
FALL RIVER RURAL ELECTRIC COOPERATIVE, INC.

GENERAL POLICY No. 405.2
SUBJECT: EASEMENTS – TRANSMISSION LINES

I. **PURPOSE:**

The Cooperative recognizes the individual property and land rights of members and that transmission lines, in order to be more trouble free and less costly, have to be built in as straight a line as possible. To make certain the transmission line will remain there as long as it is needed, property rights should be secured on all property to be crossed by the Cooperative.

II. **POLICY:**

The policy of the Cooperative is to secure easements or make a land purchase where necessary or by condemnation when necessary.

III. **RESPONSIBILITY:**

The CEO/General Manager is responsible for seeing that the provisions of this policy are carried out.

IV. **PROVISIONS:**

- A. The Cooperative will pay ½ of the fee value of land with a right-of-way easement, as determined by market values of lands. In addition, it will pay actual crop damage to the property owner.
- B. The Cooperative will purchase the land when necessary. If everything else fails, the Cooperative may condemn the property through court action. The easement will revert back to the property owner if and when a line is abandoned or retired. It is the same as a deed, as the Cooperative has control of the right-of-way for the rest of its life, as long as it is used for the purpose in for which it is given.

The Cooperative will not construct facilities on any piece of property until proper easement records have been received by, or are on file with the Cooperative.

Easements will be reviewed by the Cooperative's legal counsel and recorded in the appropriate county of record when an easement covers property on which the Cooperative has constructed, or plan to construct facilities.

The standard transmission easement form used by the Cooperative shall be the one prepared by the Cooperative's Attorney and approved by the Board of Directors.

V. **PRIMACY OF POLICY**

This policy supersedes any existing policy that may be in conflict with the provisions of this policy.

APPROVED BY THE BOARD OF DIRECTORS



Doug Schmier, President

DATE EFFECTIVE: August 27, 2001

DATE REVISED: September 28, 2015

June 17, 2019