:
  Anticipated Bid Opening:
  County:

RIGHT OF WAY CERTIFICATE (#3)
NO RELOCATION

Dear Sir:

As per 23 CFR 635.309(c), right of way has been acquired in accordance with current FHWA regulations (49 CFR Part 24) and policies covering the acquisition of real property and the following applies:

I hereby certify that the acquisition or right of occupancy and use of a few remaining parcels is not complete.

Insert Project Description: What is the planned project (scope, limits, work description, etc.)? Resources for information would be STIP, project web page, NEPA document (SEPA if state only funds).

Attached is the Certification Table, and pertinent right of way plan sheets or other equivalent documents that shows the acquired parcels.

No residential and/or non-residential relocation is required. There are no improvements to be removed or demolished for the above cited project.

I further certify that there were no residential individuals or families displaced by the above cited project. Therefore, the provisions of current FHWA directives covering the relocation of displaced person(s) to DS&S housing and availability of adequate replacement housing are not applicable to this project.

I further certify that appropriate notification will be provided in the bid proposals identifying all locations where right of occupancy and use has not been obtained.

RES-392   WSDOT Certificate 3, No Relocation
Right of Way Certificate #
Date
Page 2

Justification: (Select A or B)

A. Bids will not be opened until Parcel No. is paid. WSDOT will recertify with a Cert #1 prior to bid opening (Insert bid opening date).

B. Any other reasons must be discussed with the WSDOT Acquisition Program Manager so that he/she can work with the FHWA ROW Manager on description – R/W and/or LAG Manual.

Sincerely,

Manager, Real Estate Services

cc:
Date

Mr. Dan Mathis
Division Administrator
Federal Highway Administration
Olympia, WA 98501

RE: Federal Aid #:  
Project Title:  
Program:  
Anticipated Ad Date:  
Anticipated Bid Opening:  
County:  

RIGHT OF WAY CERTIFICATE (#3)  
RESIDENTIAL RELOCATION

Dear Sir:

As per 23 CFR 635.309(c), right of way has been acquired in accordance with current FHWA regulations (49 CFR Part 24) and policies covering the acquisition of real property and the following applies:

I hereby certify that the acquisition or right of occupancy and use of a few remaining parcels is not complete.

Insert Project Description: What is the planned project (scope, limits, work description, etc.)? Resources for information would be STIP, project web page, NEPA document (SEPA if state only funds).

Attach the pertinent right of way plan sheets or other equivalent document.

(Select (a) or (b))

(a) All residential occupants have vacated the lands and improvements and the state has physical possession and the right to remove, salvage, or demolish these improvements and enter upon all lands.

(b) Residential occupants remain to be vacated and the agency ensures that occupants who remain in the right of way will be protected against unnecessary inconvenience and disproportionate injury or any action coercive in nature.

RES-393  WSDOT Certificate 3, Residential Relocation
(Select (a) or (b))

(a) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented. All eligible residential occupants of the right of way within this project have been relocated to decent, safe and sanitary housing or have been offered decent, safe and sanitary housing.

(b) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented except for a few remaining parcels as explain the exception section.

I further certify that appropriate notification will be provided in the bid proposals identifying all locations where right of occupancy and use has not been obtained.

Justification: (Select A or B)

A. Bids will not be opened until Parcel No. is paid. WSDOT will recertify with a Cert #1 prior to bid opening (Insert bid opening date).

B. Any other reasons must be discussed with the WSDOT Acquisition Program Manager so that he/she can work with the FHWA ROW Manager on description – R/W and/or LAG Manual.

Sincerely,

Manager, Real Estate Services

cc:
Dear Sir:

As per 23 CFR 635.309(c), right of way has been acquired in accordance with current FHWA regulations (49 CFR Part 24) and policies covering the acquisition of real property and the following applies:

I hereby certify that the acquisition or right of occupancy and use of a few remaining parcels is not complete.

Insert Project Description: What is the planned project (scope, limits, work description, etc.)? Resources for information would be STIP, project web page, NEPA document (SEPA if state only funds).

Attach the pertinent right of way plan sheets or other equivalent document.

(Select (a) or (b))

(a) All non-residential occupants have vacated the lands and improvements and the state has physical possession and the right to remove, salvage, or demolish these improvements and enter upon all lands.

(b) Non-residential occupants remain to be vacated and the agency ensures that occupants who remain in the right of way will be protected against unnecessary inconvenience and disproportionate injury or any action coercive in nature.
Right of Way Certificate#
Date
Page 2

(Select (a) or (b))

(a) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented. All eligible non-residential displaced persons have been relocated from the right of way.

(b) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented except for a few remaining parcels as explain the exception section.

I further certify that appropriate notification will be provided in the bid proposals identifying all locations where right of occupancy and use has not been obtained.

Justification: (Select A or B)

A. Bids will not be opened until Parcel No. is paid. WSDOT will recertify with a Cert #1 prior to bid opening (Insert bid opening date).

B. Any other reasons must be discussed with the WSDOT Acquisition Program Manager so that he/she can work with the FHWA ROW Manager on description – R/W and/or LAG Manual.

