

# WSSC Private Easement Agreement Fact Sheet

## ***What is a private easement agreement? Do I need one?***

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A private easement agreement is a legal document drawn up by the owner(s) of a property to designate an area of that property for a specific use and grant that use to a specified individual(s). The agreement is usually between two separate property owners but sometimes the agreement is for two separate properties owned by the same individual.

**Note:** The private easement agreement is not with the WSSC but only between private property owners.

You will need a private easement agreement for situations where the private water and/or sewer service pipes needed to serve your house or building must be installed across a separate adjacent property (by a master plumber) in order to connect to a WSSC water and/or sewer service connection.

The WSSC requires a recorded executed private easement agreement (if applicable) with an application for water and/or sewer service connections. The Office of the General Counsel of WSSC has developed a private easement agreement form which contains the legal language to grant and protect a private easement for a water and/or sewer service connection that WSSC requires.

**DISCLAIMER:** The form is provided as a guide only. The WSSC does not intend that the form correspond to all situations. WSSC does not warrant that the form is free from errors or omissions, nor does WSSC warrant that the form meets any particular standard. The provision of the form does not and should not be considered to constitute legal advice from WSSC to the applicant, and no attorney-client relationship is created thereby. WSSC advises all applicants to consult with an attorney for their protection before executing this document.

A private easement agreement is a legal document granting permission to cross and serve one or more properties owned by different individuals or owned by the same individual. It is possible that multiple private easements may be required depending on the situation.

The private easement agreement document can be found at:  
[http://www.wsscwater.com/dsg-permits/permits\\_doc\\_forms.cfm](http://www.wsscwater.com/dsg-permits/permits_doc_forms.cfm)

## ***What information do I need to complete the private easement agreement?***

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Because a private easement agreement is a legal document you will need to include a number of important legal terms which will make the document valid. **WSSC will turn away any easement agreement that does not have all the required information; has had the wording changed; and/or is not notarized or recorded.**

You will need to provide an address as well as an accurate legal description of the property, including:

- Lot
- Block
- Subdivision
- Parcel
- Liber/Folio
- Property Tax ID

You will need to specify what kind of service connection the easement(s) will be for:

- Water
- Water & Sewer
- Sewer

You will need to provide a money amount greater than zero. **Please Note:** The money amount field on the private easement agreement form can not be blank or zero.

**REFER TO PAGE ONE OF EASEMENT AGREEMENT FORM FOR THESE FIELDS.**

## ***Are there any other documents that need to be submitted with the private easement?***

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You will need to hire a registered surveyor to prepare a schedule A and B (sometimes referred to as exhibits). ***No easement document will be accepted unless a schedule A and B is included.*** Examples of both schedules have been included in this fact sheet for reference.

## ***How much right-of-way will need to be granted in the private easement?***

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The size of the right-of-way that needs to be granted in the private easement depends on the number and size of the connections that will cross the adjoining property. Below is a table listing the recommended right-of-way widths for normal water and/or sewer service connections.

<b>Normal Individual Easements for Service Connections</b>		
<i>Item</i>	<i>Recommended</i>	<i>Horizontal Separation</i>
Water Connection Only	15'	N/A
Normal Depth Sewer Connection only (no more than 12' deep)	20	N/A
Pressure Sewer Connection Only	15'	
Water and Pressure Sewer Connection	25'	10' minimum
Water and Gravity Sewer Connection	20'	18" or 1.5'

*For deep sewer connections (greater than 12') add an additional five feet of easement.*  
*Vertical separation: Water 18 inches (1.5') above gravity sewer for horizontal separations less than 10'*  
*Minimum distance between a water, gravity sewer or pressure sewer connection and edge of easement is 7'.*  
*Minimum distance between pressure sewer connection and any water line is 10'.*

## ***How do I record and submit the private easement agreement to WSSC?***

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Once the private easement agreement and schedules A and B are completed and notarized you will need to take them to the county land records office to be recorded. The county will stamp a Liber and Folio number on each sheet of the private easement agreement and the schedules as proof that the document was recorded. Once you are finished with the county you will need to submit to WSSC Permit Services a copy of the recorded private easement agreement along with the recorded schedule A and B.

**Note:** We strongly recommend that you bring the private easement agreement into WSSC Permit Services to be reviewed before having it recorded.

Your county's land records office can be located at:

<b>Montgomery County</b> Recording Department Clerk of the Circuit Court 50 Maryland Avenue Rockville, MD 20850	<b>Prince Georges County</b> Land Recording Department 14741 Governor Oden Bowie Drive Room L65 Upper Marlboro, MD 20772
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Schedule "B" example

