

Texas Bar CLE— Land Use Conference — Easements: From Acquisition to Termination

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www.pec.coop

A screenshot of the PEC website homepage. The header includes the PEC logo and navigation links: RESIDENTIAL MEMBERS, COMMERCIAL MEMBERS, ENERGY SERVICES, SAVINGS & CONSERVATION, YOUR COOPERATIVE, LOCAL INVOLVEMENT, and SIGN IN HERE. The main content area features a large image of a lineman next to a white pickup truck with the text 'Lineman Appreciation Day April 18'. To the right is a blue box with the text 'Thank your PEC linemen! Post to Facebook or Twitter using #PEClinemen and #Thankalineman' and social media icons. Below this are three sections: 'PAY MY BILL' with a link to log in to the SmartHub, 'WAYS TO SAVE' with a link to learn more about CO-OP Conservation, and 'ENERGY NEWS' with a list of recent news items including 'Apr 07, 2016, PEC invites members to meet 2016 director candidates April 21', 'Apr 01, 2016, PEC to list franchise fees as billing line item starting May 1', 'Mar 25, 2016, PEC announces April cost reduction', and 'Mar 18, 2016, PEC on the Clean Power Plan'.

Easement Types

- Express
 - Easement in gross
 - Easement appurtenant (covenant running with land)
- Prescriptive – open, notorious, actual visible
- Implied
 - Prior Use
 - Necessity *Hamrick v. Ward* 446 S.W.3d 377 (Tex. 2014)
- Estoppel – Imposed by equity because of reliance on a representation

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Express Easement

- Express Easement (conveyance of an estate in land)
 - (1) be reduced to writing;
 - (2) be executed by the grantor or grantor's agent; and
 - (3) be delivered
(Tex. Prop. Code 5.021).
 - (4) express an intent to convey an easement;
 - (5) provide an adequate property description of the servient (burdened) estate.
- Format for grant
 - PEC – Easement (signed only by grantor)
 - Conveyance in a deed
 - Reserved in conveyance on the servient estate
 - Recorded plat of the servient estate
 - Dedication – grant of easement to general public

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Title search: Easements: From Acquisition to Termination

Also available as part of the eCourse

[Property Rights: Update on Takings and the Complicated Nature of Easements](#)

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"Easements: From Acquisition to Termination"