

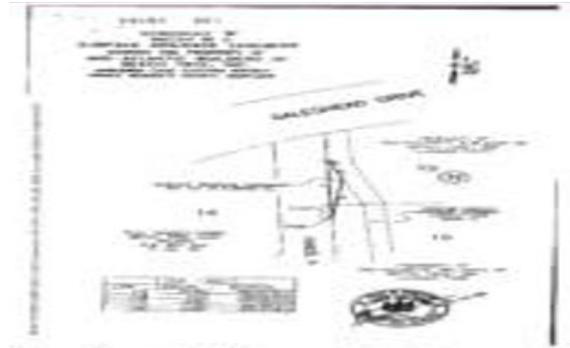
PRINCE GEORGE'S COUNTY

DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT

# Right-of-Way Processing

## The Nuts and Bolts of the Right-of-Way Process

### 2021



Angela D. Alsobrooks  
County Executive



Melinda Bolling  
Director

# Agenda

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**Deed and Easement  
Submission Requests**

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**Deed and Easement  
Procedures**

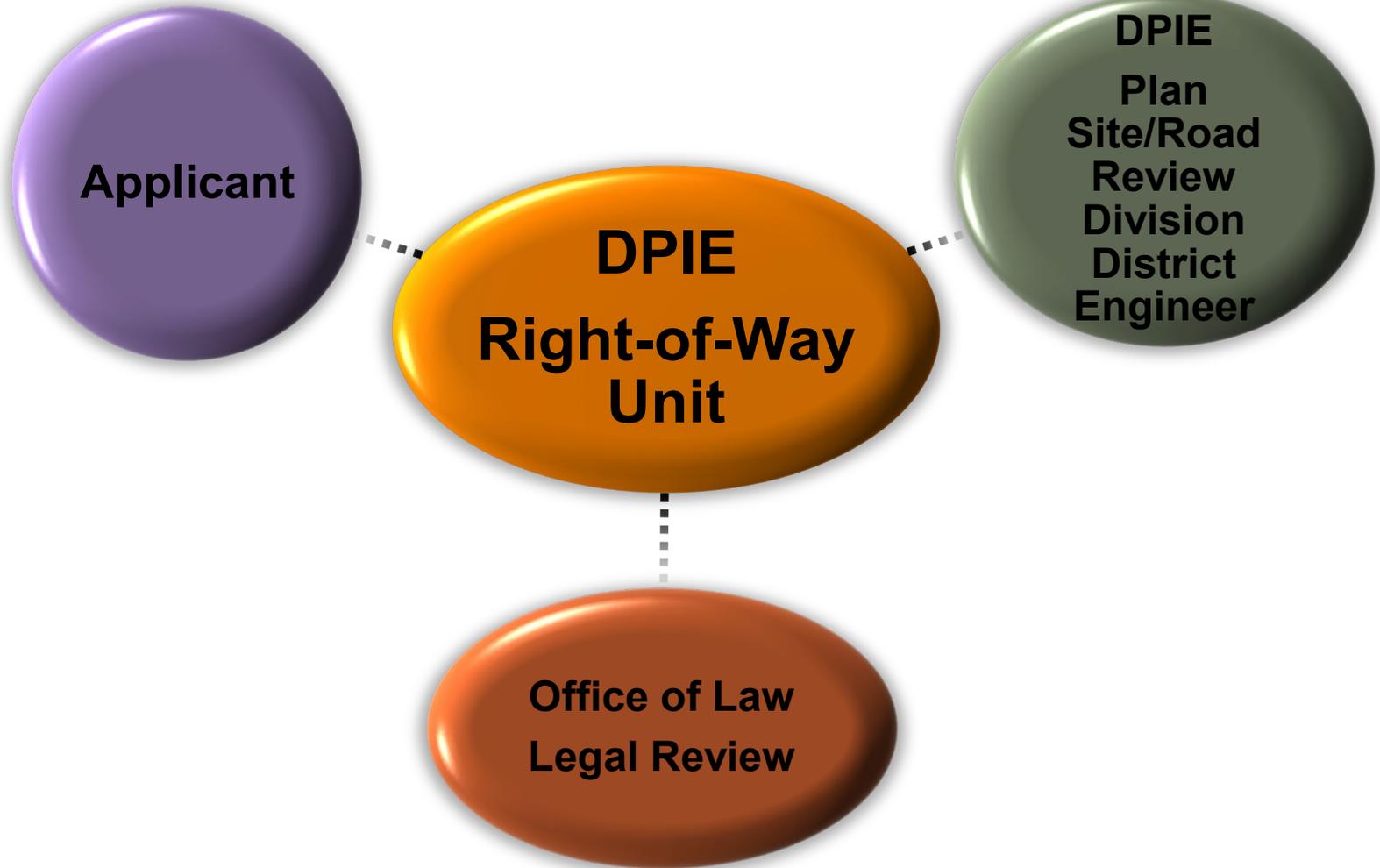
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**Other Right-of-Way  
Services**

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**Right-of-Way  
Resources**

