TO: Stacy Reese  
Assistant District Engineer

CC: Central Office Right of Way

FROM: Andy Ellsworth  
Southwest District Right of Way Manager

DATE: January 24, 2023

SUBJECT: Request for ADA Ownership and Responsibility Determination  
Project: Fairview, MO - ADA  
County: Newton  
Routes: T

Per the guidance provided in the EPG, section 236.4.4, included with this memo please find documentation pertaining to the ownership of the right of way for the above-mentioned county, Town, routes, and projects. The district right of way staff has conducted a thorough ownership and ADA responsibility determination, including researching roadway plans, deeds, dedicated subdivision plats, CRSR’s, maintenance/urban/municipal agreements, and other documentation defining the ownership and responsibility for the ADA improvements for the locations identified on the attached maps. All the MHTC ownership deeds and plan sheets were researched. Also, platted subdivisions in the Town of Fairview were included in our research. Deeds were found along Route T that revealed partial ownership in the Missouri Highways and Transportation Commission (MHTC). The CRSR, Urban and maintenance agreement records were also researched. There were no agreements and/or other documentation that were found that covered Route T in the Town of Fairview.

Our findings and determinations are listed and explained below.

ROUTE T – (formerly Route B Spur)

Both Sides of Route T - From the intersection of Route T and Route 86 in the northern portion of the Town of Fairview southwesterly to the northern boundary of Main Street in the Town of Fairview, in Section 8, Township 24 North, Range 29 West –

Partial ownership on both sides of Route T (Pioneer Avenue - formerly Route B Spur) is vested by deeds to MHTC. The right of way was acquired under project SB-Section 1, around 1931. The right of way owned by MHTC is mostly 5 five feet wide on each side of Route T, but increases slightly in width at the intersection of Route T and Route 86. The highway plans and deeds are included in the supporting SharePoint folder that show the right of way widths. The original road (Pioneer Avenue) was platted as a 50 foot wide street in 1907 to the Town of Fairview by the Original Town Plat. The right of way was then widened 5 feet on each side of the road in 1931 by MHTC, making the total width of the right of way 60 feet wide. When the road was widened by MHTC to 60 feet wide, the deeds only added the additional five feet on each side - so the middle 50 feet of the right of way technically is still owned by the Town of Fairview. No maintenance agreements or Change in Route Status Reports were found, however, MHTC does maintain the entire roadway. MHTC holds ownership to the right of way by deeds for the 5 feet
on each side of the road through the above described section of Route T and would have full ADA compliance responsibility for the sidewalks in this section. The only area that appears to have some old sections of sidewalk is located around the intersection of Route T and Main Street in the central portion of the Town of Fairview. Main Street is owned by the Town of Fairview and was platted as a 60 foot wide street in the Original Town Plat in 1907. Also, MHTC may have responsibility for any ADA sidewalk requirements and/or barriers (curb cuts, crosswalk connections, etc.) that connect to the roadway that MHTC maintains.

The district right of way staff is requesting concurrence to the recommended actions for the subject project for ADA improvements based on the research.

[Signature]
Andy Ellsworth, District ROW Manager
Date: 1/24/2023

[Signature]
Stacy Reese, Assistant District Engineer
Date: 1/24/2023

Recommendation by District Engineer: (drafters note: provide details of the district engineers determination and recommendation based on the support documents. Submit fully executed memo and support documents to central office right of way if subject section should be removed from the transition plan).
ADA Ownership Map - Route T (formerly Route B Spur)  
Fairview, MO  
Newton County

MHTC owns 5 feet along both sides of Route T (Pioneer Avenue)- From Route 86 to Main Street
<table>
<thead>
<tr>
<th>Type of Improvement</th>
<th>Description</th>
<th>Cost</th>
<th>Type</th>
<th>Units</th>
<th>Rate</th>
<th>Total</th>
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<tr>
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<td>Material</td>
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**Summary**

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**Note:** The table contains detailed entries related to various types of highway improvements, including costs and quantities for materials and labor.