



HISTORIC
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What are Easements?

I have an Easement shown on my property survey or plat. What does this mean for me?

An easement is a portion of land that has been set aside for a specific purpose. Easements give the City, HOAs, or utility providers (gas, electric, cable/phone, etc.) the right to construct and maintain utilities/facilities, or preserve environmental features, within the designated areas. Different types of easements you may see include: public utility drainage easements (P.U.D.E), utility easements, drainage easements, access easements, sewer/water easements, landscape easements, conservation easements, and green infrastructure easements.

Do I still own the property in an easement?

Yes, the easement is still your property. However, it does have restrictions and responsibilities for you as an owner or resident. Responsibilities include general maintenance such as mowing the grass, fixing any erosion/scour, and ensuring there is groundcover. While the easement may be a public easement, the City is not responsible for general maintenance.

What can I do with this land?

Treat this area like part of your yard, mow the grass or plant shrubs and groundcover. Your options in an easement depend on what type of easement you have. Keep in mind that what you place in an easement has the potential of being removed or damaged if maintenance is required on the utility/facility or within the easement. All easements shall be maintained in accordance with City Code.

Utility Easements

A utility easement may contain ANY type of utility: sanitary sewer, water, storm sewer, telephone, electric, gas, cable, fiber optic, etc. The utility may be underground or overhead.

What about my service lines?

The service lines that connect your home to the public utilities do not require easements and are generally your responsibility to repair and maintain. It is wise to use the same caution in building over these private lines as you would for the public utilities.

Do's in Utility Easements

You can use a utility easement for almost anything that you use your yard for. Nothing except shrubs or groundcover shall be planted or installed within any underground or overhead utility, drainage, or gas easement. However, anything that is in the easement when the City or utility provider must perform maintenance on their facilities may have to be removed and will not be replaced. The City of Franklin Water Management Department will maintain their utility easement as needed to install or maintain their respective utility.

Don'ts in Utility Easements

- Don't place anything in the easement that will make it hard for the City or utility provider to maintain or replace their utility. Anything permanent shall not be placed in an easement. This includes HVAC units, retaining walls, sheds, pools, patios, or any type of building.
- Don't plant trees in utility easements. They are hard to work around and the roots can damage the utility that lies beneath.
- Don't dig in a utility easement without first calling 811 and scheduling a utility locate. Written permission may be needed to dig in some utility easements.

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 due to flooding. A drainage easement may have a stormwater line



buried beneath it or it may be the intended pathway for surface water to flow. Some drainage easements have streams 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.

Will the City re-grade or clean my drainage easement?

No. The City will only maintain and repair the public stormwater lines that are located underground and drainage ways that are located on public property unless the plat states otherwise. City crews may periodically mow/bush hog a sewer/water (utility) easement if the vegetation gets too high. You or possibly the HOA is responsible for mowing and addressing any erosion/scouring or sediment build-up that occurs in a drainage easement.

Do's in Drainage Easements

Maintain it as much as you possibly can. If it is a grass channel/swale, mow it. If it is intended to carry surface drainage, it may be soggy for much of the rainy season. If you do yard work near the easement that disturbs the soil, use a silt fence. This will help reduce sediment and other materials from entering the drainage system. Please watch for and remove saplings that have been unintentionally planted by nature, or build-ups of debris or trash. These can cause obstructions that can change the path of the water or impede drainage, causing flooding.

Don'ts in Drainage Easements

- Don't fill, obstruct, block, materially alter or leave debris or trash in the drainage easement.
- Don't construct or place improvements such as pools, sheds, or other structures in the easement. Even temporary obstacles that cannot be easily moved such as play stations, swing sets, etc. may impede the flow of water within the easement.
- Don't modify the existing topography of the easement.
- Don't materially impair the use or restrict the flow of stormwater within the easement.
- Don't dispose of limbs, brush, grass clippings, leaves, or other such materials within the easement. If the easement is intended to carry a significant amount of water, debris can clog pipes and inlets further downstream and possibly cause flooding.
- Don't install HVAC units within drainage easements.

Can I install a fence in an easement?

You can install a fence within an easement with the written consent of the utility provider, easement holder, or the City. If possible, fences should be installed outside of the drainage easement. If you decide to install a fence in an easement you should be aware that it may be removed if work needs to be conducted within the easement. The City or utility provider will not replace the fence once work is completed.

If you decide to install a fence within a drainage easement, across a swale/channel, you need to ensure water can still flow through or under the fence. If a fence is installed within a drainage easement and damage results to an adjacent property from flooding, the property owner who installed the fence may be liable. The fence may routinely need to be cleaned of debris to ensure water freely flows through.

If you are installing a fence within a utility easement, care should be exercised due to shallow utilities. Before digging in an easement, you should contact the City or utility provider to help determine the depth of the utility. Failure to do so may result in costly repairs at the property owner's expense.

“Call Before You Dig” – Call 811 for local one call center to locate utilities.

Please contact the City of Franklin Engineering Department, 615-791-3218, before installing a fence in an easement.



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Will the City cut trees in my easement?

The City may cut/remove trees within a drainage easement if they have fallen and impede the flow of water. For example, if a tree has fallen into or across a stream channel/drainage ditch and is causing flooding or erosion, the City may remove the fallen tree. If a tree has fallen in an easement and it is not impeding flow or if a tree is diseased/dying it would be the responsibility of the property owner to remove.

Electric utility providers will routinely maintain the easement in which their powerlines run through. This generally consists of trimming trees around the powerlines and cutting trees that pose a risk to the powerlines. If an issue arises with this work you will need to speak to the electric utility performing the work.

Do's in Landscape Easements

You can plant new trees or shrubs, that are not invasive, in a landscape easement. Trees or tree limbs that are invasive, dead, dying, or pose a threat to an existing structure, underground utility, or to the public health, safety, or welfare can be removed.

Don'ts in Landscape Easements

Healthy trees and trees that do not pose a threat shall not be cut down.

Where can I find what easements exist on my property?

A plat for your property showing existing easements can be obtained from the Williamson County Register of Deeds located at the Williamson County Administrative Complex 1320 W. Main Street.