

761—115.18(306A) Abandonment, out-of-service facilities, or removal of utility facilities.

115.18(1) *Ownership.* Ownership remains in place for a utility facility declared abandoned or out-of-service. To facilitate utility investigations for future primary road projects, the location of abandoned and out-of-service utility facilities should be maintained in the utility owner inventories. The last-known utility owner remains responsible for locating and marking abandoned and out-of-service utility facilities within the primary road rights-of-way and for the cost of removal of abandoned utility facilities required to facilitate proposed primary road construction.

115.18(2) *Notice to department.* Within 90 days after the abandonment, out-of-service designation, or removal of all or a portion of an existing utility facility that occupies the primary road rights-of-way, the utility owner is to submit a notice of abandonment, out-of-service designation, or removal to the district representative. The notice shall include:

- a.* Type of utility facility.
- b.* Location of the utility facility by route, county, section, township, range, milepost and primary road stationing, where these references exist.
- c.* Name of the original utility owner if different than the current utility owner.
- d.* Original permit number and date of approval, if known.

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