

SECTION 12

REAL ESTATE

12-1. General.

a. The district acquires the necessary real estate prior to awarding a contract. Property for construction is acquired by purchase, by lease, or by obtaining an easement. Acquisition through condemnation may be necessary if agreement cannot be otherwise reached. Temporary rights of entry are sometimes obtained to permit exploring and survey work prior to construction.

b. The policies and procedures to be followed in acquiring real estate are cited in ER 405-1-12, Real Estate Handbook.

12-2. Real Estate Responsibility.

a. The district keeps the resident engineer informed, in writing, of the scope and extent of real estate acquired for construction of a project. The resident engineer uses the consultation services and guidance of the district on real estate problems encountered, when necessary.

b. The resident engineer assumes responsibility for knowing the boundary of the Government-owned or leased property near the construction site and for assuring that there is no trespassing or use of any property which is outside the boundary of the construction site. If additional real estate is required for accomplishing the construction, the resident engineer immediately notifies the district and states the reasons and justifications. Requests for military real estate acquisition are initiated by the using service (AR 405-10, Acquisition of Real Property and Interests Therein).

12-3. Real Estate Disposal, and Use by Others.

The disposal of real estate and real estate components, both civil and military, will be in accordance with procedures in ER 405-1-12. Granting use of acquired real estate to others by lease, easement, license, or permit will be in accordance with procedures in the same pamphlet.