

Exhibit C

SAMPLE

U. S. DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION

CERTIFICATE AS TO PROJECT SITE, RIGHTS-OF-WAY, AND EASEMENTS

Part One
Certificate of Engineer

I, the undersigned Engineer, certify that I am familiar with the design of the

_____ (Name/Type of Facility)

being constructed by the

_____ (Name of Owner)

as part of EDA Project Number _____ and that all of such facilities will be constructed wholly within the land, leasehold interest and rights-of-way hereinafter described and existing public streets and roads. I further certify that the land, leasehold interest and rights-of-way being purchased as hereinafter described are sufficient but not in excess of actual needs for the Project as planned and approved by the Owner.

1. Fee Title or a long term leasehold interest is required for the following property (Project elements constructed above ground should be on land owned in Fee. Describe each tract, whether presently owned or to be acquired, and indicate what Project element is to be constructed thereon, i.e., tank site, pumping station, treatment plant, etc.; if more space is needed use additional sheets marked 'Exhibit A'):
2. The following easements and rights-of-way will be required for this Project (describe each easement and right-of-way, whether presently owned or to be acquired. Describe by courses and distances and by name of Owner, including area in acres; if more space is needed use additional sheets marked 'Exhibit B'):
3. The following state, railroad, highway or other permits will be required (describe location and name of permitter; if more space is needed use additional sheets marked 'Exhibit C'):

WITNESS MY HAND, this the _____ day of _____, 19____

Registered Professional Engineer

Telephone No. _____

Address

City

State

(TO BE COMPLETED BY ARCHITECT/ENGINEER AND FORWARDED TO OWNER'S ATTORNEY).

Part Two
Title Opinion

I, _____ Attorney-at-Law,

representing

(hereinafter the 'Owner') do hereby certify that:

1. I have examined the public record of _____ County, _____
State _____

from the period of _____, 19__ to _____, 19__ (which period of time should be at least 40 years). Based upon said examination, I find and am of the opinion that _____ is vested with marketable, fee simple title to the land referenced in Part One hereof as being required in fee, subject only to the following liens, encumbrances and objections(if none write 'None'):

Any encumbrances or objections to the fee simple title listed above will not, in my opinion, restrict or interfere with the contemplated construction, use or purpose of the aforesaid EDA Project.

2. This is to further certify that all easements or rights-of-way described in Part One as being needed for the noted Project have been acquired by the Owner, that all long term leases described in Part One as being needed for the noted Project have been entered into by the Owner, that I have examined the instruments creating the easements, rights-of-way, or long term leases described in Part One, and it is my opinion that said instruments are valid as to form and substance for the purposes intended and provide the Owner with sufficient interest to construct and maintain the Project facilities.

I certify that I have examined the public records for the purpose of ascertaining that said easements and/or rights-of-way have been obtained from the record owner(s).

3. The extent of said title examination, is sufficient for the purpose of establishing the validity of the title to said property and for the purpose of determining outstanding restrictions, liens, encumbrances, and ownership interests pertaining thereto.

4. All permits described in Part One as being needed for this Project have been obtained and I have examined all of said permits and am of the further opinion that said permits are valid as to form and substance for the purposes intended.

5. Remarks and Explanations:

Date _____ **Attorney-at-Law** _____

Telephone No. _____

Address _____

City _____

State _____

‡ It is the sole responsibility of the Recipient/Grantee of the EDA grant award to provide a legal opinion verifying that the Recipient/Grantee has good title to all property required for completion of the Project as defined by the grant award.

‡ A long term leasehold interest is acceptable only if held by the Recipient/Grantee of the EDA grant award for a period not less than the estimated useful life of the Project and only if lease provisions adequately safeguard EDA's interest in the Project.

‡ Only legal descriptions of the property described herein should be attached to this form.

‡ If this title opinion is based on a title insurance policy, any exceptions listed on the policy should be explained and resolved in #5 above.

‡ EDA relies on this title opinion and does not make independent findings regarding title to the property described herein.