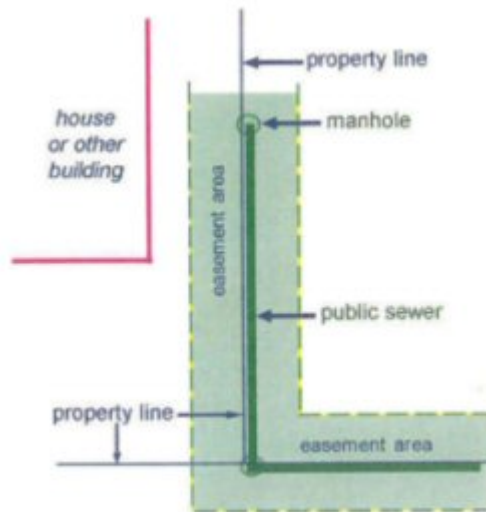


CITY OF HENDERSONVILLE

WATER AND SEWER DEPARTMENT

305 WILLIAMS STREET
HENDERSONVILLE, NC 28793
Telephone: (828) 697-3073 or Fax: (828) 697-3074

What are sewer easements and why do we clear them?



Highlights

- We keep our easements clear to make sure that we will have quick access when emergency work is needed and to keep roots from growing into and blocking sewer pipes. Blockages in sewers cause wastewater overflows!
- If you are not sure whether there is an easement on your land, please call us at 697-3073.
- Most of our easements are 20 feet wide and we will need to clear the entire width of the easement. If the easement is 30 feet wide, may only need to clear 20 feet (10 feet on each side of the sewer) so that about 5 feet may be available on each side for suitable plantings.
- If you want to do plantings in the outer part of an easement, please contact us at 697-3073 for more information.

Information below includes:

You can click on any of these topics to go directly to them, but we encourage you to read all of the information below.

What is a sewer easement?

A sewer is a pipe that receives wastewater from homes, businesses, etc. and carries it to a wastewater treatment plant.

A sewer easement is an area where we have the right to enter, maintain, repair, inspect, improve, renovate and replace facilities including pipes and manholes; and to keep clear access.

About half of our sewers are in easements in off-street areas. The other half of our sewers are in public street rights of way, which normally includes several feet on each side of the street or roadway.

Why does COH clear its easements?

Each year we inspect, mow, trim and do other clearing work in our easements. This work is intended to:

- **help us get to a sewer quickly when there is a wastewater overflow into the natural environment. When overflows occur, we work to stop them quickly to prevent environmental damage.**
- **ensure that we will have safe, practical access** when other repairs, maintenance, inspections, renovation, replacement, etc. are needed.
- **prevent tree and shrub roots from entering cracks and joints in sewer mains.** When roots get into a sewer, they grow into a dense mass that will block the flow of wastewater and can cause it to overflow from a manhole or possibly inside a residence.
- **comply with the N.C. Division of Water Quality's requirement** that we annually inspect our easements and clear them as needed.



Our annual easement mowing and clearing work normally begins in the spring and is completed in the late fall, but wet weather and storm debris can affect our progress.

Who owns the land in an easement?

The presence of an easement does not change the basic ownership of land. However, some of the landowner's normal rights are limited by the easement as discussed in this brochure.

How can I find out whether an COH easement is on my land?

If you are not sure whether there is an COH easement on your land, please call us at 697-3073. We'll be glad to check our records and let you know what we find. Please note that we may not have records of some easements, especially where sewers are very old.

If there are public sanitary sewer manholes, a sewer main or a water main on or within about 15 feet of your land, it is safe to assume that at least part of an easement is on your land.

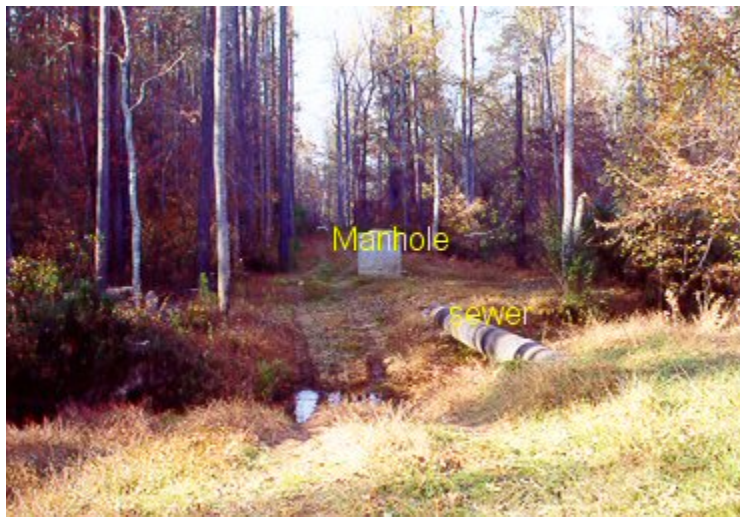
We recommend that you check the records you received when you purchased your property to see if there are any easements on it. The location of an easement is normally recorded in the Henderson County Registry of Deeds with a document called a "plat" showing the boundary of easement(s).

