



MONTANA DEPARTMENT OF TRANSPORTATION

# **MONTANA RIGHT-OF-WAY DESIGN MANUAL**

## **Chapter Twenty-Five**

### **Deed Exhibit Preparation (Activity 820)**

**Chapter Twenty-Five  
DEED EXHIBIT PREPARATION (ACTIVITY 820)**

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# Chapter Twenty-Five

## DEED EXHIBIT PREPARATION (ACTIVITY 820)

### 25-1 EXHIBIT PROCEDURES

An exhibit is a reduced size 11 in. X 17 in. reproduction of the r/w plan sheets. Legal size exhibits are acceptable at the counties' request. The exhibit shows only essential information from the plans representing the correct size and shape of a property to scale. The exhibit defines, by dimensions from the centerline, the area of acquisition. The Right-of-Way Bureau designs all acquisitions in accordance with the **Montana Annotated Code (MCA)**. [MCA 76-3-209](#) provides for an "Exemption from surveying and platting requirements for lands acquired for state highways". [MCA 60-2-209](#) provides for the "Description and plan of new highway or reconstructed or controlled-access facility."

CADD procedures have been developed for preparation of master and parcel exhibit CADD files. Exhibits should be prepared and distributed with the deeds shortly after the r/w plans are authorized.

#### 25-1.1 Parcel Exhibits

A parcel exhibit should be prepared for each parcel having r/w or easement involvement. It should include one sheet for every plan sheet showing acquisition and contain information such as the parcel number, sheet numbers and prepared/revised dates, as well as other information specified in this section.

The parcel exhibit should include only specific information from the plans as follows:

1. R/W ID number.
2. project number.
3. designation.
4. section and 1/16 quarter sections; U.S. Government Lots, patented mineral survey numbers, Indian and/or tribal allotment numbers; homestead entry survey numbers; certificate of surveys; and lot, block, and subdivision text.
5. north arrow, township, and range.
6. centerline data, which includes highway survey stationing and bearings.

7. centerline curve data.
8. new Right-of-Way line, including highway survey station breaks with dimensions.
9. existing Right-of-Way or easement lines with width dimensioned (non-highway easement lines are generally not shown. However, certain circumstances may require them to remain on.).
10. railroad Right-of-Way including width (railroad centerline should not be shown; railroad stationing only shows on the railroad exhibits, so be sure it is on a level in the strip map file that can be turned off).
11. access control line and symbology, including highway survey station breaks and dimensions. The road approach box should not be shown on exhibits. This only applies for access control projects.
12. ownership lines and property boundary symbology; a series of dots along the inside of the property lines.
13. parcel numbers.
14. section corner ties; text containing XY coordinates or a bearing and distance from a property-controlling corner.
15. topography is not shown, except waterways, irrigation canals, county road and street names; occasionally, a lake, river or stream may need to be copied into the active file if the project affects it; and
16. construction permits and callouts, road approaches and dimensions are not shown.

#### **25-1.1.1 R/W Acquisition**

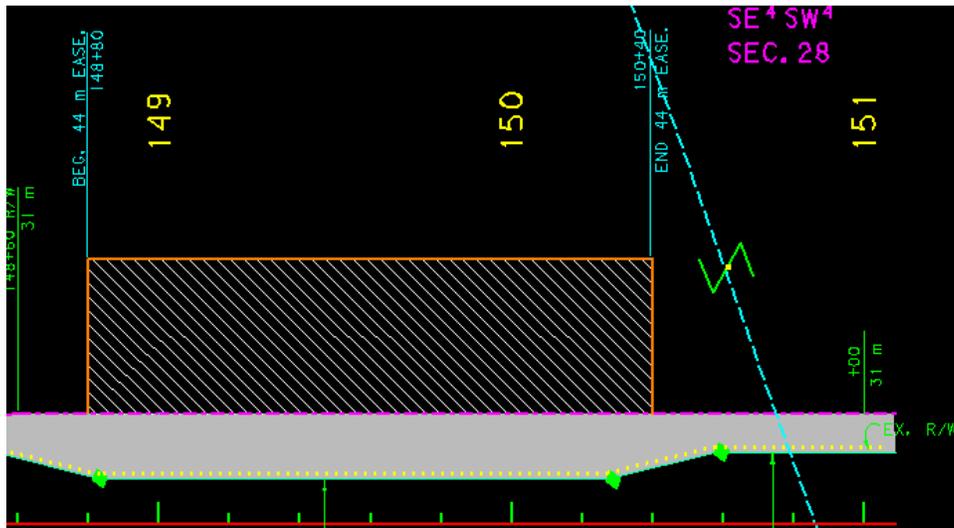
Areas of r/w acquisition should be shaded.

#### **25-1.1.2 Easements**

Easement areas are shown in various ways depending on what they are for.

See [Figures 14B and 15B in Appendix B](#). Listed below are a few situations that may apply:

1. An easement to be acquired in the name of MDT for our benefit and use in combination with fee r/w acquisition would need to be hatched, as shown in Figure 25-1.



