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Rights-of-Way, Easements and Access

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CHAPTER 4

Rights-Of-Way, Easements and Access

4.01 Types Of Easements:

Colorado Springs Utilities generally uses six types of easements. The following is a brief explanation of such easements, as it pertains to Colorado Springs Utilities and the typical use of that type of easement for electric lines and equipment.

- a) Road right-of-way is generally considered the area that contains the roadway, curb, gutters, sidewalks, and open areas up to the property line. Most of the electric distribution lines and transformers are installed in the roadway right-of-way.
- b) Platted/Dedicated is an easement that is provided to Colorado Springs Utilities by virtue of dedication statement of every subdivision platted after 1968. A five-foot side lot and seven-foot rear lot easement is a typical platted easement. It is sometimes necessary to install power lines along the rear or down the side lot line.
- c) A Customer-Granted easement is an easement that is granted to Colorado Springs Utilities by the customer. In the event Colorado Springs Utilities has to cross a property other than that of the customer requesting service to extend facilities, the requesting customer may be required to obtain or help obtain all easements needed.
- d) Restrictive Easements/Utility Rights-of-Way generally contain high voltage transmission lines and substation equipment. Very strict requirements for the use of restrictive easements apply. Any use of this type of easement must be approved by Colorado Springs Utilities. All requests will be evaluated on an individual basis by contacting Colorado Springs Utilities Project Planning & Design staff (see Phone Section).
- e) Condition of Service Easements: The customer, as a condition of service, agrees to the original as-built location as a service easement for those portions of the facilities on the customer's premises that are outside of a public utility easement or right of way. Facilities for electric service include electric lines, transformers, wires, conduits, meters, poles, and other equipment of Colorado Springs Utilities necessary to render service to the customer. The customer shall not make grade changes or build permanent or portable structures, which violate the National Electric Safety Code. Any changes in the location of the facilities shall be at the sole expense of the customer.
- f) Service Drop Condition of Service Easements: Receipt of electric service grants to Colorado Springs Utilities an easement on private property for electric lines, transformers, wires, conduits, meters, poles, and other equipment of Colorado Springs Utilities necessary to render service to the customer. In order to comply with the requirements of the National Electric Safety Code the customer shall not make grade changes or build permanent or portable structures (buildings, sheds, decks, swimming pools, patios, patio covers, antennas, etc) under, over or within 5 feet measured horizontally on both sides of low voltage overhead or underground service drops

(under 600 volts) without prior written approval of Colorado Springs Utilities except that in the case of a swimming pool, the horizontal clearance requirement may be larger (see Appendix F, 18-211). Any changes in the location of the facilities shall be at the sole expense of the customer.

4.02 General Restrictions of Easements/Rights-Of-Way:

- a) To comply with the requirements of the National Electrical Safety Code, it is necessary that easements and rights-of-way grades not be changed by excavation or filling by more than 6" without prior written approval from Colorado Springs Utilities for all utility lines involved. Full cost of any alteration or relocation of utility lines will be borne by the customer requesting the change.
- b) It is permissible to install fences and landscaping in easements, except where such fences will stop access to utility lines or conflict with utility equipment. Other permanent structures and buildings are not acceptable. In the event a fence or landscaping must be removed, it is Colorado Springs Utilities policy to replace existing facilities to meet or exceed the original installation.
- c) Landscaping of easements is permissible. However, it is necessary for utility crews to have adequate access to vaults and padmount equipment. A minimum 36" wide path and clear opening is required in fence gates to replace equipment in residential rear-lot installations. Access clearances for Colorado Springs Utilities vaults and padmount equipment are shown in Appendix F, Construction Standard 18-302. No trees, shrubs, fences, large landscape rocks, or other obstruction will be permitted in the access area. Call Utility Notification Center of Colorado at least two (2) business days prior to digging.

Trees should be planted far enough away from padmounted equipment so that when they reach maturity, overhanging branches will not obstruct a crane setting or removing equipment. It is best to select trees with supple branches that can be tied back without danger of breaking their limbs.

Responsibility for upkeep and any landscaping maintenance in an easement is borne by the property owner/customer.

For additional information you may request a booklet "Guidelines for Landscaping around Underground Electrical Facilities" from Field Engineering.

- d) Contact Colorado Springs Utilities Transmission Engineering Section for all transmission related easement information and requirements (see Phone Section).

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