**Title Clearing for Right of Way Parcel Package**

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| **Property Owner(s):** | **Parcel No.:** |
| **Project Title:** | **F.A. No.:** |

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| 1. Title Report | |
|  | a.    Effective date less than 6 months |
|  | b.    Copy of all exceptions |
|  | c.    Copy of documents referenced in legal description |
|  | d.    Copy of Vesting Deed |
| 2. Verify Vesting | |
|  | 1. Individual |
|  | a.    Marital Status - Single/Married/Divorce/Separated |
|  | b.    If Vested as Single, verify current marital status |
|  | c.    If now married need spouse to release interest by deed |
|  | d. If Divorced and/or Separated - Need Final Divorce decree |
|  | 2.  Trustee of a Trust |
|  | a.    Trust Agreement |
|  | b.    Affidavit of Trust |
|  | 3.  Limited Liability Company |
|  | a.    Certificate of Formation |
|  | b.    Limited Liability or Operating Agreement |
|  | c.    Resolution of Members |
|  | d.   Request from Secretary of State information/good standing |
|  | e.    UCC Search - Email Title Examiner to request search |
|  | f. Received UCC search results and clear any liens disclosed |
|  | 4.  Corporation |
|  | a.    Articles of Incorporation |
|  | b.    Corporate Bylaws |
|  | c.    Corporate Resolution |
|  | e.   Request from Secretary of State information/good standing |
|  | f.     UCC Search - Email Title Examiner to request search |
|  | g. Received UCC search results and clear any liens disclosed |
|  | 5. Partnership |
|  | a.    Partnership Agreement |
|  | b.    Resolution of Partners |
|  | c.   Request from Secretary of State information/good standing |
|  | 6. Counties, cities, towns, |
|  | a. Resolution of counsel - Name & no. of signers identified |
|  | 7. School districts, irrigation districts, etc. |
|  | a. Resolution of school board - Name & no. of signers identified |
|  | b. School Board Minutes with approval |
|  | 8.  Church |
|  | a.    Church bylaws and/or Articles of Incorporation |
|  | b.    Certificate of Authority |
|  | c. Congregational Minutes with approval |
|  | d.   Request from Secretary of State information/good standing |
| 3. Property Tax Printout | |
|  | 1. Full Acquisition |
|  | a. Taxes Current and/or delinquent - need to pay current |
|  | b.    If Acquisition closes January 1st through June 29th - pay 1st half taxes and/or  delinquent taxes |
|  | c.    If Acquisition closes after June 29th - pay entire year and/or delinquent taxes |
|  | 2. Partial Acquisition |
|  | 1. If property value in remainder exceeds taxes due including delinquent amount   and is not in foreclosure, it is o.k. to set over, use set over clause in deed and avoid making a tax payment prior to closing |
|  | b.    If property taxes in foreclosure - need to pay current - cannot ignore |
| 4. Assessments | |
|  | 1.      Pay current & delinquent amount due |
| 5. “Current Use” Land | |
|  | 1. Identify type of land use, open space, timber growing, agricultural, forest, farming or historic property |
|  | 2.   Full Acquisition |
|  | a. Early Acquisition - Additional taxes may be due to remove from “current use” |
|  | 1. Need amount from county treasurer, excise tax affidavit signed and sent in   advance to obtain amount due |
|  | 1. Eminent Domain - Land use removal instrument (processed by county) to be   recorded, additional recording fees |
|  | 3.   Partial Acquisition |
|  | a.   If enough property value in remainder property owner can continue to keep in  “current land use” |
|  | b. Partial Land Use Removal instrument to be recorded (add'l recording fees) |
| 6. Deed of Trust | |
|  | 1.   Condemnation Clause in Deed of Trust |