### HATCHED EASEMENT

Figure 25-1

An element showing hatching as easement acquisition must be added to the legend at the bottom of the exhibit sheet containing the easement, as shown in Figure 25-2.



### HATCHED EASEMENT LEGEND

Figure 25-2

2. An easement to be acquired in the name of MDT for our benefit and use without additional fee R/W acquisition for that parcel should be shown as shaded on an exhibit.
3. An easement to be acquired in the name of someone other than MDT should have a separate exhibit prepared with only the easement area shaded. See [Figures 8B through 11B](#) in [Appendix B](#).

### 25-1.1.3 Additional Section Ties

Below is a list describing when section ties are to be calculated and added to the exhibit sheets. If the parcel exhibit set is:

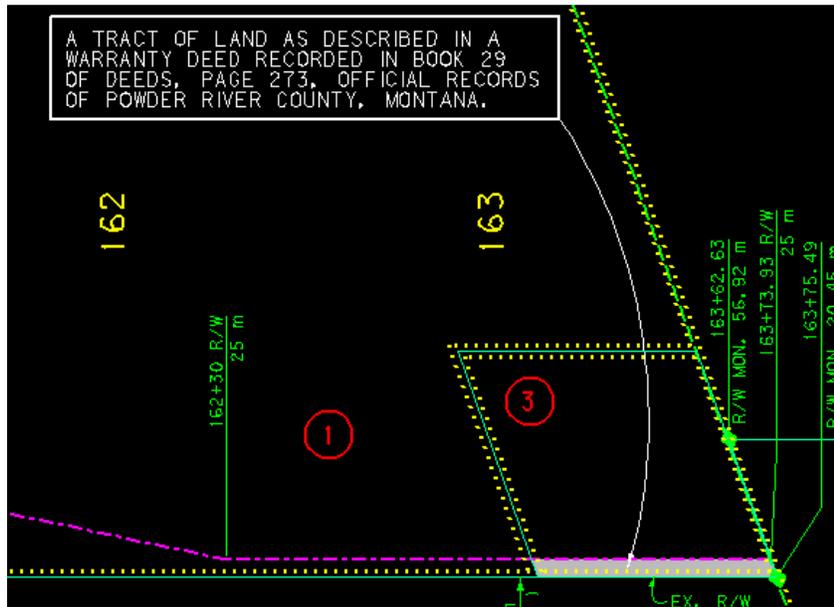
- 1 sheet, there must be 1 section tie included on the sheet.
- 2 sheets, there must be 1 section tie included within the exhibit set.
- 3-4 sheets, there must be 1 section tie included on the first and last sheets: and
- 5 or more sheets, there must be 1 section tie on the first sheet, one on a middle sheet and one on the last sheet.

When it is determined you need an additional section tie, you will need to calculate one from an even station to the nearest found section corner and place it in your exhibit parcel file. Every effort is made to calculate a section tie with the distance being no more than 1 mi (1.6 km). If Geopak was used to calculate original section ties, it can also be used to calculate additional section ties. Refer to Section 5 — Section Corner Ties in the *Geopak 2004 R/W Procedures Manual*.

### 25-1.1.4 Tract of Land Descriptions

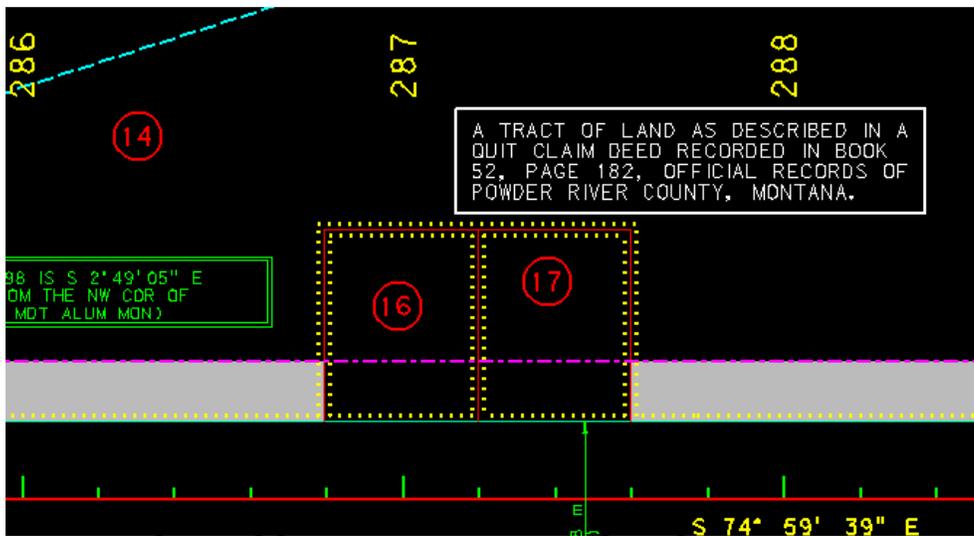
A tract of land description is text included on the exhibit being the recording information from the last document(s) of record. The following are four examples of times you would include a tract of land description.

