

POLICY BULLETIN NO. 97

SUBJECT: EASEMENTS AND PERMITS

I. OBJECTIVES:

- A. To procure and maintain appropriate easements and permits for right-of-way access and for the facilities of Grand Valley Rural Power Lines, Inc. (the "Cooperative") at minimum cost to the Cooperative (and therefore the consumers), consistent with applicable legal requirements and sound operating procedures.
- B. To ensure that the Cooperative properly applies for, files and records easements and permits to legally protect and ensure the Cooperative's ability to reliably serve its member-consumers presently and in the future.
- C. To ensure adequate access to Cooperative facilities at all times.
- D. To further the provisions of the Cooperative's Service Connection and Line Extension Policy and other related rules and regulations.
- E. To help provide for the public health and safety.

II. POLICY CONTENT:

Be it Resolved by the Board of Directors of Grand Valley Rural Power Lines, Inc. that the following policy provisions be adopted concerning easements and permits:

- A. Since the Cooperative is a non-profit, rural electric cooperative owned by the members it serves, and the corporate philosophy is to provide the lowest cost electricity possible consistent with maintaining a reliable and financially sound cooperative, it is recognized that all consumers of the Cooperative ultimately benefit from reduced costs achieved in the procurement of easements and permits. Therefore, whenever and wherever possible, distribution line easements and permits shall be obtained without payment for value received, other than a courtesy fee which commonly does not exceed \$10.00 per easement or permit, regardless of the size or location of the easement or permit area.
- B. Reasonable payment(s) may be allowed for transmission line (69 KV or larger) easements only and shall be based upon appraised value as established by a certified public appraiser(s).
- C. The Cooperative may encourage, when possible, prospective consumers to negotiate with affected property owners for the purpose of obtaining applicable easements.
- D. All payments for easements or surface damages (other than the normal courtesy fee) shall be subject to final approval by the General Manager within the parameters established by the Board of Directors.
- E. Unless otherwise agreed, the Cooperative shall restore or pay for restoration of an easement surface, as near as possible, to its condition immediately

- prior to disturbance by the Cooperative's construction, operation or maintenance activities. Special license stipulations and access shall be enforced on an individual, as required, basis.
- F. Easement agreements and special permits shall be obtained on a standard easement form where possible.
 - G. All facility and right-of-way easements shall be legally filed and recorded in the appropriate public office, as soon as possible following procurement.
 - H. Public road right-of-way shall be utilized whenever and wherever possible rather than private property unless future roadway expansion is a concern. Under certain conditions it may be more prudent with respect to the future of the facility, to place the facility on private property in whole or in part and the Cooperative may do so at its option.
 - I. Right of condemnation shall be exercised only when all other reasonable alternatives have been exhausted. The General Manager shall have the authority to initiate condemnation proceedings subject to board approval.
 - J. Map, permit, license and easement files shall be maintained at the Cooperative's corporate headquarters to properly document the Cooperative's easements and permits while providing convenient access on a day-to-day basis.
 - K. Easements shall be vacated only for reasonable cause (in the judgment of the Cooperative) and after thorough investigation regarding the future needs of the Cooperative. The provision of an alternate easement may be requested, and if requested, shall be furnished prior to the vacation of an existing easement. Easement vacations shall be subject to the recommendation of the Manager of Engineering.
 - L. The Cooperative shall protect its acquired easements from encroachments that create, or in the judgment of the Cooperative could create, serious hazards, violate codes, or unduly restrict access, thereby increasing, or potentially increasing, the costs of operating and maintaining the electric system. In addition, the Cooperative shall protect such easements from any other act or activity which in the judgment of the Cooperative, would be contrary to the objectives stated in this policy.

III. RESPONSIBILITIES:

- A. It shall be the responsibility of the Board of Directors to establish parameters for administering, review and approve recommendations and determine the effectiveness of this policy.
- B. It shall be the responsibility of the Manager of Engineering to make recommendations to the General Manager in regard to the enforcement of this policy.
- C. It shall be the responsibility of the General Manager to provide recommendations to the Board of Directors, pursue the objectives and administer the provisions of this policy.

Date Adopted: May 20, 1987
Date Revised: October 17, 1990
Date Revised: October 21, 2009

Attest: S. James O'Connor
Secretary