# Right-of-Way Review



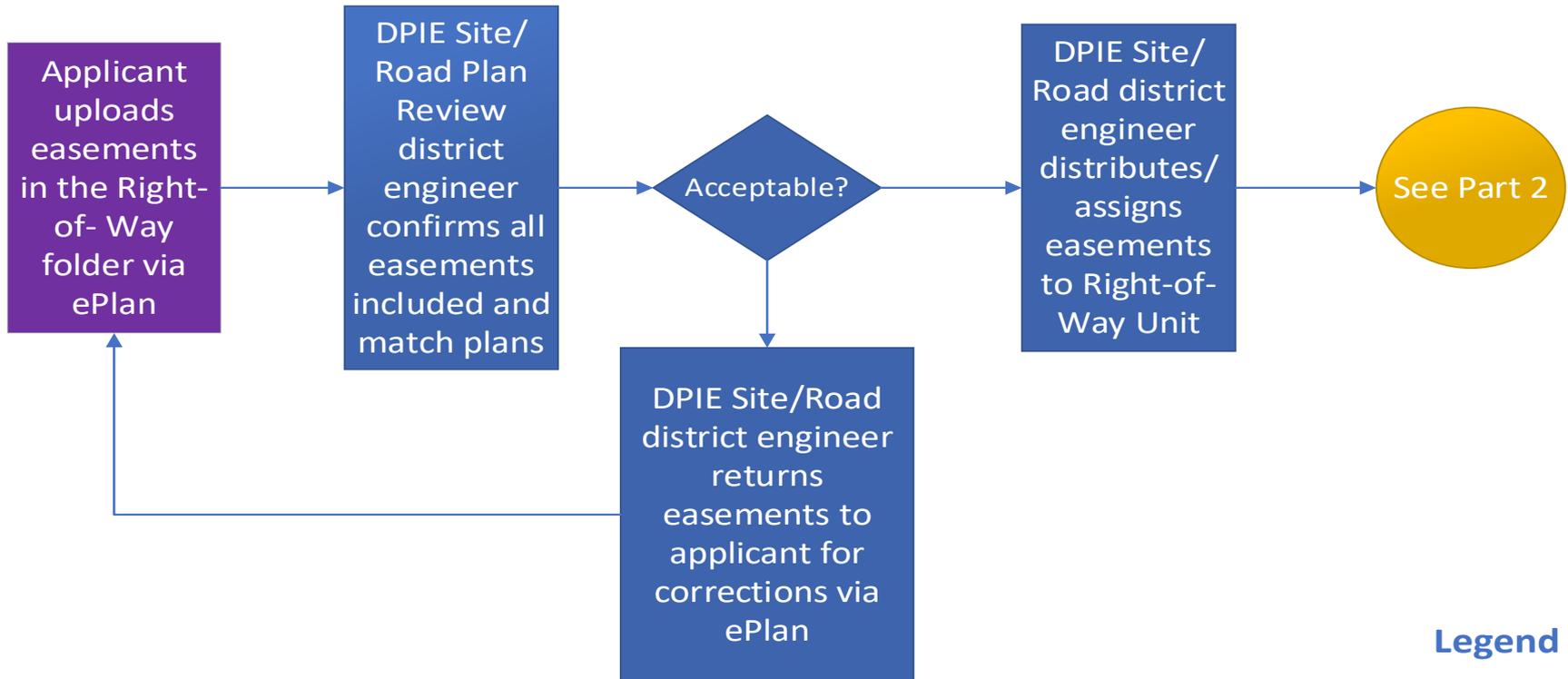
**Easement  
Submittal via  
ePlan is  
Required**

**Can easements be processed in  
ePlan?**

Yes, however paper originals with original signatures are required at time of recordation.

**The Land Records Office requires original executed documents by the current property owners or authorized signatories. The original signature or original notary public seal must be placed on the executed documents for recordation.**

# Easement Acquisition Flow Chart Part 1



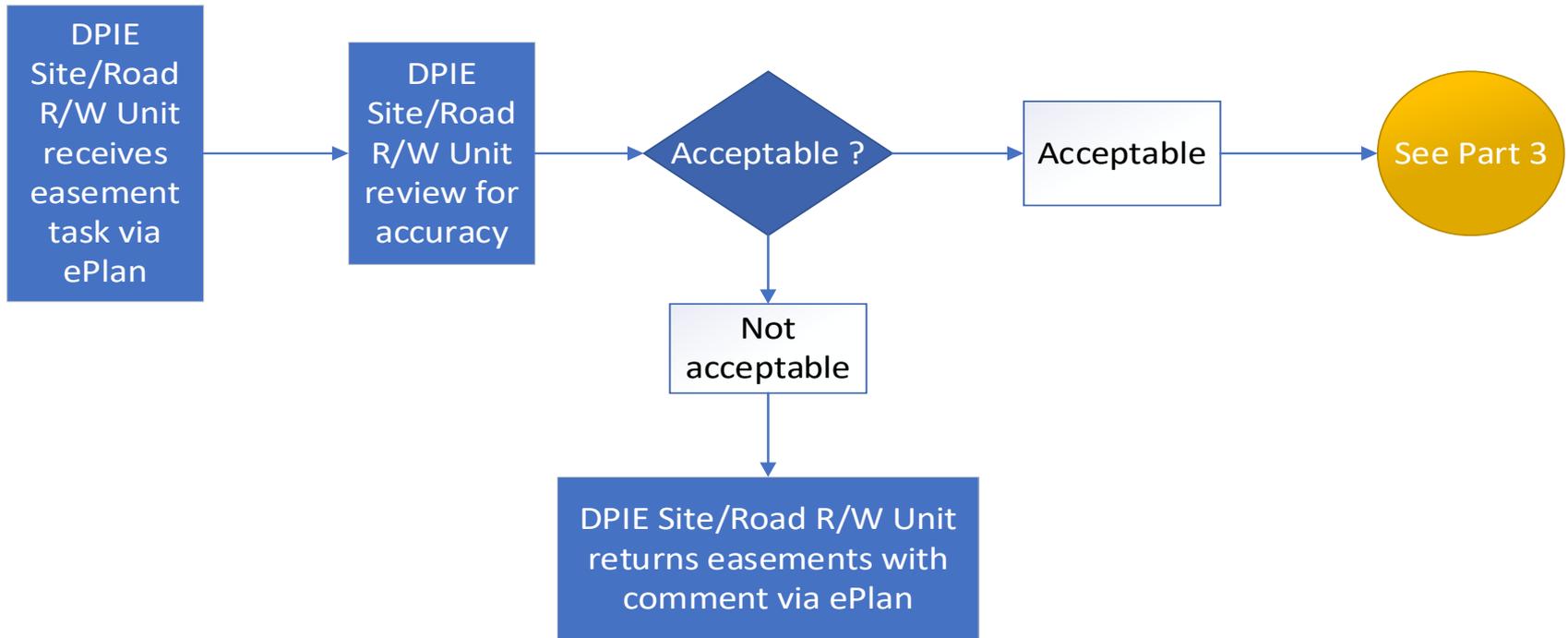
**SUGGESTION**  
Submit easements as early as possible – typically with second submission of SD/SWM plans