|  | 2.    Paying off in full |
|  | a.    Need Payoff statement/demand |
|  | b.    Request for Full Reconveyance |
|  | 1. Receipt of Original Request of Full Reconveyance and Substitution of Trustee (if   applicable) |
|  | d. Forward Original Request to Trustee for preparation |
|  | e. Log tracking of Full Reconveyance |
|  | f.    Escrow to take care of? |
|  | 3.    Partial payoff |
|  | a.    Need Partial payoff statement/demand |
|  | b.    Beneficiary wants to be paid-need statement |
|  | c.    Beneficiary accepts no payment-need statement |
|  | d.    Request for Partial Reconveyance and Substitution of Trustee (if applicable) |
|  | e. Receipt of Original Request of Partial Reconveyance |
|  | f. Forward Original Request to Trustee for preparation |
|  | e. Log tracking of Partial Reconveyance |
|  | 4.    Partial Acquisition under $10,000-Partial reconveyance not required if: |
|  | a.    Inform owner/owner accepts (LPA-333a) |
|  | 5.    Partial Acquisition $10,000-25,000-Partial reconveyance not required if: |
|  | a.    Agency approves request to accept encumbrance (LPA-333) |
|  | b.    Inform owner/owner accepts risk (LPA-333a) |
| 7. Assignment of Rents and/or Leases | |
|  | 1. Read recorded document to Confirm Assignment will be released upon recording of full and/or partial reconveyance |
| 8.   UCC of Record, i.e.,  Security Agreement, Fixture Filing, Financing Statement (Uniform Commercial Code) | |
|  | 1.    UCC Search - Email Title Examiner to conduct search |
|  | 2.   Full Acquisition |
|  | a.    Need Payoff statement/demand |
|  | b.    Request for UCC Termination |
|  | c. Received UCC search results and clear any liens disclosed |
|  | 3.   Partial Acquisition |
|  | a.    Need Partial payoff statement/demand |
|  | b.    Beneficiary wants to be paid-need statement |
|  | c.    Beneficiary accepts no payment-need statement |
|  | d.    Request for Partial UCC Termination |
| 9. Real Estate Contract | |
|  | 1.    Paying off in full |
|  | a.    Need Payoff statement/demand |
|  | b.    Receipt of Original Fulfillment Deed |
|  | c. Forward Original Fulfillment Deed for recording |
|  | d.    Escrow to take care of? |
|  | 2.    Partial payoff |
|  | a.    Need Partial payoff statement/demand |
|  | b.    Beneficiary wants to be paid-need statement |
|  | c.    Beneficiary accepts no payment-need statement |
|  | d.    Request for Partial Fulfillment Deed |
|  | e. Receipt of Original Partial Fulfillment Deed |
|  | 1. Forward Original Partial Fulfillment Deed for recording |
| 10. Mortgage | |
|  | 1.    Paying off in full |
|  | a.    Need Payoff statement/demand |
|  | b.    Request for Full Satisfaction of Mortgage |
|  | c. Receipt of Original Satisfaction of Mortgage |
|  | d. Forward Original Satisfaction of Mortgage for recording |
|  | e. Log tracking of Satisfaction |
|  | f.    Escrow to take care of? |
|  | 2.    Partial payoff |
|  | a.    Need Partial payoff statement/demand |
|  | b.    Beneficiary wants to be paid-need statement |
|  | c.    Beneficiary accepts no payment-need statement |
|  | d.    Request for Partial Satisfaction of Mortgage |
|  | e. Receipt of Original Partial Satisfaction of Mortgage |
|  | f. Forward Original Partial Satisfaction for recording |
|  | e. Log tracking of Partial Satisfaction |
| 11. Lease |  |
|  | 1. \*Copy of Lease Agreement and copy of Corporation, LLC, Partnership, etc papers, if needed |
|  | 2. UCC Search - email Title Examiner |
|  | 3. Unrecorded Lease (do not record release/partial release of lease) |
|  | 1. Copy of Lease Agreement and copy of Corporation, LLC, Partnership, etc   papers, if needed |
|  | 4.     Full Acquisition |
|  | a.     \*Release of Lease |
