

NTTA Projects	Original Issue Date: 06/05/2008	ROW-02
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Title: Right of Entry (ROE)		

1.0 PURPOSE:

The purpose of this document is to define the procedure for coordinating and obtaining the appropriate executed ROE form from property owners in order to conduct NTTA business.

2.0 RESPONSIBILITIES:

- 2.1 Right-of-Way (ROW) Team – The ROW Team shall be responsible for coordinating with NTTA legal counsel and the Project/Corridor Manager to obtain the ROE on NTTA’s designated form ROW-02-F1 and for NTTA’s designated purpose. However, ROEs can be used for construction purposes but must specifically provide the type and nature of activity that will be undertaken.
- 2.2 Project/Corridor Manager – The Project/Corridor Manager shall be responsible for coordinating with the ROW Manager, NTTA Environmental Manager, and the ROW Team to determine ROE priorities for parcels to advance environmental studies, design, and/or construction.
- 2.3 ROW Manager – The ROW Manager shall be responsible for completing the form ROW-02-F1, ROE letter template, meeting with the property owner or representative and obtaining the necessary signatures from the property owner(s) and NTTA’s authorized representative. The ROW Manager shall also be responsible for coordinating with the Project/Corridor Manager, property owner and NTTA legal counsel as needed to obtain the executed ROE and archive the ROE into Enterprise Project Delivery System (EPDS) such that the work may proceed on schedule.

3.0 SCOPE/APPLICABILITY:

This procedure shall apply to all NTTA projects and corridors.

4.0 REFERENCES:

- ROW-01 ROW Surveying & Mapping

5.0 DEFINITIONS & ACRONYMS:

- ROE – Right of entry for a defined purpose. i.e. surveying, geotechnical drilling/borings

6.0 PROCEDURES:

The following steps shall be followed to ensure that the ROE accomplishes the intended goal.

- 6.1 **Ascertain the exact need for the ROE** – The ROE letter shall be prepared by the ROW Team utilizing ROW-02-F1, *NTTA ROE Letter Template*, and reviewed by the ROW Manager or Project/Corridor Manager for approval before contacting the property owner. The ROW Team shall ensure that the ROE request

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includes all the necessary reasons to enter the subject property. These reasons are typically for environmental studies, surveying, and geotechnical/ engineering studies.

- 6.2 ROE Draft** – The ROE shall be drafted in language that is understandable to property owners. The ROW Team shall clearly define all the activities, location of activities on the subject property, and the time frame in which they will occur within a formal document to be executed by the property owner. This letter shall also include the following elements:
- Statement concerning liability and responsibility for any property damage
 - Statement giving the property owner a limited number of days in which to make a claim
 - Contact person and phone number for questions by the property owner
 - Nature of work requiring access to the property and exhibit depicting the location of the work to be performed on the property
 - Signature and date line(s) for the owner(s)
 - Several blank lines for any special instructions or restrictions the property owner may have for entering the property including contact information for the owner or any tenants that need to be notified prior to entering the property

The NTTA may not indemnify a property owner for future property or other damage without the express authorization of NTTA’s Board of Directors.

No work on the property may be performed without the executed ROE.

- 6.3 Coordinating with Property Owner** –The ROW Team shall meet with the property owner or owner’s representative to obtain signatures, whenever possible. At a minimum, the ROW Manager shall follow up with the property owner within two days of the owner’s receipt of the ROE request by mail. All correspondence shall be documented and stored in the project file. Any revisions to the ROE letter that are requested by the property owner shall be reviewed and approved by the Project/Corridor Manager, ROW Manager, and legal counsel.
- 6.4 ROE Letter Execution** – The ROW Manager shall be responsible to execute the ROE letter in a timely manner and coordinate with the Project/Corridor Manager and legal counsel to allow for the necessary work to proceed on time for the project schedule to be adhered to. All executed ROE letters shall be properly filed and stored by the ROW Manager or ROW Team.

7.0 REGULATORY REQUIREMENTS:

N/A

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8.0 RELATED BOARD POLICY:

N/A

9.0 COMPONENT DOCUMENTS:

- ROW-02-F1 NTTA ROE letter template

10.0 FLOWCHART:

N/A

11.0 REVISION HISTORY:

Revision	Revised by:	Date Issued	DRN	Reason for Revision
0	Dave Clarke	06/05/2008		Original Issue
1	Gary Reinhardt	09/08/2008		Minor clarifications throughout document to make it available for environmental use.
2	Dave Clarke	03/18/2010	10097	Deleted Section 2, Guiding Principles. Defined responsibility for completing form ROW-02-F1 and when it is to be done. Defined the ROW Manager responsibilities
3	Kelly Johnson	03/19/2012	10389	Deleted last sentence in 6.2 regarding legal review of ROE letter
4	Marcos Sosa	05/26/2026	11105	Updated roles, procedures, and reflecting current NTTA practice.