

Maine Coast Heritage Trust staff uses this document in its land conservation efforts. It is designed for internal MCHT use and is provided here as a reference or guide. Each land trust has its own mission, priorities, and organizational characteristics that should direct how it does its work and what documents it uses. Please feel free to use the ideas, processes, and even specific text contained in this document, but be sure to tailor them for your organization. Land trusts should always consult a lawyer and exercise due diligence in cases of legal significance. MCHT does not guarantee or provide advice as to the tax consequences of any project or action.

MAINE COAST HERITAGE TRUST UTILITY EASEMENT AND BOUNDARY LINE AGREEMENT POLICY (APPROVED BY THE BOARD 11/15/2013, REVISION APPROVED BY THE BOARD 11/18/2016)

Maine Coast Heritage Trust holds substantial tracts of land that abut road frontage where utility poles and lines, as well as water lines, run along the road edge. From time to time, as these utility features need to be replaced, slightly new locations of poles or guy wires and anchors are required. Each time this happens, the utility company asks MCHT for a utility easement to allow them to legally install the new equipment. Likewise, on occasion, a neighbor needs to formalize or modify a private utility easement that runs across our preserve boundaries (water lines, above and below ground power lines, driveways, sewer lines). In addition, our easement parcels and preserves sometime require very minor boundary line agreements to settle uncertain lines. In order to facilitate this process, the MCHT President is authorized to approve and sign utility easements that (1) result in a *de minimis* intrusion onto MCHT lands, and (2) have *de minimis* financial impact, based on MCHT staff recommendations. When the utility company or neighbor request is for more intrusive rights, or such rights materially impact the value of the preserve, the request will be brought to the MCHT Board for approval. Likewise, MCHT's President is authorized to approve and sign boundary line agreements for an easement or preserve parcel, on behalf of MCHT, when (1) a *de minimis* boundary line agreement is necessary, and (2) there is only *de minimis* financial impact on the easement or preserve. If substantial land would be lost due to a boundary line agreement, or the changes result in a material reduction in the value of the easement or preserve, the request will be brought to the MCHT Board or Executive Committee for approval.