

**WAC 222-23-030 Conveyance forms and procedure.** (1) **Conservation easement.** Conveyances of a conservation easement shall be through execution by the landowner and the department of a conservation easement in a form acceptable to the department and the landowner. The easement shall be perpetual and not for a term of years. The easement will include terms reasonably necessary and appropriate to the circumstances of the particular lands involved. Prior to closing, the landowner shall procure a preliminary title insurance report from a title company, provided that in the case of an easement being donated to the department, the department shall pay the cost of the report.

(2) **Description standards.** The description of the qualifying lands being conveyed shall be a legal land survey description unless the cost of securing the survey would be unreasonable in relation to the value of the lands conveyed. When the department determines a survey need not be performed, the description shall be in the form that can depict the location of the lands conveyed without relying on verbal evidence, or another form acceptable to the department.

(3) **Closing and recording.** Upon execution of the conveyance documents and other documents required for closing, the department shall pay any compensation owed to the landowner and record the conveyance documents. The department shall pay the recording fees. No compensating taxes under chapters 84.33 and 84.34 RCW shall be owed. Title insurance premiums and any real estate excise tax owed shall be paid by the landowner conveying the easement.

(4) **Internal department of natural resources procedure for review of decisions.** Certain decisions of the department pursuant to this chapter may be appealed to the supervisor of the department or his or her designee. Any person that wishes to appeal final written decisions of the department pertaining to the following procedural determinations: Application eligibility, application prioritization, easement valuation, and related decisions made may submit a request for review within thirty days after the date of the department's final written notice of procedural determination. The request for review must identify the issue being raised and provide any supporting documentation. The supervisor will issue a written response within thirty days. The supervisor's written response shall constitute the department's final decision.

[Statutory Authority: RCW 76.09.040. WSR 11-12-009, § 222-23-030, filed 5/20/11, effective 6/20/11. Statutory Authority: Chapter 34.05 RCW, RCW 76.09.040, [76.09.]050, [76.09.]370, 76.13.120(9). WSR 01-12-042, § 222-23-030, filed 5/30/01, effective 7/1/01.]