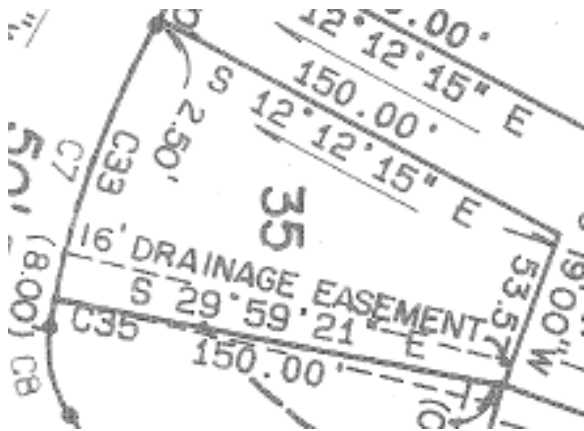


What impact does an easement have on my property?

Easements may be legally complex and require careful review. Before building on or purchasing property, check to see if there are any easements on the parcel. Often, the property owner is legally bound under the specific terms of the easement to general maintenance of the easement (as with SWM\BMP easements). Owners on whose property drainage and utility easements exist are bound by City Code to keep the easement free of debris or obstructions that would prevent access or maintenance. **Chapter § 121-1** of Colonial Heights City Code states:

*In order to maintain a free and unobstructed flow of surface water, every surface water drainage easement shall be unobstructed at all times by landowners. Any obstruction...found to be in violation of this section, shall constitute a public nuisance, subject to abatement by the City **at the expense of the landowner responsible for such obstruction.***



Typical 16 foot easement recorded on Lot #35

For Further Information -

Colonial Heights Circuit Court

804.524.9364

Mon - Fri 8:00am to 4:30pm

Colonial Heights Department of Public Works

804.520.9334

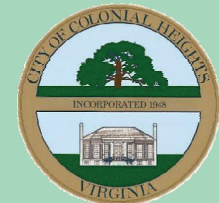
www.colonial-heights.com/PublicWorks.htm



Easements



**CITY OF COLONIAL HEIGHTS
DEPARTMENT OF PUBLIC WORKS
201 JAMES AVENUE
COLONIAL HEIGHTS, VIRGINIA 23834
(804) 520-9334**



What is an Easement?

What is an easement?

An easement is an interest in real property that conveys use, but not ownership, of a portion of an owner's property. Easements may be permitted for a specific portion of the property for many varied purposes. Governments, municipalities, and public utilities regularly use easements to establish access, restrictions, and rights to property. In short, an easement allows someone the right to use your property. They take the form of a legally binding agreement, usually designating a length and width of the area to be used and the designated uses.

When are easements used?

There are many different types of easements. Depending on the type of property, the needs of public or private access to features or structures, or the intended land use, an easement may be used when the landowners' rights require clarification and legal contracts are necessary between public and private parties.

Easements may be conveyed either permanently or for a limited period of time. They are used for public access to landlocked parcels, water drainage and public utility access. Other easements may permit restrictions of property along roadways or to comply with laws and ordinances.

Common Types of Easements

Public utilities will often maintain an easement to provide public services to the community. They may include, but are not limited to, such underground utilities as water and sewer lines. Easements can be provided for access above, below, or on the surface of the property. Common easements include:

Utility Easements

Utility easements are generally the most common type of easement. They are utilized to allow public utilities and utility companies an ability to access the infrastructure located underground. The sanitary and storm sewer conveyances are interwoven at varied locations in the City and cross large portions of it. As such, portions of these systems are located below the ground level of many of the parcels within the City.

Stormwater Management Easements

Commercial development is typically required to treat stormwater runoff with retention ponds and similar structures. These structures and the property within this area is generally designated as a Storm Water Management\Best Management Practice (SWM\BMP) easement in order to protect the function of the structure. Property owners are required to maintain the structures on a regular basis and keep the easements unobstructed at all times.

Utility Easements for Drainage

These are one of the most common type of utility easements found in Colonial Heights. A drainage easement may be recorded for underground piping, storm sewer outfalls or open drainage ditches. Drainage easements are typically sized with a width adequate enough to allow vehicles or machinery access to the area should work or maintenance be required.

Most recorded easements have no visible features, so property owners are often unaware that an easement exists on their property. If your property has any obvious drainage ditches on it, any storm drain curb inlets in front of it, or storm sewer outfalls adjacent to it its likely that an easement exists on your property. Recorded easements are on record at the Courthouse, and the Department of Public Works, Engineering Division, may have documents to determine if your property has any easements on it.



Outfall in a wooded, rear corner of a lot. In such cases, easements are likely recorded on the property and may not be known to the property owner.