



## What is Public Road Right-of-Way?

County roads were established through road laws that were enacted when Ohio became a state. These rules and regulations made it possible to build roadways for unrestricted travel and passage from place to place.

All county roads in the State of Ohio are governed by regulations that are found in Ohio Revised Code Chapter 5553.

### What defines the public road right-of-way?

The road right-of-way is the width (amount) of the land that is available for use as a public roadway. The public road right-of-way includes the pavement and the land along each side that is used for drainage and utility purposes. Road right-of-way has specific boundaries and dimensions.

Road right-of-way is expressed as a total width, measured from the centerline of the road. Example: Ziegler Road was established at 60 feet right-of-way, 30 feet on each side of the road centerline.

All public county and township roads in Franklin County have a specified amount of right-of-way. The majority of road right-of-way information comes from the road establishment record books at the Franklin County Engineer's Office. Right-of-way is also determined by road improvement plans, additional highway easements and deeds to Franklin County.

### How can I find the road right-of-way along my property?

The Franklin County Engineer's Office has the official right-of-way information on county and township roads. Do not rely on your deed or your neighbors for the correct information. Contact our office and we will be happy to help you with your questions.



## Two Types of Public Road Right-of-Way

The land in the road right-of-way, as well as the land under the road, exists in two different forms: easement or dedication.

Public right-of-way by easement is the most common form of right-of-way in the unincorporated areas of Franklin County. An easement is an interest (right) one party has in the property (estate) of another. The landowner has title to the land under the road, but the public has the right to use the road.

Landowners cannot block, damage, or prevent passage along the road.

### How do I know if I own to the centerline of the road?

Your deed will call for the centerline of the road to be one of your boundary lines.

Public right-of-way by dedication is most often created by subdivision plats. Subdivision plats, found at the Franklin County Recorder's Office, show the roads, alleys and lots of land that have been created out of a larger parcel.

The written terms of the subdivision plat contain the dedication information and the right-of-way for the roads and alleys.

The dedicated roads and alleys and the land under them belongs to the public entity where the subdivision is located. Landowners do not own to the centerline of the roads and alleys. Property lines run along the right-of-way lines of the roads and alleys.

### How do I know if my property is in a subdivision?

Your deed will give a lot number, name of the subdivision and the Recorder's Plat Book and page numbers. Our office can also help you with subdivision information.



## Additional Forms of Public Road Right-of-Way

### Highway Easements

Highway easements are granted to Franklin County by individual landowners. These easements increase the amount of right-of-way on a tract of land. Additional right-of-way may be required for various purposes, such as drainage, guardrail, and line of sight issues. Zoning regulations often require additional right-of-way on newly created parcels.

Highway easements attach to the land itself, regardless of who may own the land in the future. Easements do not have to be part of your deed description or mortgage title history to be valid.

The Franklin County Engineer's Office keeps records of the highway easements along county and township roads. Contact our office for highway easement information.

### Highway Fee (Drop)

A drop is a term used when a landowner deeds his land within the public right-of-way to a public entity, such as Franklin County, State of Ohio, or a municipality. A drop changes the parcel boundary. Ownership no longer goes to the centerline of the road, but to the boundary line of the drop. The drop line becomes the new right-of-way line and the new property line. The land deeded to the public entity is "dropped" from the County Auditor's tax records.

The Franklin County Engineer's Office keeps records of the drops that are granted to Franklin County.