1. Property Line is Un-Described Line. A tract of land description is needed when the property boundary is an un-described line. Described lines are considered section lines, COS boundaries, and existing Right-of-Way/easement lines. In [Figure 25-3](#), it is needed because the property lines between parcel 1 and parcel 3 are un-described lines.
2. Un-Described Line Breaks Property Line. A tract of land description is needed when an un-described line, such as parcels 16 and 17 in [Figure 25-4](#), breaks a property line.
3. Multiple Deed Acquisition. A tract of land description is needed when more than one deed is used to acquire the property. In [Figure 25-5](#), the property owner acquired the property by a quit claim deed and an application for determination of inheritance tax.



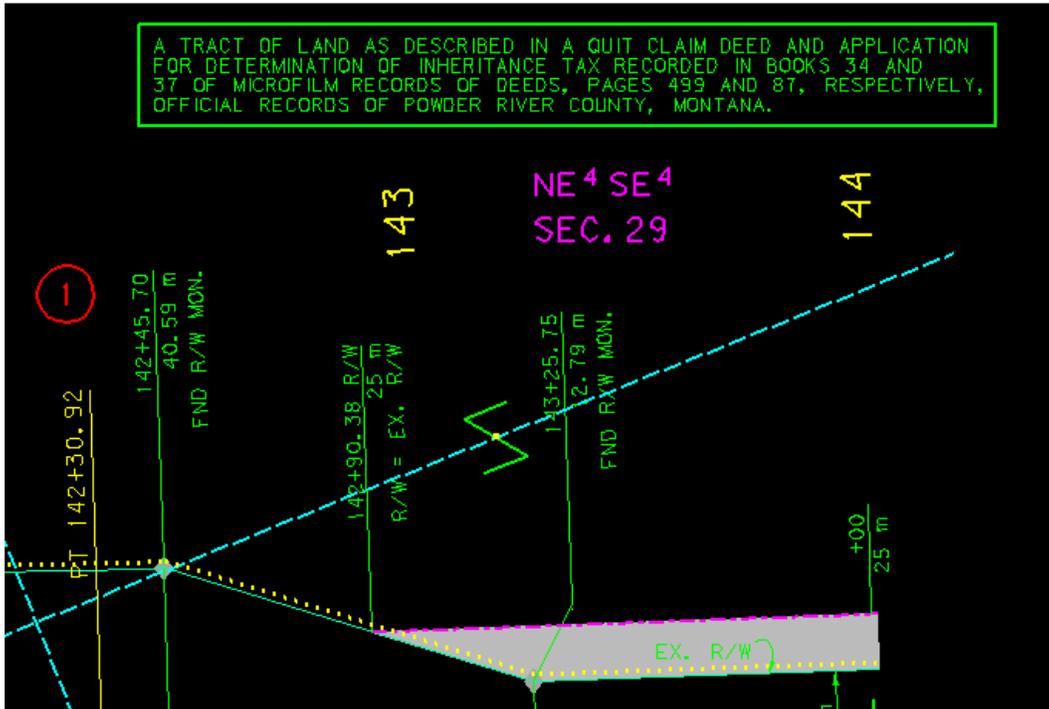
**PROPERTY LINE IS UN-DESCRIBED LINE**

**Figure 25-3**



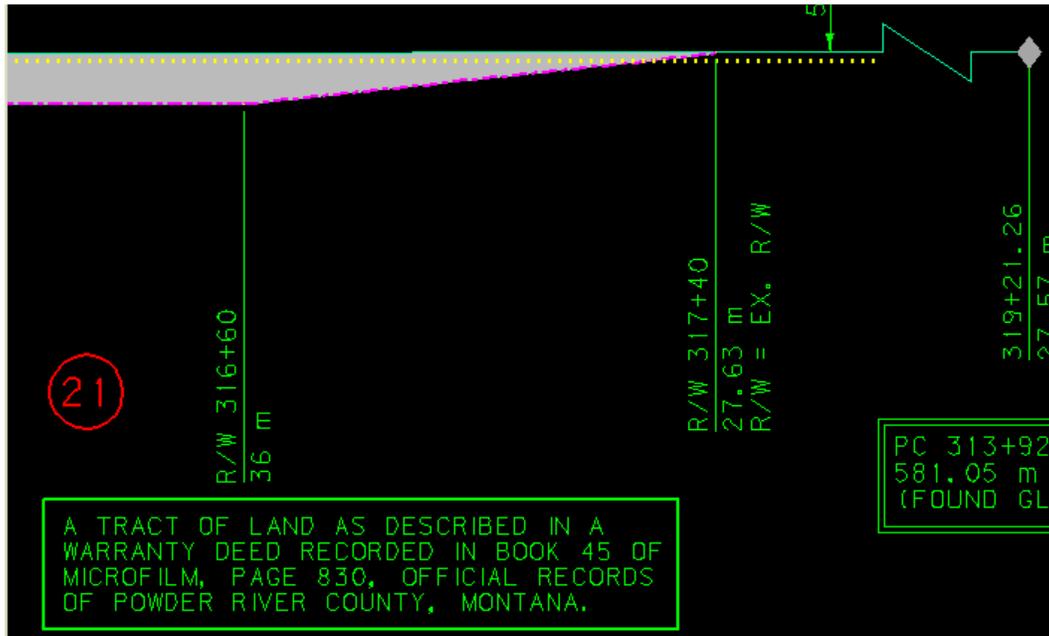
**UN-DESCRIBED LINE BREAKS PROPERTY LINE**

**Figure 25-4**



**MULTIPLE DEED ACQUISITION**

Figure 25-5



**PROPERTY LINE NOT SHOWN**

Figure 25-6

4. Property Line Not Shown. A tract of land description is needed when the beginning and/or ending property line of the parcel is not shown within the exhibit set. [Figure 25-6](#) is the last sheet of the exhibit set, but the end of parcel 21's property is not shown. This does not apply for parcels with a Certificate of Survey.

