



## FAQs ABOUT EASEMENTS

### 1. WHAT IS AN EASEMENT?

An easement is a right to use a portion of someone else's property for a designated purpose, while the property owner retains ownership of the property. That portion of the property is referred to as the "easement area" or simply the "easement". The nature of WSA's business – water, and wastewater services, often requires the acquisition of easements in order to provide new service or to maintain established service.

### 2. WHAT ARE WATER AND SEWER EASEMENTS?

**Water line** – Water lines are mostly constructed in the road right-of-way which does not require any formal easement acquisition. In cases where an easement is required, they are usually 20 feet wide.

**Sewer line** – About one-third of WSA's sewers are in the right-of-way of public streets. The other two-thirds are in easements in off-street areas. Sewer easements are usually 20 feet wide.

**Force main**- These easements are used for installation of a pipe which carries sewage from a pumping station to its destination which may be a treatment plant or a higher point in the sewage system. Force main easements are usually 20 feet wide.

### 3. WHY IS IT IMPORTANT FOR ME TO KNOW ABOUT EASEMENTS?

WSA periodically clears easement areas to make sure there is ease of accessibility when sewer line maintenance or repairs are required or when growing roots cause a wastewater overflow emergency. Having an easement on your property means you are required to follow certain rules for maintaining them in accordance with WSA standards.

### 4. WHAT DOES AN EASEMENT GIVE WSA THE RIGHT TO DO?

An easement allows WSA to enter the easement area for the following purposes: to clean and maintain the easement area and access, maintain, repair, inspect, improve, renovate and replace facilities including pipes and manholes.

### 5. WHY DOES WSA CLEAR ITS EASEMENTS?

WSA has several crews which work full time to inspect, mow, trim, and perform other clearing work in easement areas in order to:

- provide quick access to the infrastructure in the event of an emergency, which in some cases could cause environmental damage;
- ensure that we have safe, practical access when other repairs, maintenance, inspections, renovations, replacements, etc. are needed;
- prevent tree and shrub roots from entering cracks and joints in sewer lines because they can grow into a dense mass which will block the flow and cause an overflow from a manhole or possibly inside a residence; and

- comply with the Georgia Environmental Protection Division (EPD) regulations.

## **6. HOW CAN I FIND OUT IF A WSA EASEMENT IS ON MY LAND?**

We recommend you check the records you received when you purchased your property to see if any easements are located on your property. Easements are recorded in the County records, along with a document called a “plat” showing the boundary of easement(s). You often receive a copy of the plat of your property at closing. Some easements arise because a structure has been in place for an extended period of time (prescriptive easements), even though there is no recorded document.

## **7. HOW WIDE ARE EASEMENTS AND WHERE ARE THEY LOCATED?**

- WSA easements are normally 20 feet wide.
- In many cases, an easement goes along the rear or side boundary of two properties so that each of the two adjacent lots has an easement area 10 feet wide. Pipes and manholes are usually in the approximate center of an easement.
- Most sewers and drainage systems in our community operate with the simple force of gravity. Therefore, many easements are in, near, or across low-lying areas such as streams, creeks and ravines.

## **8. ARE ANY TYPES OF PLANTINGS ALLOWED IN A WSA EASEMENT?**

Low lying plants and shrubbery with shallow root systems and grass are acceptable for planting in most easements. Trees are not acceptable and will be removed if discovered during inspections or in the event of an emergency. Nothing other than grass should be planted within 10 feet of a manhole. Because WSA does not replace plantings or other improvements in an easement area, it is recommended that you keep the cost of plantings in mind.

## **9. ARE FENCES ALLOWED IN EASEMENT AREAS?**

We normally do not allow fences on our easement areas because they can affect our access, especially in an emergency backup or overflow situation. Fences should be installed outside of an easement area. If this is not possible, then we require a minimum 10’ gate be installed where the easement area enters and leaves your property or fenced in an area so that our crews can have unhindered access to the easement.

If a fence is discovered across a WSA easement area during our sewer inspections, the property owner will be notified and given an opportunity to either remove the fence or to put in a gate to allow access. If the property owner chooses not to do either, the fence will be removed as needed by our crews and will not be reinstalled. In an emergency situation, fences blocking access may be removed without notification and will not be reinstalled by WSA.

## **10. ARE STRUCTURES SUCH AS OUT BUILDINGS, DECKS, POOLS, ETC. ALLOWED IN AN EASEMENT AREA?**

No structures are allowed in easement areas because they can affect our access, especially in an emergency backup or overflow situation. If a structure is discovered across a WSA easement area during our inspections, the property owner will be notified and given an opportunity to remove the structure to allow access. If the property owner chooses not to remove the structure, then it will be removed as needed by our

crews and will not be reinstalled. In an emergency situation, structures blocking access may be removed without notification and will not be reinstalled by WSA.

**11. DOES AN EASEMENT DEVALUE MY HOME?**

Easements typically have very little impact on property value.

**12. WILL MY PROPERTY BE RESTORED TO ITS PREVIOUS CONDITION?**

Your property will be restored to its previous condition (or as close as possible) excluding mature trees and large and expensive plantings.

**13. ARE SOME WATER MAINS IN OFF-STREET EASEMENT AREAS?**

Most water mains are in a public street right-of-way. However, some are in off-street easement areas, and WSA clears water main easement areas for the same basic reasons as for sewer easements, and all sewer easement rules apply for water main easements.