

# Real Estate Services

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## • Real Estate Contracting

Real Estate Contracting is involved when the Navy needs to:

- Acquire the real property ownership or use of land, buildings, or other structures;
- Dispose of the Navy's real property ownership or use of land, buildings, or other structures; or
- Manage the Navy's real property while allowing the temporary use of Navy's land, buildings, or other structures by others (either governmental or private interests)

Warranted Real Estate Contracting Officers within the performance of their official duties are the only contracting officers who may perform these contracting actions. Real Estate Contracting is performed in a competitive environment under specific authorities. A general description of the types of solicitations for Navy Real Estate contracts is contained in the section titled: "Award of Types of Real Estate Contracts".

To support Real Estate contracting actions, other service contracts are often required. These include physical land survey contracts, title (ownership) evidence contracts, and appraisal contracts. These are explained in the section below, titled: "Contracts for Services".

For more information regarding Real Estate contracts, please go to the Real Estate Business Line at <http://www.lantdiv.navfac.navy.mil>. On that Internet site, you can also find the Real Estate Director's welcome statement, more detailed Navy Real Estate information, and links to many associated Internet pages.

For more information on available contract solicitations for Real Estate, related services please connect to the NAVFAC Solicitations Page at <http://esol.navfac.navy.mil/>

## • Award of Types of Real Estate Contracts

Advertisement for available Navy property, or the pursuit of additional property for Navy use, is generally contracted through a competitive process via:

### • Request For Proposals

Requests proposals for the use of Navy property: published publicly, proposals are submitted to the Navy, evaluated, competitive range established, and award made on the basis of cost/price and other evaluated factors stated in the Request for Proposals.

### • Solicitation For Offers

Usually used when the Navy wants to obtain leased commercial/private space. Sent to prospective lessors, provides clear statement for Government's minimum requirements, identifies evaluation and award factors. Basis for award is normally lowest price, however, can also be based on value and/or quality factors stated in the solicitation.

### • Invitation For Bids

When the use of Navy property is easily quantified. Price is the only evaluation factor. Bids are publicly opened, evaluated without discussion; award is made to the highest priced bid for the use of the Navy's property to a responsive, responsible bidder.

- **Contracts for Services**

Real Estate contracting often requires contracted services to support the real estate contract. Real Estate contracting addresses the Navy's use of someone else's real property (in-grant); the use of Navy real property by someone else (out-grant); and, the acquisition and disposal of ownership interests in land and/or structures.

These related contracts could include physical survey (land boundary/topographic), title evidence and appraisal services. These related services are generally one of the following types:

- **Physical Land Boundary Survey Contracts**

Required for all acquisition and disposal documents that require title evidence and very specific descriptions of physical property boundaries. Also, frequently required when less than fee-simple, but significant interests, are being acquired or conveyed.

- a. Are not contracted directly by Real Estate: usually obtained from contractors holding open-end contracts (Refer to the Contractual Requirements and Design and Related Services sections of this document.)
- b. Scope of Work: There are specific narrative scopes of work for each project requiring a survey. This should be drafted in coordination with the Realty Specialist working the project.
- c. Minimum Standards for Land Survey Drawings and Legal Descriptions accompany each Scope of Work: (See pages 11-4 through 11-8)
  1. Must be done in accordance with the current minimum standards for ALTA/ACSM Land Title Surveys.
  2. Narrative Legal Descriptions are required.
  3. Monuments and State Plane coordinates must be identified.
  4. Surveyor responsible for incorporating locality requirements for recordation.
  5. Surveys are submitted to the Navy Real Estate Office for review.
- d. For specific requirements concerning Topographic Surveys, see the Civil Engineering Design Guide at [http://www.lantdiv.navy.mil/pls/lantdiv/url/page/C14\\_ENGINEERING\\_AND\\_DESIGN](http://www.lantdiv.navy.mil/pls/lantdiv/url/page/C14_ENGINEERING_AND_DESIGN).

- **Title Evidence Contracts**

Required for many types of acquisition projects (i.e. fee simple, easements). These may be done by Navy Counsel or are contracted directly by Real Estate in accordance with the U.S. Department Of Justice Title Standards.

- a. Award based on a Request for Proposals.
- b. Title Company or affiliated attorney must be registered on the Department Of Defense Central Contract Registry ( <http://www.ccr.gov> ) prior to contract award.

