



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 RD Instruction 1942.17(j) and 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. 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.