

§458. Easements or rights-of-way; installation of utility services

1. Easements or rights-of-way established on or after January 1, 1990. The owner of an easement or right-of-way does not have the right by implication to install utility services on or under the easement or right-of-way if:

A. The easement or right-of-way is originally established in a written instrument executed on or after January 1, 1990; and [PL 1989, c. 149 (NEW).]

B. The instrument granting or reserving the easement or right-of-way does not expressly include the right to install utility services. [PL 1989, c. 149 (NEW).]

[PL 1989, c. 149 (NEW).]

2. Definitions. As used in this section, the following terms have the following meanings.

A. "Easement or right-of-way" means the right of a person to pass over the land of another person. [PL 1989, c. 149 (NEW).]

B. "Utility services" includes facilities necessary for the transmission of electricity, gas, telephone communications, cable television, sewerage, water or similar services which are currently or may in the future become available. [PL 1989, c. 149 (NEW).]

[PL 1989, c. 149 (NEW).]

SECTION HISTORY

PL 1989, c. 149 (NEW).

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