



Applicants are responsible for obtaining continuous and adequate rights-of-way and interests in land needed for the construction, operation and maintenance of the facility, and identifying all easements on property owned by the Applicant as defined in RUS Instruction 1780.44(g). The Applicant must provide a legal opinion relative to the title to rights-of-way and easements. In addition, the following requirements apply:

1. On properties and easements owned or acquired by the Applicant, the following is required:
 - a. On land owned or acquired, a map must be prepared showing all easements on the property.
 - b. For projects that require utility pipeline(s) a "Right-of-Way" colored coded map must be prepared showing construction easements, permanent easements, and any land acquired. (Some projects involve a single property and sometimes utility or access easements are needed to serve the property. If easements are required then a color coded map is required.)

The map(s) shall be coded with each type of easement identified by a color code (i.e. red for a state highway, green for railroads, brown for county roads, yellow for private, blue for city, etc.). An identification number will be placed on each individual easement needed on the map, showing the location of the easement. The map must show continuous rights-of-way.

The map will contain the following certification:

"I, (name), certify that all the necessary Rights-Of-Way are indicated on this map for the construction of the proposed project."

By: _____ Title _____ Date _____

- c. The Applicant will sign and date Form RD 442-21, "Right-of Way Certification," and attach it to the map(s).
2. Form RD 442-20, "Right-of-Way Easement," has been approved to record easements. Other easement forms may be used; however they must be preapproved by Rural Development prior to use.
3. The Applicant's Attorney will prepare Rights-of-Way/Closing documents following the Rights-of-Way / Closing File. The same identification number as shown on the color-coded map will be used for the corresponding easement in the Rights-of-Way/Closing File.
4. Prior to requesting authorization to take bids, the Rights-of-Way/Closing Documents will be delivered to Rural Development for review.

Application Documents

_____ Articles of Incorporation (NP)

_____ Bylaws (NP)

_____ Certification of Bylaws by Organization (NP)

_____ Sec. of State Web Search/Lien Search (NP)

_____ Certificate of Good Standing (NP)

_____ IA Guide A-3, Articles and Bylaws Review Checklist

_____ Project Summary

_____ Letter of Conditions (LOC) and Amendments

Ordinances/Contracts/Agreements

General:

- ___ Water Purchase Contracts
 - ___ Franchise Agreements
 - ___ 2 Mile Agreements
 - ___ Draft Parity Agreements
 - ___ 28E Agreements
 - ___ Proposed Management Agreements (RUS Bulletin 1780-8)
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Water:

- ___ Water Rules and Regulation Ordinance (IA Sample C-5)
 - ___ Water Rate Ordinance (IA Sample C-21)
 - ___ Water Users Agreement (IA Sample C-12)
 - ___ Water Tariff (IA Sample C-13)
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Sewer:

- ___ Sewer Rate Resolutions (IA Sample C-2 or C-3)
 - ___ Sewer Rate Ordinance (IA Sample C-4)
 - ___ Sewer Use Ordinance (IA Sample C-6 or C-7)
 - ___ Sewer Use Resolution (IA Sample C-8, C-9 or C-10)
 - ___ Sewer Users Agreement (IA Sample C-11)
 - ___ Joint Agreement for Sewer Services (IA Sample C-14, C-15 or C-16)
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Pre-Closing Documents

- ___ RD 440-34, Option to Purchase Real Property
- ___ RD 440-35, Acceptance of Option
- ___ RD 1927-9, Preliminary Title Opinion (PTO)
- ___ RD 442-20, Right-of-Way (ROW) Easement
- ___ RD 442-21, Right-of-Way (ROW) Certificate
- ___ RD 442-22, Opinion of Counsel Relative to Rights-of-Way (ROW)
- ___ Approvals & Construction Permits (i.e. city, county, highway, railroad, IDNR)
- ___ Color Coded Map – to be prepared by Engineer coloring all private, public and city easements showing the continuous system with no gaps
- ___ Draft Bond Resolution (PB)
- ___ IA Guide C-2, Bond/Note Review Checklist (PB)
- ___ OGC Checklist
- ___ OGC Bond Checklist (PB)

