



Department of
Environmental

Drainage Easements

Their impact on property

What is an Easement?:

An easement is an interest in real property that conveys use, but not ownership, of a portion of an owner's property. Easements may be permitted for a specific portion of the property for many varied purposes. Governments, municipalities and public utilities use easements to establish access, restrictions and rights to property.

In short, an easement allows someone the right to use your property.

Maintenance:

Property owners are responsible for routine grounds maintenance such as grass mowing and trash or debris removal, and should ensure that systems are kept free of yard waste such as grass clippings, tree trimmings and leaves that may block the flow of water. Trees shrubs and other growth in easements belong to and are maintained by the property owner.

Restrictions:

A homeowner is not allowed to place any object in a drainage easement that is created for the free flow of water. This prevents the homeowner from placing a bench, shed or any type structure that blocks water flow. This affects how a homeowner plans his yard. The area designated as a drainage easement is off limits for any use other than growing grass and planting flowers. Drainage easements used for the sole purpose of underground pipes allow for fences, as long as the installation does not damage the pipes.

How do I know if there is a drainage easement on my property?

Drainage easements may be shown on the plat you received when you purchased your home and/or they are usually registered on the certificate of title to the property and "run with the land", being automatically transferred from one owner to another as the land is sold. In addition, easements are recorded in the Dinwiddie County Circuit Court Land Records **(804-469-4540)**. If a drainage ditch is located adjacent to the road, contact VDOT at **1-800-FOR-ROADS (367-7623)**. For further information or assistance, contact the Dinwiddie County Environmental Administrator at **804-205-4615**.