

Don't restrict the flow of water through the easement.

Don't dispose of limbs, brush, grass clippings, leaves, or other materials within the easement. Debris can clog pipes and inlets further downstream

### **What do I do if my neighbor causes flooding or ponding in my yard?**

Most citizens do not intentionally obstruct easements or intend to cause excess water to stand on their neighbors yard. Contact your neighbor first. Often they are unaware of easements or they may be renters with no knowledge of the lay of the land. If that doesn't solve your issue you should contact your Home Owner's Association. If there is no HOA you will need to contact the Village Administrator at the Service Department at 440-949-6209.

### **Who maintains the property subject to an easement or right-of-way?**

Maintenance of the property is the responsibility of the landowner.

### **Definitions:**

**Drainage Easement:** is an attachment to a property deed which states that access to part of the property is given to a third party, usually a municipality, for the purpose of maintaining drainage.

The drainage easement may include a culvert, drain or ditch which feeds into a drainage system.

**Access Easement:** the right to use the real property of another for a specific purpose. The easement is itself a real property interest, but legal title to the underlying land is retained by the original owner for all other purposes. Typical easements are for access to another property (often redundantly stated "access and egress," since entry and exit are over the same path), for utility, sewer, and storm water lines both above and under ground.

## **Village of Sheffield**

### **Easements**



## **What are Easements?**

### **I have an easement shown on my property survey. What is an easement?**

An easement is a portion of land that has been set aside for a specific purpose. Easements give the Village of Sheffield or utility companies the right to construct and maintain facilities within the designated areas.

### **Is it still my property?**

Yes, the easement is still your property. However, it does have restrictions and responsibilities for you as an owner or resident.

### **What can I do with this land?**

That depends on what kind of easement you have. Anything you place in an easement has the potential of being removed or damaged if maintenance is required. All easements must be maintained in accordance with Village Codes.

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## **Types of Easements:**

### **Utility Easements**

A utility easement may contain *any* type of utility: sanitary sewer, water, storm sewer, telephone, electric, gas, cable, etc.

#### **What can I do in a Utility Easement?**

You can use a utility easement for almost anything that you use your yard for. However, anything that is in the easement may have to be removed. Fences should be reset by homeowners. Landscaping, gardens, and trees will not be replaced.

#### **What can't I do in a Utility Easement?**

Do not install anything permanent. This includes retaining walls, sheds or any type of building. Trees must not be planted as the roots can damage the utility that lies beneath.

### **Drainage Easements**

A drainage easement has its own set of restrictions. Unlike a utility easement, improper care of a drainage easement can cause damage to properties. A drainage easement may have a storm water line or may be the intended pathway for surface water to flow. Some drainage easements

have streams or ditches running through them all the time and some only have water after a rain. Some drainage easements are also intended to detain water after a rain to avoid flooding of other areas.

#### **What can I do in a Drainage Easement?**

Maintain it as much as you possibly can. If it is intended to carry surface drainage, it may be soggy for much of the year. If you do yard work control runoff from entering the storm system. Fences in the easement must be high enough to allow water to pass under the boards. Remove all saplings that have been unintentionally planted by nature, or build ups of debris or trash. These cause obstructions and can impede or change the path of water and cause flooding.

#### **What can't I do in a Drainage Easement?**

Don't fill, obstruct, block, alter, leave debris or trash in the easement. Don't construct or place improvements in the easement. Even temporary obstacles that cannot be easily moved may impede the flow of water. Don't modify the existing grade.