***** THE DOCUMENTS ABOVE SHOULD BE SUBMITTED TO THE S.O. FOR REVIEW; S.O. WILL ISSUE LOAN CLOSING INSTRUCTIONS *****

Closing Documents

- ____ S.O. Closing Instructions Initialed by A.O. Rep.
- ____ RD IA 442-55A, RE Mortgage (Water)
- ____ RD 1927-10, Final Title Opinion (FTO)
- ____ Certified Copy of Deed
- ____ RD 440-22, Promissory Note (NP) or Revenue/GO Bond (PB)
- ____ RUS 1780-12, Water & Waste Grant Agreement
- ____ RD 402-1, Deposit Agreement
- ____ UCC-1, Financing Statement (NP)
- ____ IA Guide F-3, Pledge and Security Agreement (NP)
- ____ IA Guide F-2, Certificate as to Litigation (NP)
- ____ IA Guide F-1, Loan Closing Opinion (Local Attorney)
- ____ RUS 1780-27, Loan Resolution (PB) or RUS 1780-28, Loan Resolution Security Agreement

***** COMPLETE RIGHT-OF-WAY (ROW) FILE SHOULD BE SUBMITTED TO S.O. FOR POST REVIEW.**



Borrower/Project: _____

		Comments/Page
1	Verify Bond/Note Amount	
2	Verify Interest Rate	
3	Verify Payment Information <ul style="list-style-type: none"> ▪ Correct # of years interest only ▪ Term of loan correct ▪ Payment frequency correct (monthly or annual payments) ▪ Equal amortized payments (no balloon payments) 	
4	Verify no reference to 360-day interest calculation (Per FO - bond should either specify 365 days or not mention a number of days)	
5	Designation of Registrar and Paying Agent	
6	Parity or Junior Lien Position, or No Bonds/Notes Outstanding	
7	Security Pledged <ul style="list-style-type: none"> ▪ Revenue Bond - Pledge of Revenues ▪ General Fund Note (GFN) – Revenue from General Funds ▪ General Obligation Bond (GO) – Revenue from Tax Levy 	
8	Effective Date of Bond/Note	
9	Registered Owner (USDA – Rural Development)	
10	Commitment to Maintain Revenues to Repay Bond/Note <ul style="list-style-type: none"> ▪ Adequate Rates (Revenue Bond) ▪ Adequate Rates and/or Taxes (GFN or GO Bond) 	
11	Funds cannot be moved to other accounts	
12	Use of Gross Revenues <ul style="list-style-type: none"> ▪ Provision for O&M ▪ Provision for Debt Service (sinking fund) ▪ Provision for Reserve (verify amount, coverage at 110% - for Revenue Bonds and GFN) ▪ Provision for Short-Lived Assets (verify amount)(WEP only) ▪ Provision for Surplus Funds 	
13	Insurance Requirements	
14	Limitations on additional debt w/o RD Consent Parity coverage at 120% if additional debt allowed	
15	Use of Bond/Note Proceeds	
16	Defeasance Provision (prohibited)	
17	Graduation Provision (refinancing)	
18	Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds/Notes	

RD Representative

Date



Borrower: _____ Project: _____

RD Contact: _____

File Review Date: _____ Area Office Target Closing Date: _____

Description of Project:

Obligation of Funds:

L: \$ _____ G: \$ _____ @ _____ % for _____ years obligated on: _____
L: \$ _____ G: \$ _____ @ _____ % for _____ years obligated on: _____
L: \$ _____ G: \$ _____ @ _____ % for _____ years obligated on: _____

Borrower Type: _____ Market _____ Intermediate _____ Poverty

Current Interest Rate for this type: _____ %. Principal will be deferred for _____ years.
_____ Annual Payments _____ Monthly Payments

Other Funding:

Security: (POSITION _____ TAB _____)

_____ Promissory Note
_____ UCC-1/financing statement To file: _____ Sec. of State _____ County Recorder.
_____ Real Estate Mortgage
_____ Pledge and Security Agreement (Pledge of Revenues)

Comments/Issues: _____

Articles/By-Laws Reviewed (POSITION _____ TAB _____)

- Date of Review _____ by: _____ State _____ OGC
- Faith-Based Applicant? _____ Yes _____ No

