

PROCEDURE 7  
EASEMENTS FOR ECUA UTILITIES

PURPOSE

This procedure establishes the process for acceptance of an easement by the ECUA.

I. GENERAL

- A. An easement is required for any water, sewer, or gas line which is not located in a public right-of-way, when said line is to be owned and maintained by the ECUA.
- B. Easements may be conveyed to the ECUA by either of the following methods.
  - 1. Recorded Plat
  - 2. Utility Easement Form
- C. ECUA may assist the developer in obtaining third-party easement(s) for secondary feed lines, by use of its governmental authority as provided by the Florida Statutes. Payment for acquisition of said easement(s) shall be the sole responsibility of the developer where the easement(s) is of primary benefit to the proposed development.

II. NEW CONSTRUCTION

- A. When reviewing the construction documents for new construction, the ECUA Engineering Department will notify the Engineer-of-Record which lines will require an easement granted to the ECUA.
- B. Upon completion of construction, no lines will be accepted by the ECUA until receipt of an easement approvable by ECUA's legal counsel or a copy of the recorded plat.
- C. Recorded Plat
  - 1. When a recorded plat is used to convey the easement, the Engineer-of-Record may request in writing the ECUA to accept the lines subject to the plat recording at the completion of all other City/County required improvements.
  - 2. ECUA will tentatively accept the lines subject to:
    - a. Recorded plat to be submitted within a specified

time, but not to exceed 3 months of date of acceptance.

- b. ECUA's approval of easement as shown on plat (a preliminary copy may be submitted to the ECUA Engineering Department prior to recording for approval).
  - c. Service connections to lines may be made but no service accounts will be accepted by the ECUA.
3. If recorded plat is not received within specified time, the ECUA will notify the Engineer-of-Record that the lines are not accepted by the ECUA for maintenance and that no further service connection will be allowed.
  4. The easement shall be clearly denoted on plat in relation to established benchmark or to the line itself.

#### D. Utility Easement Form

1. When a Utility Easement Form is used, it must be submitted to the ECUA Engineering Department for review.
2. The ECUA Engineering Department will forward copy to ECUA's legal counsel for review and approval.
3. The Utility Easement Form will be returned to the Engineer-of-Record for correction and/or revisions as determined by review and recording at County Courthouse.
4. Upon recording of easement, a copy will be returned to the ECUA before the line will be accepted.

### III. ABANDONMENT OF PUBLIC RIGHT-OF-WAY

- A. Utility Easement Form shall be used where a line is located in a public right-of-way which is to be abandoned.
- B. The form must be approved by the ECUA and its legal counsel prior to the ECUA approving the abandonment.
- C. The Utility Easement Form shall be recorded at the same time the abandonment is recorded at the Escambia County Courthouse.

## IV. PHYSICAL REQUIREMENTS

## A. Width

1. Where adjacent to a public right-of-way, a minimum width of 10 feet is required.
2. When not adjacent to a public right-of-way, a minimum width of 20 feet is required.

## B. Easements shall be continuously between:

1. Right-of-way to right-of-way,
2. Right-of-way to easement, or
3. Easement to easement.

## C. Easements should minimize corners, curves and other irregularities.

## D. The ECUA may require additional area where maintenance of line or structures dictate.

## V. STANDARD "UTILITY EASEMENT" FORM

## A. All easements shall be on standard form.

## B. The standard form consists of:

1. Information Sheet (1 page)
  - a. Address of Property
  - b. Type of Ownership
  - c. Name of Owner
  - d. Address of Owner
2. Easement (2 pages)
3. Signature and Seal (1 page)

## C. Signature Sheet - use appropriate page based on type of ownership.

## 1. Individuals

- a. If married, both husband and wife must execute.
- b. Signatures must be notarized.

## 2. Corporations

- a. Must be signed by the president or chief executive officer, or

- b. The easement must be accompanied by a resolution showing the authority of said officer to sign the easement on behalf of the corporation.
  - c. Include the corporate seal or signature of two witnesses.
  - d. Officer's signature must be notarized.
3. General Partnership
- a. Must be signed by a general partner.
  - b. Must be signed by two witnesses.
  - c. General partner's signature must be notarized.
4. Limited Partnership
- a. Must be signed by general partner.
  - b. Must be signed by two witnesses.
  - c. General partner's signature must be notarized.