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1           **SECTION 3. SCOPE; EXCLUSIONS.**

2           (a) Except as otherwise provided in subsection (b), this [act] applies to an easement  
3 established by express grant or reservation or by prescription, implication, necessity, estoppel, or  
4 other method for creating an easement.

5           (b) This [act] may not be used to relocate:

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.~~

15           (c) This [act] does not ~~prevent~~ apply to relocation of an easement by consent.

16           \* \* \*

17           **SECTION 10: LIMITED EFFECT OF RELOCATION.**

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  
22 prior to the relocation; and