Comments/Items:

Environmental

_____ Categorical Exclusion _____ Environmental Report
• Date of Complete Environmental Review: _____

Comments/Issues: _____

_____ **Special Agreements** (POS _____ TAB _____)
_____ Long Term Lease. Date approved by OGC: _____
_____ 28E Agreement. Date approved by OGC: _____
_____ Water Purchase Agreement. Date approved by OGC: _____
_____ Franchise Agreement. Date approved by OGC: _____
_____ Parity Agreement. Date approved by OGC: _____
_____ Management Agreement. Date approved by OGC: _____
_____ Other. Date approved by OGC: _____

Comments:

_____ Preliminary Title Opinion(s) have been reviewed. (POSITION _____ TAB _____)
• Title of Property vested in:

Comments/Issues to be addressed: _____

_____ Forms RD 442-21 and RD 442-22 were reviewed with the following exceptions noted:
(POS _____ TAB _____)

_____ Final plans and specs have been approved by our agency engineer.
_____ Insurance and bonding requirements have been reviewed and are documented in the file.
_____ Public Information meeting requirements are documented in the file.
_____ Local zoning and building codes have been or will be complied with.
_____ Engineer has provided written evidence that all required permits have been obtained.

Comments:

Litigation: Is this applicant involved in any type of litigation? _____ Yes _____ No
If yes, please explain: _____

Other Comments:

RD REPRESENTATIVE: _____ **DATE:** _____



Borrower: _____ Project: _____

RD Contact: _____

File Review Date: _____ Area Office Target Closing Date: _____

Description of Project:

Obligation of Funds:

L:\$ _____ G:\$ _____ @ _____ % for _____ years obligated on: _____
L:\$ _____ G:\$ _____ @ _____ % for _____ years obligated on: _____
L:\$ _____ G:\$ _____ @ _____ % for _____ years obligated on: _____

Interest Rate: _____ Market _____ Intermediate _____ Poverty

Current Interest Rate for this type: _____ %. Interest will be deferred for _____ years.
_____ Annual Payments _____ Monthly Payments

Other Funding:

Security: (POSITION _____ TAB _____)

_____ General Obligation _____ Revenue
_____ Bond Checklist Completed

Bond Counsel Firm: _____

Bond Counsel Attorney _____ Phone: _____

Outstanding Bonds

\$ _____ G. O./ Revenue _____ Parity Requirements _____
\$ _____ G. O./ Revenue _____ Parity Requirements _____
\$ _____ G. O./ Revenue _____ Parity Requirements _____
\$ _____ G. O./ Revenue _____ Parity Requirements _____

Comments/Issues: _____

Environmental:

_____ Categorical Exclusion _____ Environmental Report

- Date of Complete Environmental Review: _____

Comments:

_____ **Special Agreements** (POS ____ TAB ____)
_____ Long Term Lease. Date approved by OGC: _____
_____ 28E Agreement. Date approved by OGC: _____
_____ Water Purchase Agreement. Date approved by OGC: _____
_____ Franchise Agreement. Date approved by OGC: _____
_____ Parity Agreement. Date approved by OGC: _____
_____ Management Agreement. Date approved by OGC: _____
_____ Other. Date approved by OGC: _____
_____ Two Mile Agreements for utilities are enclosed for the communities:

_____, _____, _____
Comments/Issues to be addressed: _____

_____ **Preliminary Title Opinion(s)** have been reviewed. (POSITION ____ TAB ____)
• Title of Property vested in:

Comments/Issues to be addressed: _____

_____ **Forms RD 442-21 & RD 442-22** reviewed w/these exceptions noted: (POS ____ TAB ____)

_____ Final plans and specs have been approved by our agency engineer.
_____ Insurance and bonding requirements have been reviewed and are documented in the file.
_____ Public Information meeting requirements are documented in the file.
_____ Local zoning and building codes have been or will be complied with.
_____ Engineer has provided written evidence that all required permits have been obtained.

Litigation: Is this applicant involved in any type of litigation? _____ Yes _____ No
If yes, please explain: _____

Other Comments:

RD REPRESENTATIVE: _____
DATE: _____