

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 427

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the semicolon insert "requiring that the written agreement be indexed under a certain name;"; and in line 9, after "findings;" insert "requiring the court order to be recorded and indexed; requiring a certain person to pay certain costs associated with relocation of an easement; defining a certain term;".

AMENDMENT NO. 2

On page 1, after line 19, insert:

"(A) IN THIS SECTION, "PARTIES IN INTEREST" INCLUDES MORTGAGEES, UTILITY COMPANIES, AND GOVERNMENTAL OR QUASI-GOVERNMENTAL AUTHORITIES THAT MAY HAVE AN INTEREST IN THE EASEMENT."

AMENDMENT NO. 3

On page 1, in line 20, strike "(A)" and substitute "(B)(1)"; after line 25, insert:

"(2) THE WRITTEN AGREEMENT SHALL BE INDEXED UNDER THE NAME OF THE OWNER OF THE LAND THAT IS SUBJECT TO THE EASEMENT.";

and in line 26, strike "(B)" and substitute "(C)".

On page 2, after line 6, insert:

"(3) THE COURT ORDER RELOCATING THE EASEMENT SHALL BE RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE EASEMENT OR ANY PART OF THE EASEMENT IS LOCATED AND INDEXED UNDER THE NAME OF THE OWNER OF THE LAND THAT IS SUBJECT TO THE EASEMENT."

(Over)

AMENDMENT NO. 4

On page 2, before line 7, insert:

“(D) THE OWNER OF THE SERVIENT EASEMENT SHALL PAY ALL REASONABLE COSTS ASSOCIATED WITH THE RELOCATION OF THE EASEMENT.”.