

# Drainage Easements in Platted Subdivisions

## SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION INFORMATION SERIES

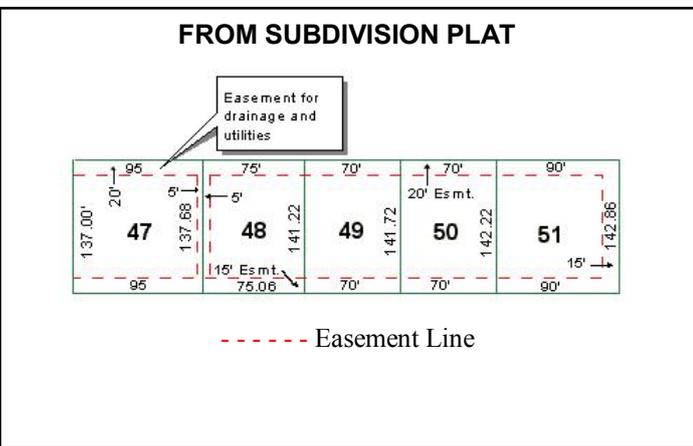
When land is developed through the subdivision process, public improvements are reviewed for compliance with specific standards. Many of these public improvements are easily noticeable, such as streets, street lights, and sidewalks. Others are hidden, yet vital, and assumed to be provided; such as utility location, water supply, sewage disposal, and electric distribution.

One of the often misunderstood and overlooked public improvements is the drainage easement. Not always recognized for what it is, and with a function that is not always apparent, the drainage easement needs some explanation.

When rain falls to the earth it moves into and over the land. When a subdivision is developed, the natural flow of water is disrupted. The paving of streets, sidewalks, and driveways, as well as the construction of homes, leave much less area for water to soak into the ground. Natural drainage courses for runoff can become obstructed and new ones must be created. A very important part of subdivision design is the drainage system.

A drainage system consists of: swales that direct the flow of water; ditches; storm sewers; and retention or detention ponds. Drainage swales are depressions that often run along the rear of a property and sometimes through a side yard. These are identified on the plat of the subdivision as drainage easements.

These drainage easements, although owned by the lot owner, must be left unobstructed to allow the flow of water. Nothing can be built in a drainage easement, including fences. The planting of



**IMPORTANT TERMS:**

**Drainage Course — A natural watercourse, swale, depression or ditch for the drainage of surface waters and storm sewers.**

**Easement — A liberty, privilege or advantage which a party or the general public may have regarding the land of another. The remainder of the rights in the land remain in the hands of the owner who retains the legal title.**

trees, shrubs, or other plants is prohibited. A drainage easement cannot be filled in, even if it is wet. Drainage easements carry water and will be wet for a while, particularly after a heavy rainfall. That is the way they are designed to work.

Advising  
Planning  
Evaluating  
Leading

Page 1



200 South 9th Street, Room 212  
Springfield, Illinois 62701

Phone: 217-535-3110

Fax: 217-535-3111

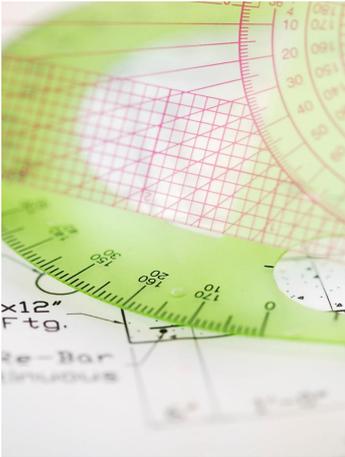
E-mail:

sscrpc@co.sangamon.il.us

# Drainage Easements in Platted Subdivisions

## SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION INFORMATION SERIES

Subdivision plats are on file in the Sangamon County Recorder of Deeds office. Plats for subdivisions developed in Springfield and unincorporated Sangamon County can also be seen at the Planning Commission office. Drainage easements will be shown as a specific number of feet from a property line.



A clear and open drainage system is vital to allow the movement of water away from homes, streets and other improvements. Property damage can occur if water is not allowed to properly run off the land. A legal obligation also accompanies the existence of a drainage easement. It is a lot owner's responsibility to ensure that drainage easements are not altered during home construction and to keep drainage easements clear of all obstructions once the home is occupied.

---

SSCRPC *Information Series* documents are intended to provide a brief guide for informational purposes only and should not be relied upon for a thorough understanding of the subject. They are not intended to provide a legal opinion and do not. Those seeking legal guidance concerning matters coming before the Springfield-Sangamon County Regional Planning Commission, the Sangamon County Board, or any of their boards, commissions or committees, are encouraged to obtain appropriate legal counsel.

For more detailed information, please refer to the appropriate sections of Sangamon County code. County ordinances change over time, so please refer to the current code of ordinances. Municipal jurisdictions located in Sangamon County have their own regulations, so these local codes should be consulted.

If you are unsure about jurisdiction, or seek additional information, please contact the Planning Commission at 217-535-3110, or e-mail us at [sscrpc@co.sangamon.il.us](mailto:sscrpc@co.sangamon.il.us).

**Please visit us on the web: [WWW.SSCRPC.COM](http://WWW.SSCRPC.COM)**

---

Advising  
Planning  
Evaluating  
Leading

Page 2

Updated  
April 2009