

DETERMINING PERMANENT EASEMENTS

Permanent easements are used where perpetual maintenance is required, such as slope easements as recommended by the District Engineer/Administrator or where fee right of way is impractical, such as behind retaining walls, sound walls or* for ditches or pipes extending beyond the project limits. In these instances, the permanent easement is to generally parallel the item in question, clearing the construction limits by approximately 5 feet or a sufficient width for the required maintenance necessary.

The permanent easement lines are tied to the proposed right of way line and at necessary points around the periphery of the item in question, allowing adequate space for construction activity.

The permanent easement lines are to be dot-dashed lines. A [note](#) is to be shown, in a conspicuous location on each applicable plan sheet, as follows:

The exact usage of the easement needs to be specified at each location, such as "Prop. Permanent Easement for Installation and Maintenance of Prop. Drainage Structure" or "Prop. Permanent Easement for Construction and Maintenance of Prop. Drain Ditch." If space is not available in the area of the easement, label the easement "Proposed Permanent Easement" with an asterisk (or similar notation) and show a note detailing the exact usage of the easement at another location on the sheet. Highway aerial easements are to be shown similar to the drainage easements and labeled "Proposed Aerial Easement for Bridge" and, if necessary, asterisks (or similar notations) are to be shown on all applicable easement breaks to distinguish the easement from other easements in the area.

In cases where permanent and temporary easement requirements overlap, the permanent easement takes precedence over the temporary easement; therefore, a temporary easement is to be tied into the permanent easement, not run through it. In some cases, a temporary construction easement will be necessary to generally run parallel to the permanent easement to provide adequate working and storage space. Where this is necessary, the temporary construction easement shall be shown, in its entirety, as the previously mentioned temporary slope easements and labeled "Prop. Temporary Slope Easement".

* Rev. 7/18