

1 **UNIFORM EASEMENT RELOCATION ACT**

2 **Amendments**

3 **July 12, 2020**

4 **SECTION 2. DEFINITIONS.** In this [act]:

5 * * *

6 (11) “Public-utility easement” means a nonpossessory property interest in which the
7 easement holder is a publicly regulated or publicly owned utility under federal law or law of this
8 state. The term includes an easement benefitting an intrastate utility, an interstate utility, or a
9 utility cooperative. The term “utility cooperative” means a non-profit entity whose purpose is to
10 deliver a utility service, such as electricity, oil, natural gas, water, sanitary sewer, storm water, or
11 telecommunications, to its customers or members and includes an electric cooperative, rural
12 electric cooperative, rural water district, and rural water association.

13 **SECTION 4. RIGHT OF SERVIENT ESTATE OWNER TO RELOCATE**

14 **EASEMENT.** A servient estate owner may relocate an easement under this [act] only if the
15 relocation does not materially:

16 * * *

17 (5) during the relocation, disrupt the use and enjoyment of the easement by the easement
18 holder or others entitled to use and enjoy the easement, unless the servient estate owner
19 substantially mitigates the duration and nature of the disruption;

20 (6) impair the physical condition or use of, or the value of improvements on, ~~or the~~
21 ~~physical condition or use of~~ the dominant estate; or

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