- **Appraisal Contracts**

Appraisals required for leases, licenses, easements, disposals, and acquisitions. Although many appraisals are performed in-house, the Navy Staff Appraiser will request contract appraisal services when it is considered to be in the best interests of the Government. Appraisers desiring to perform work for the Navy must submit, via mail, a Resume and Demonstration Appraisal to the attention of the "Senior Staff Appraiser."

- a. Contractor supplied, subject to the review/ approval of the Navy Staff Appraiser.
- b. Award based on a Request for Proposals.
- c. Must be registered on the Department of Defense Central Contractor Registry (<http://www.ccr.gov>).
- d. Must be State Certified within the State or Commonwealth where the appraisal assignment occurs.

**Minimum Standards  
for Land Survey Drawings and Legal Descriptions  
in LANTNAVFACENGCOM Real Estate Instruments  
1 FEB 96**

Land surveys for real property conveyance shall be done in accordance with the current version of the “Minimum Standard Detail Requirements and Classifications for ALTA/ACSM Land Title Surveys” as adopted by American Land Title Association and American Congress on Surveying and Mapping.

All land surveys shall be in *recordable format* suitable to the local jurisdiction and must utilize the state plane coordinate system when appropriate. The land survey is required to be performed at the Accuracy Classification indicated below (must check one):

Urban       Suburban       Rural       Mountain/Marshland

Listed below are specific items required for the land survey: as addition to, clarification of, or exceptions to the ALTA/ACSM and recordation requirements.

**DRAWINGS**

An entire parcel must be shown on one drawing sheet (if possible).

The word “parcel” means any areas included in the description which are contiguous and in identical ownership. The land will be deemed contiguous even though portions are separated by roads, railroad rights of way, streams, or other features. If there has been a severance of the surface and sub-surface of the land, determination of what constitutes a parcel shall be based on ownership of the surface.

Note that an entire parcel must be shown even if the Government is not acquiring, or disposing of, an interest in the whole. In most cases, only a portion of a parcel will be involved; both the whole parcel and the portion which is the subject of the real estate action must be clearly shown.

A. The entire area of a parcel (indicated in acres or square feet) must be shown on the drawing. The acreage (or square footage) of any portion of a parcel which is the subject of real estate action must be shown on the drawing. Where a portion of a property is severed, the remaining acreage of severed piece must be shown on the drawing.

B. The boundary line must show a “True Point Of Beginning” relating to the surveyor’s description as well as the actual “Point Of Beginning” for the remote point of

**Minimum Standards for Land Survey Drawings and Legal Descriptions in LANTNAVFACENGCOM Real Estate, continued**

beginning, if different. It will indicate state plane coordinates, and must be accurately annotated with all courses and distances. Curves must be described as precisely as possible, and must include a chord bearing and distance. The drawing's distances must match the narrative legal description, so that it is not necessary to add or subtract to verify the narrative.

**NARRATIVE LEGAL DESCRIPTIONS**

Drawings must be accompanied by a written narrative legal description of all pieces of property which are subject of the action. Whether the Navy is "but-granting" an interest in property or "in-granting" (acquiring) an interest in property, the standards for legal description are as follows:

A. The legal description must follow the drawing, and references to landmarks or monuments must be consistent. The drawing should have the exact numerals for each course distance cited in the legal description, so that it is not necessary to add or subtract distances to assure that the narrative description is consistent with the drawing.

B. The acreage total(s) (whole parcel, portion subject to real estate action, and remainder after severance) used in the narrative description must match the acreage total(s) on the drawings. The deed book, page number (reference to the public record) and place of recordation which is the source of the current ownership must be annotated on the drawing, and must be consistent with the reference in the narrative legal description ("being the same property..." or "being a portion of that same property...").

**OPTIONAL RESPONSIBILITIES AND SPECIFICATIONS**

If checked, the following optional items are to be included in the land survey in addition to the above requirements (Numbers 1-11 & 13 taken from Table "A" of "Minimum Standard Detail Requirements and Classifications for ALTA/ACSM Land Title Surveys", 1992):

1.  Monuments placed (or a reference monument or witness to the corner) at all major corners of the boundary of the property, unless already marked or referenced by an existing monument or witness to the corner.
2.  Vicinity map showing the property surveyed in reference to nearby highways(s) or major street intersections.
3.  Flood zone designation (with proper annotation based on Federal Flood Insurance Rate Maps or the state or local equivalent, by scaled map location and graphic plotting only.)