## Legend

By Site/Road District Engineer

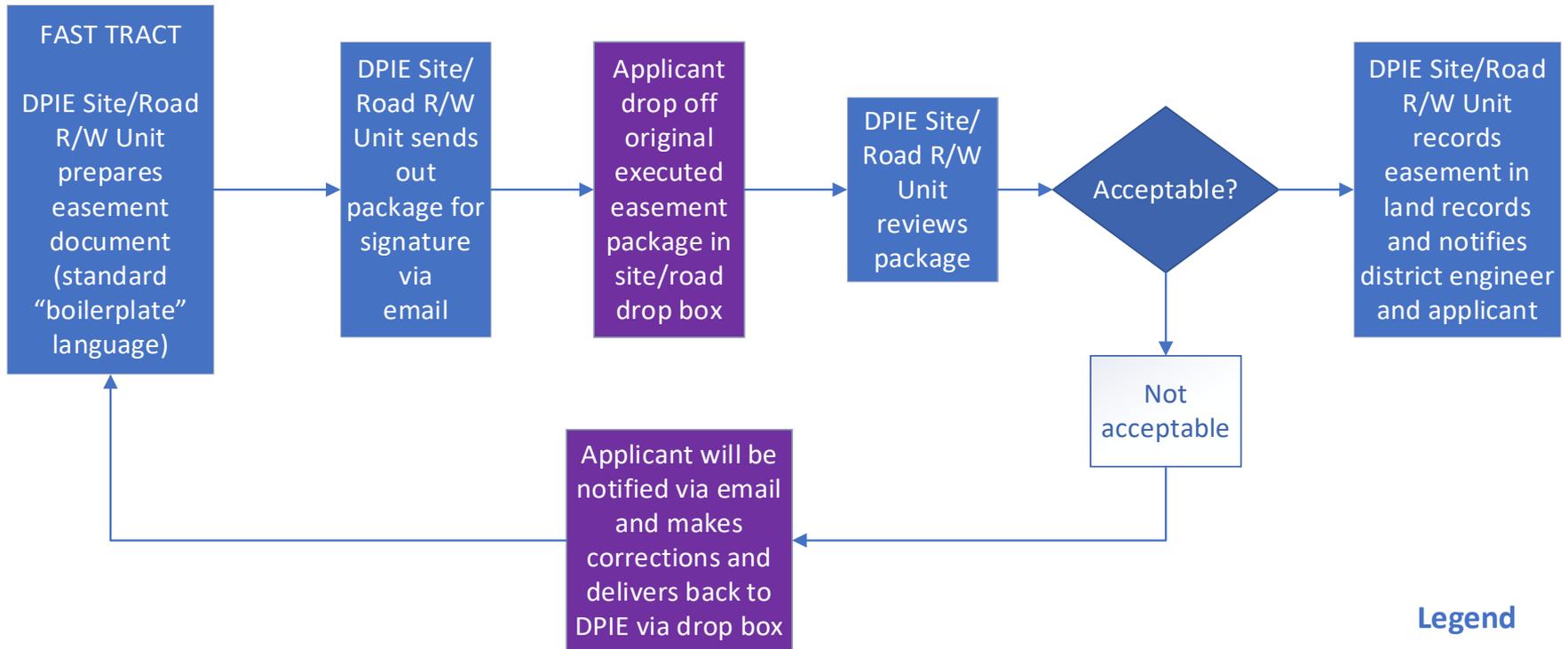
By Applicant

# Easement Acquisition Flow Chart Part 2



TYPICAL REVIEW TIMEFRAME  
FIRST review cycle (3 -4 weeks)  
SECOND review cycle (1 -2 weeks)

# Easement Acquisition Flow Chart Part 3 - Fast Tract



WARNING - Recordation MUST be done by County R/W agent

INTERDEPENDENCY - Fully executed easements required before "technical" approval of SD/SWM plans

