



# Ordinance No. 23 Regulating Easement Encroachments

Montecito Sanitary District Special Meeting

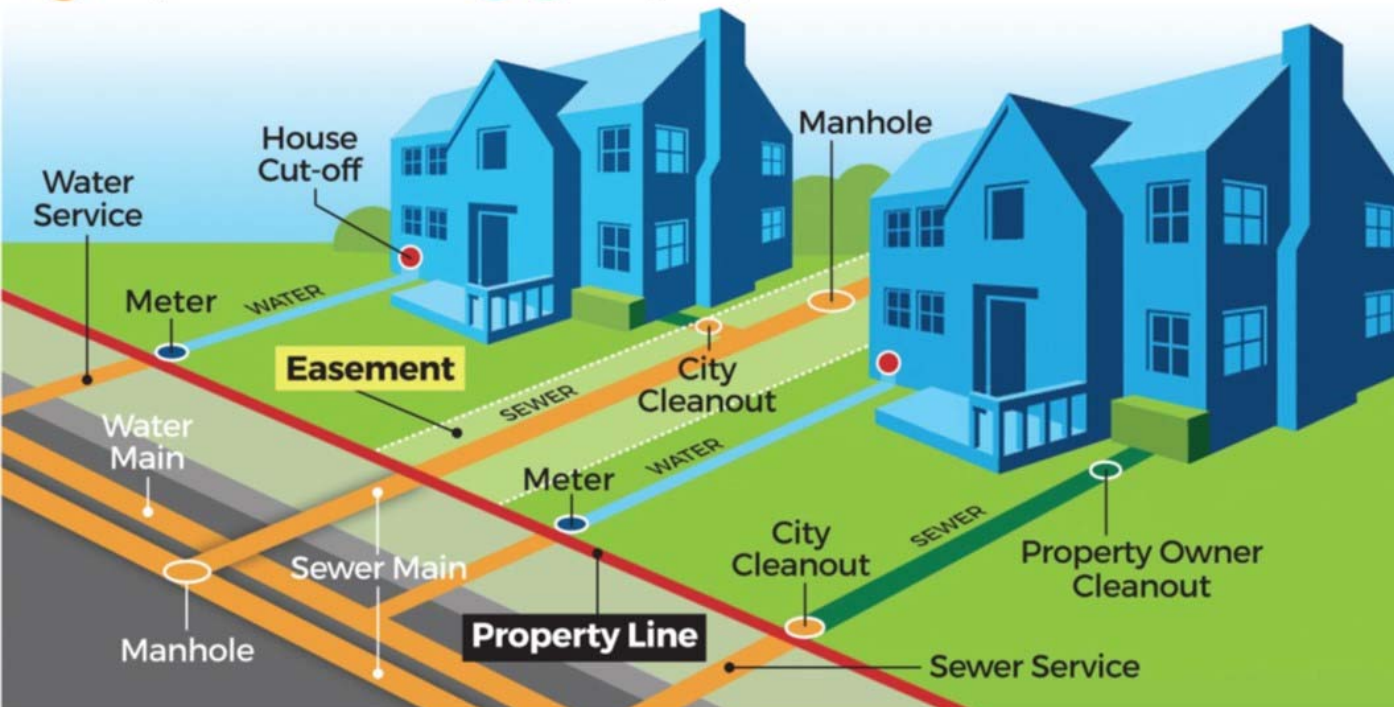
March 20, 2024

Presented by Aleks Giragosian, General Counsel

# Understanding Easements

Utility easements play a key role in protecting our water, wastewater, and storm drainage systems. In order to effectively maintain our systems, Columbia Water needs access on private property that may have a direct connection to our utility lines, such as water meters, sewer mains, and drinking water pipes.

● City of Columbia ● Property Owner



Identify the Following:

- Sewer Main
- Sewer Laterals
- Easement Area
- Manholes

## **EASEMENT**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**RAY R. CONNERS and FRANCES L. CONNERS, husband and wife  
as tenants in common**

do hereby GRANT to MONTECITO SANITARY DISTRICT, County of Santa Barbara, State of California, an easement and right of way for sewer purposes, and the right to lay, construct, maintain, reconstruct, use and operate a Sewer Pipe Line over, through and across that certain real property situated in the County of Santa Barbara, State of California as described below:

The southerly seventeen (17) feet of the tract of land described in Parcel One of the deed from Crocker-Anglo National Bank and Mary E. Hamilton to Ray R. Connors, et ux., recorded October 15, 1963 as Instrument No. 43947 in Book 2017, Page 156 of Official Records, records of said County.

Together with all sanitary sewer lines, structures and appurtenances located within the hereinbefore described parcel of land.

together with the right of ingress and egress to the property served by said pipe line over and across said easement and right of way above described, for any and all purposes in connection with the operation, maintenance and inspection of the District facilities located in said easement or in any adjoining easement.

PROVIDED, however, that this conveyance is made under and subject to the following conditions, which the Grantee, by the acceptance of said right of way, agrees to keep and perform, to wit:

That the said Grantee will restore and replace the surface of the ground and improvements over the above mentioned right of way and will repair any and all damage to the property of the Grantor above or adjoining the said right of way which is injured or damaged in the construction or maintenance of the said Sewer Pipe Line.

