

# CONSERVATION EASEMENT CHECK LIST

## I. RECORDING FORMAT REQUIREMENTS

- A. The top margin on the first page needs to be at least 2.5 inches. All other margins including exhibits need to be at least 0.5 inch.
- B. All pages must be between 8.5 x 11 inches or 8.5 x 14 inches and on paper at least as heavy as regular copy paper (20 lb).
- C. All text, including the legal descriptions in any attachment, must be at least 10-point font and must be legibly printed in black ink on white paper. It is okay to use blue ink for the signatures.

## II. OPENING GRANTING CLAUSE OF THE EASEMENT

- A. The date the easement is first created should match the date the easement is first executed and notarized.
- B. Grantor's mailing address must be included after Grantor's name.
- C. If Grantor is an organization: Grantor must designate if Grantor is a corporation, partnership, municipality, or limited liability company with the state name (i.e., a Michigan corporation) The Corporate Identification Number should be cited on the document
- D. If Grantor is an individual(s):
  1. All single male Grantors executing the easement must state their marital status as 'single' and acknowledge the statement of their marital status in the opening paragraph and in the notary's acknowledgement.
  2. Married Grantors must have both husband and wife sign the document and acknowledge their marital status in the opening paragraph and in the notary's acknowledgment.
  3. If Grantor requires power of attorney, documentation of power of attorney must be provided.
  4. If Grantor executes the document as Trustee of a Trust. Documentation must be provided that the person conveying the easement as a Trustee has the authority to convey land on behalf of the Trust.

## III. SIGNATURE BLOCK

- A. Grantor Signature(s) must be original.
- B. Grantor must be the property owner of the land to be placed under easement.
- C. Grantor's name(s) must be typed or printed beneath their signatures including middle initials if applicable.
- D. Title must be stated below signature if Grantor is signing on behalf of an organization.
- E. Grantor's name and title must be stated exactly the same in the opening granting clause paragraph, signature block, and in the notary's acknowledgment (check middle initials).
- F. If signing as an organization, Grantor must provide documentation that the conveyance has been signed by someone with the authority to convey the property on behalf of the organization.

## IV. NOTARY ACKNOWLEDGMENT

- A. Grantor's signature must be notarized. Notary signature must be an original.
- B. In addition to acknowledging the county where the Notary was 'Acting' in acknowledging the signatures, the Notary must also state the county where she or he holds her notary commission and the date of expiration of the notary commission.

- C. Notary must also state 'Acting in \_\_\_\_\_County' to identify the county where the document was executed and notarized.
- D. The name of the Notary Public whose signature appears on the document must be legibly printed, typewritten or stamped upon the instrument immediately beneath the signature of that Notary Public.

**V. OTHER**

- A. The name of the person who drafted the easement and the business address and title of such person must be stated in the document.
- B. Documentation of ownership (warranty deed) must be provided.
- C. Any other easements, rights-of-ways, restrictions, leases, or any other encumbrances that impact the easement area, must be declared.

**VI. EXHIBITS**

- Exhibit A: Legal description of the Grantor's entire property or a reference to the Liber and Page number of the recorded plat. Parcel identification number should be cited.
- Exhibit B: Legal description of the Easement Premises only. Legal Description must state the acreage of the easement.
- Exhibit C: A survey map depicting the Easement Premises. Included with the survey map; please include some recognizable landmarks such as nearby roads or other identifying features that will clearly depict the site.
- Exhibit D: A legal description and map that provides a path of legal access for ingress and egress to and from the site for Michigan Department of Environmental Quality (MDEQ) staff to use to access the site. If the easement is directly connected to a publicly accessible point, such as a public road, you may provide a statement authorizing MDEQ staff access to the easement from the identified road. A map must be provided as part of Exhibit C or D that clearly indicates the direct connection of the public road to the Easement Premises.

**VII. FEES**

- A. Proper fee is enclosed. A check or money order should be made out to the appropriate county register of deeds (county where the easement is located) and submitted with the easement to the MDEQ. The fee is \$14 for the first page and \$3 for each additional page or attached page per document for all counties except Wayne County.
- B. The fee for Wayne County is \$15 for the first page and \$3 for each additional page or attached page per document.

**Chart for Calculating Fees**

No. of Pages	Fee		No. of Pages	Fee		No. of Pages	Fee
1	\$14		6	\$29		11	\$44
2	\$17		7	\$32		12	\$47
3	\$20		8	\$35		13	\$50
4	\$23		9	\$38		14	\$53
5	\$26		10	\$41		15	\$56