

**Storm Water Division**  
**Operating Policies**  
 Routine Maintenance (RoM)



<b>Policy No.:</b> RoM-3	<b>Page</b> <u>  1  </u> <b>of</b> <u>  1  </u>
<b>Subject:</b> Easements	<b>Effective Date:</b> 10-1-02
<b>Applies To:</b> All Stormwater Projects	<input type="checkbox"/> <b>New Issue</b> <input checked="" type="checkbox"/> <b>Partial Revision</b> <input type="checkbox"/> <b>Complete Revision</b>
<b>Purpose:</b>	To define the necessity for easements, the process to obtain easements, and the project consequences when easements are not obtained.
<b>Policy:</b>	<p>Stormwater projects will be constructed within an easement dedicated for such purpose or within the public right-of-way except as noted:</p> <ol style="list-style-type: none"> <li>1. Projects may be performed without specific easements when the projects involve the removal of trees and/or debris from conveyance systems.</li> <li>2. Projects may be performed without specific easements where conditions exist that, in the opinion of the Assistant Director Stormwater Division, constitute an emergency.</li> </ol> <p>Easements will be donated by property owners prior to disturbance of the property within the easement and all easements will be permanent. The Stormwater Division will not purchase easements for the purpose of constructing stormwater projects.</p> <p>When an owner refuses to donate an easement, the project will be placed on hold indefinitely until the easement is donated, the site conditions change thereby eliminating the need for the project, or the easement has been acquired through condemnation.</p> <p>Easements will only be acquired through condemnation where, in the judgment of the Assistant Director Stormwater Division, the project benefits to other property owners would be negated without the easement acquisition and the proposed construction would occur within the easement.</p>
<b>Revision No.:</b> 1	<b>Issued By:</b>
<b>Revision Date:</b> 10-15-07	