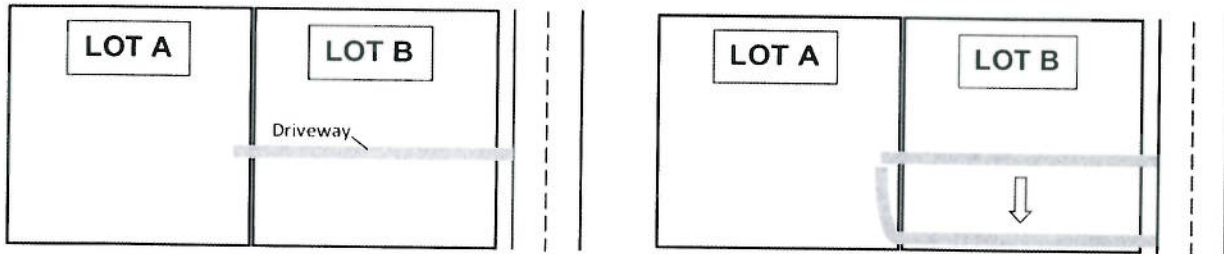


HB132S1 Uniform Easement Relocation Act

Purpose: An easement is a right to use land that is not owned by the person or entity that needs to use it, such as a driveway crossing a neighboring yard to enable street access. This act modifies the existing Utah rule requiring mutual consent for relocation of an easement and outlines a clear path forward in cases where the parties do not agree. HB132S1 requires landowners to provide advanced notification of plans for relocation to parties who own an interest in the property that benefits from the easement, any of whom may object in court.



What the Bill does: The provisions of HB 132S1 will enable a court to allow an easement relocation, HB132S1 requires the burdened property owner to show that the relocation will not materially:

- reduce usefulness of easement,
- impose a burden on easement holder,
- impair a purpose for which the easement was created,
- impair the safety of anyone using the easement,
- reduce the value or condition of the easement holder's property.

There are exceptions to this act as it excludes easements held by public utilities and easements that restrict development.

Contributing Agencies and Stakeholders that have been involved in vetting:

- Utah Cities and Counties
- Rio Tinto
- Dominion Energy
- Utah Petroleum Association
- Utah Association of Special Districts
- Rural Water Association of Utah
- Uniform Law Commission
- Northern Wasatch Association of Realtors
- Utah Department of Transportation