

5106 Right of Way Plan Development and the Title Report

~~Title Reports prepared for plan development must meet the standards of the 3000 Section of the Real Estate Manual.~~ Title research needed for right of way plan development must meet the standards of the 3000 Section of the Real Estate Manual, not the standards of this 5100 Section of the Real Estate Manual. Title research for plan development is “*not a title report*”.

Title agents who are consultants must be listed by the ODOT Office of Consultant Services as prequalified to do titles. The information collected by title agents can be beneficial in the preparation of right of way plans, property lines, and easements. The deed/public record research for plan development focuses on where the property and easement lines are located and the requirements for the Title Report may not be adequate to satisfy the requirements for research to define property lines, centerlines and existing right of way lines.

- A. A Title Report does not meet the requirements of the O.A.C. 4733-37 “Standards for Boundary Survey”. Therefore, the Title Report ~~shall be~~ **can only be** used as supporting documentation and verification to the deed research performed by the title agent/right of design firm.
- B. Title Reports **research for plan development** ~~are~~ **is** to include all easements, including utilities encumbering the entire property and the title agent shall search the record back in time to document when the easement was created. Root title of 42 years is not relevant when researching for easements.