If it is determined that you need a tract of land description, you will need to use the "TRACT" cell on the first sheet of the exhibit set within the parcel area being described. If the parcel area is too small, the cell can be placed outside the described area and arrowed in. You will need to drop status on the text to delete unnecessary spaces and adjust the border for proper appearance.

## **25-2 ACQUISITION DEEDS**

A Bargain and Sale Deed is generally used when MDT acquires Right-of-Way. A Quit Claim Deed may be used when the chain of title is clouded, if there is an area of conflict, or for acquisition from an entity having conservation easement rights. When total or remnant acquisition of a parcel is necessary, a Warranty Deed is used. See [Appendix K](#) for definitions of various conveyance instruments.

The second page of deeds includes exception and reservation clauses in response to [MCA 60-4-102](#) and rules of Montana water law. In most situations MDT acquires land for highway purposes, therefore, does not want to acquire water rights. However, there are situations when MDT does want to acquire water rights such as wetland, maintenance site, and remnant or total acquisitions. In these situations, the water right exclusions are removed from the deed.

Draft deeds are prepared when the parcel exhibits are complete. They are distributed with the exhibits after the R/W plans are authorized. Standard forms and inserts are used with specific information to be filled in. Different forms and inserts are available for particular types of acquisition and legal descriptions. The signature lines and notary block templates may be customized by Acquisition to prepare for landowner signatures. Refer to [Appendix B](#) for samples of various deeds and easements.

### **25-2.1 Grantor Names**

Grantor Names and Addresses are to be added to the deeds and easements by r/w Design when they are prepared. Additional care should be taken when including the grantor names on the deeds. There may be situations where multiple landowners live far

from each other and more than one deed for the same acquisition would be needed for each to sign. The R/W Agent may be more familiar on the current status of the property owners being able to advise you what would best suit the situation. Consider the following:

1. Surname. Always use the surname (last name) for each individual conveying title. For example:

John A. Jones and Mary R. Jones **not** John A. and Mary R. Jones.

2. Vesting. Generally, individuals convey title the same way they received title. Grantors' names on deeds need to reflect how title was received. Vesting has to be *last* deed of record, decree of court or court action. They may have received title in different ways or the name was misspelled. To clear title or save misunderstandings, put both names on the documents using 'a/k/a' (also known as) and/or 'f/k/a' (formerly known as) for clarification. For example:

Philip L. Smith, a/k/a Phillip Louis Smith

Mary R. Jones, a/k/a Marry R. Jones

Carol Lynn Jennings, f/k/a Carol L. Anderson

Grace O'Malley Group, LLC formerly known as Fox Oil Co.

3. Declaration of Homestead. The grantor and whoever signed the Declaration of Homestead must be shown as the grantor on the deed. For example:

John Jones purchases property individually. Later he and his wife Mary file a Declaration of Homestead. Even though John is the fee title holder, Mary must sign the deed also when the property sells.

4. Notice of Purchaser's Interest. Both the fee simple owner and the person(s) having a contract interest should appear on the document.

Note: It may be necessary to prepare more than one document. For example:

John Lowe Caterpillar, Inc. has fee interest, but Tom Crew is purchasing the property and has a contract interest as an individual. Both a corporate deed for John Lowe Caterpillar, Inc. and individual deed for Tom Crew should be prepared.

5. Grantor Tenancy Language. The language 'Tenants in Common' or 'Joint Tenants', etc. of the Grantor is not included on the acquisition deeds. For example:

John and Rebecca acquired title of their property as John H. Henry and Rebecca R. Henry, husband and wife as joint tenants with the right of survivorship... The Right-of-Way deed would show John H. Henry and Rebecca R. Henry as Grantors.

6. Deceased Joint Tenant. During acquisition a deceased owner may be identified. The surviving joint tenant is listed on the deed if title is held in joint tenancy. A statement of acknowledgement is signed and recorded preceding the deed. The r/w plans do not need to be revised.

