

To landowners on the proposed TGP/KM Northeast Energy Direct Pipeline route:

We urge you to deny the Tennessee Gas Pipeline Company/Kinder Morgan permission to survey your land:

- 1) TGP wants access to your land to gather information it needs to go forward with the project.
- 2) Allowing permission to survey does not strengthen your bargaining position.
- 3) Denying permission to survey is not the same as refusing to negotiate an easement (discussed below).
- 4) Even though you may have already given permission to survey, you can take it back (sample letters are available).
- 5) If pipeline company surveyors trespass on your property anyway, or harass your family, get their names and license plate numbers and then report the trespass immediately to the local and state police.

We urge you to refuse to negotiate – to say NO to the pipeline company. TGP/Kinder Morgan:

- 1) Does not want you to know that if many of us refuse to allow access or sign an easement agreement, it may become an issue in the FERC proceeding considering the merits of the pipeline proposal.
- 2) Does not want to be sued because it took your property without just compensation.
- 3) Does not care about your loss of property value, the increase in your liability and the impairment of your ability to get a mortgage or possibly even refinance.
- 4) Does not want you to know that it costs them a lot of money to use eminent domain to force their way onto your land.
- 5) Does not want you to know that anything it says to you is not enforceable in court.

Foreseeable consequences of signing an easement agreement with TGP/Kinder Morgan now:

- 1) You may have significant and continuing extra liability insurance expense. Ask your insurance agent.
- 2) You will be entering into a business relationship with unknown future liabilities from operation of part of a commercial enterprise on your property.
- 3) You may limit your right to sue the company for damages.
- 4) You may have difficulty obtaining a mortgage with a natural gas pipeline on your land.
- 5) Your ability to sell your property may be impaired because future buyers may not be able to secure a mortgage with a pipeline on your property and the gas pipeline's presence may reduce the market of potential buyers for your property.
- 6) You will forego your opportunity to voluntarily negotiate an agreement much later in the approval process and more reasonably assess the fair market value of your land.

If you refuse to negotiate and do not voluntarily give TGP an easement and compel it ultimately to use eminent domain:

- 1) You may still negotiate an agreement as part of the eminent domain process.
- 2) You will still be paid for the easement, most likely at the same or greater value than the pipeline company offers you voluntarily.
- 3) Your insurance expense and ability to mortgage and sell your property may still be adversely affected.

Please – Deny Permission to Survey– Refuse to Negotiate – Just Say NO!

If you consider signing anything, consult an attorney specializing in eminent domain. This is not legal advice.

This handout is offered by concerned residents and affected landowners.

It is based on a handout from New York residents fighting a proposed pipeline through that state.