1	UNIFORM EASEMENT RELOCATION ACT
2	Errata
3	July 11, 2020
4	<b>SECTION 2. DEFINITIONS.</b> In this [act]:
5	(1) "Appurtenant easement" means a nonpossessory property interest that:
6	(A) provides a right to enter, use, or enjoy a servient estate; and
7	(B) is tied to or dependent on ownership or occupancy of a unit or a parcel of real
8	property.
9	* * *
10	(4) "Easement" means a nonpossessory property interest that provides a right to enter,
11	use, or enjoy real property owned by or in the possession of another which obligates the owner or
12	possessor not to interfere with the entry, use, or enjoyment permitted by the instrument creating
13	the easement or, in the case of an easement not established by express grant or reservation, the
14	entry, use, or enjoyment authorized by law. The term includes an appurtenant easement and an
15	easement in gross.
16	(5) "Easement in gross" means a nonpossessory property interest that:
17	(A) provides a right to enter, use, or enjoy a servient estate; and
18	(B) is not tied to or dependent on ownership or occupancy of a unit or a parcel of
19	real property.
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(a) Except as otherwise provided in subsection (b), this [act] applies to an easement other method for creating an easement. (b) This [act] may not be used to relocate:

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## SECTION 3. SCOPE; EXCLUSIONS.

established by express grant or reservation or by prescription, implication, necessity, estoppel, or

5 6 (1) a public-utility easement, conservation easement, or negative easement; or 7 (2) an easement if the proposed location would encroach on an area of the of any 8 servient estate burdened by a public-utility easement or conservation easement or would interfere 9 with the use or enjoyment of a public-utility easement or an easement appurtenant to a 10 conservation easement;. 11 (3) an easement if the relocation would require an improvement or other 12 modification to the dominant estate which would encroach on an area of the dominant estate 13 burdened by a public-utility easement, conservation easement, or negative easement; or 14 (4) an easement to a location other than the servient estate. (c) This [act] does not prevent apply to relocation of an easement by consent. 15 \* \* \* 16 SECTION 10: LIMITED EFFECT OF RELOCATION. 17 18 (a) Relocation of an easement under this [act]: \* \* \* 19 20 (5) does not affect the priority of the easement with respect to other real-property 21 interests of record burdening the area of the servient estate on which the easement was located prior to the relocation; and 22