

## **EASEMENTS, UTILITY SERVICE AGREEMENTS, COMMON AREAS, PRIVATE STREETS AND PUBLIC RIGHTS-OF-WAY**

A new public water main must be located in one of the following areas:

- [New Easement, to be recorded by docket & page](#)
- [New Easement, dedicated by final plat](#)
- [Existing Easement, recorded by docket & page](#)
- [Existing Easement, dedicated by final plat](#)
- [Utility Service Agreement, to be recorded by docket & page](#)
- [Common Area, dedicated by final plat](#)
- [Private Street, dedicated by final plat](#)
- [Existing Public Right-of-Way, dedicated by final plat, road map, or deed](#)
- [New Public Right-of-Way, dedicated by final plat, road map, or deed](#)

Instructions for each of these areas are listed below, as are instructions for [Easement Abandonment](#).

### **NEW EASEMENT TO BE RECORDED BY DOCKET & PAGE**

1. Easement descriptions shall be typed on 8 ½"x11" sheets without logos, headings, or addresses.
2. Easement descriptions shall have type no smaller than ten-point
3. All pages of the easement description shall have top, bottom, left, and right margins of ½" minimum. The heading shall include as its first line the label *EXHIBIT "A"*, followed by the legal description title.
4. A separate easement description will be required for each separately owned parcel.
5. A title report (less than 2 months old) shall be submitted with the easement description for each separate parcel. The owner, as listed on the title report or deed shall match the owner as called out on the water plan.
6. Easements shall be a minimum 15 feet wide, with the water main in the center of a 15-foot easement. Mains in easements wider than 15 feet shall be parallel to the easement and 7.5' minimum from the nearest parallel edge.
7. Easement descriptions shall be titled as either a "Public Water Easement" or "Public Utility Easement".
8. The first paragraph of the easement description shall refer to the applicable Section, Township, Range, and Initial Point.
9. Bearings, distances, point of beginning, etc., shall be called out on the plan exactly as stated in the legal description
10. The easement shall be shown on the cover sheet site plan.

11. The easement shall be shown and labeled on all applicable interior plan sheets.
12. When a water main is installed in an easement on residential property the following note shall be added to the general notes on the cover sheet of the water plan: "Any construction, including walls, is prohibited in the public water easement (or public utility easement) across Lot(s).
13. It is not necessary to add acreage to the easement description.
14. The unrecorded easement description shall be stamped and signed by the engineer or registered land surveyor who prepared the document.
15. Easement descriptions and ownership documents will be reviewed by Tucson Water prior to plan approval.
16. Upon plan approval, the easement description and ownership document is forwarded by Tucson Water to the C.O.T. Real Estate Division for recordation.
17. The Real Estate Division will obtain the owner's signature and notarization prior to recording of easement.
18. The Real Estate Division will forward a copy of the recorded easement to Tucson Water.
19. Construction may proceed, but the water project will not be finalized and meters will not be released until the easement is recorded.

## **NEW EASEMENT, DEDICATED BY FINAL PLAT**

1. If the easement is recorded by plat, and it is on-site, the plat might not be recorded at the time of plan approval. An unrecorded plat for an on-site easement is acceptable so long as all Tucson Water requirements for the easement are met and are reflected on the unrecorded final plat.
2. If the easement is recorded by plat, and it is off-site, the plat must be recorded prior to finalization of the plan.
3. Easements shall be a minimum 15 feet wide, with the water main in the center of a 15-foot easement. Mains in easements wider than 15 feet shall be parallel to the easement and 7.5' minimum from the nearest parallel edge.
4. Easements shall be dedicated to the "Public", "Pima County", or the "City of Tucson" ("Public" is preferred), either a "Water Easement" or "Utility Easement".
5. The easement shall be shown, but not labeled, on the cover sheet site plan.
6. The easement shall be shown and labeled on all applicable interior plan sheets.
7. When a water main is installed in an easement on residential property the following note shall be added to the general notes on the cover sheet of the water plan: "Any construction, including walls, is prohibited in the public water easement (or public utility easement) across Lot(s).
8. The final plat will be reviewed by Tucson Water prior to plan approval.