### **25-2.2 Deed Forms**

Different types of deed or easement forms are required for different types of acquisition. The form numbers and a description of when each would be used are as follows:

1. 521 (Bargain & Sale Deed – Individual). Used when the grantor(s) are individuals. Use Inserts “INS-SL” or “INS-LB”.
2. 520 (Bargain & Sale Deed – Corporation, Partnerships, etc.). Used when grantor is a corporation as it contains special language and corporate notary acknowledgement. It is also used when grantor(s) are partnerships, LLCs, LLPs, Trusts or City or County Government. See [Figures 16B and 17B in Appendix B](#). Use Inserts “INS-SL” or “INS-LB”. Check with the Secretary of State’s office to make sure the grantor is in fact a corporation and is active and in good standing. The Articles of Incorporation and/or the By-Laws will be on file with the Secretary of State’s office. If the corporation has been dissolved, it still has the power to convey title for 5 years. The website for Secretary of State’s office is: <http://sos.mt.gov/index.asp>. Then click on “Business Services,” “Registered Agent of a Business” then “Business Entity Search.”
3. 523 (Bargain & Sale Deed with Easement – Individual). Used when grantor(s) is an individual conveying Right-of-Way and an easement and the grantee is MDT. Note that on the exhibit, the Right-of-Way acquisition area will be shaded and the easement area will be hatched. Use Inserts “INS-SL-EASE” or “INS-LB-EASE”. Examples of easements to MDT would be “for the installation and maintenance of riprap”, “drainage purposes”, “roadway purposes” or “a channel change”.
4. 522 (Bargain & Sale Deed with Easement – Corporate, Partnership, etc.). Same as above, but the grantor is a corporation, partnership, etc. Use Inserts “INS-SL-EASE” or “INS-LB-EASE”.
5. 526 (Easement – Individual). Used when grantor(s) are conveying an easement for a specific purpose (i.e. to an adjacent landowner for access or irrigation purposes). Note that the easement area on the exhibit is shaded. Use Inserts “INS-EASE-SL” or “INS-EASE-LB”.

6. 525 (Easement – Corporate, Partnership, etc.). Same as above, but grantor is a corporation, partnership etc. Use Inserts “INS-EASE-SL” or “INS-EASE-LB”.
7. 528 (Highway Easement). Used when grantor(s) is conveying Right-of-Way by easement rather than fee title. Also used when Right-of-Way is to be acquired as an easement in the name of the county. Note that the easement area on the exhibit is shaded. Use Inserts “INS-HWY-SL” or “INS-HWY-LB”.
8. 527 (Highway Easement). Same as above, but grantor is a corporation, partnership, etc. Use Inserts “INS-HWY-SL” or “INS-HWY-LB”. Note that the easement area on the exhibit would be shaded.
9. 530 (Quitclaim Deed – Individual). Used when chain of title is clouded if there is an area of conflict, or for acquisition from an entity having conservation easement rights. Use Inserts “INS-SL” or “INS-LB”.
10. 529 (Quitclaim Deed – Corporate, Partnership, etc.). Same as above, but the grantor is a corporation, partnership, etc. Use Inserts “INS-SL” or “INS-LB”.
11. 524 (Warranty Deed – Individual). Used when grantor(s) is an individual conveying total property to MDT. The property is described using the legal description from the title commitment and currently recorded vesting deed. Exhibits are not required and inserts are not used. Water rights and mineral rights are acquired therefore the exception paragraphs are not included.
12. 534 (Warranty Deed – Corporate). Same as above, but the grantor is a corporation, partnership, etc.

### **25-2.3 Deed Inserts**

The deed inserts contain basic legal description language to be inserted in the deed forms below the granting clause. Specific information will need to be filled in:

1. “INS-SL” (Section Land). Used when describing land in sections, townships and ranges.
2. “INS-LB” (Lot and Block). Used when describing land in lots and blocks in subdivisions.
3. “INS-SL-EASE” (Section Land with Easement). Used when describing land in sections, townships and ranges with an additional easement.

4. “INS-LB-EASE” (Lot and Block with Easement). Same as above, but property is a lot and block.
5. “INS-EASE-SL” (Section Land w/Easement Only). Use with Form 526 or Form 525.
6. “INS-EASE-LB” (Lot & Block w/Easement Only). Use with Form 526 or Form 525.
7. “INS-HWY-SL” (Section Land w/Easement Only). Use with Form 528 or Form 527.
8. “INS-HWY-LB” (Lot & Block w/Easement Only). Use with Form 528 or Form 527.

#### **25-2.4 Legal Descriptions**

There are many things to be aware of when writing legal descriptions. The r/w plans and exhibits must be compared with the title commitments and vesting deeds to ensure the legal description is written correctly. The guidelines listed below address most situations:

1. Township and Range Land. Always spell out “Township” and “Range,” do not abbreviate. Use P.M.,M., not M.P.M. Do not use spaces between quarter/quarter calls; separate quarter sections and government lots in the same section by commas; separate different ranges, townships or sections by semicolons. Write the legal description in the direction of the stationing. Condense quarter sections when possible. The following are examples of legal description wording:
  - a. ...a tract of land in the NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 6, Township 8 South, Range 61 East; S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, and SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 31; W<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub> of Section 32; W<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> and SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 29; NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> and S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub> of Section 30, Township 7 South, Range 61 East, P.M.,M., Carter County, Montana, as shown by.....
  - b. ...a tract of land in U.S. Government Lots 4, 3, 2, and 1 of Section 6, Township 9 South, Range 5 West, P.M.,M., Madison County, Montana, as shown by...
2. Government Lots. Government lots should not be called just “Lot”, even though the grantor may have acquired title that way. They should be written as follows:
 

