



EASEMENT CHECKLIST

- Is the entity requesting the easement a governmental entity or other entity with the power of eminent domain?**
 - If “Yes,” then understand that your negotiating power may be limited.
- Has the district had any experience with this entity?**
 - Many times the parties will agree to the same terms as prior easements.
- What is the purpose of the easement?**
 - **Water Line**
 - What is the required size for the amount of water being transported?
 - Does any portion of the line or appurtenances need to be above ground?
 - If not, negotiate for lines and facilities to be solely under the ground
 - **Wastewater Line**
 - Are appurtenances and/or other facilities required in this area (grinder pumps, etc.)?
 - If not, negotiate for only a pipeline, and make sure the easement is titled a “pipeline easement”.
 - **Electric Lines**
 - Maximum power to be carried by the lines
 - Maximum number of lines, towers, guy lines, etc.
 - Consider setting out exactly how the guy lines will run.
 - **Access Easement**
 - What is the time period during which access is needed?
 - If it is relatively short, use a license agreement.
 - If it is a temporary easement, be sure to require the grantee, after the easement has terminated, to file a document in the real property records acknowledging that the easement is terminated.
- What is the fair value to the district of allowing this easement?**
 - Be sure to get paid for the easement!
- Ingress and Egress (or “Access”)**
 - This is an area fraught with difficulty. ALWAYS consult your attorney before granting any type of access easement