

DISTRIBUTION AND SERVICE EASEMENTS		
DPP NUMBER	DPP 500 P III-131	
EFFECTIVE DATE	11/08/2023	SUPERSEDES 8/03/1982
APPROVED BY	/ s / by <i>Mike Haynes, Interim General Manager</i>	

- 1.0 **PURPOSE:** To set guidelines for determining when City Light must obtain distribution and service easements and to set forth the procedures for obtaining easements, when required.
- 2.0 **POLICY:**
- 2.1 An easement in gross shall be obtained from the affected property owner or owners when:
- 2.1.1 A customer receiving the service connection is served by entering, crossing, or accessing private property other than the customer's own property with City Light equipment.
 - 2.1.2 A distribution system serving more than one building is placed on private property.
 - 2.1.3 Electrical facilities will be used immediately to provide power to expand the system to other areas or the area being immediately serviced requires a distribution system.
 - 2.1.4 The system will be used for distribution to other areas at a future date, City Light shall attempt to secure a gross easement from the affected parties.
 - 2.1.5 An easement appurtenant has been established in a plat for ingress, egress and utilities and the Grantor is still in title, City Light shall secure an easement in gross from the Grantor.
- 2.2 City Light may obtain an assignment of existing easement rights as they relate to electrical facilities when electrical power is to be installed as a service to accommodate a single user and there is an existing utility easement appurtenant to the user's property.
- 2.3 City Light shall make reasonable efforts to obtain an easement when property has the potential for subdivision.
- 2.4 City Light shall require customers receiving the service connection to obtain easements from owners of property over which the service will enter, cross, or access.
- 2.5 Considerations affecting choice of easements routes shall consist of the following:
- 2.5.1 The potential for disruption to the affected property;
 - 2.5.2 The cost and convenience of new construction to City Light and the customer;
 - 2.5.3 The safety of City Light employees, the customer, and the general public.

- 2.6 The customer must provide City Light with all required documents, data, and other information to obtain an easement, including, when necessary, a survey of the easement route.

3.0 **ROLES / RESPONSIBILITIES:**

- 3.1 City Light shall be responsible for:

- 3.1.1 Conducting a field check of the site.
- 3.1.2 Determining whether or not an easement is needed.
- 3.1.3 Notifying the customer that an easement must be obtained and providing information concerning City Light procedures.
- 3.1.3 Inspecting the service when the customer is ready for connection, including, but not limited to, determining if the service lies completely within the easement area as secured.
- 3.1.4 Connecting the customer.
- 3.1.5 Properly recording and filing easement documents after they are returned by the customer.

- 3.2 The customer shall be responsible for:

- 3.2.1 Submitting a service application for service.
- 3.2.2 Obtaining the easement when required for service connection to his/her property.
- 3.2.3 Providing all required documents, data, and other information necessary for City Light to prepare the easement document.
- 3.2.4 Obtaining signatures on the easement from affected property owners.
- 3.2.5 Notifying City Light that the service is ready for connection.

4.0 **PROCEDURES:**

- 4.1 The customer submits a service application to City Light.

- 4.2 City Light:

- 4.2.1 Conducts a field check of the site, including a field determination of service route.
- 4.2.2 Determines whether or not an easement is needed and if one is, notifies the customer.

- 4.3 City Light initiates action to obtain an easement by:

- 4.3.1 Reviewing the easement request, for accuracy and completeness.
- 4.3.2 Conducting a title search.
- 4.3.3 Preparing an easement document and sending it to the applicant for signatures of the impacted property owners.
- 4.3.4 Follows-up periodically with reminders of the outstanding easement to the applicant.

- 4.4 Customer obtains signatures on easement document.

- 4.5 When a signed easement document is received from the applicant, City Light:
 - 4.5.1 Checks the instrument for accurate and notarized signatures.
 - 4.5.2 Records the easement document with King County Auditor's Office.
 - 4.5.3 Drafts the acceptance ordinance for adoption by City Council.
 - 4.5.4 Sends the draft ordinance to City Council for acceptance.
 - 4.5.5 Files the easement with the City Clerk.
- 4.6 If no easement is needed, or after the easement is secured, the customer will complete their construction.
- 4.7 The customer notifies City Light that the service is ready for connection.
- 4.8 City Light inspects the service after the customer notifies City Light that the service is ready for connection.
- 4.9 City Light determines the service is within the easement area as secured and connects the service.

5.0 **DEFINITIONS:**

- 5.1 Distribution system. For purpose of this DPP, a distribution system can be overhead (poles, wires, transformers, anchors), underground (vaults, handholes, conduits, pad mounted equipment, wire) or a combination of these.
- 5.2 Easement in gross - A limited right to use the land of another, which is not created for the benefit of any land owned by the easement owner. An easement in gross does not pass with the sale of land, but may be assigned by the easement owner to another party for the purpose specified; i.e., an easement to City Light for a distribution line is an easement in gross.
- 5.3 Easement appurtenant - A limited right which one property owner has in land owned by another, which attaches to the benefitted property and passes to a new owner with the sale of that benefitted property; i.e., an easement to a property owner for an electrical service across his or her neighbor's property is an appurtenant easement.

6.0 **REFERENCES:**

- 6.1 National Fire Protection Association Regulations, National Electrical Code
- 6.2 State of Washington, Electrical Construction Code, CH 296-44 WAC
- 6.3 City of Seattle Electrical Code Supplement to NEC, Ordinance 109716, or as the same may be amended
- 6.4 Requirements for Electric Service Connection, Section 2.2

7.0 **APPENDIX:**

- 7.1 Distribution: Posted online @ [Seattle City Light Public Policies](#) and [Internal SCL SharePoint Site](#)

REVISION HISTORY:

DATE	CHANGES MADE	REVISED BY
11/8/2023	Revised policy and procedure to align with current business practices.	Author: Greg Sancewich and Tim Croll Coordinator: Kim Kinney