

### **Does a landowner get paid for an easement or right-of-way?**

The landowner granting the easement will receive a payment (\$1.00 minimum) to make the agreement legal. Any other compensation is subject to negotiation between the landowner and the company or person requesting an easement or right-of-way.

### **Will a building permit include information about easements?**

No! All landowners should check the title for any easement or right-of-way agreement prior to undertaking any major construction or alteration to their property. It is the landowner's responsibility to know!

### **Are there penalties for locating buildings or improvements on land subject to an easement or right-of-way?**

The landowner may be faced with all costs of removal and any associated damages resulting from unauthorized location of improvements on land that is subject to an easement or right-of-way.

### **Will an easement or right-of-way affect the value of property?**

It's possible. Most restrictions on property use are based on either access or safety. Some of the restrictions may be negotiable, while others may be specified by government regulation and are non-negotiable. Restrictions may affect a significantly larger portion of the property than the area defined in the easement or right-of-way agreement. Consider the example of high tension power lines running through an easement. Resale values may be affected since many people feel that living too close to power lines is a health risk. Lastly, some buyers may simply not like the idea that others have a right to use the land in some way.

### **How does an easement or right-of-way affect a real estate transaction?**

It's very important that buyers know where easements are located and what restrictions accompany them. Once determined, the buyer can evaluate the effect that they'll have on enjoying the property, building structures or even planting gardens. Encroachments into easement boundaries may have to be remedied and may affect the buyer's willingness to conclude the sale.

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