



Grant No: _____ **Grant Applicant:** _____

Brief Description of Property: _____

Closing Instructions for Donated Fee Simple and Easement Properties

Donation Pre – Closing Documentation Checklist

Documents to Be Submitted to CWMTF:

- _____ 1. Proposed Conservation Easement or Deed of Gift
 - a) Anyone can donate conservation easements or fee simple properties to the State of North Carolina. Donations can be conveyed directly to the State unlike conveyances of purchased easements or fee simple acquisitions procured by qualified grant applicants. (*See Eligible Grant Applicants, NCGS Section 113A-254 listing qualified grant applicants.*)
 - b) Legal descriptions must recite either “metes and bounds” or refer to an approved previously or newly recorded map. This office must approve legal descriptions.
 - c) All proposed donations must be submitted to the office of Clean Water Management Trust Fund for review and approval.

- _____ 2. Title Insurance Commitment/Title Opinion
 - (a) The named insured must be the fee simple owner; and the State of North Carolina must list as the insured for its easement interest in the property if it is the easement holder.
 - (b) Copies of all listed title exceptions must accompany the commitment.
 - (c) All outstanding deeds of trusts must be subordinated to the Conservation Easement.
 - (d) If the State of North Carolina is not the easement holder, a copy of an attorney’s preliminary opinion on title and copies of all listed title exception will suffice.
 - (e) Mineral Rights are not an accepted exception.

- _____ 3. Survey or Previously Recorded Map
 - (a) Three (3) copies to include two (2) full sized and one (1) 8 and ½ by 11 inches.
 - (b) Survey must have been made within 90 days of closing.
 - (c) In its sole discretion, the Fund may accept a previously unrecorded survey or recorded map that is older than 90 days, but not older than five years. It must be accompanied by an “Owner’s Affidavit as to Survey” with coverage as to matters of survey by the insuring title company. There can be no improvements of any kind to the property from the last shown date of the survey or map.
 - (d) CWMTF may, at its sole discretion, approve older maps, but only if coverage is provided by the insuring title company. Please follow all requirements indicated in above item (c).
 - (e) Special Permission must be requested to use all surveys older than 120 days.

- _____ 4. General Warranty Deed
 - (a) Copy of owner’s recorded General Warranty Deed or certified copy of other legally binding means of title must be provided to this office.
 - (b) If a title transfer is contemplated as part of the transaction, then the proposed deed of conveyance must be submitted to this office for approval.

- _____ 5. Appraisal or Tax Card
 - (a) If appraisal(s) have been prepared, the summary of the appraisal(s) of the value of the Conservation Easement necessary to substantiate the value of the Conservation Easement. An appraisal for donated property is not performed for the benefit of the receiving party. It is for the benefit of the Donor.

However, if the cost of the appraisal is budgeted by the grant agreement and commissioned by the grant recipient for the benefit of the grant recipient then a copy of the appraisal must be provided to CWMTF.

- (b) The current tax valuation card issued by the applicable county's Tax Assessor's Office, showing total value of land and/or improvements, if any, with indicated year of the actual assessment.

_____ 6. Environmental Report

- (a) A Phase 1 Environmental Assessment conforming to the latest version of ASTM Standard E-1527 must be submitted to this office. It is the responsibility of the property owner and/or the negotiating grant recipient to correct any reported problems as requested by Clean Water.
- (b) A letter indicating that all environmental issues have been corrected and resolved must be delivered to this office before any funds are distributed or the donation is accepted.

_____ 7. Transaction Costs

- (a) Only costs specifically set out in the grant agreement will be funded.
- (b) Signed invoices, copy of the document being paid for, and letter requesting payment must support all funded costs.
- (c) No monies will be paid until a previously approved legally binding executed original Conservation Easement or Conservation Deed of Gift is delivered to the office of Clean Water Management Trust Fund.

_____ 8. Articles of Incorporation

_____ 9. By-Laws

_____ 10. Incumbency Certificate

_____ 11. Corporate Resolution

_____ 12. Certificate of Existence

_____ 13. Conflict of Interest Policy

_____ 14. Baseline Report

_____ 15. Other (list)