## Legend

By Site/Road R/W Unit

By Applicant

# Easement Acquisition Flow Chart

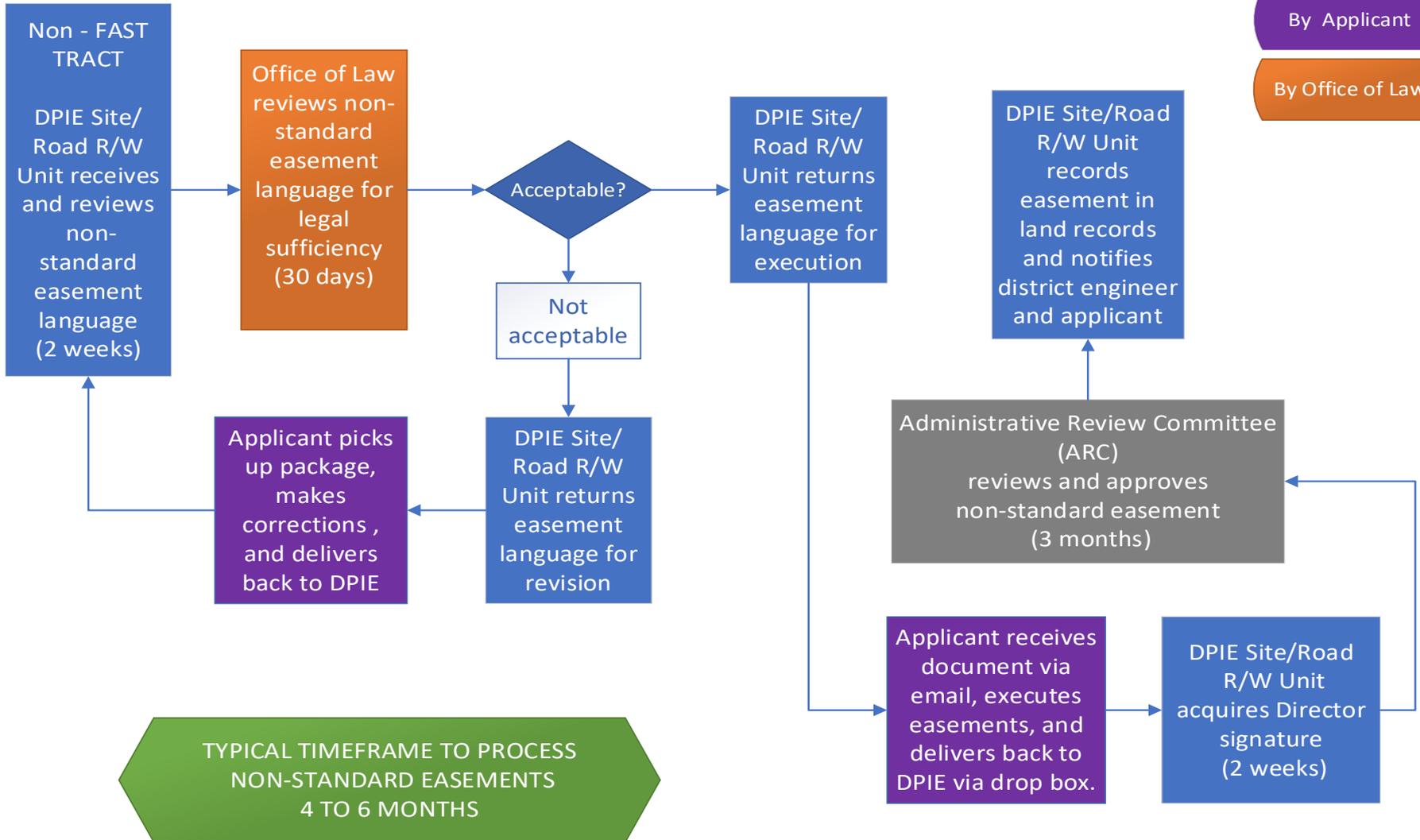
## Part 3 – Non-Fast Tract

### Legend

By Site/Road R/W Unit

By Applicant

By Office of Law



# Easement Acquisition and Relationship to Recorded Plats

## Process Sketch/Description Easements BEFORE plats are recorded



- DO - Label Lots as "Future"
- DO - Prepare Description Based on Current Parcel
- DON'T - Prepare Description Based on Future Recorded Lots
- DO - Reflect Current Tax Account Number of Current Parcel

DO NOT process sketch/description easements while plats are going through recordation because tax account numbers change and land records will reject the easements.

## Process Sketch/Description Easements AFTER plats are recorded



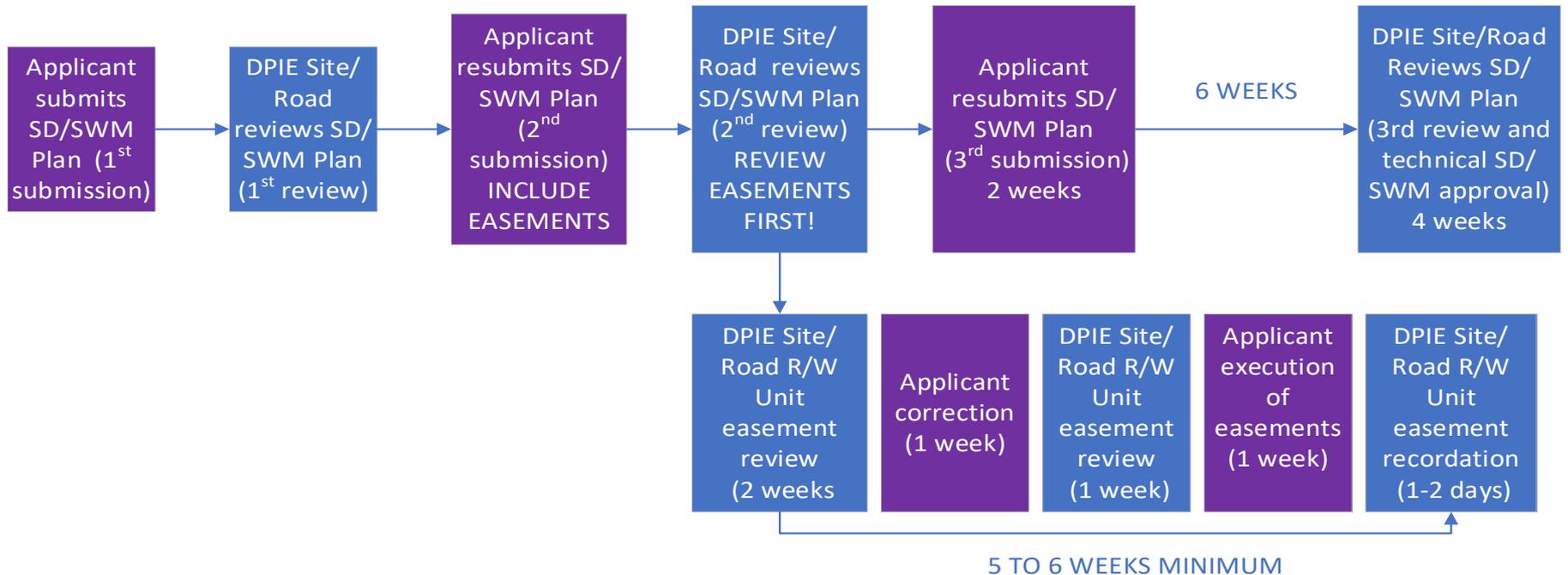
- DO - Show Lot Lines as Existing (Solid Lines)
- DO - Label Lots as Existing
- DO - Prepare Description Based on Recorded Lots
- DON'T - Prepare Description Based Previous Parcel
- DO - Reflect Current Tax Account Numbers of Each Lot

