THE EASEMENT INQUIRY

Questions for the Grantee
Gentlemen:

I need more information regarding granting you an easement across my property. I would like you to know that I have little experience in this area. I am open minded to your proposed project but I have some questions, which are written down on the attached sheets. In the interest of cooperation, your sincere answers will help me considerably in working through this proposal. If you could take a little time to respond to these questions I would appreciate it. If I haven’t provided ample room for a specific response please feel free to attach separate sheets if you deem it appropriate. However, I do know that I want the easement limited to one of whatever you are installing - one pipeline, one cable, one transmission line, etc.

Sincerely,
Easement Inquiry

I

1) Who are you and whom do you represent?
2) Do you have a field office and where is it located?
3) Who is your supervisor?
4) Will I be dealing exclusively with you?
5) What are your qualifications for dealing with me?

II

6) Why is this easement necessary?
7) Does your client enjoy the right of eminent domain for this project?
8) Does this project directly benefit my community?
9) What are the aims of and what is the scope of the project?
10) What is the width of the easement and why is that particular width necessary?
11) Will this easement be for the use of your company only?
12) Have any of my neighbors granted you an easement yet?

III

13) How will this project impact my property?
14) How much of my land will be impacted?
15) Will this easement “split” my land or is it located adjacent to a boundary?
16) Do you have a drawing showing where the easement will be located?
17) Have any surveys been performed or will any be performed?
18) In order to help me visualize the easement, would it be possible to have some lath installed showing the easement boundaries?

19) If I want to erect a building, how close can it be to your facilities?

20) Do you have drawings or a list showing exactly what will be installed on my land?

21) If I want to put in an access road, would that be possible?

22) Will you be working outside the confines of the easement?

23) Will you be on my land prior to construction?

24) Will I be notified when entry is made to my land?

25) Will you notify me when construction is about to begin?

IV

26) When are you proposing to start construction?

27) After beginning, when will construction on my land end?

28) Will my access to the land be maintained for my daily activities?

29) Will any open trenches and equipment be secured with fencing to protect my animals, family and guests?

30) Will you be parking equipment on my land?

31) Will you be storing materials on my land?

32) Will you be using other parts of my land for access to the easement?

V

33) What is the total consideration offered to me?

34) Can you express this in a per acre amount?

35) Would you explain how this sum was calculated?

36) Has the same method been used to calculate the consideration for my neighbors?
37) My land has a mortgage and I am not supposed to further encumber it without the lender’s approval. Will you be taking care of getting permission from the lender?

38) What is the amount of the initial consideration?

39) When will total payment be made?

40) Will you be taking care of all recording costs?

41) Will you be providing me with the recording information or a copy of the document once it is recorded?

VI

42) What facilities will you be installing on my land?

43) How will the facilities be installed?

44) Will there be any above ground structures?

45) Will there be any concrete placed at grade?

46) Will manholes or pipes be located at or above ground level?

47) Do you intend to install communication equipment?

48) Will all installed equipment be used strictly by you?

49) Will you be double trenching and separating topsoil so that it can be placed on top during backfilling?

50) Will any equipment be operating while unattended?

51) What will be removed and what will be replaced?

52) Will all spills of hazardous materials (lubricants, etc.) be promptly cleaned up?

53) If you are going to use any clays, will all spills be picked up and removed from my land?

VII

54) What steps will you be taking to restore my land?
55) When will restoration start and how long is it expected to take?

56) Will all disturbed fences be restored to my satisfaction?

57) What is your method of repairing drainage tiles?

58) What is your plan for dealing with soil erosion?

59) When will you be settling damages?

60) If, due to your activities, I am unable to plant crops on the easement, will I be reimbursed for the lost production?

61) What method will you employ to assess damages and payments for damages?

62) Will I be expected to sign a release when the restoration is completed to my satisfaction?

63) Is there a procedure for reporting damage that is not immediately apparent?

64) After all is completed, how will I be able to contact you if I have problems?

65) If the proposed project is cancelled or the facilities abandoned, will you provide a reconveyance of the easement?

66) If the facilities are abandoned, will they be removed?

67) What type of landscaping plants and material can I safely use on the easement?

68) Will you be using chemicals to maintain the right of way?

69) What provisions will be made to minimize chemical drift?

70) If it becomes necessary to enter my land for repairs, will the workmen announce their presence beforehand?

71) During maintenance, are you planning to use other parts of my land for access?

VIII

72) Due to your activities, who will be responsible for injuries to your agents?

73) Due to your activities, who will be responsible for injuries to my family and guests?

74) If your facilities are damaged by a third party, who will be held accountable?
75) Will you pay for the cost of a rider to my insurance policy due to your presence?

76) If I call a hotline before digging and your facilities have been improperly located, who will be responsible for any ensuing damages?

77) Who will be responsible for damages to third parties caused by your operations?

Responses offered by:_________________________ for:___________________________
Dated:_________________________