

## Rice County Board of Commissioners

**Title: Sale of Excess Right-of-Way Easements**  
**Policy No. 08-H-01**  
**Effective Date: January 1, 2009**  
**Responsible Departments: Highway, Assessor and County Attorney**  
**Supersedes Policy No. 03-H-01**



**Policy Statement: This policy shall govern the sale and transfer of right-of-way easements, determined by the highway department to be in excess of necessary road right-of-way, and shall set forth the procedures to be followed when reviewing a request to purchase, determining value and executing documents transferring the legal interest purchased.**

1. Written requests for the purchase of excess right-of-way shall be submitted to the Rice County Highway Engineer and shall include the following:
  - 1.1 A legal description of the property sought to be purchased.
  - 1.2 The amount of property to be included.
  - 1.3 Copies of the original easement documents.
  - 1.4 Property identification number.
  - 1.5 A right-of-way map, with designation of property to be purchased.
  - 1.6 If requested by highway engineer, a survey of the property.
2. Upon receipt of a complete request, the Rice County Highway Engineer shall determine if the request involves property that is “excess” for the highway system and any future needs of the County.
3. If the property is “excess”, the County Assessor shall be notified of the property identification number(s) with a request for information on the current assessed value for each individual parcel affected by the request.
4. Upon receipt of the assessed value for each parcel, the Rice County Highway Engineer will establish the value of the excess right-of way by applying 50% of the assessed value to the requested property.
5. The County Highway Engineer will refer the information to the County Attorney’s Office for preparation of documents to vacate the easement or transfer title to the excess property.
6. The County Engineer will present information to the Board of Commissioners concerning the proposed sale. The Board may agree to the sale and if so, shall execute documents.
7. If the sale is approved, the buyer shall record the executed easement vacation documents or deeds.