# Easement Timing Interdependency

## When are easements required?

- Recorded drainage easements prior to technical approval
- County requires a floodplain easement to be included on the subdivision plat, unless easements were previously recorded.
- Floodplain easements should be recorded prior to grading and building permits
- Recorded surface drainage easements (single residential lots) prior to Building Permit

- EASEMENTS ARE CRITICAL PATH



SUBMIT EASEMENTS WITH  
FIRST or SECOND SUBMITTAL OF STORM DRAIN AND SWM PLANS

# Easement Requirements

## What types of easements are processed through the County?

- Storm drain easements (public)
- Stormwater management easements (public)
- Surface drainage easements
- Floodplain easements
- Grading easements
- Revertible slope easements
- Ingress egress easements

## When are drainage systems public? When are drainage systems private?

- \* PUBLIC SD and SWM (ponds) in single family and TH projects
- PRIVATE SWM (ESD) outside public road R/W
- PUBLIC SD and SWM (ESD or other) in public road R/W
- PRIVATE SD and SWM in industrial, commercial, multi-family and mixed use
- PRIVATE SD and SWM on county owned facilities (schools, fire/police, etc.)
- PUBLIC SD if conveying offsite storm water through a site

# Easement Acquisition Submittal Requirements

## Submittal Requirements

- R/W transmittal, completely filled out.
- All easement sketches (8.5"x11")
- All schedule A legal descriptions (8.5"x11")
- Permit plan
- Current recorded deeds transferring property to current owner
- Current plats
- Operating Agreement: There is no need to provide the entire Operating Agreement. It would be sufficient to provide the **Management Section and the list of authorized company signatories, including their titles and capacities within the organization.**
- Articles of Incorporation and Partnership Agreement of Owner Entity
- Owners Acknowledgement Statement



**PRINCE GEORGE'S COUNTY GOVERNMENT**  
 Department of Permitting, Inspections and Enforcement  
 (301) 636-2060



**RIGHTS-OF-WAY SURVEY TRANSMITTAL**  
 (for submittal and processing of easements and deeds)

Name of Project: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
 Name of Street: \_\_\_\_\_ Subdivision Plat Ref: \_\_\_\_\_  
 (For Street Dedication)  
 DPIE Permit #: \_\_\_\_\_ DPIE Engr District: Nor  Cen  Sou   
 Lot(s) Block(s): \_\_\_\_\_  
 Tax Account #(s): \_\_\_\_\_  
 (Use Sep Sheet For Lot/Block/Acct. #'s If Needed)

Election District: \_\_\_\_\_  
 Tax Map/Grid/Parcel: \_\_\_\_\_  
 Owner/Grantor: \_\_\_\_\_

Signatory\*\*: \_\_\_\_\_ Title/Capacity\*\*: \_\_\_\_\_  
(Person signing the document) (please print name)  
*Name, Address to where document is to be mailed for signature or instructions for method of delivery  
 (include phone number, email address for contact):*

For Signature Send to: \_\_\_\_\_ Telephone #: \_\_\_\_\_  
 Address: \_\_\_\_\_ Email Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_

-OR-  
 List Contact To Call For A Document Pick Up Name \_\_\_\_\_  
 Telephone # \_\_\_\_\_

Total Number of R/W Transmittals/Packages That Accompany This Submission:  
 \_\_\_\_\_ On-Site \_\_\_\_\_ Off-site \_\_\_\_\_ Total

NOTE: ALL RIGHTS-OF-WAY SHALL BE PROVIDED GRATIS TO PRINCE GEORGE'S COUNTY PER SECTION 23 OF THE PRINCE GEORGE'S COUNTY CODE

Submitted/Prepared By: \_\_\_\_\_  
 Consultant Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_ Email: \_\_\_\_\_

FOR COUNTY PURPOSES ONLY:

Seen and accepted by: \_\_\_\_\_ for Prince George's County  
 Date \_\_\_\_\_ Log No. \_\_\_\_\_

**\*\* IMPORTANT:**  
If owned by an Entity, provide documentation which confirms the organization, signatory, and the individual's title/capacity.

IMPORTANT

SUBMIT A SEPARATE TRANSMITTAL FORM AND COMPLETE PACKAGE FOR EACH EASEMENT/DEED SUBMISSION

THIS SUBMISSION MAY INCLUDE:

- \* documents that describe several "parts" (individual easements) that appear on the same Schedule "A" and Sketch
  - \* a list of multiple (joint) owners of the same property that is affected by the easement/deed.
- (All owners, or their proven legal representatives, of any piece of property affected will need to sign the easement/deed document.)

DPIE WILL NOT ACCEPT A TRANSMITTAL IF :

- \*it has more than one owner listed and there is no joint ownership of properties
- \*there is more than one Schedule "A" and Sketch attached to a single Transmittal
- \*any pertinent information is not filled in on the Transmittal or any required documentation is not included in the package.