|  | 5.     Partial Acquisition |
|  | a.     \*Partial Release of Lease |
|  | 1. Request from Secretary of State information/good standing, if Corporation,   LLC, Partnership, etc. If information rec'd is sufficient to determine signature authority, will not require add'l info on partial acquisition. |
|  | \* If lease is expired (month to month) or does not exist, document tenant information in diary & obtain QCD |
| 12. Judgments, Fed & State Liens | |
|  | 1.     Copy of Judgments |
|  | 2.     Confirm identity |
|  | a.      Statement of ID completed by parties and submitted to title co. |
|  | b. Judgment/Lien removed by Title Company - if no, continue to no. 3 or 4 |
|  | 3.      Full Acquisition |
|  | a.     Need Payoff statement/demand |
|  | b.      Need Release of Judgment |
|  | c.      Escrow to take care of? |
|  | 4.      Partial Acquisition |
|  | a.      Need Partial payoff statement/demand |
|  | b.      Need Partial Release of Judgment |
| 13. Bankruptcy | |
|  | 1. Copy of Bankruptcy papers |
|  | 2.     Bankruptcy Discharged |
|  | a. Copy of Discharge signed by Judge |
|  | b.    If Not Discharged, Need Relief of Stay from Trustee of Bankruptcy |
|  | 1. Call 1-888-409-4662 to confirm bankruptcy and obtain information of trustee,   etc. |
| 14. Vested Owner Deceased | |
|  | 1.      Probate Filed? |
|  | 2.      Attorney to prepare Personal Representative Deed for Acquisition |
|  | 3.      If no probate, should be an exception on title |
|  | a.  If not, notify title examiner for title company requirements; i.e. lack of probate  affidavit, etc. |
| 15. Easements | |
|  | 1. Identify & Locate easement, i.e., install, inspect, maint. for sewers, water lines, gas lines, fiber optics, electric cables |
|  | FYI: Private Easements must be cleared or proof not in acquisition area; Cable Co easements check for pre-payment penalty-maybe hidden charge |
|  | 2.   Utility Easements |
|  | a.     Identify Utility Company |
|  | b.     Public |
|  | c.     Private |
|  | d.     Location of easement |
|  | e.     In ROW? |
|  | f.      Identify utility in connection with property on utility project map |
|  | g.     Is easement to connect to property owner’s home? |
|  | h.     Verify if Utility Dept is planning to relocate utility as part of the project |
|  | 1. Provide a copy of easement to Utility Engineer to determine if easement is to be replaced |
|  | 3.  Access Easements |
|  | a.     Identify the location of easement |
|  | b.     In ROW? |
|  | c.    Release? |
|  | 3.   Drainage |
|  | a.     Identify the location of easement |
|  | b.     In ROW? |
|  | c.     Release? |
|  | 4.  Light & Air |
|  | a.    Agency, merge with title |
|  | 5.   Parking |
|  | a.     Identify the location of easement |
|  | b.     In ROW? |
|  | c.     Release? |
|  | 6.   Well Site |
|  | a.     Identify the location of easement |
|  | b.     In ROW? |
|  | c.     Release? |
|  | 7.   Drainfield |
|  | a.     Identify the location of easement |
|  | b.     In ROW? |
|  | c.     Release? |
|  | 8.   Encroachment, commonly found where a portion of a building, fence or driveway  encroaches adjacent property |
|  | a.     Identify the location of easement |
|  | b.     In ROW? |
|  | c.     Release? |
|  | 9.    Party wall |
|  | a.     Identify the location of easement |
|  | b.     In ROW? |
|  | c.    Release? |
| 16. Misc. Agreements | |
|  | 1.    Copy of Agreement |
|  | a.     In ROW? |
|  | 2.     Full Acquisition |
|  | a.     Release of Agreement |
|  | 3.     Partial Acquisition |
|  | a.     Partial Release of Agreement |
| 17. Manufactured Home/Mobile Home (MH) | |
|  | 1. Noted on Title Report |
|  | 2.    Considered real property? - Yes, if title eliminated, continue to A. Real Property |