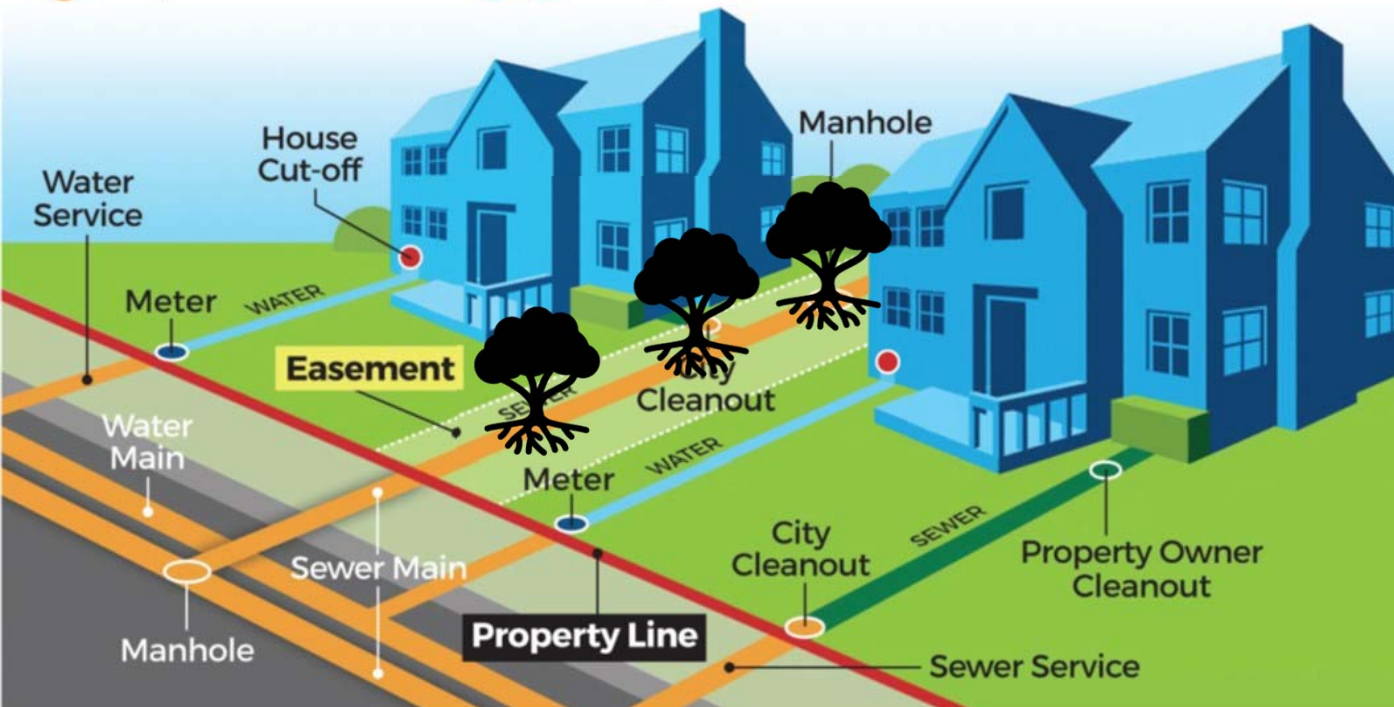
Together with the right to enter upon and to pass and repass over and along said easement and right of way and to deposit tools, implements, and other materials by said District, its officers, agents, and employees, and by any contractor, his agents and employees, engaged by said District whenever and wherever necessary for the purposes above set forth.

It is understood that each undersigned grantor grants only that portion of the above described land in which said grantor has an interest.

