

## Acquisition Project Completion Process and Final Documentation Package (FDP)

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### Acquisition Project Completion Process

#### 1. Sign and Return Project Agreement (Agreement)

The Agreement is a contract between LCHIP and the Recipient that describes, among other things, the project scope and expected outcomes. The grant award is not confirmed until the Agreement is signed and returned to LCHIP.

#### 2. Submit Draft Deed Language ~ 12 Weeks Prior to Closing

Request current deed language requirements from LCHIP before drafting. Do not use earlier deed language to draft. Submit the draft deed to LCHIP in an editable format such as *Microsoft Word* (no PDFs).

#### 3. Request Grant Funds 8 Weeks Prior to Closing

Request LCHIP send grant funds to the closing attorney's client escrow account. Funds paid directly to the Recipient will not be released until all final documentation has been approved, generally one week prior to closing.

#### 4. Submit the **Complete Final Documentation Package (FDP) no less than 4 Weeks Prior to Closing**

See "Conservation Acquisition Final Documentation Package" below for detailed descriptions of the required documentation. When all documents have been provided, notify LCHIP that the project is ready for review and approval. LCHIP may request revisions to individual components as necessary to comply with NH RSA 227-M or the LCHIP *Criteria, Guidelines and Procedures Rev. Date 9.21.21* as may be amended or revised (the "LCHIP Guidelines").

#### 5. Submit Executed and Recorded Documents Immediately Following Closing

Prior to closing, LCHIP will coordinate delivery of the executed documents to the closing attorney and authorize the release of funds from escrow. Registry of Deeds references (book and page numbers) should be provided to LCHIP via email on the date of record. Digital copies of all recorded documents should be provided to LCHIP within thirty days of recordation.

#### 6. Submit Post-Closing Documentation within 60 Days of Closing

- Shapefile Package: A complete shapefile package showing final exterior boundaries of the protected property (polygon) and any excluded or special management areas.
- A completed NH GRANIT data sheet.
- Final BDR / PCR: 1 digital copy of the executed BDR/PCR narrative.

### Conservation Acquisition Final Documentation Package (FDP)

1. **Appraisal** Submit an appraisal completed no earlier than twelve months prior to the date the property or easement (the "Resource") is to be acquired (closing date), by an appraiser licensed in the State of NH with at least two years' experience with property or easement appraisals and in accordance with the most recently updated Uniform Standards of Professional Appraisal Practices (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation.
2. **Recordable Survey** Submit an electronic copy of a recordable survey describing the Resource to be acquired and completed by a surveyor licensed in the State of NH in accordance with the NH Office of Licensure and Certification, Board of Land Surveyors Rules, Land 503.03-09 as may be amended or revised. The survey must include the method and accuracy of the survey, show monumentation at all turning points as "set" or "found", and document the existence of blazing (axe cut/paint, or paint only) through forested area unless otherwise documented in the Baseline Documentation Report or Property Conditions Report. LCHIP reserves the right to request a full-size paper copy of the survey.
3. **Title Examination** Submit a preliminary examination of title completed at least thirty days prior to acquisition by an attorney licensed to practice law in the State of NH. The title examination must be completed in accordance with the NH title examination standards of the NH Bar Association, as may be amended or revised and should be updated not more than five days prior to acquisition. Any issues that could constitute a cloud on title, or any unpaid mortgages, liens or other encumbrances that could

result in the extinguishment of the restrictions to be conveyed or undermine the resource values to be protected must be resolved to the satisfaction of the LCHIP executive director prior to acquisition.

4. **Title Insurance** Title insurance must be secured for all acquisition projects. Submit a valid title insurance commitment showing a policy amount at least equivalent to the LCHIP grant award, and listing the Recipient as the proposed insured.
5. **Baseline Documentation or Property Conditions Report** Submit a Baseline Documentation or Property Conditions Report (Report) documenting the condition of the Resource and the specific conservation or preservation attributes extant at the time the restrictions are conveyed. LCHIP will provide guidance documents describing the required Reports to Grant Recipients.
6. **Evaluation of Environmental Conditions** Prior to acquisition of a fee or easement interest, an evaluation of the Property's environmental conditions must be conducted to determine the existence or presence of any solid waste, hazardous or toxic contaminants or other pollutants.
  - **Phase 1** For acquisition of any property in fee, or acquisition of an easement Interest in any building or structure, or in property on which buildings or structures exist or are known to have existed, or acquisition of an easement Interest in property with known commercial or industrial uses, current or historic, a **Phase 1 Environmental Site Assessment ("Phase 1")** conforming to American Society for Testing Materials (ASTM) Designation E 1527 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment process" as may be amended or revised and prepared by an environmental professional as defined therein must be submitted.
  - **Environmental Review** For all other acquisition projects either a Phase 1 or an Environmental Review must be submitted. A Guidance Document outlining the required components of the Environmental Review will be provided to Grantees.

Any recognized environmental or other concerning conditions known by the parties to exist must be disclosed to LCHIP and resolved to the satisfaction of the LCHIP executive director, or a credible plan for remediation must be submitted to and approved by the LCHIP executive director, prior to the release of grant funds.

7. **Final Project Budget** Submit the final project budget using the MS excel "**Final Project Budget**" spreadsheet provided by LCHIP.
8. **Property Management Plan or Stewardship Policies**
  - **Property Management Plan** (Fee acquisitions) A plan addressing how property management and overall stewardship of the Property will be undertaken over the long-term must be submitted. The plan must be sufficient to guide future management activities and decisions. A Guidance Document describing the required components of the Property Management Plan will be provided to Recipients. The LCHIP executive director may accept a draft plan prior to acquisition subject to a requirement that the final plan be submitted with, or prior to, the initial annual monitoring report.
  - **Stewardship Policies** (Easement acquisitions) Documentation of the **stewarding entity's** easement enforcement program, including a detailed description of the annual monitoring and inspection process and written documentation of trespass, encroachment, and/or violation response procedures demonstrating the stewarding entities capacity to enforce the restrictions conveyed must be submitted to LCHIP. Land trusts accredited by the Land Trust Alliance are exempt from this requirement.
9. **Sign Order Form** Complete and submit LCHIP's project sign order form.
10. **Publicity** Embargoed press release announcing completion of project, with acknowledgment of LCHIP support, approved for distribution following closing.
11. **Land Trust Standards and Practices (the Standards) of the Land Trust Alliance** Submit documentation that the Recipient has reviewed the Standards, agrees that the Standards are appropriate ethical and technical guidelines for land conservation, and is committed to adopting the applicable standards as guiding principles for its land conservation operations. Acceptable documentation includes membership in or accreditation by the Land Trust Alliance, or documentation of a formal resolution.

**Questions? Contact LCHIP at (603) 224-4113**