# Easement Acquisition Submittal Requirements

## Submittal Requirements

### SUBMIT:

- R/W transmittal
- All easement sketches
- All Schedule A legal descriptions
- Permit plan
- Current recorded deeds  
Transferring property to current owner
- Current plats
- Operating Agreement of owner
- Articles of Incorporation and Partnership Agreement of owner entity
- Owners Acknowledgement Statement

**DO NOT process easements while property ownership is changing because tax account numbers change and land records will reject the easements.**

## DO's and DON'Ts

### DO:

- Check your work, every bearing and distance!
- Overlay easements with permit plan
- Confirm all easements required by permit plan are included
- Sign and seal sketches and schedule A descriptions by Maryland RLS or PLS
- Submit deeds and plats
- Check current ownership with every submittal
- Provide “proof” that signatory has right to execute
- Check tax account numbers against SDAT records

### DON'T:

- Submit incomplete packages
- Record the final document – County must record easements granted to the County

# **Steps to Process Declaration of Covenants (Maintenance Agreement)**

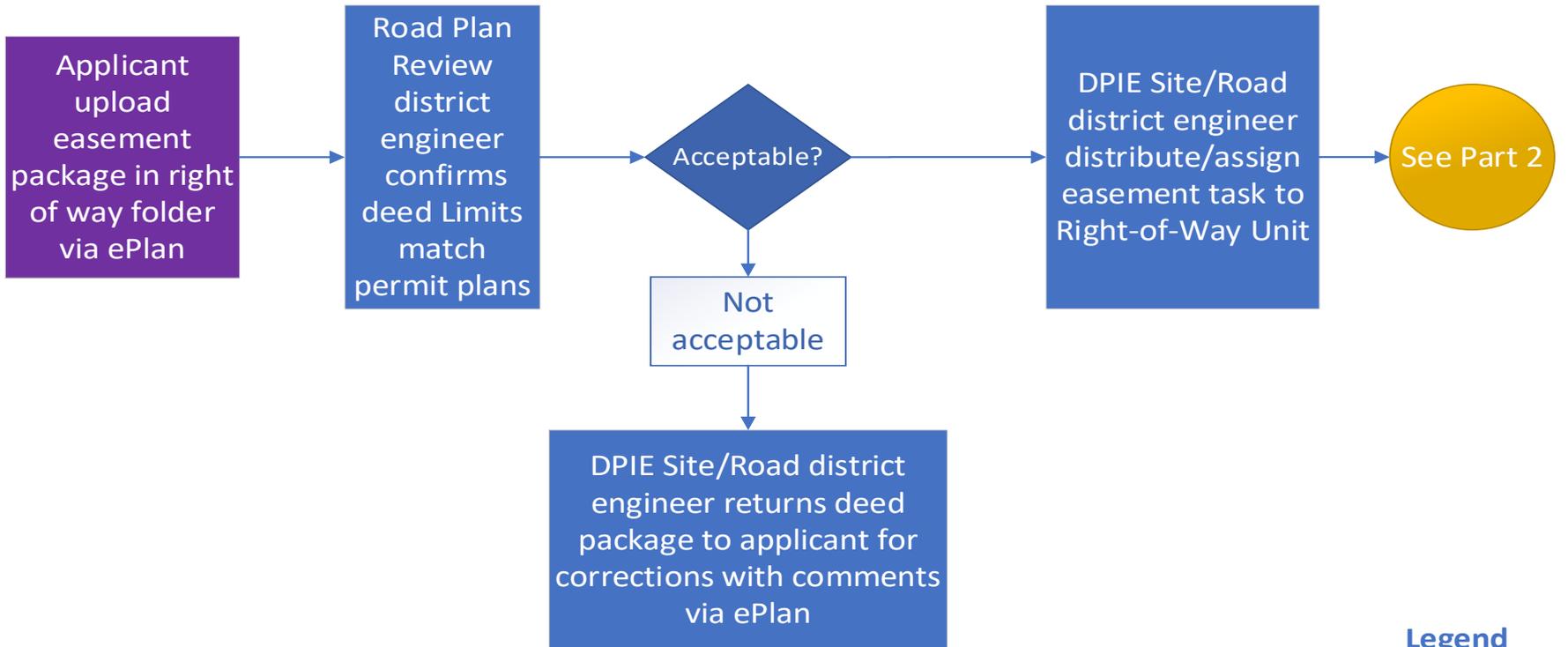
- 1. All declaration of covenants should be submitted via ePlan.**
- 2. Clients must upload declaration of covenants without a notary seal and without the owner or signatory signature, but all other relevant information must be completed, including the signatory name.**
- 3. The DPIE engineer will review and sign the covenant via ePlan.**
- 4. The right-of-way agent will review and approve the ownership and signatory name.**
- 5. Clients must download the declaration of covenants signed by the DPIE engineer.**
- 6. Clients must get the original signature of the owner and notary seal on the downloaded declaration of covenants, i.e. executed covenant**
- 7. Clients must record the originally executed declaration of covenants.**
- 8. Email the copy of the recorded declaration of covenants to the DPIE reviewing engineer.**

# Fee Deed Acquisition

## Deeds are processed by DPIE:

- When the subdivision plat does not otherwise convey sufficient road r/w required for road improvement
- CIP road projects
- When a SWM pond is proposed on a deed parcel dedicated to the County instead of within easement