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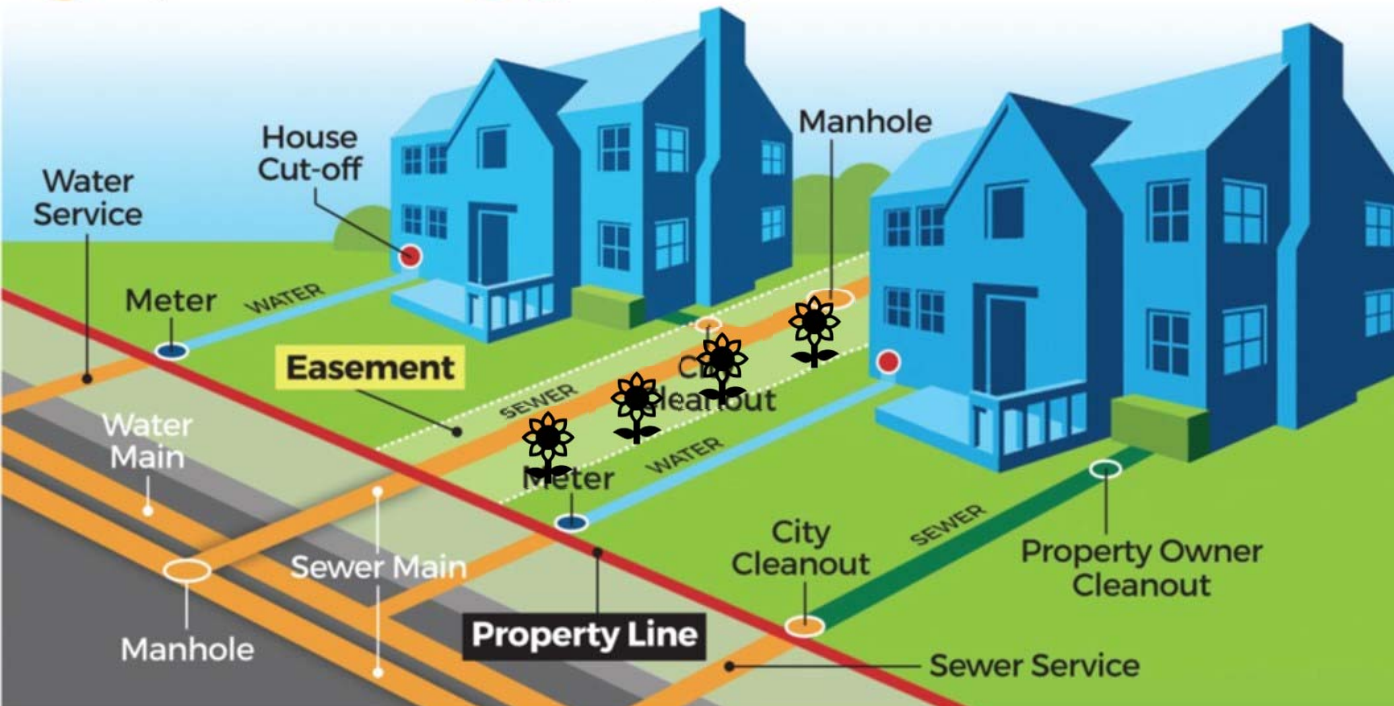
“Significant Interference” means, with respect to encroachments on District easements, a use or condition that does or has the potential to inhibit access to District facilities, particularly relating to vehicular access. A Significant Interference may include, but is not limited to, swimming pools, permanent decks, retaining walls, recreational courts, trees, gates, fences, and utility infrastructure.



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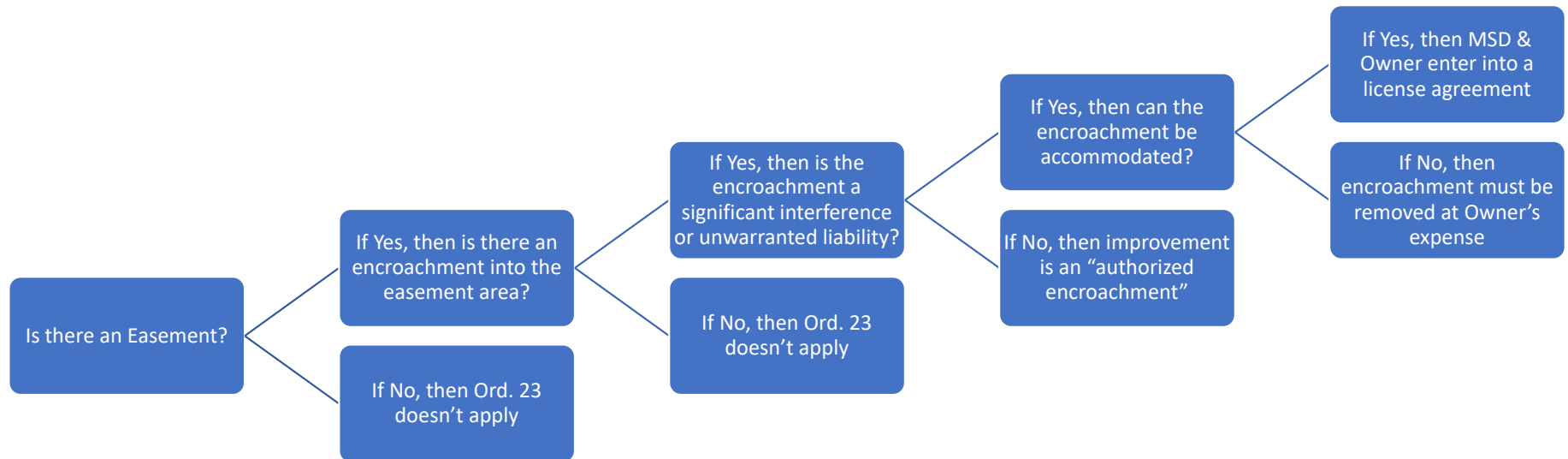


“Unwarranted Liability” means, with respect to encroachments on District easements, a use or condition that does or has the potential to: (1) result in significant expense related to replacement or restoration as a consequence of the District accessing its easement or (2) damage the District’s infrastructure. An Unwarranted Liability may include, but is not limited to, heavy brush and vegetation, lawns, flowerbeds, and hardscapes.





# Ordinance No. 23 Flow Chart



# License Agreement

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Revocable

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Recorded on title

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Runs with the land/ Binding on successors in interest

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Release of liability

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Reimbursement and grant of additional easements for realignments