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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 468 by Representative Abramson

AMENDMENT NO. 1

On page 1, line 2, after "694," delete the remainder of the line and insert "and 705 and to"

AMENDMENT NO. 2

On page 1, line 3, change "enclosed estates" to "rights and servitudes of passage"

AMENDMENT NO. 3

On page 1, line 4, after "utilities;" and before "to" insert "to provide for limitations and locations of a servitude of passage;"

AMENDMENT NO. 4

On page 1, line 6, after "694," delete the remainder of the line and insert "and 705 are hereby"

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert the following:

"New or additional maintenance burdens imposed upon the servient estate or intervening lands resulting from the utility servitude shall be the responsibility of the owner of the dominant estate."

AMENDMENT NO. 6

On page 1, between lines 17 and 18, insert the following:

"The utility crossing shall be constructed in compliance with all appropriate and applicable federal and state standards so as to mitigate all hazards posed by the passage and the particular conditions of the servient estate and intervening lands."

AMENDMENT NO. 7

On page 1, at the end of line 19, insert "or the right-of-way for the utility"

AMENDMENT NO. 8

On page 2, between lines 2 and 3, insert the following:

"The location of the utility right-of-way shall coincide with the location of the servitude of passage unless an alternate location providing access to the nearest utility is least injurious to the servient estate and intervening lands."

1 The court shall evaluate and determine that the location of the
2 servitude of passage or utility shall not affect the safety of the operations or
3 significantly interfere with the operations of the owner of the servient estate
4 or intervening lands prior to the granting of the servitude of passage or
5 utility."

6 AMENDMENT NO. 9

7 On page 2, delete lines 23 through 27 in their entirety and on page 3 delete lines 1 through
8 3 in their entirety