# Fee Simple Deed Acquisition Flow Chart PART 1

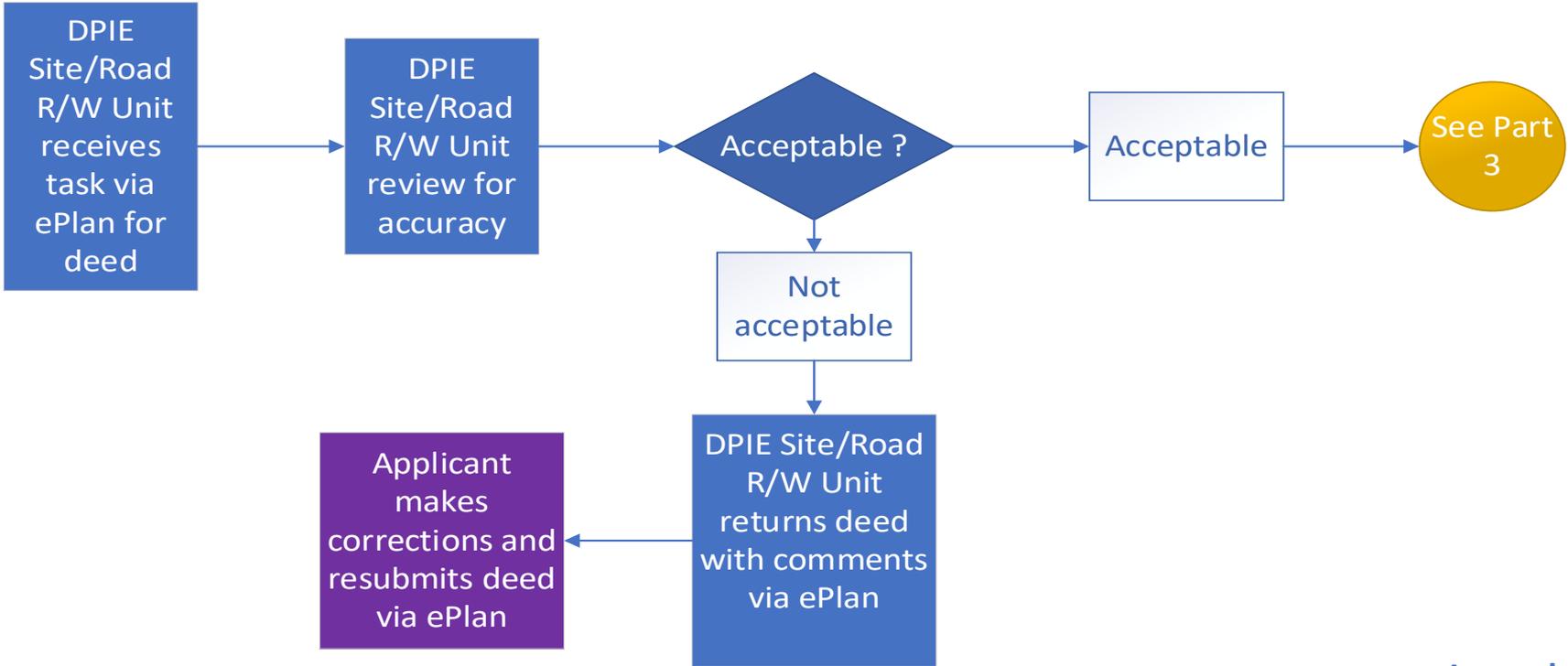


**SUGGESTION**  
Submit deed package as early as possible – typically with first submission of paving plans

**Legend**

- District Engineer
- By Applicant

# Fee Simple Deed Acquisition Flow Chart PART 2



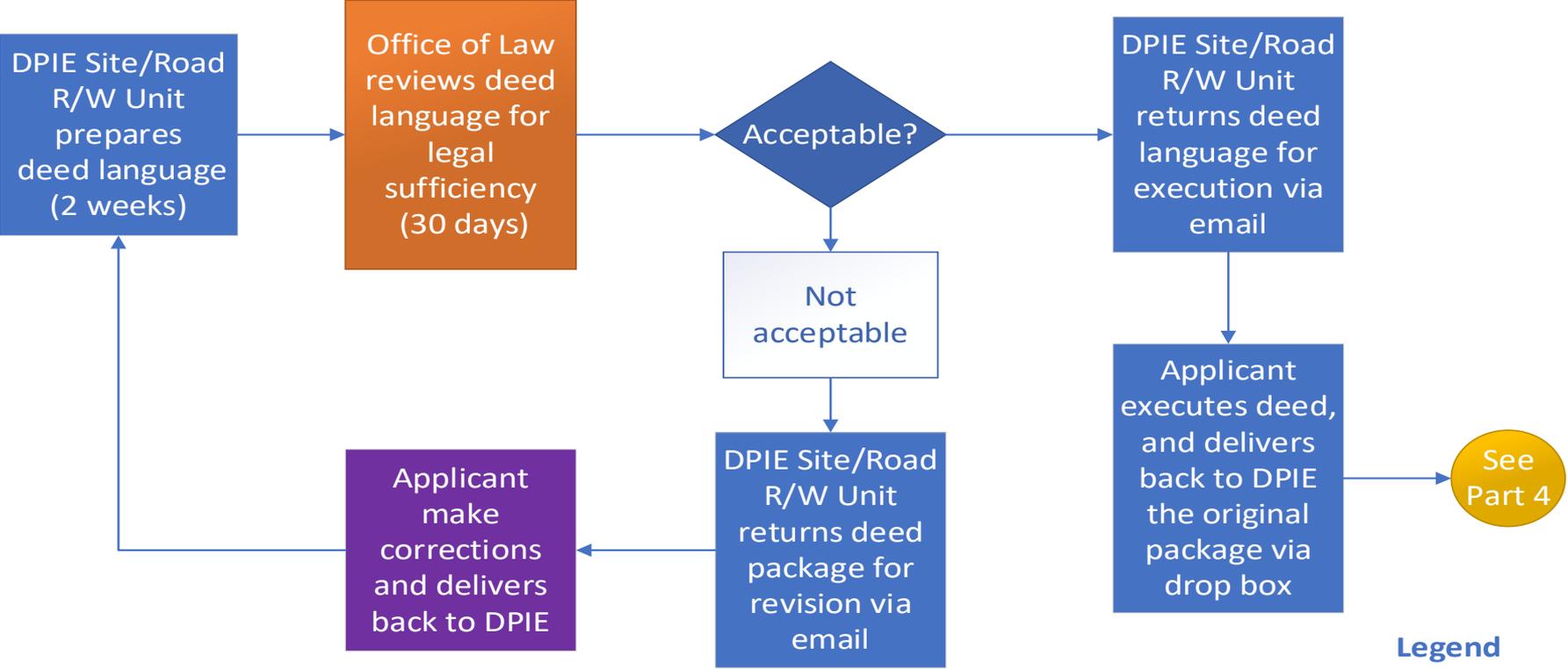
TYPICAL REVIEW TIMEFRAME  
FIRST review cycle (3 -4 weeks)  
SECOND review cycle (1 -2 weeks)

