

CARMICHAEL WATER DISTRICT

REGULATION TITLE: **Easement Rights**

REGULATION NUMBER: **4050**

4050.10 Carmichael Water District (the District) may obtain utility easements in order to provide service to its customers. Without an easement, the District would not be able to guarantee provision of services. Having an easement gives the District the right to use the land, but the District does not own it.

4050.20 **RIGHTS OF WAY:** Property owners will provide to the District, at no cost to the District and in a form acceptable to the District Engineer [General Manager, Consulting Engineer, Legal Counsel, etc.], appropriate easements and rights of way for the maintenance, repair, and replacement of all [service(s) provided] system facilities not within existing public rights of way, public utility easements, and/or [service(s) provided; e.g., sewer] easements.

4050.30 Subdivision of properties typically requires documentation that specifically provides for utility easements, including water (essential services) service pipelines and related improvements across or under the various parcel(s). In absence of any formal documentation the District still has express, prescriptive or implied easement to maintain the water service pipelines and improvements.

4050.40 The District has easement rights with respect to parcels under which the District has water lines.

4050.41 The right to enter the parcels in order to maintain and repair or replace the service improvements using reasonable care for the property owner's land and improvements.

4050.42 If the property owner has placed improvements or landscaping on his/her property that materially impede the District's ability to maintain or repair/replace the lines, the District has the right to require that the improvements or landscaping be removed or altered so as to make the water lines accessible.