

PMPO Easement Project: Correcting Easements

A title company needs to pull the title reports and attach all known references to easements for each property. Sometimes these documents have not shown up on an initial search. We have a collection of documents with references to 'public roads' that have surfaced over the years from the 1800's, 1920's, 30's 40's, and 50's that can make each report as current as possible.

These documents show that properties are already burdened with easement (especially in the Birch Hill/ Crestline area) showing the intent was there for roads. However the documents are lacking the proper language required by the County to make them a 'legal, deeded, plotable, easement'.

To correct an easement, the following steps must be completed:

1. In some places a 'legal description' for the road needs to be created by a surveyor. In some situations this can be done from existing title reports. However, in some areas, a road needs to be surveyed.
2. The title company needs to check, and plot, the surveyor's legal description on a map, taking the road to a County maintained road.
3. A deed needs to be drawn up with the proper language (that is what has been lacking all these decades), granting the use of the road to the landowner and to the neighbors who also travel the road, all the way out to a County maintained road.

Question: Does it need to be notarized?

Answer: Yes. Each deed needs to be signed in front of a notary.

Question: What does it cost?

Answer: That depends--see Estimated Costs.

If you have a loan on your property -- the lender needs to subordinate the loan to put the easement in first position. This charge varies from lender to lender. An escrow officer would walk the subordination through. In some areas, the subordination charges may possibly be shared in a neighborhood where others also benefit.

If you own your property outright -- then, no subordination would be needed.

Question: How do we get it Recorded?

Answer: Volunteers will walk the paperwork through to get it recorded.

Question: Can I help?

Answer: Yes! Neighborhood volunteers are needed to help process paperwork, contact neighbors, and coordinate collection of fees. Please let us know if you have an interest in helping.