



## 6.4 MANAGING PROPERTY INVENTORY

### 6.4.1 Overview

WisDOT has a responsibility to manage and maintain records of its non-active right of way holdings in an inventory system. Non-active right of way is defined as those department-held lands not presently used for or acquired for transportation purposes. All such properties shall be identified, tracked and managed using the department's READS system.

### 6.4.2 Sources of Inventoried Parcels

Parcels to be placed in the inventory include acquired remnants, parcels purchased for mitigation purposes or existing right of way that has been determined to be unnecessary for any present or future transportation need.

- Remnants – These consist of parcels acquired through the right of way acquisition process that are not required for the highway project itself but which, as the result of an acquisition, become uneconomic or undesirable for the owner to retain. See sub-section 3.3.1 Alternate Offers. Remnants are placed in the property inventory upon their purchase. A determination of their disposition will normally follow completion of the project under which they were acquired.
- Mitigation lands – These are properties acquired or held by the department for mitigation purposes. They may be acquired for wetland banking or for project specific mitigation, usually to replace wetlands disturbed by highway projects. Wetland mitigation parcels are entered into the inventory upon purchase and may remain there indefinitely or until ownership is passed on to another public body, usually the Wisconsin Department of Natural Resources (WDNR).
- Right of way requests by individuals – Much of the work of property managers involves responding to inquiries from the public regarding specific parcels of existing right of way that may have potential to be categorized as surplus. Requests are usually for purchase of small, non-buildable parcels, but sometimes even general marketable parcels may qualify. If the regional office determines a parcel to be unnecessary for present or future transportation use, it should place it onto the property inventory as surplus with sale to proceed under Section 6.5 Surplus Land Disposal.
- Surplus existing right of way – A 1995 Legislative Audit Bureau (LAB) study of property management practices led to a directive requiring that the department review its existing right of way on all active improvement and maintenance projects to determine if any parcels qualify as surplus. Any surplus parcels determined to be of reasonable size and shape, or with marketable characteristics, are to be placed in the inventory and processed for disposal. More detailed procedures relative to this requirement are found in FDM 12-1-25 Surplus Lands on Highway Right of Way.

### 6.4.3 Classifications of Inventoried Parcels

Upon placement in the inventory, all parcels shall be assigned a classification as either surplus, non-surplus, DNR mitigation, or remnant held:

- Surplus – Parcels that have undergone review at the regional office and are determined to be unnecessary for any future transportation related use.
- Non-surplus – Parcels of existing right of way that have potential for a future transportation-related use. This can also include parcels acquired under the provisions of hardship or protective purchase whose project ID is not yet associated with an approved construction project.
- DNR mitigation – Parcels purchased or placed in use for wetland mitigation purposes that will exist in the inventory until final disposition is accomplished, usually transfer of ownership and management responsibilities to the WDNR.
- Remnant held – This is a temporary value assigned to inventoried remnant parcels whose classification as surplus or non-surplus has not yet been determined. Parcels in this classification may also include contaminated remnants requiring remediation and case closure prior to sale.

#### **6.4.4 Disposition of Inventoried Parcels**

Non-surplus parcels can be removed from the inventory once placed in a transportation use, or reclassified as surplus if a subsequent review concludes there is no future need. Parcels that become classified as surplus shall undergo disposal action in accordance with procedures found in Section 6.5 Surplus Land Disposal. In some instances, particularly in the disposal of small, insignificant parcels of non-marketable surplus, the region may be unable to complete a sale, because either a price cannot be agreed upon or the abutter has no interest in taking title. These parcels continue to be maintained in the department's property inventory as surplus, but no further resources are expended to dispose of them until the present or a subsequent adjacent owner comes forward expressing a serious interest in purchasing.