SUGGESTION – Address package to district engineer for first submission to R/W agent for subsequent submissions

**Legend**

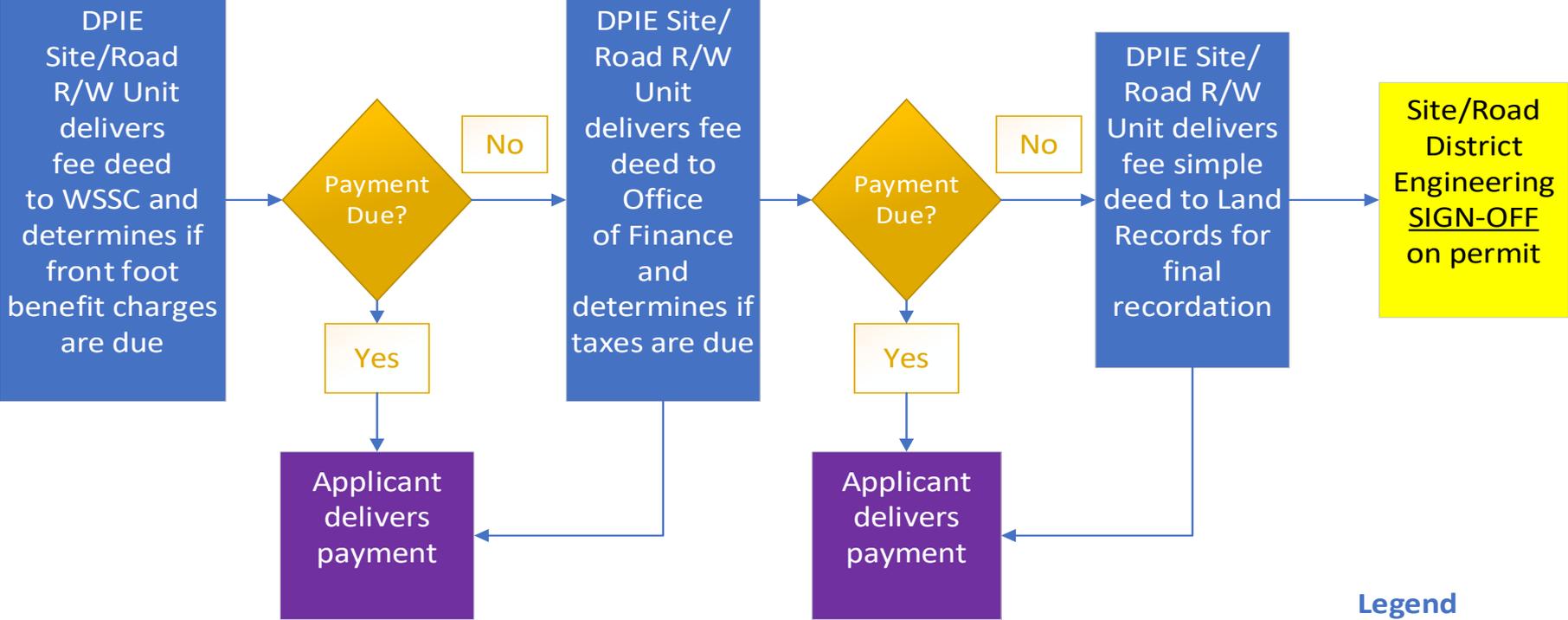
- District Engineer
- By Applicant

# Fee Simple Deed Acquisition Flow Chart PART 3



- Legend**
- By Site/Road District Engineer
  - By Applicant
  - By Office of Law

# Fee Simple Deed Acquisition Flow Chart PART 4



TYPICAL TIMEFRAME TO PROCESS DEEDS  
4 TO 6 MONTHS

### Legend

- By Site/Road District Engineer
- By Applicant
- By Site/Road Engineering staff

# Easement Release

## **Overall Process – Total Timeframe Approximately 8 months:**

- **Applicant submits complete package to DPIE Site/Road Permit Processing Unit**
- **DPIE Site/Road Plan Review District Engineer performs engineering review (2-4 weeks)**
- **If replacement easement is necessary, process new easement (prior to release) through DPIE (2 months)**
- **DPW&T R/W Unit reviews and prepares deed of release package (2 weeks)**
- **DPW&T Director review/approval of release (4 weeks)**
- **Office of Law review/approval of release (4 weeks)**
- **DPW&T prepared ARC package (4 weeks)**
- **Administrative Review Committee (ARC) approval of release (approximately 4 to 6 weeks)**
- **DPW&T sends letter with executed release agreement to applicant advising them that it is their responsibility to record agreement (2 weeks)**

# Right-of-Way Resources

## ■ Web resources

- [www.pgatlas.com](http://www.pgatlas.com)
- [www.plats.net](http://www.plats.net)
- [www.sdat.net](http://www.sdat.net)
- [www.mdlandrec.gov](http://www.mdlandrec.gov)

## ■ Staff

- **DPIE Right-of-Way Unit** – Daniel Wmariam
  - [Dwmariam@co.pg.md.us](mailto:Dwmariam@co.pg.md.us)
- **DPW&T Right-of-Way Unit** – James Ratliff
  - [Jratliff@co.pg.md.us](mailto:Jratliff@co.pg.md.us)

**THANK YOU!**

**QUESTIONS?**