

## **Fairfax County Code - Sewer and Water Systems**

### **Section 65-6-5. - Ownership of building sewer.**

The ownership of building sewers, including the connections between buildings and sewer mains and including those portions located within a recorded easement, the rights-of-way of public or private streets, shall be vested in the owners of the premises on which such building sewers, or portions thereof, are located. The County shall not be responsible for operation or maintenance of such sewers. (15-95-65; 18-98-65.)

### **Fairfax County Sanitary Sewer Easement Agreement**

1. All sewers, manholes and appurtenant facilities which are installed in the easement and right-of-way shall be and remain the property of the County, its successors and assigns.

2. The County and its agents or assigns shall have full and free use of the said easement and right-of-way for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of the easement and right-of-way including the right of access to and from the right-of-way and the right to use land adjoining the easement where necessary; provided, however, that this right to use adjoining land shall be exercised only during periods of actual construction or maintenance, and then only to the minimum extent reasonably necessary for such construction or maintenance, and further, this right shall not be construed to allow the County to erect any building or structure of a permanent nature on such adjoining land.

3. The County shall have the right to trim, cut and remove trees, shrubbery, fences or other obstructions or facilities in or near the easement being conveyed, deemed by it to interfere with the proper construction, operation and maintenance of said sewers; provided; however, that the County at its own expense shall restore, as nearly as possible, the premises to their original condition, such restoration to include the backfilling of trenches, the replacement of any existing fences, the seeding or sodding of the denuded areas and the replacement or transplanting of any shrubbery located within said easement, but not the replacement of trees, structures, or other obstructions.

4. The Owner(s) reserves the right to construct and maintain roadways over said easement and to make any use of the easement herein granted which may not be inconsistent with the rights herein conveyed or interfere with the use of said easement by the County for the purposes named; provided, however, that the Owner(s) shall not erect any building or other structure, excepting a fence, on the easement without obtaining the prior written approval of the County.