Sincerely,

Manager, Real Estate Services

cc:
Dear Sir:

As per 23 CFR 635.309(c), right of way has been acquired in accordance with current FHWA regulations (49 CFR Part 24) and policies covering the acquisition of real property and the following applies:

I hereby certify that the acquisition or right of occupancy and use of a few remaining parcels is not complete.

Insert Project Description: What is the planned project (scope, limits, work description, etc.)?

Resources for information would be STIP, project web page, NEPA document (SEPA if state only funds).

Attach the pertinent right of way plan sheets or other equivalent document.

(Select (a) or (b))

(a) All residential and non-residential occupants have vacated the lands and improvements and the state has physical possession and the right to remove, salvage, or demolish these improvements and enter upon all lands.

(b) Occupants remain to be vacated and the agency ensures that occupants who remain in the right of way will be protected against unnecessary inconvenience and disproportionate injury or any action coercive in nature.

RES-395 WSDOT Certificate 3, Combination of Relocation Types
Right of Way Certificate #
Date
Page 2

(Select (a) or (b))

(a) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented. All eligible persons and occupants of the right of way within this project have been relocated to decent, safe and sanitary housing or have been offered decent, safe and sanitary housing.

(b) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented except for a few remaining parcels as explain the exception section.

I further certify that appropriate notification will be provided in the bid proposals identifying all locations where right of occupancy and use has not been obtained.

Justification: (Select A or B)

A. Bids will not be opened until Parcel No. is paid. WSDOT will recertify with a Cert #1 prior to bid opening (Insert bid opening date).

B. Any other reasons must be discussed with the WSDOT Acquisition Program Manager so that he/she can work with the FHWA ROW Manager on description – R/W and/or LAG Manual.

Sincerely,

Manager, Real Estate Services

cc:
Date

Mr.
Local Programs Engineer
WSDOT ________ Region
Address
City, State Zip

RE: Federal Aid #:  
Project Title:
Anticipated Ad Date:
Anticipated Bid Opening:
Local Agency:

RIGHT OF WAY CERTIFICATE (#3)
NO RELOCATION

Dear Sir:

As per 23 CFR 635.309(c), right of way has been acquired in accordance with current FHWA regulations (49 CFR Part 24) and policies covering the acquisition of real property and the following applies:

I hereby certify that the acquisition or right of occupancy and use of a few remaining parcels is not complete.

Insert Project Description: What is the planned project (scope, limits, work description, etc.)? Resources for information would be STIP, project web page, NEPA document (SEPA if state only funds).

Attached is the Certification Table, and pertinent right of way plan sheets or other equivalent documents that shows the acquired parcels.

No residential and/or non-residential relocation is required. There are no improvements to be removed or demolished for the above cited project.

I further certify that there were no residential individuals or families displaced by the above cited project. Therefore, the provisions of current FHWA directives covering the relocation of displaced person(s) to DS&S housing and availability of adequate replacement housing are not applicable to this project.

LPA-392  LPA Certificate 3, No Relocation
I further certify that appropriate notification will be provided in the bid proposals identifying all locations where right of occupancy and use has not been obtained.

Justification: (Select A or B)

A. Bids will not be opened until Parcel No. is paid. The local agency will recertify with a Cert #1 prior to bid opening (Insert bid opening date).

B. Any other reasons must be discussed with the WSDOT Local Agency Program Manager so that he/she can work with the FHWA ROW Manager on description – R/W and/or LAG Manual.

Sincerely,

Name of Person Signing                  Name of Region Manager
Chief Administrative Officer or        Manager, Real Estate Services
Local Agency or Delegated Authority    _________ Region

Name of Local Agency Coordinator
Local Agency Coordinator, Real Estate Services
__________ Region

cc:
Date

Mr.
Local Programs Engineer
WSDOT Region
Address
City, State Zip

RE: Federal Aid #:
Project Title:
Anticipated Ad Date:
Anticipated Bid Opening:
Local Agency:

RIGHT OF WAY CERTIFICATE (#3)
RESIDENTIAL RELOCATION

Dear Sir:

As per 23 CFR 635.309(c), right of way has been acquired in accordance with current FHWA regulations (49 CFR Part 24) and policies covering the acquisition of real property and the following applies:

I hereby certify that the acquisition or right of occupancy and use of a few remaining parcels is not complete.

Insert Project Description: What is the planned project (scope, limits, work description, etc.)? Resources for information would be STIP, project web page, NEPA document (SEPA if state only funds).

Attach the pertinent right of way plan sheets or other equivalent document.

(Select (a) or (b))

(a) All residential occupants have vacated the lands and improvements and the state has physical possession and the right to remove, salvage, or demolish these improvements and enter upon all lands.

(b) Residential occupants remain to be vacated and the agency ensures that occupants who remain in the right of way will be protected against unnecessary inconvenience and disproportionate injury or any action coercive in nature.

(Select (a) or (b))

(a) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented. All eligible residential occupants of the right of way within this project have been relocated to decent, safe and sanitary housing or have been offered decent, safe and sanitary housing.
(b) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented except for a few remaining parcels as explain the exception section.

