



## **Private Utility Easement Agreement – Complete Packet**

### **Documents Include:**

1. TRT 00064, Private Utility Easement Agreement Packet Cover Page
2. City of Phoenix Water and Sewer policy for building sites and packet instructions
  - **READ IN ITS ENTIRETY TO AVOID DELAYS**
3. Private Utility Easement Instructions and Sample Agreement
  - **IT IS HIGHLY RECOMMENDED THAT THE APPLICANT USE THE INCLUDED SAMPLE FOR RECORDATION PURPOSES IF APPLICANT IS UNFAMILIAR WITH THE MARICOPA COUNTY RECORDING PROCESS.**

<b>Issue Date</b>	January 2002; Revised: August 2025
<b>Code Section</b>	2024 UPC 307.1 & 721.0, 2024 IPC 701.3, 2024 IBC 104.10.3 (2024 PBCC) Phoenix Code Sections 28-29 (C) Sewers & Section 37-40 and 37-48 Water
<b>Approved:</b>	Technical Review Team
<b>Developed by:</b>	David McCarthy

City Code and the building code requires that all building sites tie directly into city services without routing domestic sewer, water and fire lines across interior property lines or parcels. If a lot does not already have public services, the developer shall extend public water/sewer to each lot and initiate plans for main extensions. **It is the developer's burden to document why this might be technically infeasible, not financially expensive.**

If public services are unavailable fronting each parcel and public services are not required by the Planning & Development Department (PDD) Civil Division or the Water Services Department to be extended within a public right-of-way or a public utility easement, then private utility easements, private maintenance agreements, and City of Phoenix approval via a "Private Utility Crossing Property Line packet" under IBC Amended Section 104.10.3 may be considered as an alternate solution.

The procedure for the Planning & Development Department Plumbing Plan Reviewer to consider approving private utilities through adjacent private lots is as follows:

- A. A City of Phoenix Water Services Department approval of easement is required before any new Utilities Crossing Property Lines recording can be processed through PDD. Attach copy of Water Department approval letter to Utilities Crossing Property Lines packet.**
- B.** Apply for a "Utilities Crossing Property Lines packet" with the Planning & Development Department. The application shall identify why the site(s) affected are not able to provide independent public services to each individual lot. The application shall include applicable Items C through E below.
- C.** Provide a copy of the recorded plat showing private utility easement locations, width and uses serving all parcels. (i.e., sewer, water, fire lines, etc.) In lieu of a plat, customer may record a private utility easement **after** initial approval by the Plumbing Reviewer. See included Private Utility Easement Sample for required format and legal descriptions. Include the Water Dept. approval letter (DSAP) in the recorded documentation.
- D.** Provide a copy of a maintenance agreement identifying who or what entity is responsible for maintaining the proposed private sewer, water or fire service lines within the private utility easements for all parcels affected. The customer will record this agreement **after** initial approval by the Plumbing Plan Reviewer.
- E.** Provide a copy of the onsite sewer, water, and fire service line construction plans showing all the private and/or public utility alignments from the public right-of-way which are to be located within the private utility easements for all parcels effected.

If the "Utilities Crossing Property Lines packet" is initially approved, associated code compliance for onsite private utility plans can then be approved after all documentation is recorded and provided. A copy of the recorded and approved "Private Utilities Crossing Property Lines" will be attached to the Field and City sets of construction drawings and the original approved copy will be maintained within Planning & Development Department Records.



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

## Private Utility Easement Agreement Sample Template & Instructions

City Code and Policy requires that all building sites shall tie directly into city services without sharing common private sewers or routing domestic water and fire lines through interior property lines or parcels. If a lot does not already have public services, the developer shall extend public water/sewer to each lot and initiate plans for main extensions. **It is the developer's burden to document why this might be technically infeasible, not financially expensive**