**Minimum Standards for Land Survey Drawings and Legal Descriptions in LANTNAVFACENGCOM Real Estate, continued**

4.  Land area as specified by LANTDIV.
5.  Contours and the datum of the elevations.
6.  Identify, and show if possible, setback, height and bulk restrictions of record or disclosed by applicable zoning or building codes (in addition to those recorded in subdivision maps). If none, so state.
7.  Location of buildings, including:
  - (a) Exterior dimensions of all buildings at ground level
  - (b) Square footage of:
    - (1) exterior footprint of all buildings, or gross floor area of all buildings, at ground level
    - (2) other areas to be defined by LANTDIV
  - (c) Height of all buildings above grade at a defined location.
8.  Substantial, visible improvements (in addition to buildings) such as sign, parking areas or structures, swimming pools, etc.
9.  Parking areas and, if striped, the striping and the type (e.g., handicapped, motorcycle, regular, etc.) and number of parking spaces.
10.  Indication of access to a public way such as curb cuts, driveways marked.
11.  Location of utilities serving or existing on the property as evidenced by on-site observation or as determined by records provided by LANTDIV, utility companies and other appropriate sources (with reference as to the source of information) (for example):
  - (a) railroad tracks and sidings:
  - (b) manholes, catch basins, valve vaults or other surface indications of subterranean uses;
  - (c) wires and cables (including their function) crossing the surveyed premises, all poles on or within ten feet of the surveyed premises, and the dimensions of all crosswires or overhangs affecting the surveyed premises; and

**Minimum Standards for Land Survey Drawings and Legal Descriptions in LANTNAVFACENGCOM Real Estate, continued**

- (d) utility company installations on the surveyed premises.
12.  In addition to a Reproducible Drawing, the Narrative and the Electronic Data required under the Land Survey Submittal section, the Final Drawing shall be provided on Compact Disk(s) in **AUTOCAD.DWG file format..** Deviations from this standard is to be coordinated with the LANTDIV Real Estate point of contact to ensure compatability with the Navy's conversion software. This specification is to comply with the Land Survey Submittal requirements indicated below.
13.  Significant observations not otherwise disclosed.

**RIGHT OF ENTRY**

- LANTDIV will retain responsibility for obtaining rights-of-entry, or
- The surveyor shall retain responsibility for obtaining rights-of-entry. Any questions from land owners regarding the purpose of the land survey should be directed to \_\_\_\_\_, or
- Right-of-entry requirement not applicable.

**LAND SURVEY SUBMITTAL**

In addition to the printed drawing and narrative, the course segments and narrative shall be provided in separate electronic text files capable of being imported into word processing software, such as Microsoft Word. Each straight course segment shall be expressed as a distance and bearing followed by a carriage return, and shall follow this format:

**d, n dd ^ mm ' ss ' e ĵ**

Each curved course segment shall be expressed as the chord distance, the chord bearing, the radius of curve, and the arc length, and shall follow this format:

**d, n dd ^ mm ' ss ' e ĵ**

**RADIUS=r ĵ**

**ARCLEN=a ĵ**

Where:

- d** = distance in feet  
**n** = north or **s** = south  
**dd** = degrees  
**mm** = minutes  
**ss** = seconds  
**e** = east or **w** = west  
**r** = radius  
**a** = arc length in feet  
**ĵ** = carriage return

**Minimum Standards for Land Survey Drawings and Legal Descriptions in LANTNAVFACENGCOM Real Estate, continued**

- Pre-final land survey drawings and narrative shall be submitted for Real Estate (Code 24) review within \_\_\_ days from notice to proceed. Code 24 review comments will be provided to the surveyor within \_\_\_ days. Final submittal of all items is due within \_\_\_ days thereafter.
- Pre-final submittals of drawings and narrative are not required. Final submittal of all items is due \_\_\_ days from notice to proceed.

Drawings/Narratives/Electronic Copies To Be

- | <u>Provided</u>                          |                             |
|--|-----------------------------|
| 1. Pre-final Land Survey (if applicable) | ___ Sets                    |
| 2. Final Land Survey<br>print)           | ___ Sets (& one 4 mil mylar |