I further certify that appropriate notification will be provided in the bid proposals identifying all locations where right of occupancy and use has not been obtained.

Justification: (Select A or B)

A. Bids will not be opened until Parcel No. is paid. The local agency will recertify with a Cert #1 prior to bid opening (Insert bid opening date).

B. Any other reasons must be discussed with the WSDOT Local Agency Program Manager so that he/she can work with the FHWA ROW Manager on description – R/W and/or LAG Manual.

Sincerely,

Name of Person Signing
Chief Administrative Officer or Local Agency or Delegated Authority

Name of Region Manager
Manager, Real Estate Services

Name of Local Agency Coordinator
Local Agency Coordinator, Real Estate Services Region

cc:
Date

Mr.
Local Programs Engineer
WSDOT ________ Region
Address
City, State Zip

RE: Federal Aid #:  
Project Title:
Anticipated Ad Date:
Anticipated Bid Opening:
Local Agency:

RIGHT OF WAY CERTIFICATE (#3)  
NON-RESIDENTIAL RELOCATION

Dear Sir:

As per 23 CFR 635.309(c), right of way has been acquired in accordance with current FHWA regulations (49 CFR Part 24) and policies covering the acquisition of real property and the following applies:

I hereby certify that the acquisition or right of occupancy and use of a few remaining parcels is not complete.

Insert Project Description: What is the planned project (scope, limits, work description, etc.)? Resources for information would be STIP, project web page, NEPA document (SEPA if state only funds).

Attach the pertinent right of way plan sheets or other equivalent document.

(Select (a) or (b))

(a) All non-residential occupants have vacated the lands and improvements and the state has physical possession and the right to remove, salvage, or demolish these improvements and enter upon all lands.

(b) Non-residential occupants remain to be vacated and the agency ensures that occupants who remain in the right of way will be protected against unnecessary inconvenience and disproportionate injury or any action coercive in nature.

(Select (a) or (b))

(a) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented. All eligible non-residential displaced persons have been relocated from the right of way.

LPA-394  LPA Certificate 3, Non-Residential Relocation
(b) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented except for a few remaining parcels as explain the exception section.

I further certify that appropriate notification will be provided in the bid proposals identifying all locations where right of occupancy and use has not been obtained.

Justification: (Select A or B)

A. Bids will not be opened until Parcel No. is paid. The local agency will recertify with a Cert #1 prior to bid opening (Insert bid opening date).

B. Any other reasons must be discussed with the WSDOT Local Agency Program Manager so that he/she can work with the FHWA ROW Manager on description – R/W and/or LAG Manual.

Sincerely,

Name of Person Signing
Chief Administrative Officer or Local Agency or Delegated Authority

Name of Region Manager
Manager, Real Estate Services

Name of Local Agency Coordinator
Local Agency Coordinator, Real Estate Services

Region

cc:
Date

Mr.
Local Programs Engineer
WSDOT ________ Region
Address
City, State Zip

RE: Federal Aid #:
Project Title:
Anticipated Ad Date:
Anticipated Bid Opening:
Local Agency:

RIGHT OF WAY CERTIFICATE (#3)
RESIDENTIAL AND NON-RESIDENTIAL RELOCATION

Dear Sir:

As per 23 CFR 635.309(c), right of way has been acquired in accordance with current FHWA regulations (49 CFR Part 24) and policies covering the acquisition of real property and the following applies:

I hereby certify that the acquisition or right of occupancy and use of a few remaining parcels is not complete.

Insert Project Description: What is the planned project (scope, limits, work description, etc.)? Resources for information would be STIP, project web page, NEPA document (SEPA if state only funds).

Attach the pertinent right of way plan sheets or other equivalent document.

(Select (a) or (b))

(a) All residential and non-residential occupants have vacated the lands and improvements and the state has physical possession and the right to remove, salvage, or demolish these improvements and enter upon all lands.

(b) Occupants remain to be vacated and the agency ensures that occupants who remain in the right of way will be protected against unnecessary inconvenience and disproportionate injury or any action coercive in nature.

(Select (a) or (b))

(a) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented. All eligible persons and occupants of the right of way within this project have been relocated to decent, safe and sanitary housing or have been offered decent, safe and sanitary housing.

LPA-395  LPA Certificate 3, Combination of Relocation Types
Right of Way Certificate #
Date
Page 2

(b) I further certify that our previously submitted assurances of an adequate relocation assistance program and real property acquisition policies have been fully implemented except for a few remaining parcels as explain the exception section.

I further certify that appropriate notification will be provided in the bid proposals identifying all locations where right of occupancy and use has not been obtained.

Justification: (Select A or B)
A. Bids will not be opened until Parcel No. is paid. The local agency will recertify with a Cert #1 prior to bid opening (Insert bid opening date).
B. Any other reasons must be discussed with the WSDOT Local Agency Program Manager so that he/she can work with the FHWA ROW Manager on description – R/W and/or LAG Manual.

Sincerely,

Name of Person Signing
Chief Administrative Officer or Local Agency or Delegated Authority

Name of Region Manager
Manager, Real Estate Services

Name of Local Agency Coordinator
Local Agency Coordinator, Real Estate Services

Region

cc: