



MUIR CONSULTING, Inc.

Land Surveying ♦ G. P. S. ♦ Planning

EASEMENTS

Easements

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easement (eez-ment). An interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specified limited purpose (such as to cross it for access to a public road). *Blacks Law Dictionary, 7th Ed.*

As noted above, easements reserve certain rights for property owners, both positive as well as negative. A negative easement would be a “solar” or “light & air” easement where the adjoiner parcel would be prevented from blocking access to the benefits of the sun. Easements can be exclusive, appurtenant or in gross. They may be created by reservation or exception, deed, prescriptive use, reference to a plat or eminent domain.

Muir Consulting provides a wide range of services in accommodating your easements needs from inception to recordation. From a simple strip easement for utility purposes to a five mile long, 20 foot wide road easement to access the corporate duck hunting ranch, we will survey the site, write the legal description, and prepare a plat for recording.

Public Easement: For the benefit of the entire community, such as a sewer or storm drain.

Private Easement: For the enjoyment restricted to one person or a few specific parties, such access to ones land through another parcel.

The primary recognized easements are:

- (1) a right-of-way
- (2) a right of entry for any purposes relating to the dominant estate
- (3) a right to the support of land and buildings
- (4) a right of light & air
- (5) a right to water

Easement for the Future: Solar Access



Section 801, Subdivision 18 of the California Civil Code states – The right of receiving sunlight upon or over land as specified in Section 801.5.

Section 801.5. (a) The right of receiving sunlight as specified in subdivision 18 of Section 801 shall be referred to as a solar easement. “Solar easement” means the right of receiving sunlight across real property of another for any solar energy system.

Working as a Team

The successful project requires teamwork between the owner, architect, city officials, lawyer, title company, and the land surveyor. Muir Consulting, Inc. brings all of these team members together, working closely to ensure that the most important goal, successful recordation of the easement, is met in a timely fashion.

We have successfully prepared easements throughout California and Nevada. Please contact us for all of your easement needs.

