

**Forest Service Manual
National Headquarters - Washington Office
Washington, DC**

Forest Service Manual 5409.13 – Land Acquisition Handbook

Chapter 40 - Partial Land Interest

Amendment: 5409.13-1991-1

Effective date: September 3, 1991

Duration: This amendment is effective until superseded or removed.

Superseded Directive: 2, November 17, 1989; 1, January 1988; Entire handbook issued April 1987

Approved by: F. Dale Robertson, Chief

Date approved:

Responsible Staff:

Explanation of changes: Following is an explanation of the changes throughout the directive by section.

This amendment is a reissuance of FSH 5409.13 to conform the format and structure of the Handbook to the requirements of electronic directive issuance.

This amendment makes no substantive changes to the text. The only changes made are those necessary to meet new format requirements or to correct spelling, punctuation, or unit names.

This Handbook is now available electronically in the National Information Center in the same format as the paper copy. Henceforth, amendments to this Handbook will be issued to Forest Service units electronically on a document basis.

Contents

41	Acquisition of Partial Interests
41.1	Preliminary Evaluations
41.2	Guidelines for Regional Forester Approval
41.3	Appraisals
41.4	Funding
41.5	Negotiations and Purchase Procedures
41.51	Options
41.52	Acquiring Preexisting Uses
41.53	Determine Preexisting Uses
41.54	Documentation of Preexisting Uses
41.55	Limits of Easements
41.56	Estate To Be Acquired
41.57	Amending Easements
42	Title Considerations
42.1	Level of Title Perfection
42.2	Mortgages
43	Partial Interest Conveyance Documents
43.1	Mineral Rights
43.2	Conservation or Scenic Easements
43.21	Preamble
43.22	Description of Property
43.23	Term
43.24	Enumeration of Regular Uses
43.25	Use by Grantee
43.26	Retained Rights and Restrictions
43.27	Public Access
43.28	Termination and Reverter Clauses
43.3	Wild and Scenic River Easement
44	Disposal