|  | 3.    Considered personal property? - Yes, if title to (MH) is licensed by DOL (Dept of  Licensing), continue to B. Personal Property |
| 17. A.   Real Property (MH) | |
|  | 1.    Copy of Title Elimination |
|  | 1. Include mobile home information on Deed i.e. "together with a 1985 20x78   Saratoga mobile home" |
|  | 2.    MH to be removed from land, i.e., relocate/demolition? If yes, continue |
|  | a. Need to apply for the title to be re-instated from DOL |
|  | b.     Complete DOL Title Elimination Form - marked removal from real property |
|  | c. Complete (DOL) Affidavit of Loss/Release of Interest Form |
|  | d.     Proof of taxes paid in full for current year |
|  | e.     Application for Certificate of Title - send w/transmittal need authorized  signature |
|  | f. Need Release of Interest/Power of Attorney |
|  | g. Obtain signed approval from DOL prior to recording |
|  | h. Once DOL approves, record and retain proof of recording fees paid |
|  | i. Process Mobile Home Application package with DOL paying all required fees |
|  | j. Track receipt of original title from DOL (6-8weeks) |
|  | k. Track Mobile Home Acquisition |
| 17. B.   Personal property (MH) | |
|  | 1. Acquiring MH? Need Agency to determine if the mobile home should be purchased, if yes continue with 3-6 |
|  | 2.    Relocating? Verify with Relocation Agent |
|  | 3. Is Mobile Home located on Land vesting owner is the same? If yes, |
|  | 1. Include mobile home information on Deed i.e. "together with a 1985 20x78   Saratoga mobile home" |
|  | 4.   Is Mobile Home located in a Park? If yes, continue |
|  | a.    Need Value of MH |
|  | 1. Obtain Original Title or Complete Dept of Licensing (DOL) Affidavit of   Loss/Release of Interest Form – owner & lender signature required |
|  | c. Prepare Mobile Home Excise Tax Affidavit |
|  | If Ownership has not been transferred with Treasurer - need prior Bill of Sale & Excise Tax Affidavit & Payment on prior amount |
|  | d.     Prepare Bill of Sale - Need owner signature |
|  | e.     Proof of taxes paid in full for current year |
|  | f.     Application for Certificate of Title (DOL) - send w/transmittal need agency  signature |
|  | g. Need Release of Interest/Power of Attorney (DOL) - POA Need owner & lender  signature |
|  | h.     UCC Search - Email Title Examiner to conduct search |
|  | i. Received UCC search results and clear any liens disclosed |
|  | j. Track receipt of original title from DOL (6-8weeks) |
|  | l. Track Mobile Home Acquisition |
|  | 5.     Escrow to take care of? |
|  | 1. Obtain Escrow company requirements to close and verify additional   fees/escrow fees/transfer fees, etc. |
|  | b. Escrow Agreement includes transfer of mobile |
|  | c.    Instruct Escrow to conduct UCC Search and clear any liens disclosed |
|  | 6. Track Mobile Home Acquisition |
| 18. If Property Owner to occupy after possession | |
|  | 1. Displacee Lease |
|  | a. Prepare Lease |
|  | b. Prepare rental transmittal and add additional clauses |
|  | 2. Residential |
|  | a. Rental Value from Appraisal |
|  | b. No Leasehold excise required |
|  | 3. Non-Residential |
|  | a. Rental Value from Appraisal |
|  | b. Leasehold excise required (LET) @ 12.84% |
|  | 4. Place lease in file |
| 19. Other/Notes | |
|  | FYI: all correspondence placed in file in date order with most recent on top |
|  | FYI: Judgment searches are NOT needed for unrecorded leases unless there is an exception to clear |
|  | FYI: Read and Clear NOTES from Title Report if applicable as the Title Co. may require additional items to be cleared or additional verbiage added to legal descriptions prior to closing. |

Notes: