

## **BOARD CLARIFIES OPINION ON EASEMENT MONUMENTATION**

In the fall/winter edition of the Board's News Bulletin No. 56, a licensee asked the question, "do easements and lease areas require monuments?" On page 6 of the bulletin, the answer was given as "yes, the boundaries of easements and lease areas for cell towers need to be monumented and a Record of Survey filed with the County. **Easements require monumentation as well.**" (Emphasis added). The Board received many calls and e-mails questioning the reasoning behind this last sentence, especially regarding easements in platted subdivisions where monuments at all easement corners would be confusing to the lot owners and the general public.

It was not the intention of the Board to imply that easements in subdivisions which are parallel to and adjoining lot lines or street right of ways need to be monumented. The Board considers the lot corner and street right-of-way monuments to be sufficient witness monumentation to define the lines of such easements. In addition, the Board is of the opinion that other simple easements shown on a subdivision plat which have sufficient ties to lot and street monumentation to allow a surveyor to calculate the location of those easements do not need additional monumentation. If a multi-course easement which cuts through a lot or common area is to be placed on a subdivision plat, such as for a private access road or a power line, the surveyor should provide monumentation for the easement so that owners of the lot affected by the easement and owners of the easement can see the location on the ground.

Easements and lease areas for cell towers, conservation easements, drain field easements, road easements, power line/pipe line easements, etc., that are to be field located, which are not within platted subdivisions and are not described as being monumented by the road or utility need to be monumented and a Record of Survey filed with the County.

It is impossible for the Board to imagine every possible scenario but the key is if the easement is field located and not already monumented, either artificially with a magnetically detectable iron or steel rod compliant with Idaho Code 54-1227, or naturally with a constructed feature such as an existing road or some other physical feature, it must be monumented.