...a tract of land in U.S. Government Lots 4 and 3, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, and SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 7, Township 3 South, Range 16 East, P.M.,M., Daniels County, Montana, as shown by...
3. Quarter/Quarter vs. Government Lot. For example, if the legal description on the vesting deed shows the grantor acquired property in the N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub> of Section 6, Township 10 South, Range 4 West, P.M.,M., Phillips County, Montana, but the

plans and GLO map depict U.S. Government Lots 4 and 3, you would write the legal description as follows:

...a tract of land in U.S. Government Lots 4 and 3 (sometimes referred to as the N $\frac{1}{2}$ NW $\frac{1}{4}$ ) of Section 6, Township 10 South, Range 4 West, P.M.,M., Phillips County, Montana, as shown by...

4. Certificate of Surveys. Only describe the portion of section, etc. that is needed for Right-of-Way purposes. For example, if Certificate of Survey No. 5026 covers the W $\frac{1}{2}$ SE $\frac{1}{4}$  and the NE $\frac{1}{4}$ SE $\frac{1}{4}$  but the area needed for Right-of-Way is only in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , the legal description would be written as follows:

...a tract of land within Certificate of Survey No. 5026, situated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 21, Township 12 North, Range 16 West, P.M.,M., Ravalli County, Montana, as shown by...

5. Certificate of Surveys and Section Land. Occasionally, a grantor has acquired a portion of their contiguous property by a deed, which specifies a certificate of survey. Both the property within the certificate of survey and the surrounding property must be described. For example:

...a tract of land within Certificate of Survey No. 117200 situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 28; and also a tract of land in the E $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 28; S $\frac{1}{2}$ S $\frac{1}{2}$  of Section 27; and NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 34, Township 7 North, Range 3 East, P.M.,M., Broadwater County, Montana, as shown by...

6. Lots and Blocks. Lots and blocks should be described as follows:

- a. Outside Urban Areas. For outside urban areas:

...a tract of land in Lots 4, 5, and 6 of Block 12 of the Johnson Subdivision situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 10, Township 14 North, Range 22 West, P.M.,M., Lewis and Clark County, Montana, as shown by...(Insert INS-SL is used for this description)

- b. Inside Urban Areas. For inside urban areas:

...a tract of land in Lots 4, 5, and 6 of Block 12 of the Johnson Subdivision to the City of Helena, Montana, according to the official plat thereof, on file and of record in the office of the Clerk and Recorder of Lewis and Clark County, Montana, as shown by...(Insert INS-LB is used for this description)

7. Vacated Streets and Alleys. They need to be addressed when included in the ownership. For example, if Mr. and Mrs. Johnson acquired Lots 4 & 5, Block 6 of Johnson Addition to the City of Helena when they bought their property in 1966;

and, in 1972, the City of Helena vacated Apple Street by Resolution No. 1234, which was recorded in the county records, the legal description would be written as follows:

...a tract of land in Lots 4 and 5, Block 6 of Johnson Addition to the City of Helena, Montana, according to the official plat thereof, on file and of record in the office of the Clerk and Recorder of Lewis and Clark County, Montana. TOGETHER WITH the vacated half of Apple Street lying adjacent to Lots 4 and 5, as vacated by Resolution No. 1234, recorded in Book 23 of Deeds, Page 87, official records of Lewis and Clark County, Montana, as shown by...

8. Homestead Entries. Homestead entries should include Township and Range as follows:

...a tract of land in HES No. 1212, Township 4 South, Range 13 West, P.M.,M., Custer County, Montana, as shown by...

9. Mining Claims. Mining claims should be shown as it appears on the Patent. Be sure to include Mining Claim information on exhibit as follows:

...a tract of land in the Mary Jane Lode Mining Claim, Mineral Survey No. 4, Section 1, Township 10 North, Range 13 West, Lewis and Clark County, Montana, as shown by...

## **25-3 LOCATION AND DISTRIBUTION**

### **25-3.1 Saving Deeds and Exhibits**

The parcel exhibit and deed files must be saved in folders located on the “ROW” drive. You will need to create a folder for the project.

### **25-3.2 Distributing Deeds and Exhibits**

After the deeds/easements and exhibits have been checked and revisions made, they need to be distributed electronically to the appropriate District, with the exception of Railroad and Government Agency parcels, as follows:

1. Print. Print deeds and exhibits to appropriate Field R/W Supervisor’s printer. See Form 509 for a list of printers to transmit the deeds and exhibits to for each District.
2. Forward Email. Prepare an email to the Field R/W Supervisor to notify them that the deeds and exhibits were sent, which parcels were included and what printer they were sent to.
3. File. Supply the deed/exhibit file with a copy of the email and copies of the deeds/easements and exhibits.

Distribution of the deeds and exhibits completes Activity 820.