How wide are sewer easements and where are they located?

Our easements are normally 20 feet wide with 10 feet cleared on each side of a sewer. But during the initial construction of the sewer an additional 10 feet (5 feet on each side of the sewer) is required. This additional width is referred to as a "construction" easement and is temporary in nature. If the easement is 30 feet wide, we may only clear 20 feet of the easement (10 feet on each side of the sewer).

Most sewers in our community operate with the simple force of gravity. Therefore, many sewers are in, near or across low-lying areas such as streams, creeks and ravines.

In many cases, an easement goes along the rear or side boundary of two properties so that each of two adjacent lots has an easement area 10 to 15 feet wide (total easement width of 20 to 30 feet). Pipes and manholes are usually in the approximate center of an easement.



Because our community's sewer system operates primarily with the force of gravity, many of our sewers (and easements) are in low-lying natural areas near streams, creeks and ravines.

Before you do plantings in an easement...

Please contact us at 697-3073 for information about preparing a plan showing the location and types of plants. We will need to approve a planting plan before the landscaping is done.

IMPORTANT NOTICE :

Please be aware that:

1. We may need to do maintenance and improvements and to clear part or all of an easement even if a planting plan is approved.
2. We do not replace plantings or other improvements in an easement if we damage them.
3. Therefore, it is prudent not to do expensive plantings or to make permanent improvements in an easement.

What kinds of plants may be suitable in the outer part of an easement?

We normally clear only about 20 feet of a 30-foot-wide easement. Therefore, in many places, plantings can be suitable in the outer five feet on each side of an easement.

Before you do landscaping work in an COH easement, please contact us at 697-3073 for information about preparing a plan showing the location and types of plants. We will need to approve a planting plan before the landscaping is done.

The trees, shrubs and groundcovers that are suitable in the outer part of an easement are typically:

- shallow-rooted,
- drought-resistant,
- native/non-invasive, and
- inexpensive.

Advice and information from the Botanical Gardens at Asheville

The Botanical Garden is interested in helping you with questions about plantings and other landscaping including those in easements. The Garden offers two opportunities for citizens to get free advice and information:

Citizens are invited to call 252-5190 during the “**public service**” **information hours between 11:00 am and 3:00 pm on weekdays other than holidays or email at bgardens@bellsouth.net** .

Citizens are also welcome to talk with a **master gardener on duty**. Please call the Botanical Garden to find out when a master gardener will be available.

Please be sure to contact COH for approval of a planting plan before you do landscaping work in an easement.

What are invasive, exotic plants?

Invasive, exotic plants are often imported plants which grow aggressively and may crowd out native plants. The kudzu vine is an example of an invasive plant.

For more information, please contact the Botanical Garden staff at 252-5190 or visit the Garden's Website <http://ashevillebotanicalgardens.org>. The Garden's website has considerable information about native plants including links to other sites.

Are gates allowed on easements?

In some locations, we allow gates across sewer easements. So that we will have safe access when needed, a gate must be:

- easy to open,
- at least 12 feet wide, and
- centered in the easement.

If you are interested in installing a gate on an COH easement, please call us at 697-3073 and ask for our Wastewater Collection and Water Distribution Systems staff before having the gate installed.

Please note that if we damage a gate or other improvements or plantings during an emergency repair or other work on our easement, we are not responsible for repairing the gate.

Are fences allowed on easements?

We normally do not allow fences on our easements because they can affect our access, especially in an emergency, and may be damaged during our work. It is better to simply install a fence outside of easements.

Are some water mains in off-street easements?

Most water mains are in a public street right-of-way (which normally includes a few feet on each side of the street pavement). However, some water mains are in off-street easements.

We clear water main easements for the same basic reasons as for sewer easements.

We would like to thank the *Orange Water and Sewer Authority* for their cooperation in providing this information.