



1 of-way by any of the following:

2       (1) Metes and bounds; ~~or by~~

3       (2) Specification of the centerline ~~of the easement or right-~~  
4 ~~of-way, or by~~ and width;

5       (3) Station and offset; or

6       (4) Reference to an attached drawing or plat which may not  
7 require a survey or instrument based on the use of the global  
8 positioning system which may not require a survey. ~~Provided, That~~

9       (b) Oil and gas, gas storage and mineral leases ~~shall not be~~  
10 are not required to describe the easement but ~~shall~~ are required to  
11 describe the land on which the easement or right-of-way will be  
12 situate by source of title or reference to a tax map and parcel,  
13 recorded deed, recorded lease, plat or survey sufficient to  
14 reasonably identify and locate the property on which the easement  
15 or right-of-way is situate ~~Provided, however, That the easement or~~  
16 ~~right of-way is not invalid because of the failure of the easement~~  
17 ~~or right-of-way to meet~~ so long as the easement or right-of-way  
18 meets the requirements of ~~this~~ subsection (a) of this section.

19       ~~(b)~~ (c) This section does not apply to the construction of a  
20 service extension from a main distribution system of a public  
21 utility when ~~such~~ the service extension is located entirely on,  
22 below or above the property to which the utility service is to be  
23 provided.

1        ~~(c)~~ (d) The clerk of the county commission of any county in  
2 which an easement or right-of-way is recorded pursuant to this  
3 section ~~shall~~ may only accept for recordation ~~any~~ a document that  
4 complies with this section and that otherwise complies with the  
5 requirements of article one, chapter thirty-nine of this code,  
6 without need for a survey or certification under section twelve,  
7 article thirteen-a, chapter thirty of this code.

NOTE: The purpose of this bill is to require that descriptions of right-of-ways and easements include width in addition to identification of the center line when this method of description is used.

Strike-throughs indicate language that would be stricken from the present law and underscoring indicates new language that would be added.