

Management System: Real Property Management**Subject Area: Acquisition of Real Property****Procedure: Acquiring Real Property by Fee Purchase****Issue Date and Revision Number:**
3/5/2015 0**Lead Subject Matter Expert:**
Matthew Reardon**Management System Owner:**
Bud Sokolovich**1.0 Applicability**

This procedure applies to any U.S. Department of Energy (DOE) Element that has identified a need to acquire real property by Fee under the purview of the Office of Environmental Management Consolidated Business Center (EMCBC).

DOE has the option to utilize the U.S. Army Corps of Engineers (Corps) (see *Memorandum of Understanding Between the U.S. Department of Energy and the U.S. Department of the Army*, and the *Amendment to the Memorandum of Understanding Between the U.S. Department of Energy and the U.S. Department of the Army*) for the acquisition of real property by the Corps on behalf of DOE. Final review and approval is the responsibility of the DOE. For detailed reference material, refer to the *DOE Real Property Desk Guide*.

2.0 Required Procedure

Step 1	<ul style="list-style-type: none"> a. The Program Office or the Site Office in conjunction with the EMCBC Certified Realty Specialist (CRS) determines if the acquisition of real property is mission essential. b. The CRS informs EM-3 of the proposed action.
Step 2	The CRS determines whether a Preliminary Real Estate Plan (PREP) is required (see <i>Real Property Desk Guide</i> , Chapter 5).
Step 3	The Program Office or the Site Office obtains appropriated funds to acquire the identified real property interest.

Step 4	The CRS proceeds with the property appraisal, survey, and title search.
Step 5	The CRS coordinates with the appropriate EMCBC offices to obtain the required National Environmental Policy Act (NEPA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and other environmental concurrences for the acquisition. Depending on NEPA, CERCLA and other environmental requirements, this step may take up to a year or longer .
Step 6	The CRS and the EMCBC Office of Chief Counsel, as appropriate, begin negotiations with the owner.
Step 7	The CRS in conjunction with the EMCBC Office of Chief Counsel prepares the acquisition package (i.e. negotiation summary, draft warranty deed, survey, appraisal, and title search) and submits the package to the U.S. Department of Justice (DOJ). The acquisition package must be prepared in accordance with DOJ's <i>A Procedural Guide for the Acquisition of Real Property by Governmental Agencies, Department of Justice</i> .
Step 8	After receipt from DOJ, the CRS and the EMCBC Chief Counsel resolves any comments identified by the DOJ.
Step 9	After receipt of concurrence from DOJ, the CRS approves and records the executed deed in the appropriate local governmental offices.
Step 10	The Facilities Information Management System (FIMS) Administrator will enter the information in the FIMS database.

3.0 References – Forms/Attachments/Exhibits

3.1 References:

- *Memorandum of Understanding Between the U.S. Department of Energy and the U.S. Department of the Army, and the Amendment to the Memorandum of Understanding Between the U.S. Department of Energy and the U.S. Department of the Army*) for the acquisition of real property by the Corps on behalf of DOE
- DOE Real Property Desk Guide, dated June 2014
- DOJ A DOJ A Procedural Guide for the Acquisition of Real Property by Government Agencies, dated 1972

4.0 Records Generated

Records generated through implementation of this procedure are identified as follows and are maintained by the Office of Technical Support and Asset Management in accordance with the EMCBC Organizational File Plan:

Records Category Code	Records Title	Responsible Organization	QA Classification (Lifetime, Non-Permanent, or Not Applicable)
ADM 03-01-A	Real Property Files – Original Executed Deed and Supporting Documentation	Office of Technical Support and Asset Management	N/A

EMCBC RECORD OF REVISION

DOCUMENT TITLE: Acquiring Real Property by Fee Purchase

If there are changes to the controlled document before the two-year review cycle, the revision number stays the same; one of the following will indicate the change:

I Placing a vertical black line in the left margin adjacent to sentence or paragraph that was revised; or

I Placing the words GENERAL REVISION at the beginning of the text. This statement is used when entire sections of the document are revised.

If changes and updates occur at the two-year review cycle, the revision number increases by one.

Rev. No.	Description of Changes	Revision on Pages	Date
0	Initial Document		3/5/2015