

## PARTY WALL EASEMENT AGREEMENT

EASEMENT AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_,  
between \_\_\_\_\_,  
hereinafter referred to as the "First Party," residing/having an office at \_\_\_\_\_  
and \_\_\_\_\_,  
hereinafter referred to as the "Second Party," residing/having an office at \_\_\_\_\_,  
collectively, the "Parties."

WHEREAS, the First Party is the fee owner of certain land located in the City and State of New York, Borough of \_\_\_\_\_, designated as Block \_\_\_\_\_ Lot \_\_\_\_\_ on the Tax Map of the City of New York, hereinafter referred to as Parcel A and more particularly described by a metes and bounds description set forth in Schedule A annexed hereto and by this reference made a part hereof;

WHEREAS, the Second Party is the fee owner of certain land located in the City and State of New York, Borough of \_\_\_\_\_, designated as Block \_\_\_\_\_ Lot \_\_\_\_\_ on the Tax Map of the City of New York, hereinafter referred to as Parcel B, more particularly described by a metes and bounds description set forth in Schedule B annexed hereto and by this reference made a part hereof;

WHEREAS, Parcel A adjoins Parcel B;

WHEREAS, there is a \_\_\_\_\_-story building erected on Parcel A;

WHEREAS, the Second Party has requested the New York City Department of Buildings (the "Department of Buildings") to act upon Application No. \_\_\_\_\_ to construct [alter] a \_\_\_\_\_-story building on Parcel B; [and]

[WHEREAS, there presently exists a wall lying on the line dividing the parcels of land of the First Party and the Second Party, which is the \_\_\_\_\_ [location of existing wall (e.g., northerly, southerly)] wall of Parcel A, and]

### Party Wall Notices Explained



#### What is a Notice?

The owners of the property next to your own wish to carry out building works, some elements of these works fall within notifiable works as defined by the Party Wall etc. Act 1996 (the Act).

This type of work requires them to issue Party Wall Notices to any adjacent property and in certain cases up to 4 metres (13 ft) away. As your property is adjacent, the relevant Notice has been issued to you. Your details have been taken from the Government's land registry website. The purpose of the Act is to ensure that adjacent owners are aware of the proposals and that their property is protected. [Party wall notices must be completed and are therefore able to act for both parties.](#)

#### What is a Party Wall Award?

A Party Wall Award will usually consist of three sections: (i) a set of guidelines outlining how the proposed works should proceed (e.g. details of the proposed works, working hours, time limit for the commencement of the works); (ii) a Schedule of Condition survey including a full set of photographs and (iii) the drawings showing the detail of the proposed works. Once the Award has been agreed, it is issued. A signed copy is sent to the two owners by their agreed surveyor or appointed surveyors. There is a 14-day right of appeal if either owner believes the award to have been improperly made, although appeals are rare.

#### What do I need to do?

You should respond to the Notice [within 14 days](#) and your options are as follows:

**(i) Consent to the works**—This option allows your neighbour to continue their proposed works with no further action under the Act. You will receive no further contact from us regarding this matter. This is not normally an advisable option for major works such as a basement conversion.

**(ii) Dispute\* to the works and appoint Mr Pritchard as an agreed surveyor**—This option appoints Mr Pritchard to act for both sides impartially, administer the Act and produce the Party Wall Award. This will include a Schedule of Condition survey of your property taken before the works begin to ensure that if any damage is caused by the works, the cost of repair will not be borne by yourself. Under all normal circumstances, the building owner carrying out the works will pay our fees.

**(iii) Dispute\* to the works and appoint your own surveyor**—This option means that your appointed surveyor will jointly attend the Schedule, administer the Act and produce the Party Wall Award. Under all normal circumstances the building owner carrying out the works will pay your surveyor's fees.

\*Dispute\* is the wording used in the Act - it does not mean that you are not happy for your neighbour to carry out the works or that you are causing disruption to their works.

Please reflect your choice on the enclosed acknowledgment form, ideally providing your contact details and return using the enclosed stamped self-addressed envelope or by e-mailing to [info@apmgroup.co.uk](mailto:info@apmgroup.co.uk)

Party Wall Surface Contracts Described Planning building and construction work near shared walls includes more than simply legal needs-- it likewise needs a clear understanding of the prices and timelines entailed. A party wall surface agreement usually sets you back around £ 1,000-3,000, though this can vary relying on the intricacy of

the task. Act 1996 is crucial for managing neighbour disputes in England and Wales. Act 1996 is an essential item of regulations in the UK, as it influences homes like terraced homes and blocks of flats. An event framework notification is an official warning to neighbors regarding planned work with event walls or celebration fencing wall surfaces. Yes, mediation can be made use of to settle party wall surface conflicts, yet this is performed with party wall surface land surveyors.