## **EXISTING EASEMENT, RECORDED BY DOCKET & PAGE**

1. An existing easement which is shown on a Tucson Water valve map and labeled as "Public Utility Easement" or "Public Water Easement", has been verified by the Tucson Water Mapping/GIS Section, and the recording document does not need to be submitted. The easement may be used for installation of new mains if it meets the requirements listed below, and any requirements specific to the individual project.
2. If the existing easement is not shown and labeled on the Tucson Water valve map, the consultant must submit a legible copy of the recorded document that dedicated the easement.
3. Easements shall be a minimum 15 feet wide, with the water main in the center of a 15-foot easement. Mains in easements wider than 15 feet shall be parallel to the easement and 7.5' minimum from the nearest parallel edge.
4. Easements shall be dedicated to the "Public", "Pima County", or the "City of Tucson", as either a "Water Easement" or "Utility Easement".
5. An existing recorded easement dedicated from one property owner to another property owner, expressly for installing and maintaining water lines or utilities, is a private easement and is not acceptable for installation of public water lines
6. The easement shall be shown, but not labeled, on the cover sheet site plan.
7. The easement shall be shown and labeled on all applicable interior plan sheets.
8. When a water main is installed in an easement on residential property the following note shall be added to the general notes on the cover sheet of the water plan: "Any construction, including walls, is prohibited in the public water easement (or public utility easement) across Lot(s).
9. Easement descriptions will be reviewed by Tucson Water prior to plan approval.

## **EXISTING EASEMENT, DEDICATED BY FINAL PLAT**

1. An existing easement which is shown on a Tucson Water valve map and labeled as "Public Utility Easement" or "Public Water Easement", has been verified by the Tucson Water Mapping/GIS Section, and the recording document does not need to be submitted. The easement may be used for installation of new mains if it meets the requirements listed below, and any requirements specific to the individual project.
2. If the existing easement is not shown and labeled on the Tucson Water valve map, the consultant must submit the document that dedicated the easement.
3. Easements shall be a minimum 15 feet wide, with the water main in the center of a 15-foot easement. Mains in easements wider than 15 feet shall be parallel to the easement, and 7.5' minimum from the nearest parallel edge.
4. Easements shall be dedicated to the "Public", "Pima County", or the "City of Tucson", as either a "Water Easement" or "Utility Easement".

5. The easement shall be shown, but not labeled, on the cover sheet site plan.
6. The easement shall be shown and labeled on all applicable interior plan sheets.
7. When a water main is installed in an easement on residential property the following note shall be added to the general notes on the cover sheet of the water plan: "Any construction, including walls, is prohibited in the public water easement (or public utility easement) across Lot(s).
8. The recorded final plat will be reviewed by Tucson Water prior to plan approval.

## **UTILITY SERVICE AGREEMENT, TO BE RECORDED BY DOCKET & PAGE**

1. Water mains installed on property owned by the City of Tucson, such as parks, well sites, and property leased to the Tucson Airport Authority, require a Utility Service Agreement. The execution of this agreement is similar to that of a new easement being recorded by docket & page.
2. Utility Service Agreement descriptions shall be typed on 8½" x 11" sheets without logos, headings, or addresses.
3. Descriptions shall have type no smaller than ten-point.
4. Pima County Recorder requires standard margins to be maintained. Page one\_ shall have a top margin of 2" minimum vertical space from left to right, to be reserved for recordation and return address. Sides and bottom margin shall be ½" minimum. Interior pages shall have top, bottom, left, and right margins of ½" minimum.
5. Utility Service Agreement areas shall be a minimum 15 feet wide, with the water main in the center of a 15-foot strip of land. Mains in Utility Service Agreement areas wider than 15 feet shall be parallel to the strip of land, and 7.5' minimum from the nearest parallel edge.
6. Utility Service Agreement areas shall be dedicated for the express purpose of installation and maintenance of water lines.
7. The first paragraph of the Utility Service Agreement description shall refer to the applicable Section, Township, Range, and Gila and Salt River Meridian, Pima County, Arizona.
8. Bearings, distances, point of beginning, etc., shall be called out on the plan exactly as stated in the legal description.
9. The Utility Service Agreement area shall be shown on the cover sheet site plan.
10. The Utility Service Agreement area shall be shown and labeled on all applicable interior plan sheets.
11. It is not necessary to add acreage to the legal description.
12. The unrecorded legal description shall be stamped and signed by the engineer or registered land surveyor who prepared the document.
13. Utility Service Agreements will be reviewed by Tucson Water prior to plan approval.
14. Upon plan approval, the Utility Service Agreement document is forwarded by Tucson Water to the C.O.T. Real Estate Division for execution.

