

How well do YOU know your property?

What you need to know about easements to avoid legal problems, frustration and expense.



Are you aware that easements exist on most properties within the City of Farmington?

Most lots platted within the City of Farmington have drainage and utility easements of varying widths and lengths placed on them. Usually these easements border lot lines, like a picture frame (see exhibit); however, some properties contain easements that are not placed in these typical locations.

How well do YOU know your property?

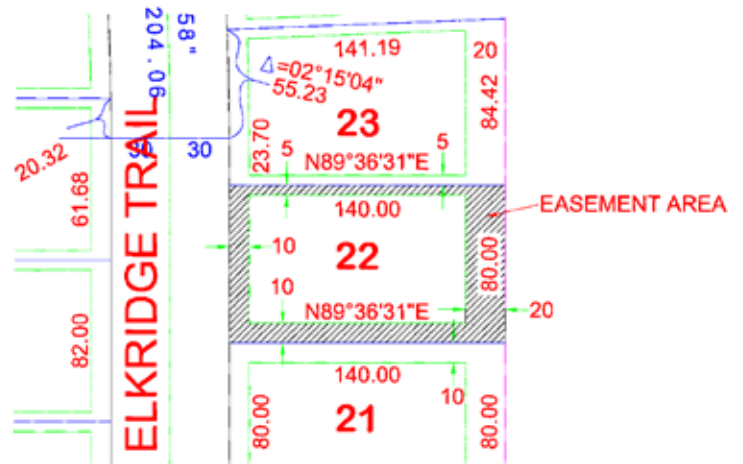
The Farmington City Code defines an easement as follows:

EASEMENT: A grant by a property owner to the use of a strip of land by the public, a corporation, or persons for specific purpose.

What is the purpose of an easement?

When lots are platted, or created by the developer before homes are built, easements are dedicated for utility and drainage purposes. Easements are needed for draining water (stormwater runoff) and installing utilities such as water, sewer and storm sewer lines, gas lines, and buried phone, electric and cable lines. Easements also serve as protective buffers for environmentally sensitive areas.

When public utilities or drainage areas need to be inspected or maintained, easements allow authorized personnel to access the area without obtaining prior approval from the property owner.



Map: exhibit from an actual plat map showing the different widths and lengths of easements (shaded area) that may exist on a typical lot.

How is the use of easement areas restricted?

City code prohibits property owners from altering these easements by landscaping or building/placing structures within these areas. Chapter 11-4-4 of the City code restricts use of the drainage easement areas as follows:

(D) Drainage Easements: No structures, landscape material, or impervious surfaces, with the exception of turf grasses, are allowed within a front, side or rear yard drainage and utility easement with the exception of fences installed on the property line and lot frontage trees placed eight feet (8') behind the property line in front yard drainage and utility easements. Any nonconforming improvements within the easement are placed at the owner's own risk. (Ord. 008-583, 5/5/08)



If you have questions regarding easements or their use, please contact the City of Farmington Engineering Division, 651-280-6840.

Everything you need to know about EASEMENTS

The code further describes a structure as follows:

STRUCTURE: Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment to something having a fixed location on the ground, including buildings, billboards, carports, porches, signs, retaining walls, and other building features, but not including sidewalks, drives, fences and patios.

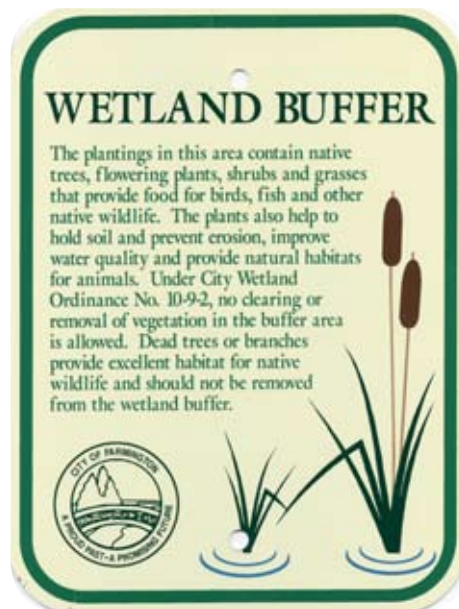
How do I know where easements are located on my property?

When you purchase a home, the builder or previous owner needs to provide a lot survey at closing showing where the property corners and easements are. If you can't find this survey, the City usually has a copy of it on file at City Hall.



Examples of prohibited structures and items that may negatively impact an easement:

- Trees
- Shrubs
- Landscape boulders
- Sheds/play houses
- Dog houses
- Retaining walls
- Wood chips/mulch
- Pools
- Decks/porches



Signs like the one above delineate the edge of wetland buffer areas. Maintenance beyond this edge such as mowing or gardening is prohibited. Fire pits are not allowed in buffer areas because a 10-foot clear zone is required around the fire pit, and the clearing of vegetation in the buffer is not allowed.

Wetland buffers also have easements prohibiting alteration

Wetland buffers have additional restrictions beyond those already described for drainage and utility easements. City code prohibits alteration of wetlands and wetland buffers which is described as follows:

WETLAND ALTERATION:

Human induced actions that adversely impact the existing condition of a wetland or wetland buffer area, including grading, filling, dredging, dumping; cutting, pruning, topping, and clearing, native vegetation; and discharging pollutants (except storm water). Alteration does not include walking, passive recreation, fishing, farming, planting that enhances native vegetation, or other similar activities allowed under the Minnesota wetland conservation act.

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