

# INFORMATION ON RIGHT-OF-WAYS & EASEMENTS FOR LANDOWNERS UNDER THE CHC LINE

**Land owners on the Cardinal-Hickory Creek route:**

**You will be contacted by the developers. How you respond will affect the disposition of your land now and on into the future.**

*We strongly suggest you don't sign anything until you've consulted an attorney and/or land appraiser.*

## **Helpful Details**

- Driftless Area Land Conservancy (DALC), Wisconsin Wildlife Federation, Iowa County and others are appealing the decision of the Public Service Commission. If successful in the courts, this project will be stopped or postponed. Federal permitting and other processes are also continuing.
- Even as the appeals and other processes move forward at the Federal level, the developers – ITC, ATC and others – are contacting individual landowners to begin the easement-signing process.
- **You have rights** with respect to your land! **You Do Not Have to Sign** any documents as presented. It's strongly advised that you **consult with an attorney** regarding the contract and any other requests by the transmission company or their agents.
- The developers' agents will likely ply you with many misleading or partially false reasons to sign such as:
  - It's to the landowner's advantage and will be easier to sign early.
  - The neighbors are all signing up.
  - Bonuses are available for early signers. **Don't Take the Bait!** We strongly suggest you make no decisions until you've learned more through an attorney, land appraiser of other resources.

NOTE: In similar situations, some landowners have been awarded much more by a court than was offered by the transmission company.

"Rights-of-Ways and Easements for Electrical Facility Construction in Wisconsin" by the Wisconsin PSC

It contains more information about what an easement is and your rights. The document is not short, but it does have a table of contents that you can use to help navigate. Here are a few highlights:

- An easement between a transmission owner and a landowner is a legal contract that allows the transmission owner to build and maintain the power line. It sets forth the rights of the transmission company and the landowner with respect to the property.
- Any easement will run with the land and **impact future landowners**.

- In a typical negotiation, a transmission owner's agent presents a landowner with a draft easement and an estimate of the value of the Right of Way (ROW) it wants to purchase. The landowner has the right to negotiate both the terms and the amount to be paid.
- The landowner has the right to have his or her own appraisal made by a qualified appraiser. The reasonable cost of this appraisal must be reimbursed by the transmission owner if: (1) it is submitted to the utility within 60 days after receipt of the utility's appraisal; and (2) it meets the standards under Wisconsin law.
- There is nothing barring one landowner along a proposed transmission route from discussing easement concerns with other landowners before signing.
- Landowners have certain rights under the law that they **do not have to waive.** The document lists these. However, the transmission company may still ask you to waive these rights. Look for items that are crossed out or specified as "waived."

**Find the full text** here: <https://psc.wi.gov/Documents/Brochures/Right-of-Ways%20and%20Easements%20for%20Electric%20Facility%20Construction%20In%20Wisconsin.pdf>