



NOTICE TO LANDOWNERS

DO YOU OWN PROPERTY ON SWEPCO'S TRANSMISSION LINE ROUTE 109?*

- If so, a land agent for SWEPCO or one of its subsidiaries will soon ask you to sign or discuss a right-of-way agreement.
- This agreement, also known as an easement agreement, gives SWEPCO certain rights to your property.
- *Be careful!* Anything you say or write to the land agent, SWEPCO agents or employees can be used against you in any proceedings related to the easement agreement.

KNOW YOUR RIGHTS AND PROTECT YOUR INTERESTS: CONTACT AN EXPERIENCED EMINENT DOMAIN ATTORNEY *BEFORE* YOU NEGOTIATE WITH A LAND AGENT

- **Do not sign the easement agreement before your attorney has examined it;**
- **Discuss terms of the easement agreement with the land agent *only when your attorney is present.***

When you sign an easement agreement,

- You give SWEPCO *permanent, perpetual* use of your land for the transmission line or any other purpose described in the agreement;
- You relinquish your right to use that land for any purpose not specifically allowed in the agreement;
- You agree to abide by all the terms of the easement in return for the payment offered in the agreement;

There is no guarantee SWEPCO will offer you a fair price for your land. The offer may not consider:

- Market value of the easement
- Market value of improvements on your property
- Damages or losses to your remaining property
- Damages to your home-business
- Relocation expenses
- Compromised access or drainage issues created by the easement
- Your responsibilities to SWEPCO created by the easement

SWEPCO was given the right of eminent domain when the Arkansas Public Service Commission approved their project. If you and SWEPCO cannot agree on the terms of their easement agreement, SWEPCO will file a condemnation proceeding in circuit court. A jury will then decide how much SWEPCO should pay you. In a recent case in Benton County, Arkansas, the jury awarded the landowner *more than twice* the amount offered by SWEPCO.

***Beware!* If you do decide to enter into an agreement with a land agent without benefit of legal counsel,**

- Unscrupulous land agents have been known to change non-signature pages of agreements;
- To protect yourself, initial and date every page of the agreement and insist that the land agent do likewise;
- For good measure, you should file the agreement in your county's real property records

* SWEPCO Routes 109 and 33 follow the same path and traverse the same properties in eastern Benton County and Carroll County, Arkansas.

SWEPCO has been planning this project since 2007 but did not notify landowners until April of 2013.

Don't assume SWEPCO will deal with you now in good faith.