

# Section 11

## Easements

### A. General

1. Easements shall be required for all sanitary sewerage facilities intended for dedication to the Authority that are constructed outside the limits of a public street right-of-way. This would include sanitary sewerage facilities installed within a private street. In addition, easements may be required for sewerage facilities constructed within a public street right-of-way if the existing right-of-way does not provide sufficient room for access or maintenance of the sewer line.
2. Easements shall be a minimum of 20 feet wide and shall be, in general, centered over the sanitary sewerage facilities unless otherwise approved by the Authority. Additional easement width may be required by the Authority on a case-by-case basis.
3. The Authority shall only approve the use of a combined utility easement when it is proven that no other reasonable alternative to the proposed layout exists. A combined utility easement shall be a minimum of 30 feet wide, with the sanitary sewer being located a distance of 10 feet from the edge of the easement and 10 feet from all other utilities located within the utility easement, thus adequately meeting the sewer/water separation distance requirement.
4. The Authority and its agents, contractors or employees shall have free ingress, egress and regress over and through the easement at all times and seasons in order to maintain, reconstruct, enlarge, repair, inspect, remove or relocate any sanitary sewer main or mains, manholes, connection fittings or other appurtenances.
5. No building, fence, lighting fixture, pond, swimming pool, driveway, parking lot or other permanent structure shall be erected or located within the sewer easement. No vehicles, campers, trailers, boats or other large equipment or facilities shall be stored within the easement on a long-term basis. No trees, shrubbery or bushes shall be planted within the boundaries of the easement.
6. Property owners shall not be due compensation from the Authority for damage to permanent structures or loss of trees, shrubbery or bushes resulting from work performed by the Authority and its agents, contractors or employees that occurs to such items that are placed within the easement following execution of an easement agreement.
7. Property owners shall not alter the grade or construct landscaping features within the easement that would impair access by the Authority.

## **B. Developer Project Requirements**

1. Individual plot plans and legal descriptions shall be provided for all easements.
  - a. When an easement crossing multiple parcels is proposed by a Developer, a single plot plan (at a legible scale) and legal description shall be acceptable only if the Developer owns all parcels impacted by the easement at the time when the easement is offered for dedication. Otherwise, individual plot plans and legal description shall be required for all parcels containing a portion of the easement.
  - b. The Developer shall be responsible for securing all easements from private property owners when facilities are constructed across private property to serve the Developer's property. Those easements shall be assigned to the Authority following review and approval of as-built plans and prior to dedication of the newly constructed sanitary sewerage facilities.
  - c. The Developer shall provide evidence that proposed sewer easements are incorporated into the deeds for individual properties within the development.
2. Dedication of easements shall occur following review and approval of as-built plans and prior to dedication of the newly constructed sanitary sewerage facilities.

END OF SECTION