

Term

appurtenant easement	An easement that attaches to and runs with the property, regardless of the owner. For example, an easement stipulating use of the road would continue to accompany the property.
commercial easements	Larger easements in place, typically for utilities.
deed restriction	A restriction on the use of a property. For example, a stipulation that a parcel of land must be used for public use. Deed restrictions and conservation easements are fundamentally the same thing. It is a legally binding restriction on the use of land. It is in a form of a written instrument that affects the title of the land and generally recorded where deeds are documented. Deed restrictions may be referred to using a number of terms, it is crucial to review the necessary paperwork to evaluate precisely what you're limited from doing. Deed restrictions are referred to as covenants or restrictive covenants
dominant tenement	The party gaining the benefit of an easement over another piece of property, typically an appurtenant easement.
easement	Giving another entity the right to access your property for a specific purpose. This can include utility companies accessing lines or the right to use a road.
easement by condemnation	Due to eminent domain, the government has the right to take your property to put an easement in place for the benefit of the larger community.
easement by necessity	An easement put into place by need, such as an easement for a road needed to keep a property from being landlocked.
easement in gross	Granting a specific person a right of use on your property. For example, granting someone the right to hunt on your property.
egress	Getting out of a property. In property law, ingress, egress, and regress are the rights of a person. This allows the person to enter, leave and return to the premises. In addition, they can return the property.
eminent domain	The government power to take private property and convert it into public use. This property will be open for public use.
encroachment	An action taken when another (such as a neighbor, puts a structure that intrudes on or over the owner's land/boundary). There are several instances where boundary issues take place, and they can be quite difficult.
encumbrance	A burden on title; in other words, a temporary restriction on a property that can be removed when certain conditions are met. For example, if you have a mortgage against your property, you must pay it or you could lose the property.
general lien	A lien against multiple properties in which any of the properties can be used to satisfy the lien.
HOA	Homeowner's association, typically the enforcers of a restrictive covenant. There are several factors of HOA that we should be aware of such as monthly fees, there may be restrictions on the property, additional fines may appear and worst case scenarios,
ingress	Getting into a property. In terms of property law, ingress, egress, and regress are the rights of a person. This allows the person to enter, leave and return to the premises. In addition, they can return the property.

judgment lien	A lien placed on a particular property that gives a creditor the right to receive payment if a particular property is sold.
landlocked	Property that cannot be reasonably accessed, such as by road.
lien	A charge or claim against a person's property made to enforce a monetary payment. For example, if you owe property taxes, you must pay it or you could lose the property. Liens on real estate are stated claims against property that are created to secure expenses of debt. If someone owes debt (to a person or business) the creditor can place a lien on the property of the individual for the amount of debt that is due.
party wall easement	Each party owns half of the improvement placed between the properties.
police power	The state's inherent right to regulate an individual's conduct or property to protect the health, safety, welfare, and morals of the community.
restrictive covenant	A set of restrictions put onto a group of properties to protect the value of the properties. The idea is typically to keep the properties looking nice by ensuring that the entire area has a consistent look. There are a set of restrictive covenants, the most common are: Use, Architectural review, lease restrictions.
right to use	The right that landowners have to make a property productive. There is a main difference between Deeded and Right to use is the ownership of the property. Deeded means you tangibly own a portion of the property. Right to use only allows you the right to stay at the property
servient tenement	The party granting the benefit of an easement on their property. The party gaining the positive benefits of the easement is the dominant estate/tenement, while the party granting the benefit or suffering the burden is the servient estate/tenement
specific lien	A lien tied to a specific property, such that that property must be used to satisfy the lien.

Concept

Easement Creation	Easements are typically created with the deed through a title company and is recorded in that way. There are three ways to create easements: express, implied, and legal action.
Express Easement	An easement created by a deed or will; it must be in writing. An express easement can also be generated when the owner of a certain piece of property conveys the land to another, but saves or reserves an easement in it. This arrangement is also referred as an "easement by reservation".
Implied Easement	An easement created by actions or use of the property. For example, if two lots used to belong to one owner and only one of them connects directly to a road, the other owner needs the use of that road in order to reasonably enjoy the property. It may be understood by both owners, even without a written agreement, that the second lot owner may also use the road. An implied easement is an unrecorded easement in courtesy of one owner by law when the easement is compulsory, such as for light, air, or access to a land-locked parcel. This is an alternative method of saying that it is an easement that is produced by the courts
Legal Action Easement	Court ordered easement, created by necessity or condemnation. May be used to turn an implied easement into an express easement.
lien priority	Whichever lien is first (or the government) gets first priority. For example, if a property owner owes both taxes and a mortgage, the taxes are first priority. Liens usually adhere to "first in time, first in right" rule. Certain liens such as property tax liens will receive priority over all other prior liens

Termination of an Easement

Easements can be terminated just as they can be created, in an express or implied manner. This can happen when the easement is no longer needed, no longer used, or released by the party that uses it. the following steps must take place to terminate the easement: assess the current easement, notify the other party, record your easement termination, speak to other party, obtain the agreement in writing, record your easement's termination