



GENERAL UTILITY EASEMENT INFORMATION

If you're a homeowner, you may have wondered about "easements" on your property and what the impacts to your property are, especially regarding utilities like water, gas, and communications. While you have control over many aspects of your property, it's important to understand the rules and limitations tied to easements. By understanding the laws that govern easements, you can make informed decisions about your property's use.

Some Important Terms

"Easement" This is the most direct term indicating the existence of an easement.

"Right of way" This phrase often refers to an easement granting the right to pass through someone else's property.

"Access" It may suggest an easement for access purposes.

"Utilities" This can indicate the presence of an easement for utility lines or infrastructure.

"Ingress and egress" These words typically refer to the right to enter and exit the property and might imply an easement.

"Restrictions" This term might suggest limitations on property use due to the presence of an easement.

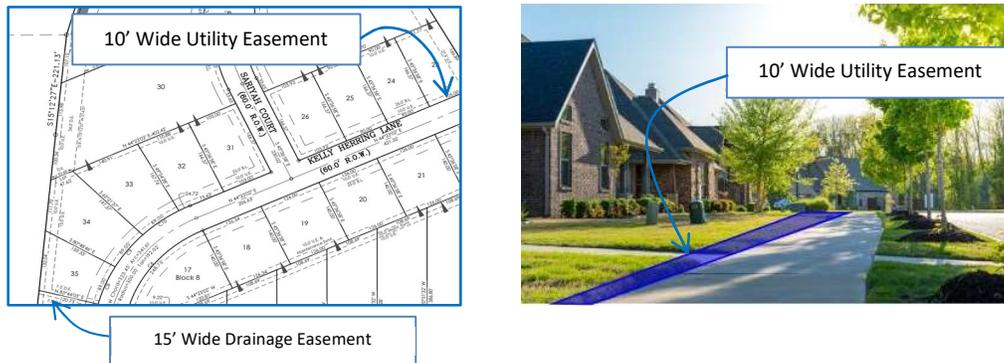
"Easement holder" Mention of an entity as an easement holder implies the existence of an easement on the property.

These terms, when used in a property deed, survey, or plat can signal the presence of an easement and can prompt property owners or potential buyers to investigate the specific details and implications related to easements on the property.

What are Utility Easements?

A utility easement is an area reserved on the property that gives an individual or agency the right to use or access a property for a specific purpose. Property owners maintain ownership of the property but cannot hinder the easement's designated use. In the case of a Utility Easement, the easement is generally created during the platting process (the process for developing the neighborhood) and is typically used to construct, update, and maintain public infrastructure. Examples of public infrastructure include water distribution pipes, wastewater collection system pipes, facilities used for drainage, electric and gas distribution systems, and communication network infrastructure. A utility easement must be used to reserve areas on individual properties to help provide a location for services that will serve the overall good of the community.

Typically, an easement allows for the right of ingress and egress to the easement and the right to keep the easement free from structures or plantings that will interfere with the operation of the utility system located in the easement. Easements provide ongoing access to parts of a property for utility companies, even if the property changes ownership. For information on finding easements on your property, check your property deed and survey for information on easements, or visit the Bell County Real Property Records. Easements can affect your ability to use and develop your land, so consult a real estate attorney if you have questions or concerns. In Texas, utility easements are regulated by both the state and municipalities. State law covers utility company access to both easements and rights-of-way. A local code or ordinance may place additional requirements on easements.



Example Easement Locations

Do Utility Companies Have the Right to Dig on My Property?

Public Utility Companies often have easements that grant them the right to access and maintain their infrastructure on private property. Property owners should be aware of these easements and understand the extent of access granted to utility crews. Typical Utility Easements in the City of Killeen allow various properly registered and identified utility owners and their contractors to enter your property for the purpose of accessing an easement to install and maintain various infrastructure systems. In most cases, property owners cannot block an easement as it is a legal right granted to another party. However, there may be specific circumstances where restrictions can be placed on the easement's use. Both the property owner and specified agencies have utility easement rights. There are different types of easements that might be attached to a property. Each is handled in a different manner. It is essential for both property owners and government authorities to understand the easements listed in property deed documentation.

Which Areas Can Utility Crews Access on My Property?

Utility crews can access the specific areas of your property outlined in the easement agreement. Property owners should familiarize themselves with the terms of the easement to understand the extent of access granted. While the easement agreement provides a framework for access rights, utility crews may occasionally require access to other parts of the property to ensure the proper functioning and maintenance of utility systems.

How Can I Resolve Property Damage Caused by Construction?

If construction activities in the easement area result in property damage, property owners can seek compensation from the party responsible for the damage. It's important to document the damage and communicate with the relevant parties to address the issue.

How Can I File a Complaint?

If you want to file a complaint against a utility provider (other than cable, natural gas, or water providers), or a contractor performing work for a utility provider, please contact the Public Utility Commission of Texas. You can submit your complaint via phone at (888) 782-8477 or email at consumer@puc.texas.gov. You can also submit a complaint via mail at Public Utility Commission of Texas, P.O. Box 13326, Austin, TX 78711-3326.

Please visit www.puc.texas.gov/consumer/complaint/complaint.aspx for more information.

Where Can I Learn More?

If you want to learn more about easements in Texas, please visit: <https://guides.sll.texas.gov/neighbor-law/easements>.