15. The Real Estate Division will forward a copy of the recorded document to Tucson Water.

### **COMMON AREA. DEDICATED BY FINAL PLAT**

1. Some common areas are dedicated to public utility use. Read the dedication on the cover sheet of the plat for verification.
2. Common areas shall be a minimum 15 feet wide, with the water main in the center of a 15-foot common area. Mains in common areas wider than 15 feet shall be parallel to the edge of the common area, and 7.5' minimum from the nearest edge.
3. Common areas shall be dedicated to the "Public", "Pima County", or the "City of Tucson" for the express purpose of installation and maintenance of water lines or utilities.
4. Common areas shall be shown and labeled on the cover sheet site plan.
5. Common areas shall be shown and labeled on all applicable interior plan sheets.
6. Final plats will be reviewed by Tucson Water prior to plan approval.

### **PRIVATE STREET, DEDICATED BY FINAL PLAT**

1. Some private streets are dedicated to public utility use. Read the dedication on the cover sheet of the plat for verification.
2. Mains in private streets shall be parallel to the centerline (10 foot offset from centerline is standard), and 7.5' minimum from the nearest edge.
3. Private streets shall be dedicated to the "Public", "Pima County", or the "City of Tucson" for the express purpose of installation and maintenance of water lines or utilizes.
4. Private streets shall be shown and labeled on the cover sheet site plan.
5. Private streets shall be shown and labeled on all applicable interior plan sheets.
6. Final plats will be reviewed by Tucson Water prior to plan approval.

### **EXISTING PUBLIC RIGHT-OF-WAY, DEDICATED BY FINAL PLAT, ROAD MAP, OR DEED**

1. An existing right-of-way which is shown and labeled on a Tucson Water valve map has been verified by the Tucson Water Mapping/GIS Section, and the recording document does not need to be submitted. The right-of-way may be used for installation of new mains if it meets the requirements listed below, and any requirements specific to the individual project.
2. If the existing right-of-way is not shown and labeled on the Tucson Water

valve map, the consultant must submit a legible copy of the recorded document that dedicated the right-of-way.

3. Mains in public rights-of-way shall be parallel to the centerline (10 foot offset from centerline is standard), and 7.5' minimum from the nearest edge.
4. Public rights-of-way shall be shown and labeled on the cover sheet site plan.
5. Public rights-of-way shall be shown and labeled on all applicable interior plan sheets.
6. The document that dedicated the right-of-way will be reviewed by Tucson Water prior to plan approval.

## **NEW PUBLIC RIGHT-OF-WAY TO BE DEDICATED BY FINAL PLAT, ROAD MAP OR DEED**

1. The consultant shall submit a legible copy of the document that is dedicated to the right-of-way.
2. Mains in public rights-of-way shall be parallel to the centerline (10 foot offset from centerline is standard), and 7.5' minimum from the nearest edge.
3. Public rights-of-way shall be shown and labeled on the cover sheet site plan.
4. Public rights-of-way shall be shown and labeled on all applicable interior plan sheets.
5. The document that is dedicating the right-of-way will be reviewed by Tucson Water prior to plan approval.

## **EASEMENT ABANDONMENT**

The consultant has three options:

1. Perform the abandonment.
  - i. Contact Bob Beecher 520-451-4923, City of Tucson Real Estate, or Kathryn Gerber, 520-837-2212, Tucson Water System Planning and Evaluation, for the abandonment procedure.
  - ii. Show the abandoned easement on the water plan cover sheet, adding a line style to the legend.
  - iii. Show and label the abandoned easement with docket and page number on the applicable interior sheets.
2. Have Tucson Water perform the abandonment.
  - i. Show the abandoned easement on the cover sheet.
  - ii. Show and label it on the interior, "Easement Abandoned per Docket
  - iii. , Page". Tucson Water will fill in the blanks when the abandonment is recorded.
  - iv. Provide an unrecorded easement description with graphic exhibit.
  - v. Provide a title report no older than two months.

- vi. Reflect the legal description, with bearings and distances in tabular form, on the water plan, exactly matching the legal document
3. Record the abandonment “per plat”, i.e., show the legal description on the plat and label the abandoned easement on the water plan “abandoned per plat”.