

Frederick County Water and Sewer Easement Process

March 2018

Why did we want to have this presentation?

- Highlight recent changes made to our forms and procedures
- Provide insight into our easement process in an effort to help streamline the review and approval process
- Assist you with questions about the process and your document preparation

Why did we change the forms last year?

First, we needed to update the County signature after the County Executive delegated authority to the Chief Administrative Officer

Secondly, we wanted to more clearly define some of the terms and conditions

Terms and conditions which were changed

- More clearly identify those improvements which should not be placed in an easement area
- Clearly state pavement and cover should not be placed over infrastructure which is at or above grade (such as water meters and manholes)
- Adjust the limits for the maximum amount of fill over pipelines

Additionally, we removed most of the reference titles in the granting clause and made other terms more generic to lessen the amount of word changes required throughout the document.

Processing Steps

- Receipt of package in Engineering and Planning and initial review by Administrative Assistant
- Technical Review of description/exhibit by Engineering Staff
- Easement and Title Review by Land Acquisition Staff

Initial Review

can be completed only if all required elements are included

- Routing Sheet with top section completed
- Original Easement Document with an original easement description or full size copy of the recorded easement plat
- Original Title Opinion Letter

Technical Review

can be initiated after plans are approved, signed by all parties and copies of the signed plans are received here

- Improvement Plans are approved, signed and we have copies of the signed Improvement Plans
- Description is an original print and is to scale
- Description contains surveyor's original signature, seal, license expiration date and COMAR statement
- Description includes proper ties, calls, a point of beginning and closes accurately
- All easement areas shown on the plans are included
- All easement areas on the description match the plans
- Any required Releases and copies of private easements have been provided in separate packages with Routing Sheets

Easement Document and Title Review

can be initiated after Technical Review has been completed

- Easement document is original, on the approved form, with original signatures
- The easement area description in the granting clause in the easement document matches the attached description or recorded easement plat
- The title information contained in the easement document matches the Title Opinion Letter and any required Consents are attached
- Generally the easement document is complete, accurate and meets the applicable standards

Why is it important to have the easement area fully described in the granting clause?

When multiple packages are received, sometimes for the same property, there is a possibility for descriptions to be attached to the wrong document. It could happen before the package arrives at our office. It could also happen while the various County staff review the package.

We have also had situations in which discussions about the easement with the engineering consultant identified the fact that description pages were included which the engineer did not intend to be with that document.

Notifications

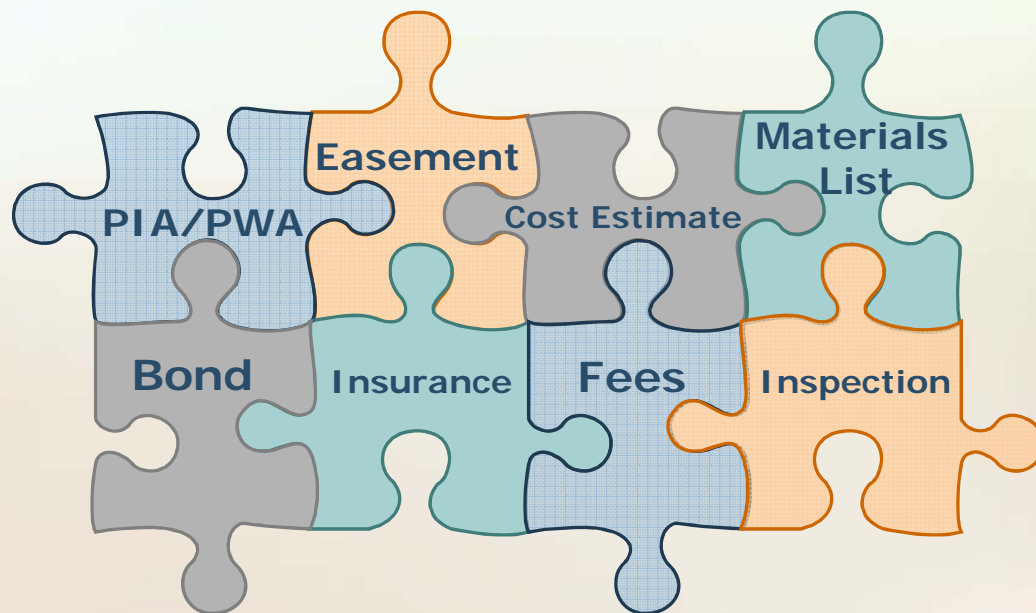
After all of the review processes have been completed, the Land Acquisition Specialist notifies the contact person on the Routing Sheet the package has been approved or if there are deficiencies to be addressed.

Approved easement packages

Move to DUSWM Finance to be
matched up with the water/sewer
construction contract (PIA/PWA)
paperwork

What happens next?

The easement package is just one piece of the larger water and sewer construction process



Since each step of the process is dependent upon other steps, communication between the developer and their consultants is key.

The attorney or other person submitting the easement packages should coordinate closely with the developer and their engineering firm in order to ensure the easement package is submitted after the signed plans have been provided and about the same time as the contract paperwork.

Upon review and approval of the contract paperwork and payment of any required fees, both packages will be combined and moved to the Office of the County Attorney for final review and then to the Office of the County Executive for signature

Signed documents are returned to DUSWM Finance

Paperwork is separated

Finance paperwork is filed

Finance accounts are set up

Easement paperwork is delivered to Land Acquisition Specialist for recording

Construction paperwork is delivered to the Construction Manager so the pre-construction meeting can be scheduled when requested

Construction begins and the inspections occur until the work is completed and the infrastructure is accepted into the County's system

Questions?

Where can the procedures and forms be found?

On the Water & Sewer page of the County website at
www.frederickcountymd.gov/5041/Forms-and-Reference-Documents

Who is a contact person for more information?

Beth Ramacciotti, Land Acquisition Specialist

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