

Grant Guidance Checklist

Legal Description:

- ☐ Provide project manager with the most current legal description of the property.
- ☐ Provide current survey if applicable- please submit all survey documents according to Survey standards for DNR document.
- ☐ Provide most current deed to project manager for initial survey review upon request
- ☐ If there is any change in acreage or legal description after original appraisal, updated documents will need to be submitted and appraisal and SRA will need to be updated.

Landowner Disclosure:

- ☐ Please provide a current signed landowner disclosure of the property.
- ☐ Anything identified in the landowner disclosure – please provide a short description on the disclosure sheet.
- ☐ Any encumbrances, leases, or easements identified – please provide copies of all to the project manager
- ☐ If any improvements/structures identified- pictures will also be required of all structures.
- ☐ Any environmental concerns will need to have photo documentation and a possible Phase 1 assessment might be requested.

Conservation Easements

- ☐ If conservation easements exist on the property, copies should be given to the project manager and direction should be given about appraisal instructions.

Boundary Line/Tress Pass Issues

- ☐ If boundary line discrepancies exist – a map will need to be given to show discrepancy
- ☐ Direction will need to be given on how to handle the appraisal – see guide attached on potential options

Environmental Concerns

- ☐ A Phase 1 might be requested if any environmental concerns exist – please provide a copy to the project manager.
- ☐ Environmental concerns might require a hypothetical condition for cleanup or resolution. Please provide to project manager any specifications.

Well Disclosures

- ☐ Please disclose any wells and whether those wells plan to be sealed prior to conveyance.

Farm Leases

- ☐ See guidance document regarding farm lease information.

Aggregate/Mineral Potential

- ☐ Please identify if there are any aggregate or mineral potential and provide a hypothetical condition on how to proceed with appraisal. (see guidance document)

General Guidance Document to Assist DNR Land Acquisition Partners

This document was requested by DNR's acquisition partners and is intended to provide some general guidance to DNR's acquisition partners on real estate title items that may be problematic for DNR and/or that may impact DNR's ability to accept conveyance of a property. This document is not all encompassing. Additional title issues may arise and/or be flagged by DNR during DNR's title review. This guidance document does not supersede DNR's title review; all projects remain subject to full DNR title review. This document does not constitute legal advice. This document also does not address non-legal considerations, such as the need to get DNR land administrator approval of title instruments to confirm the instrument does not pose a conflict with DNR's anticipated management and use of the property.

The DNR is constrained by the Minnesota Constitution and Minnesota Statutes from accepting real estate title with certain encumbrances and obligations. These are some of the more common problematic items DNR attorneys encounter during title review.

- Instruments or clauses that require the DNR as the owner of the subject property to incur future financial obligations, including:
 - Cost sharing
 - Payments
 - Repairs
 - Construction
 - Maintenance
 - Needing to install or provide features or equipment
 - Prevailing party costs, attorneys fees, etc.
- Indemnification provisions
 - Broad indemnification provisions and indemnifying acts of third parties
 - Provisions that run afoul of the Minnesota Tort Claims Act, Minn. Stat. section 3.736

DNR BOUNDARY SURVEY DELIVERABLES

- Certificate of Survey drawing, sign and sealed, in PDF format, per *DNR Boundary Survey Standards*.
- Certificate of Survey drawing overlay on current orthophotograph, sign and sealed, in PDF format, per *DNR Boundary Survey Standards*.
- Electronic copy of CAD drawing in DWG format.
- Certificates of Location of Government Corner with recording information. Certificates must comply with Minnesota Statute 381.12.
- Microsoft Word document of land description.
- Comma delimited text file of UTM Zone 15 coordinates in meters (Point #, Northing, Easting) of property corners. Any conversions to such coordinates must be obtained using Minnesota DOT MnCON software version 4.1.3 or greater.
- Comma delimited text file of County Coordinates (Point #, Northing, Easting, Descriptor) of Section Corners, Quarter Corners, Subdivision Corners and property corners.
- Final Survey Report per *DNR Final Survey Report Requirements*.

FINAL SURVEY REPORT REQUIREMENTS

- Title, Project Name, DNR File Number, DNR Requisition and/or Acquisition Number (*if known*)
- Contractor Name, Contract Surveyor Name and License Number, Contact Information
- Research Procedures and Results, Including summary of any interviews taken
- Written discussion of findings
- Written discussion and rationale of decisions made concerning property boundaries
- Description of any conflicts or areas of concern related to the survey and property lines
- Control Stations used/checked to determine datum and orientation of the survey

DNR BOUNDARY SURVEY STANDARDS

A signed and sealed drawing of the survey shall be prepared that represents the results of the survey. The drawing shall include but is not limited to the following information:

- Title, Project Name, DNR File Number, DNR Requisition and/or Acquisition Number (*if known*).
- Contractor Name, Contract Surveyor Name and License Number, Contact Information.
- A vicinity map showing the location of the property being surveyed. The vicinity map shall include the Section subdivision information (bearings and distances) and the controlling monuments. County Coordinates are to be shown to the hundredth of a foot at all government corners where applicable.
- All quarter-quarters ("40s") with state ownership shall be shown and labeled.
- The area, shown to the hundredth of an acre, of state ownership within each quarter-quarter ("40") and/or government lot shall be labeled on the drawing.
- State owned lands adjacent to the property being surveyed shall be shown, if known.
- All property corners and angle points of the surveyed property shall be monumented.
- Property lines shall be staked every 400 feet or less.
- All property corners and angle points of the surveyed property shall be identified by a point number. These point numbers shall correspond to a table listing the point numbers, and the coordinates in UTM Zone 15 in meters. Any point projection conversions shall be done using Minnesota DOT MnCon software version 4.1.3 or greater.
- Visible improvements or features within 50 feet of the property boundaries. Such improvements or features may include but are not limited to: Buildings; Power/Telephone Poles or Boxes; Roads; Trails; Driveways; Culverts; Visible lines of occupation or use; Fence lines; and Watercourses shall be field located and indicated on the drawing.
- Land description of the property being surveyed.
- Calls within the description shall be indicated on the drawing.

FINAL SURVEY REPORT REQUIREMENTS

- Title, Project Name, DNR File Number, DNR Requisition and/or Acquisition Number (*if know*)
- Contractor Name, Contract Surveyor Name and License Number, Contact Information
- Research Procedures and Results, Including summary of any interviews taken
- Written discussion of findings
- Written discussion and rationale of decisions made concerning property boundaries
- Description of any conflicts or areas of concern related to the survey
- **Certificates of Locations for ALL** controlling Government Corners, including County Recording data