

EASEMENT CHECKLIST (Risk Mitigation and Policy Compliance)

All documentation relied upon to approve the transaction must be maintained in the campus project file. Authority to negotiate, approve and execute real estate related documents is subject to compliance with all UC policies and appropriate Delegations of Authority. Transaction authority and delegation links: http://www.ucop.edu/facil/resg/documents/authority_real_estate.pdf

CAMPUS: _____ TYPE OF EASEMENT:¹ _____

I. EASEMENT LOCATION _____

II. THE REGENTS AS:

- Grantor (i.e., servient tenement)
- Grantee (i.e., dominant tenement)
- Other (specify) _____

III. EVALUATION & AUTHORIZATION

Check Done	Not Appl.	Date ² (mo/day/yr)
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A. FINANCIAL

- | | | | |
|---|--------------------------|--------------------------|-------|
| 1. Confirmation of budgetary authority to acquire easement ³ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. Appraisal of easement value prepared confirming price or cost to UC ⁴ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. Accomodation fee included for small value easements where UC is Grantor | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

B. PHYSICAL

- | | | | |
|---|--------------------------|--------------------------|-------|
| 1. Campus Planning has determined that the easement is consistent with the LRDP ⁵ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. EH&S review for public safety considerations depending on type and location of use | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. A&E review/oversight to the extent of construction on campus or by UC | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4. A definitive legal description of the easement area is an exhibit to the easement ⁶ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 5. For UC as Grantor, Grantee to be responsible for any damage to property | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

C. UC POLICY

- | | | | |
|--|--------------------------|--------------------------|-------|
| 1. For UC as Grantor, it is confirmed that a fee interest is not being transferred | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. Campus Risk Management approval of form of indemnity and insurance (incl. limits) | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. Records retention requirements satisfied consistent with BFB RMP-2 ⁷ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

D. LEGAL REQUIREMENT/REVIEW

- | | | | |
|---|--------------------------|--------------------------|-------|
| 1. If UC does work, Public Contract Code compliance confirmed per Facilites Manual | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. UC as Grantor, easement includes relocatability and termination for non use ⁸ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. UC as Grantor, easement non-exclusive preserving UC use rights to extent feasible | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4. Easement on standard form or approved as to legal form by OGC as required ⁹ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 5. CEQA compliance affirmed ¹⁰ | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Certification of Campus Official
 (with delegated easement approval authority)

Date

¹ For example, access (specify any limits; e.g., pedestrian), utility (specify type: e.g., gas, water or data), open space or special purpose (specify).

² The date on which the item has been determined in compliance (form completed as appropriate) or not applicable to this transaction.

³ Appropriate campus form/letter documenting internal approval and budget in campus project file.

⁴ Documented opinion of value consistent with the approach outlined on the RESG/OP Website.

⁵ For UC as Grantor, the location of the easement is not likely to conflict with any foreseeable use of the property by UC.

⁶ Metes and bounds description by licensed surveyor/equivalent of the permanent and temporary (construction) areas comprising the easement.

⁷ For any recorded easement, copies are to be provided to UC Secretary & Chief of Staff and to RESG/OP with Checklist.

⁸ UC form of easement (RESG Website) provides for these rights which should be maintained regardless of form used.

⁹ Required for any easement whether UC is Grantor or Grantee (an approved standard form is not available as of Sept. 2009).

¹⁰ All appropriate CEQA documentation completed, approved and filed.