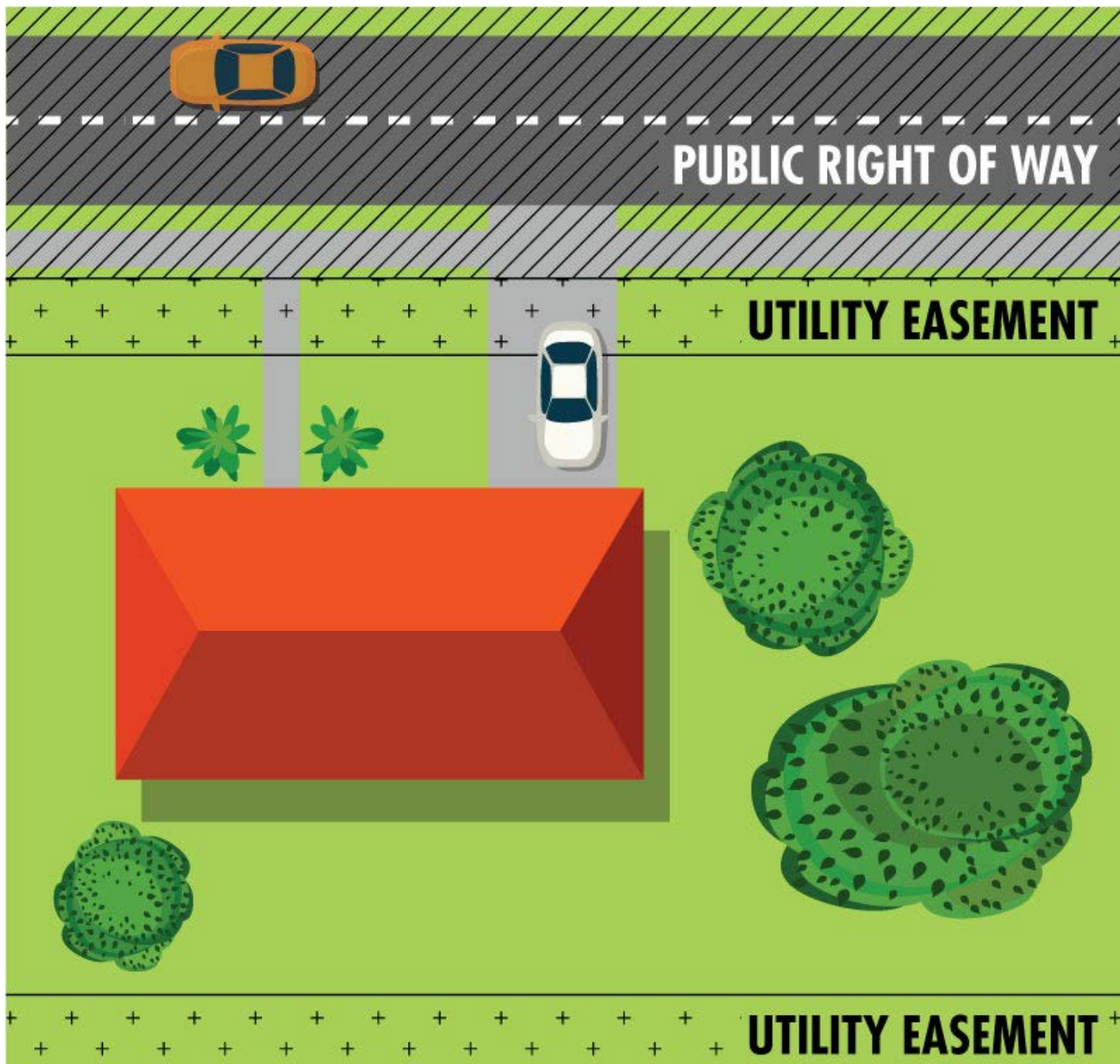




THE ART OF EASEMENTS

An overview



What is an easement?

A property easement is a legal situation in which the title to a specific piece of land remains with the landowner, but another person or organization is given the right to use that land for a distinct purpose.

A Three Phase Process



TITLE RESEARCH



DOCUMENT
PREPARATION



EASEMENT
ACQUISITION

Title Research



- We MUST research historic ownership of the property
 - Who is entitled to execute an easement
 - What other easements may be in the area
 - Where those easements are located
- Research is done in the County and District Clerk's offices
- Ownership title is done in different depths depending on the risk the Utility is willing to take
 - 30 year title = more risk
 - 100 year title = less risk (necessity for land purchase)

Document Preparation



- For each parcel that is to be acquired
 - County Appraisal District information is pulled
 - Impact Valuations are calculated as per State and IRWA recommendations
 - Easements are developed starting with a standard form and modified as necessary based on title constraints and specifics during negotiation.
 - IRS form W-9 is provided for compensation greater than \$600.00

Easement Acquisition



- After tracking down the landowner, appointment(s) are made to begin negotiations
- Donations are preferred, but if the landowner brings up money, we are legally obligated to provide a State of Texas Landowner's Bill of Rights document.
- Compensation starts at 40% of land valuation for the area of the easement.
- Specific land and construction concerns are addressed during negotiations.
- If compensation terms are not agreed upon, then a formal offer is made to start the clock for the condemnation process if an alternate route is not feasible.
- After successfully negotiating the easements, the documents are recorded in the County Clerk's Office.



QUESTIONS?

Presented by Texas Land and Right of
Way, LLC