**Prepare the following items in the order listed:**

1. Obtain an approval letter from the Water Services Department by applying for a Water Department Technical Appeal. Application: [Appeal Application – Water and Sewer](#)
2. Complete a Private Utilities Crossing Property Lines Easement Agreement. Agreement template is included on following pages.
  - a. If replicating the template, **do not** change any of the agreement language or restrictions
  - b. Grantor(s) and grantee(s) must sign agreement and have it notarized
  - c. Name the type of private utility in the provided blanks of the template agreement - water, sewer, fire
  - d. Exhibit pages:
    - i. Each exhibit must be sealed by an Arizona licensed civil engineer or surveyor
    - ii. Provide a simple drawing of the affected parcels and label them with their associated APN.
      1. Exhibit A: Grantor's parcel(s)
      2. Exhibit B: Grantee's parcel
      3. Exhibit C: All affected parcels with the resulting private utility easement
      4. Include property addresses, assessor's parcel numbers, and a metes and bounds legal description of each affected parcel.
3. Create a maintenance agreement between affected grantor(s) and grantee(s) for the private utility line
4. Once the private utility easement agreement is signed and notarized by both the grantor and grantee, and the maintenance agreement is ready and agreed upon, record the Private Utility Easement and Maintenance Agreements with the Maricopa County Recorder's Office
5. Once recorded, provide the Planning & Development Department with a copy of the Water Services Department technical appeal approval letter, the recorded Private Utility Easement and Maintenance Agreements.

For more information or for a copy of this publication in an alternate format, contact Planning & Development at 602-262-7811 voice or TTY use 7-1-1.

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# PRIVATE UTILITY EASEMENT AGREEMENT

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Technical Appeal Number: \_\_\_\_\_

Plan Review Number: \_\_\_\_\_

**DO NOT REMOVE.**

**THIS IS PART OF THE OFFICIAL DOCUMENT.**

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# PRIVATE UTILITY EASEMENT AGREEMENT

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\_\_\_\_\_, (“Grantor”),  
as owner of the property, more particularly described on **Exhibit A**, for and in consideration of  
the sum of ONE DOLLAR and other good and valuable consideration, the receipt and  
adequacy of which is hereby acknowledged, does  
hereby grant to \_\_\_\_\_ (“Grantee”),  
as owner of the property more particularly described on **Exhibit B**, its successors and  
assign a perpetual, non-exclusive easement for a private (water, sewer, or fire) \_\_\_\_\_  
line over that portion of land located in Maricopa County, Arizona, that is more particularly  
described on **Exhibit C** attached hereto.

This easement is granted at the request of and for the benefit of the Grantee to allow  
installation and maintenance of a private (water, sewer, or fire) \_\_\_\_\_ line to cross  
property lines to benefit the following address / Assessor’s Parcel Number:

**Benefiting Property Address:** \_\_\_\_\_

\_\_\_\_\_  
**Assessor’s Parcel Number(s):** \_\_\_\_\_

This easement shall run with the land and shall not be revised or extinguished except with the  
express written agreement of the City of Phoenix Building Official.

This easement shall not be amended or abandoned unless the City of Phoenix Building Official  
certifies that all buildings have been made to fully comply with the applicable provision of the  
Phoenix Construction Code without need for this easement.

# **NOTARY & SIGNATURE PAGE**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_  
Signature(s) of property owner(s) granting the easement

STATE OF ARIZONA                    )  
  ) SS  
COUNTY OF MARICOPA            )

Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

by \_\_\_\_\_

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Commission Expires

# EXHIBIT A

## Metes and Bounds Legal Description of Grantor's Property

- Include a simple drawing of the parcel(s). Provide APN and address on the parcel(s). Must be signed and sealed by an Arizona licensed civil engineer or surveyor

Grantor APN number(s):

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Grantor Address(es):

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# EXHIBIT B

## Metes and Bounds Legal Description of Grantee's Property

- Include a simple drawing of the parcel. Provide APN and address on the parcel.  
Must be signed and sealed by an Arizona licensed civil engineer or surveyor

Grantee APN number:

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Grantee Address:

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# EXHIBIT C

## Metes and Bounds Legal Description of Easement Area

- Include a simple drawing showing the location & configuration of the easement area of the affected parcels. Must be signed and sealed by an Arizona licensed civil engineer or surveyor

Grantor APN number(s):

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Grantor Address(es):

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Grantee APN number:

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Grantee Address:

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