

Section 8 Right-of-Way and Easements

TDEC Reference: Procedures for maintenance of right-of-ways and easements for the sanitary sewer lines

KUB recognizes that proper access to sewer manholes for routine and corrective maintenance is a key element to proper system management. Generally, sanitary sewers within the KUB wastewater collection system are located in either public right-of-way or within utility easements, if located on private or other agency controlled property, and are easily accessible for inspection and maintenance. Public right-of-way generally represents a street or roadway, including appropriate setbacks, and is under ownership and management of the designated transportation authority (i.e. city, county, or state). General maintenance of public right-of-way, which includes mowing, street cleaning, pothole repair, surfacing, and grubbing is the responsibility of the respective transportation authority. KUB coordinates sewer maintenance activities with each transportation authority to ensure proper traffic flow is maintained and to prevent damage to the right-of-way. Sewer maintenance crews follow specific procedures when performing sewer maintenance in these areas. The location of all manholes and sewer lines within the public right-of-way is maintained in the Knoxville – Knox County – KUB Geographic Information System (KGIS). The KGIS is an automated mapping and geographic information system cooperatively created, owned, and funded by the City of Knoxville, Knox County, and KUB. KGIS maintains digital geographic data for all of Knox County, Tennessee.

Since the vast majority of KUB's wastewater collection system is made up of gravity lines, these facilities were designed and built to follow the natural topography of the area, which does not always allow using the public right-of-way. As such, many of the sewer lines within the KUB system are located on private property or property controlled by other agencies and jurisdictions. Likewise the majority of sewer lines on private property were designed and constructed in segments over many years by developers or the City of Knoxville prior to the system's acquisition by KUB in 1987. To ensure access to the sewer lines, utility easements were established and generally are all recorded on property deed records that are stored and maintained by Knox County and/or other designated jurisdictions. Easements for KUB sewer lines are delineated within the KGIS, which is accessible by the sewer maintenance crews through computers located in service vehicles.

Wastewater collection facilities are added to the KUB system, as follows:

- (1) New construction by KUB through the normal CIP process
- (2) Turnover of new facilities by developers
- (3) Addition of assets of other adjacent utilities through acquisition

For new KUB construction, easements are acquired and recorded by KUB Procurement staff, in accordance with the location and limits defined on the engineering design drawings. KUB has legal and administrative staff who work directly with Engineering to

prepare easement documents, negotiate with property owners, prepare right-of-entry agreements, and process necessary legal documents.

Physical maintenance of sewer line easements is of primary concern and importance to KUB, but has generally not been a major problem. Most property owners are aware of their utility easements and that KUB access for routine maintenance or inspection is a requirement. The primary issue impacting easement maintenance is in regard to landscaping and special structures that, over the years, have been installed by property owners either within or too close to the limits of the original easement.

Many sewer easements are located along the back property line in areas that may not receive regular mowing/clearing and as such, vegetation has grown to such an extent as to limit access. In those cases, KUB works with the property owner to the extent possible to gain access. When necessary, KUB will pursue access to the sewer lines through legal means. However, that is a rare occurrence. Property owners in general are quite cooperative with KUB, and KUB is very proactive in restoring any damaged areas resulting from work performed on sewer lines.