## **25-4 DEED & EXHIBIT SPECIAL REQUIREMENTS**

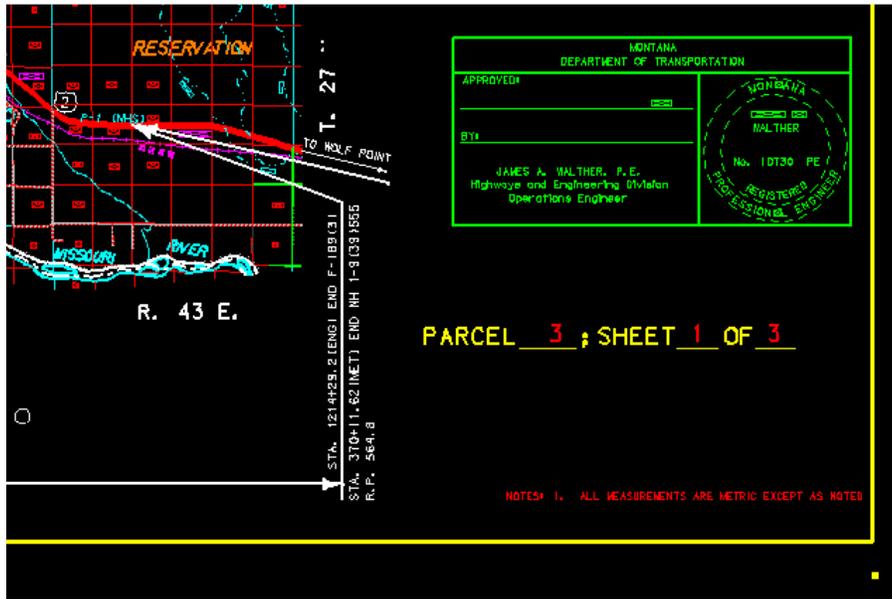
As there are special considerations for preparing Right-of-Way plans on DNRC, U.S. Government, Tribal Indian, and Railroad land, there are also differences when creating deeds and exhibits. [See Chapter 22 for File Development.](#)

### **25-4.1 DNRC State of Montana**

Use the following procedures when preparing deeds and exhibits for DNRC and State of Montana lands:

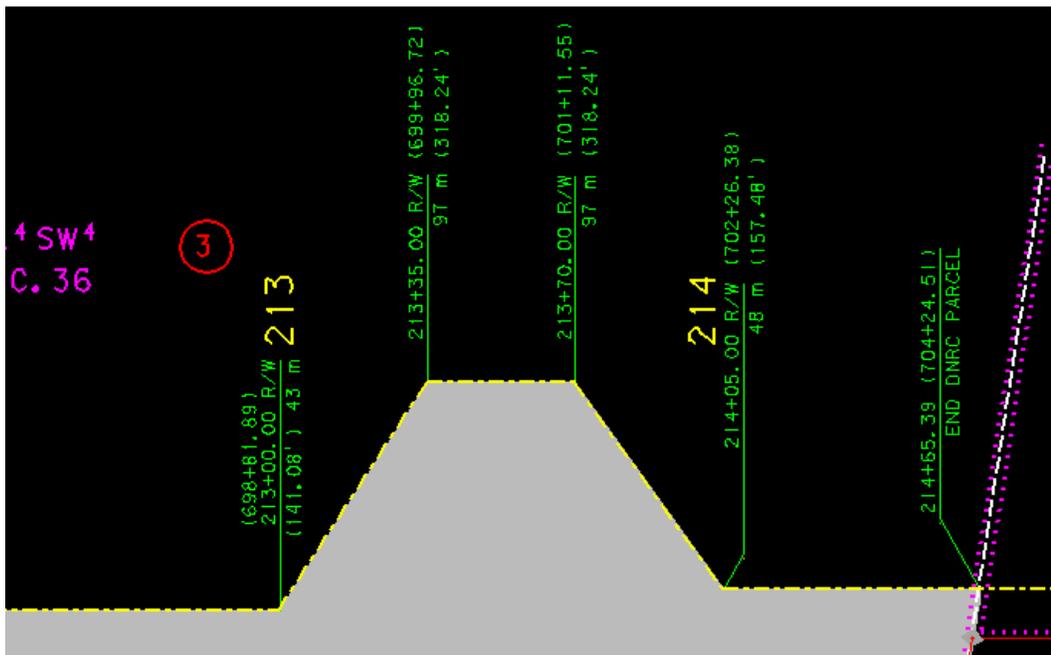
1. Exhibits. An exhibit parcel file should be prepared as normally done and then the required adjustments listed below should be completed within the parcel exhibit file. Construction permits are not shown on the exhibit. See [Figure 4B](#) in [Appendix B](#) for DNRC Section Land and [Figure 6B](#) in [Appendix B](#) for DNRC Navigable Riverbed Sample Exhibits:

- a. Title Sheet. A title sheet with a signature block (cell “SEAL”) is saved as the first sheet of the exhibit set. The text “PARCEL \_\_ SHEET \_\_ OF \_\_” should be included on this sheet in the bottom portion of the exhibit, as shown in [Figure 25-8](#).
  - b. Callouts. All callouts and centerline information should have English conversions added in parenthesis. A begin and end DNRC callout with calculated station will need to be included as well. Use MicroStation cells as appropriate. If this station is calculated by scaling, it must be noted as scaled. See [Figure 25-9](#).
  - c. English Conversion Notes. The English conversion note (cell “VALUES”) should be included, as shown in [Figure 25-10](#).
  - d. State Land Block. The State land block information placed in the plan sheet file remains on for the DNRC exhibit.
2. Deeds. Form 537 is used for DNRC non-navigable riverbed and section land, and Form 536 is used for DNRC navigable riverbed rather than preparing deeds. See [Figure 3B](#) in [Appendix B](#) for DNRC Section Land and [Figure 5B](#) in [Appendix B](#) for DNRC Navigable Riverbed Sample Forms. Legal descriptions for navigable riverbeds refer to the low watermark.



