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| File Code: | 5460 Rights-of-Way Acquistion |
| Date: |  |
| Attn: <INSERT NAME OF CONTACT AT TITLE COMPANY>  < INSERT TITLE COMPANY>  <INSERT TITLE COMPANY ADDRESS>  Dear <INSERT NAME OF CONTACT AT TITLE COMPANY>:  Please consider this our request for title evidence on the following land:  <INSERT LEGAL DESCRIPTION OF PROPERTY>  Please see the attached location map for further location information.  The Forest Service is interested acquiring an easement across this property. We believe current property owner is <INSERT PROPERTY OWNER>.  We request title evidence in the form of a standard title commitment and subsequent title insurance policy. If, you decide a title binder or preliminary report would be more appropriate, please let us know the reasons and we will let you know if that form of title evidence is acceptable for this purchase.  The standard title commitment must:   1. Identify the name of the insured as the United States of America. 2. Cite the ALTA U.S. Policy (Revised 12/3/12) as the title insurance policy to be issued. If the policy you will issue is not the ALTA U.S. Policy (Revised 12/3/12), please let us know immediately as we are not authorized to accept a different policy. 3. Be valid for a period of not less than 2 years, which is the commitment period the U.S. Department of Justice (DOJ) and the American Land Title Association (ALTA) negotiated. If your standard title commitment is a pre-printed form for a 6-month period, please endorse it to extend the period to 2 years. 4. Be for the maximum amount of insurance available at the minimum premium, with the understanding that the insured amount on the title insurance policy will increase if the consideration exceeds that amount. 5. Attach complete and legible copies of the vesting documents that confirm ownership of the land as stated in Schedule A of the title commitment. 6. Show the estate or interest in the land to be “Fee Simple.” Please note that the title insurance policy will need to show the estate or interest in the land to be “An Easement” since that is the estate being acquired in this transaction.      1. Include only general title exceptions in Schedule B that are included in the attachment to this letter and worded exactly as stated in the attachment. By “general” title exceptions, we mean any title exception for which you do not reference a particular document in the exception. For this land purchase, our Office of the General Counsel has agreed to accept the general exceptions as stated in the attachment. If you propose changing the language of one of the general exceptions, or adding an additional general exception in your title commitment, please send us your proposed language and your rationale for the change or addition prior to sending us a commitment that includes the new or changed general exception. 2. If Schedule B includes the general exception referencing minerals, include under that exception an itemized list of recorded documents associated with the land that show any and all mineral reservations, severances, conveyances, and any other transfer of the minerals through the present date, along with a copy of all documents on the itemized list. By requesting this list, we are not seeking an opinion from you regarding mineral ownership. If the title commitment is silent regarding minerals, we understand that the title insurance policy will insure title to minerals associated with the land.      1. Attach a complete and legible copy of all documents associated with each Schedule B exception that is not a general exception, including any referenced patents. In accordance with the 2001 DOJ title standards, which we must follow, please disclose the name of each and every person in whom title to any interest in the land is vested of record or known to your company. If addresses of parties having any interest in the land are disclosed by the public records or known to the company, you must state the addresses or provide them via copies of the public documents. In some instances, we may ask you to remove an exception, or exceptions, prior to issuing a title policy, based upon our survey, inspection of the property, other curative evidence, or if the referenced document does not pertain to this land.   <INSERT ENTITY PAYING > will pay for title commitment we are requesting for this purchase. Please send the invoice to <INSERT ENTITY AND CONTACT INFORMATION>.  Once the Forest Service has acquired the easement across the subject land, we will request you to issue a title insurance policy in the form of the ALTA U.S. Policy (Revised 12/3/12). We will provide you with title insurance instructions at the time we request the title insurance policy, including payment instructions.  We would appreciate receiving the title commitment and Schedule A and B documents by <INSERT DATE>. If you have any questions concerning this request, please contact <INSERT NAME, PHONE NUMBER, STREET ADDRESS, AND E-MAIL ADDRESS.>  Sincerely,  <INSERT NAME>  Realty Specialist  Enclosures:  Schedule “B” General (Standard) Exceptions  Map | | |