



**United States Department of Agriculture
Rural Development
State Office-Lincoln**

January 16, 2013

SUBJECT: Rural Development Property Docket Requirements
Water and Environmental Program Financed Projects

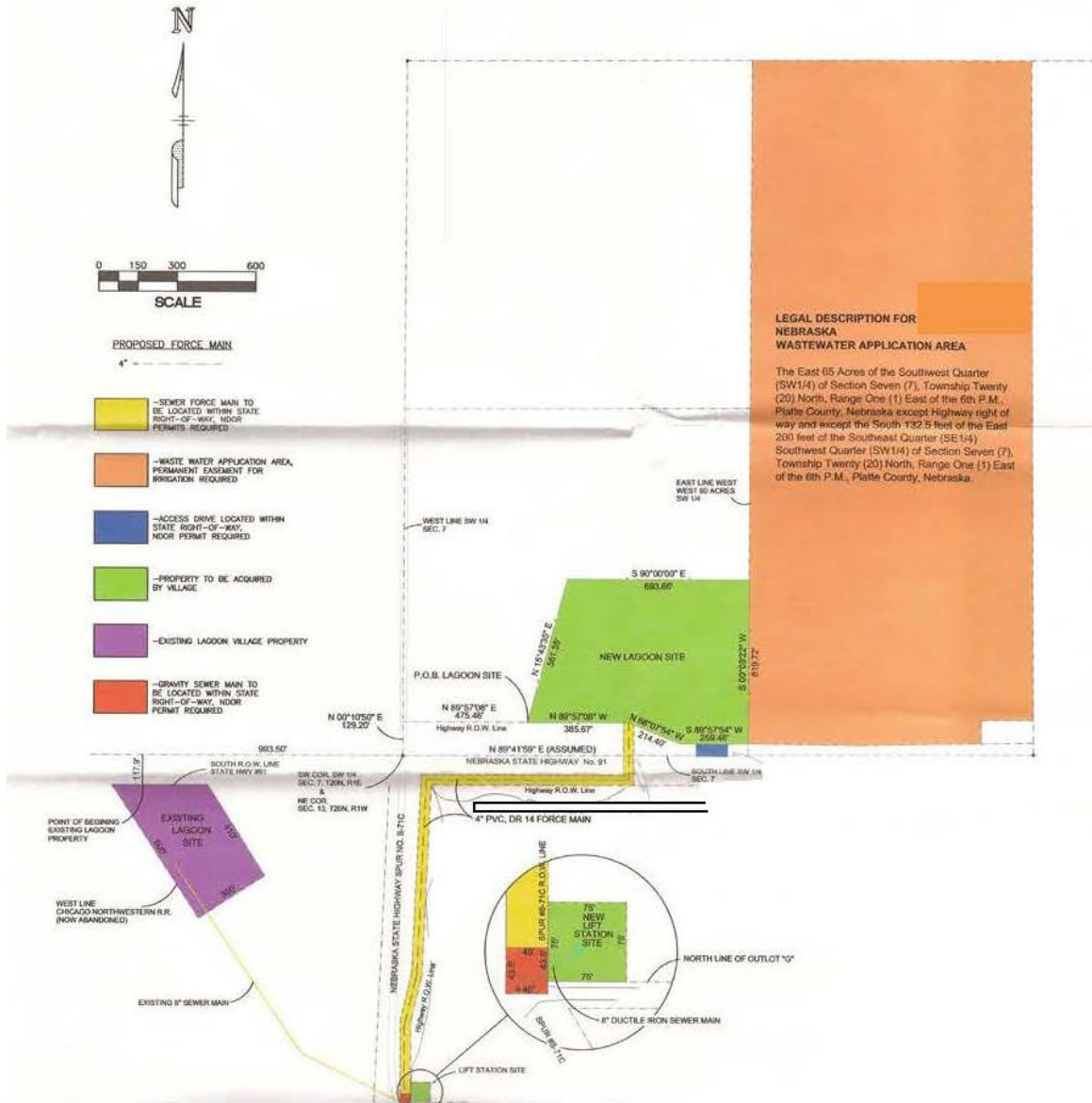
TO: Community Programs Staff – RD Nebraska
Consulting Engineers

1. Applicants are responsible for obtaining continuous and adequate rights-of-way and interest in land needed for the construction, operation and maintenance of the facility.
2. The ENGINEER will prepare and furnish to the OWNER, without additional compensation, four copies of a map showing the needed construction easements, and permanent easements and the land to be acquired. This shall be done prior to completion of preliminary design. Property surveys, property plats, legal descriptions and the OWNER shall accomplish negotiations for land rights, unless the OWNER requests the ENGINEER to perform these services.

The RIGHT OF WAY MAP shall be color coded with each type of instrument identified by certain color, such as: red for a state highway, green for railroads, brown for county roads, blue for municipally owned streets, alleys, lots, etc. and yellow for private easements.

- i) Each known individual easement shall be identified by a name and number placed on the map. Form FmHA 442-20, "Right-of-Way Easement," has been approved for all RD financed utility projects.
 - ii) Certifications to be placed on color coded map:
 - (a) The ENGINEER will sign and date the certification:
"I certify that all necessary rights-of-way and other land interests are indicated on this map for the construction of the proposed project."
 - (b) The MAYOR or VILLAGE CHAIRMAN will sign and date the certification:
"I certify that all necessary rights-of-way and other land interests are indicated on this map for the construction of the proposed project."
 - iii) Distribution of completed and certified color-coded map: Copies to OWNER, RD, OWNER'S ATTORNEY and ENGINEER. Any easements and purchase instruments should also be copied to the OWNER'S ATTORNEY.
3. The OWNER'S ATTORNEY will prepare a property file including all Rights-of-Way and real property documents, along with Form RD 442-21, "Rights-of-Way Certificate," and sign Form RD 442-22 Opinion of Counsel Relative to the Rights-of-Way." Railroad Licenses can be listed as exceptions due to the time it takes to obtain them.
 4. The OWNER will sign Form RD 442-21.
 5. The file will be delivered to the RD Specialist when complete but prior to going to bid.

VILLAGE OF **Village**
 WASTE WATER TREATMENT SYSTEM IMPROVEMENTS 2011
 LAND AND RIGHTS-OF-WAY MAP



CERTIFICATION BY VILLAGE ATTORNEY

I certify that all the necessary rights-of-way and deeds have been secured for the development of the proposed wastewater treatment system improvement and that said rights-of-way and deeds are in due form and adequate to permit the construction, operation, and maintenance for the proposed project.

Signed _____
 Date: _____

CERTIFICATION BY ENGINEER

I certify that all the necessary rights-of-way are indicated on this map for the construction of the proposed project.

Signed _____
 Date: _____

CERTIFICATION BY CHAIRMAN

I certify that all the necessary rights-of-way have been secured for the development of the proposed project.

Signed _____
 Date: _____