### TITLE SHEET

Figure 25-8



### CALLOUTS

Figure 25-9

VALUES IN ( )'S ARE IN ENGLISH CONVERTED  
FROM METRIC AND ARE PROVIDED FOR THE  
MONTANA DEPARTMENT OF NATURAL RESOURCES  
& CONSERVATION

## ENGLISH CONVERSION NOTES

Figure 25-10

3. Distribution. Supply the Relocation Agent in the Acquisitions Section with the exhibit set and form, as well as a ½ size set of plans, cross sections and construction plans for the affected areas. Also supply a copy of the exhibit set and form to be included in the deed/exhibit file.

In the event that there is construction permit only involvement, an exhibit set and form would not be prepared. ½ size plans, cross sections and construction plans for the construction permit areas would be supplied.

### 25-4.2 Railroad Parcels

Process railroad exhibits using the following procedures:

1. Exhibits. A title sheet is saved as the first sheet of the exhibit set with the railroad DOT number and milepost added. Contact the Helena Utility Section for DOT and crossing numbers. Additional sheets are saved including all design information shown on the plan sheets. Ownership sheet information and plan sheet numbers are removed. See [Figure 7B in Appendix B](#) for an example.
  - a. Acquisition. New r/w and easements to be acquired for the use of MDT should be shaded. Acquisitions for other entities will be shown on the same exhibit. The shading is prepared in the area file and referenced. Typically, construction permits are hatched and licenses crosshatched. There may be occasions where additional acquisitions need to be identified differently such as easements to be acquired for the use of another entity.
  - b. Legend. A legend needs to be included on every plan exhibit sheet. Parcel number, exhibit sheet numbers and Stamp Exhibit "A" are added to the title exhibit sheet and plan exhibit sheet.
2. Deeds. Deeds are not prepared.
3. Distribution. Supply 7 copies of the exhibits prepared as specified above to the Engineering Manager in the Utilities Section. Also supply a copy of the exhibit set to be included in the deed/exhibit file.

### **25-4.3 U.S. Forest Service**

1. Exhibits. An exhibit parcel file should be prepared as usual with the required adjustments listed below to be completed within the parcel exhibit file. Construction permits are not shown on the exhibit and only new acquisition is shaded.
  - a. Title Sheet. A title sheet entitled Right of Way Exhibit is saved as the first sheet of the exhibit set including a U.S.F.S. signature block. The plan legend and date block are removed. Exhibit parcel and sheet numbers are included.
  - b. Acquisition. New r/w to be acquired for the use of MDT is shaded. Shading should continue to the nearest aliquot property line or section line, whichever is closer. Easements to be acquired for the use of another entity, such as a county, should be shaded on a separate exhibit. The shading is prepared in the area file and referenced. Construction permits are not shown.
  - c. Legend. A legend is included on every plan exhibit sheet. Parcel number, exhibit sheet numbers and Stamp Exhibit "A", Exhibit "B", or Exhibit "C" are added to the title exhibit sheet and plan exhibit sheet.
  - d. Plan Exhibits. A callout box referencing the recording information of the original easement is placed on each sheet of involvement, cell "NFSLREC". At each project centerline and U.S.F.S. property line intersection a station callout is added. A NFSL label is to be placed on each quarter section under forest service jurisdiction, cell "NFSL".
2. Deeds. Deeds are not prepared.
3. Distribution. Supply the R/W Agent in the Special Programs Section with the exhibits as well as cross sections and construction plans.

### **25-4.4 United States of America (BLM, BOR)**

Prepare the exhibits with only new R/W and easement acquisition shaded. Easements to be acquired for the benefit of someone other than MDT need to be shaded on a separate exhibit. Deeds are not prepared. Supply the Field R/W Supervisor with 3 copies of the exhibit, as well as cross sections and construction plans for the affected areas.

### **25-4.5 Tribal Indian**

Exhibits are prepared as usual. Form 538 is prepared rather than a deed. Specified information is distributed to the Field R/W Supervisor with other parcel exhibits and deeds following the normal procedure. See [Figures 1B](#) and [2B](#) in [Appendix B](#).

#### **25-4.6 Fish, Wildlife and Parks**

Exhibits are prepared as usual. A Quit Claim deed is prepared with the governor's signature line. The deed and exhibit should be distributed to the Field R/W Supervisor or the Acquisition Section Manager. Each project will require coordination as to who should receive this information.