
EASEMENTS

Briar Cove is surrounded by easements. The homeowner generally owns the easements attached to his/her property, but is restricted in how the easements may be used. Some easements are attached to “common areas” such as the pond and walking trail. In addition, several agencies regulate the use of the easements. For a legal opinion, check your own property documents, and/or consult your attorney.

UTILITY EASEMENTS

The town of Dyer, the town of Schererville, and the various utility companies reserve the “right to access” to these easements for the installation, replacement, repair, and maintenance of the various utilities.

CONSERVATION EASEMENTS

- A good part of Briar Cove is surrounded by conservation easements, and wetlands.
- These easements fall under the jurisdiction of the U.S. Army Corps of Engineers, and the Indiana Department of Environmental Management.
- They do not allow anyone to excavate, dredge, fill, mulch, fertilize, or build any permanent structure on the conservation easement.
- They NEVER allow the removal of tree stumps. Trees can be trimmed or cut down, and stumps can be cut low, but they can NOT be removed. Why? Soil erosion.
- They do allow “normal” activities such as planting flowers and bushes, having birdbaths or bird feeders, mowing grass, placing benches on the easement.
- They actually encourage planting bushes and plants, but they want them to be bushes or plants that are native to Indiana Wetlands.
- The Dept. of Environmental Management, recommended “Buttonbush” in particular. They not only like water, but also can stand in up to 3 foot of water without any problems.
- Before doing any of the above, check with the association.

DYER DITCH EASEMENT

- There is a 75 foot easement on each side of Dyer Ditch.
- Dyer Ditch is considered a “regulated drain”, or part of the floodway.
- It is considered to be under the jurisdiction of the Indiana Department of Natural Resources, and the Lake County Drainage Board.
- They do not allow anyone to excavate, dredge, fill, mulch, or build any permanent structure on the easement.
- They do NOT allow the removal of any tree stump. Trees can be trimmed or cut down, but they do not allow the removal of the stump. Why? Soil erosion.
- Part the easement runs along the walking trail and part of it is on the other side of the ditch (not in Briar Cove).

The information above was obtained through phone calls to the various agencies mentioned above. It is a guide, for informational purposes only, and is not a legal opinion or document. sd