

**Forest Service Handbook
National Headquarters - Washington Office
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Forest Service Handbook 5409.17 – Rights-Of-Way Acquisition Handbook

Chapter 30 – Closing Easement Acquisitions

Amendment: 5409.17-2013-3

Effective date: November 18, 2013

Duration: This amendment is effective until superseded or removed.

Superseded Directive: 5409.17,30 Contents, Amendment 5409.17-91-1, 09/03/1991; 5409.17,30, Amendment 5409.17-91-1, 09/03/1991; 5409.17_20, 5409.17-2013-2

Approved by: James M. Pena, Associate Deputy Chief, NFS

Date approved:

Responsible Staff:

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

Posting Instructions: Amendments are numbered consecutively by handbook number and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this handbook was 5409.17-2013-2 to 5409.17_20

30: Revises, updates, and sets forth new direction throughout the entire chapter.

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30.1 – Authority

(See FSM 5460.1).

30.2 – Objective

To provide guidance and direction to close right-of-way (ROW) acquisition cases following title approval by the Office of the General Counsel.

30.3 – Policy

(See FSM 5460.3).

30.4 – Responsibility

(See FSM 5460.4).

30.5 – Definitions

(See FSM 5460.5).

31 - Payment of Consideration

After the deed has been approved by the Office of the General Counsel payment must be made for the easement. A copy of the recorded deed should be sent to the grantor (landowner) with an estimate when payment will be made. After payment has been made, the right-of-way may be used. Prior to payment the Forest Service does not have a legal right to use the right-of-way, except with the express permission of the grantor.

Make out the voucher for payment to the grantor(s) exactly as recited in the easement conveyance. Payment may be hand-delivered to the grantor(s) or mailed to the address(es) specified by the grantor(s).

32 - Filing Easement Conveyances

A permanent easement file shall be maintained in the Regional Office and in the Forest Supervisor's Office. Following Final Title Opinion by the Office of the General Counsel the Final Title Opinion and title docket will be forwarded to the Regional Forester who will, in turn, forward to the Regional Office Land Adjustment staff.

The original docket will be filed with the Forest and a copy of the docket maintained by the Regional Office. A copy of the easement will be sent to the grantor.

A copy of the easement deed, map, and cover letter will be sent to the Bureau of Land Management requesting they add the easement to their permanent records and update the Master Title Plat.

33 - Posting Status Records

1. The Regional Office Land Status Staff will post the ROW acquisition into the Land Status Record System (LSRS). Refer to 36 CFR 200.12 regarding LSRS. The spatial feature will be added into the Automated Lands Program and manual changes will be made to the official record.
2. The Forest and/or subunit will maintain and post the ROW acquisition into the Right-of-Way Atlas.
3. The ROW acquisition will also need to be entered and maintained in the Road Authorizations Module of Infrastructure Application (INFRA).