

NOTE: The following Property Disclosure for State-Owned Properties must be completed and returned to the U.S. Army Corps of Engineers, Nashville District with all supporting documentation included after a public notice has been issued for the permit application, mitigation bank prospectus or in-lieu fee project proposal, or, if public notice is not required, upon receipt of a proposed detailed mitigation plan. The Property Disclosure for State-Owned Properties, including the documents referenced in it and any amendments thereto, must be attached as an exhibit to the final mitigation plan or mitigation banking instrument, as applicable. Any modifications to this template must be identified and explained using track changes or other electronic comparison. This template should not be construed or relied upon as legal advice or opinion on any specific facts or circumstances. (Template Version Date: March 27, 2018).

Property Disclosure for State-Owned Properties

This Property Disclosure is made as of this ____ day of _____, 20__, by the following State of Tennessee agencies (collectively the “State”):

1. Tennessee Department of General Services;
2. ***Insert name of agency responsible for managing the Property***, and
3. ***Insert name of agency responsible for managing the mitigation project (if different)***.

To its actual knowledge, the State of Tennessee is the sole owner in fee simple of approximately _____ acres of real property described in a deed of record with the _____ County, Tennessee Register of Deeds, Book _____, Page _____ [or *Instrument Number*] (“Property”).

The Property is the subject of [***choose one***: a permit application for the _____ Project ***or*** the _____ Project as an amendment to the _____ In-Lieu Fee (Stream/Wetland) Mitigation Program ***or*** the Mitigation Banking Instrument (“MBI”) for the _____ Bank]. In order for the [***insert if an in-lieu fee program or mitigation bank***: Interagency Review Team (“IRT”) chaired by the] Nashville District of the U.S. Army Corps of Engineers (“Corps”) to review the proposed mitigation project, the Corps requires submission of a summary of any recorded or unrecorded lien or encumbrance on, or interest in, the Property.

The State has no knowledge or notice, except as disclosed in the attached title search prepared by _____, dated _____, incorporated by reference in this Property Disclosure, of any outstanding mortgages, liens, encumbrances or other interests in the Property (including, without limitation, mineral interests).

The State has no knowledge or notice of any legal or other restrictions upon the use of the Property for conservation purposes, or affecting its Conservation Values, as described in the Notice of Land Use Restrictions, or any other matters that may

adversely affect title to the Property or interfere with the establishment of a mitigation project thereon.

Tennessee Department of General Services

By: _____

Name: _____

Title: _____

Date: _____

[Insert Agency Name Responsible for Managing the Property]

By: _____

Name: _____

Title: _____

Date: _____

[Insert Agency Name Responsible for Managing the Mitigation Project]

By: _____

Name: _____

Title: _____

Date: _____