## **That pays for party wall surface agreement charges?**

Usually, the building proprietor that is preparing the building work will certainly pay all the costs related to preparing the Party Wall Agreement including paying the property surveyor(s).

They will certainly prepare a Celebration Wall Honor, which is a lawfully binding file laying out the regards to the job and exactly how any kind of disagreements will be attended to. If either event is dissatisfied with the honor, they can appeal it within 2 week. Offering the notice requires a two-month notification period, and disputes might call for added time to settle. Planning ahead and keeping good interaction with your neighbor can assist maintain delays to a minimum. Yes, you can serve a celebration wall notification on your own, yet it is extremely advised to make use of a professional celebration wall land surveyor.

## **Just How Much Does A Celebration Wall Land Surveyor Cost?**

They can make certain the notification is legally certified and assist avoid possible problems with your neighbor or legal delays. For home owners preparing construction work, it is important to look for specialist guidance and ensure all notifications are offered properly. By following the standards and keeping open interaction with neighbours, you can [Property Wall Agreement Drafting with Party Wall Solutions](#) navigate the process smoothly and prevent legal difficulties. Constantly review appropriate standards and consult with specialists before beginning any kind of project. If a neighbor dissents or fails to respond, a party wall property surveyor can aid. Likewise, all proprietors have to authorize the recognition type accompanying the notice. House owners need to serve a party wall surface notice a minimum of two months prior to beginning work, while excavations require a one-month notice period. If they dissent or fall short to react, the process may be delayed while a surveyor action in to mediate. Are you planning to execute structure work near or on a shared wall with your neighbor? If so, understanding when you require a celebration wall surface arrangement is important.

- Understanding when to seek this contract is vital for a smooth building and construction procedure.
- Constantly evaluation pertinent standards and speak with specialists before beginning any type of task.
- Envision living in a relaxing condominium where your living room wall is shown your next-door neighbor's kitchen area.
- Understanding the ins and outs of party wall surfaces can aid you determine if this living scenario is ideal for you.

Comprehending the ins and outs of party wall surface agreements is crucial for any house owner planning building job near shared walls. This legal paper makes certain that both property owners get on the very same page relating to proposed job, assisting to prevent prospective conflicts. These are (a) deal with existing event walls; (b) digging near an adjoining framework and listed below the level of their foundations, and (c) constructing new wall surfaces approximately or astride the lawful boundary.

## **Lawful Needs For Works Near Adjoining Residential Or Commercial Properties**

By being aggressive and making sure that all lawful and step-by-step needs are satisfied, you can considerably lower the danger of disputes and ensure that your building job proceeds smoothly. Addressing minor work

concerns at an early stage can stop them from rising right into larger legal cases. As an example, if a neighbor increases problems about possible damage, resolving these concerns promptly and seeking arbitration if needed can aid solve the concern amicably. One more substantial problem is falling short to inform all influenced parties. This oversight can lead to lawful problems and delays in your project. In addition, inaccurate summaries of the suggested job can cause complication and boost the probability of disagreements. Surveyor fees differ, yet their involvement supplies substantial benefits. They handle lawful treatments, ensuring all actions are adhered to properly and preventing task hold-ups. Their proficiency is important in browsing the complex Party Wall surface Act needs. Residing in a townhouse or condo with a party wall can be complicated, especially when it pertains to sound issues, upkeep obligations, and the capacity for improvements.

## **What Does A Celebration Wall Agreement Include?**

After a valid notice, you can start the jobs after expiry of the notice duration, yet must still follow the Act. The Party Wall Explanatory Brochure states this particular notice should be offered at least 2 months before starting work. We comprehend the requirements and the obligations of adhering to the Act can be a bewildering experience. When maintenance or repairs are required, you and your next-door neighbor can divide the expenses, reducing your monetary burden. This cost-sharing is generally assisted by a created event wall surface arrangement, which details each celebration's obligations and assists avoid disagreements. On the various other hand, non-structural party wall surfaces primarily work as noise and fire barriers, creating an extra exclusive-- and safeguard-- living environment. These shared walls are common in property settings, where they divide devices while enhancing area.