

*Could vary by region*

## **TITLE DOCKET - Section 1 5430 EXCHANGE**

1. Warranty Deed (non-Federal land)  
(PTO - draft) (FTO - Original recorded deed)
2. Patent (Federal land) - Public Domain Status\*
3. BLM Quitclaim Deed (Federal land) - Public Domain Status\*\*
4. USDA Exchange Deed (Federal land) - Week Law Status\*\*\*
5. Corporate/Signatory Authority, if applicable
6. Exchange Agreement, if applicable
7. Decision Notice/FONSI/Decision Memo/Admin. Review Report
8. Regional Staff Review (RO prepares)
9. Agreement to Initiate (ATI)
10. Feasibility Analysis / Report
11. Regional Appraisal Review & Approval

\* Use Patent for lands leaving the U.S. for first time. (PTO - draft patent request letter) (FTO - copy of recorded patent)

\*\* Use BLM Quitclaim Deed if lands have left U.S. ownership, came back into U.S. ownership under the General Exchange Authority, and are leaving U.S. ownership again. These lands have Reserved PD Status. (PTO - draft Quitclaim request letter) (FTO - copy of recorded Quitclaim Deed)

\*\*\* Use USDA Exchange Deed for land that have "acquired (Weeks Law) status" (Director of RLM signs deed) (PTO - draft) (FTO - copy of recorded deed)

## **TITLE DOCKET - Section 2 5430 EXCHANGE**

### **OGC TITLE OPINIONS and CLOSING**

1. 5400-10. (also send electronic copy to RO & RTS/ATE)
2. Final Title Opinion (FTO) – RTS/ATE\* prepares
3. Preliminary Title Opinion (PTO) – RTS/ATE prepares
4. NLAT Decision Review, if applicable
4. Oversight approval, if applicable\*\*
5. Affidavit(s) of Publication, with attached newspaper ad(s)
6. Certificate regarding protests
6. Payment receipt for cash equalization payment, if applicable
7. Wiring Instructions, if applicable
8. 6500-202 Funds Availability Certification (if applicable)\*\*\*
9. Escrow Instruction, if applicable - Forest prepares, RTS/ATE Reviews
10. Closing Instructions - RTS/ATE prepares
11. Case Checklist

### **LEGISLATION/LAWS** – enacted specifically for exchange

- \* RTS/ATE – Realty Title Specialist / Area Title Examiner
- \*\* Weeks Law cases \$150,000 and over and exchanges under any authority over \$500,000. See 5420/5430 May 5, 1999, letter to Forest Supervisors and Grassland Supervisor for additional information.
- \*\*\* 6500-202 is prepared by the Regional Office B&F Officer.

**TITLE DOCKET - Section 3  
5430 EXCHANGE**

**TITLE INSURANCE POLICIES (Originals)**

**ALTA U.S. Policy 9/28/91**

*NOTE: Obtain a Commitment/Report before U.S. takes title and the ALTA U.S. Policy - 9/28/91 form after U.S. takes title. Be sure to let the company know, at the time you order the Commitment/Report, that the final needs to be on the U.S. Policy - 9/28/91 form or equivalent.*

**Final Title Policy** - (include in FTO pkg.)

**Curative Documents** (if applicable)

1. Taxes (paid tax receipts)
2. Mortgage Releases
3. Judgments
4. Agreements
5. Affidavits of Identification
6. Satisfactions, etc.

**Title Report/Commitment** (include in PTO pkg.)

1. Schedule A documents (readable copies)
2. Schedule B documents (readable copies)
3. Copy of Original Patent
4. Copy of Vesting Document

## **TITLE DOCKET - Section 4 5430 EXCHANGE**

### **FEDERAL LAND INFORMATION**

1. Federal Land Status Report
2. Copies of outstanding rights and permits, if any
3. Copy of Final Title Report(s) if acquired status

### **SURVEYOR, MAPS, & OTHER INFORMATION** (Federal and Non-Federal Lands)

4. LADS, LSRS, and ALP Information Sheets – one for Federal land and one for Non-Federal land
5. Surveyor Legal Description Review/Approval (attach legal to review)
6. Area Maps, Parcel Maps, Plats, and Surveys
7. BLM serialization page or serialization information
8. All Appropriate Inquiry (AAI) Documentation for Non-Federal land [can be Environmental Site Assessment (ESA), Phase 1, Phase 2, Hazmat Sheets 1-5, etc.]
  - Technical Review of AAI Report by qualified FS Professional, if necessary
  - Environmental Professional's Summary of AAI Report
  - Updates of AAI reviews on non-Federal lands, if necessary
  - Attach AAI Reports separately (unless small enough to include in folder)
9. Hazmat Report for Federal land (can be Environmental Site Assessment (ESA), Phase 1, Phase 2, Worksheets 1-5, etc.)

## **TITLE DOCKET - Section 5 5430 EXCHANGE**

### **CERTIFICATES, REPORTS, AND CONSULTATIONS** (originals to RTS/ATE)

1. DOJ Certificate of Inspection & Possession (5400-28) (dated just prior to recording of deed if initial DOJ inspection is over 6 months old)
2. DOJ Certificate of Inspection & Possession (5400-28) (initial inspection)
3. Supplemental Certificate of Possession (5400-38) (FTO package only, dated on or after deed recorded)
4. Certificate of Possession (5400-37) (signed by person who did field exam)
5. Amended Certificate of Use and Consent (5400-29), if applicable
6. Certificate of Use & Consent (5400-29) (signed by Forest Supervisor)
7. P.L. 91-646 Certificate, signed
8. Certificate of Non-Foreign Status (in cases where U.S. pays cash equalization and if a statement is not included in the Agreement to Initiate)
9. Haz Mat Certification from non-Federal owner (required if Exchange Agreement is not used)
10. Memo stating there were no Appeals to Decision
11. Decision Document (DM, DN, ROD, FONSI) if any
12. Mineral Report (Federal and Non-Federal lands)
13. BLM Mineral Concurrence, if applicable\*
14. Water Rights Report
15. Other Specialist's Reports (Wetlands/floodplain, soils, TES Species, Etc.)
16. Tribal consultation
17. Fish & Wildlife Service consultation
18. Wetlands consultation
19. SHPO Consultation and MOU, if applicable

\* Weeks Law (acquired status) cases do not need BLM mineral concurrence.

## **TITLE DOCKET - Section 6 5430 EXCHANGE**

### **CORRESPONDENCE**

Put in chronological order, with the newest on top and the oldest at the bottom

Include all correspondence that has a bearing on the case

Discard all correspondence that does not have a bearing on the case

Reduce all documents to 8½" X 11" if it does not interfere with the integrity of the document

### **INCLUDE:**

1. Final closing letters to Regional Office, Forest Supervisor, and BLM
2. Financial and closing documents from Escrow and Title Company
3. External and Internal Letters
4. County/Congressional Notifications
5. Tribal Notifications, if applicable
6. OGC reviews and approvals
7. Appraisal Services Request
8. Any Other Miscellaneous Correspondence with relevance to the case