



CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL

POLICY 11.10
EASEMENT APPLICATION PROCESS

Adoption Date:	3/11/2013	Adopted by:	City Council Resolution No. 2013-07
Revised Date:	6/9/2014 3/11/2019	Revised by:	City Council Resolution No. 2014-20 City Council Resolution No. 2019-04
Authority:	City Council		

Obtaining an easement requires the assistance of a licensed Land Surveyor. In the case of a drainage easement, the City will also require a drainage plan which must be designed by a Civil Engineer. Some firms are licensed for both civil and survey work, or have a relationship with another firm allowing them to provide both services. It may be advisable to work with one of these firms. Preparation and related costs are the applicant’s responsibility.

In addition to the standard plan submittal process, the following is an outline of the necessary steps for obtaining an easement:

1. The applicant needs to hire a surveyor and have them prepare a topographic map. This map should show the parcels where the proposed improvements will be located and where the easement(s) will be needed. (If the easement is not for drainage purposes, skip to Item 3.)
2. The applicant needs to hire a Civil Engineer and have them prepare a drainage plan. The plan should show all current surface and underground drainage, and should also show all proposed drainage improvements, along with hydrologic and hydraulic calculations. Depending on the drainage being improved, this will likely also incorporate the topographic survey as part of the information needed to complete the plan. This plan should also show the parcels where the proposed improvements will be located and where the easement(s) will be needed.
3. The applicant should then submit the plan to the City for preliminary review.
4. After the City’s preliminary review is complete, the applicant should take the plan and meet with the owners of any adjacent parcels where the easement is needed and get their preliminary approval for the proposed improvements and easement. The surveyor should be able to provide ownership information for the related parcels.
5. After all of the interested parties agree on the preliminary improvement design and alignment for the easement, the applicant should again employ the services of a surveyor to create/provide the required easement documents. These documents should include the following:

- a. A Title Report for each parcel involved, which will identify any conflicts with other easements or ownership.
 - b. A legal description for the easement (a separate one for each parcel that the easement crosses).
 - c. A plat (map) illustrating the legal description.
 - d. An easement deed with recital that indicates that the easement will be extinguished if the improvements are no longer in use. [See Appendix 11.10-A, “Specimen Easement Agreement.”]
 - e. Depending on the quality and number of survey monuments the surveyor finds in the area, a Record of Survey may be needed for the surveyor to accurately tie the easement to the property lines and define the easement location.
6. Submit all of these documents to the City for review and approval. The City will need to sign off on the improvements and easement.
7. Once all the documents are correct and approved, the following will be done:
- a. For easements being granted by the City over City property, the City will prepare a resolution for the City Council to grant the easement. Once approved by the Council, the documents will be recorded. After being recorded, the easement will be official and the applicant can begin construction of the improvements through the easement.
 - b. For easements being granted by a private property owner to the City, the City will prepare an agreement and certificate of acceptance. The City Manager or City Engineer will accept the easement. [See Policy 11.9, “Acceptance of Grant Deeds.”]
 The pages which must be included in the document presented for recording are as follows:
 - Cover sheet for recording
 - Agreement (City seal beside City Manager signature)
 - Exhibits to agreement (if any)
 - Certificate of Acceptance (by City Manager – no seal)
 - Acknowledgement of Certificate of Acceptance
 - Acknowledgement of agreement signatures of Grantors
 After being recorded, the easement will be official.
 - c. If a Grant Deed of Easement is also prepared, it is recorded separately, with the following pages:
 - Grant Deed of Easement and 2-3 attachments.
 - Legal description (photocopy okay).
 - Plat.
 - Easement Agreement (optional; photocopy okay).