

Please read the Instructions prior to completing the Agreement Form

INSTRUCTIONS
ENCROACHMENT



1. Application must be filled out completely
2. A picture of the area where the encroachment will take place must be attached.
3. Describe the encroachment, such as canopy, banner, planter, underground utilities, sign, etc.
4. Plans and specifications must be attached
5. The application and attachments must be received FOUR (4) WEEKS in advance
6. Signature is required, along with legible printed name
7. Return Application to:

Board of Public Works
227 West Jefferson
1316 County-City Building
South Bend, Indiana 46601
(574) 235-9251
Fax: (574) 235-9171
E-mail: publicwks@southbendin.gov

REVOCABLE PERMIT

RECOGNITION OF ENCROACHMENT UPON CITY OF SOUTH BEND-CONTROLLED
PROPERTY AND PROVISIONS ALLOWING TEMPORARY CONTINUANCE OF SAME



Company Name: _____

Herein, "APPLICANT".

The encroachment will be permitted to remain and continue under the following terms and conditions:

- 1) Until such time as the BOARD OF PUBLIC WORKS (BOARD) of the CITY OF SOUTH BEND (CITY) shall determine that such encroachment is in any way impairing or interfering with the highway or with the free and safe flow of traffic thereon;
- 2) Said encroachment shall not in any way prejudice or preclude the CITY'S rights with respect to the future use of the portion of the right-of-way;
- 3) The encroachment as it now exists shall in no manner be added to or enlarged in its present scope or dimensions;
- 4) In the event of change of ownership of the fixture or any other item of personal property which constitutes the aforesaid encroachment, this permit shall become null and void;
- 5) The CITY shall not be liable to APPLICANT for any damages caused to APPLICANT that arise out of or is incidental to any activity and/or incidences authorized by this permit;
- 6) In consideration of the granting of this Permit by the BOARD, APPLICANT shall indemnify, hold harmless and defend the CITY from and against any and all actions or causes of action which the CITY may suffer or incur by reason of bodily injury, including death, to any person or persons, or by reason of damage to or destruction of any property, including the loss thereof, arising out of or in any manner connected with any activity and/or incidences authorized by this permit and/or any activities and/or incidences incidental thereto, or which the CITY may sustain or incur in connection with any litigation, investigation, or other expenditures incidental thereto, including any suit instituted by the CITY to enforce the obligation of this agreement of indemnity.

It is the intent of the parties hereto that the APPLICANT shall indemnify the CITY under this indemnification clause to the fullest extent permitted by law, except that APPLICANT shall not indemnify CITY for any damage or expense caused by the sole negligence of the CITY.

This approval shall be binding upon everyone past or present, claiming any interest in and to the aforementioned encroachment.

ACCEPTANCE OF TERMS AND CONDITIONS

I accept and agree to be bound by all of the terms and conditions of this permit.

Submitted By: _____

Signature: _____

Date: _____

BOARD OF PUBLIC WORKS APPROVAL

Gary A. Gilot, President

David P. Relos, Member

Kathryn E. Roos, Member

Michael C. Mecham, Member

Mark W. Neal, Member

Date

APPLICATION
 TO ENCROACH ONTO PUBLIC RIGHT-OF-WAY
 THE BOARD OF PUBLIC WORKS MUST HAVE FOUR (4) WEEKS PRIOR NOTICE
 PLANS AND SPECIFICATIONS MUST BE ATTACHED



Date: _____

Location of Encroachment: _____

PROPERTY-OWNER'S INFORMATION

Business Name: _____

Address: _____

City/State/Zip: _____

Signature _____

Print Name: _____

INSTALLER'S INFORMATION

Business Name: _____

Address: _____

City/State/Zip: _____

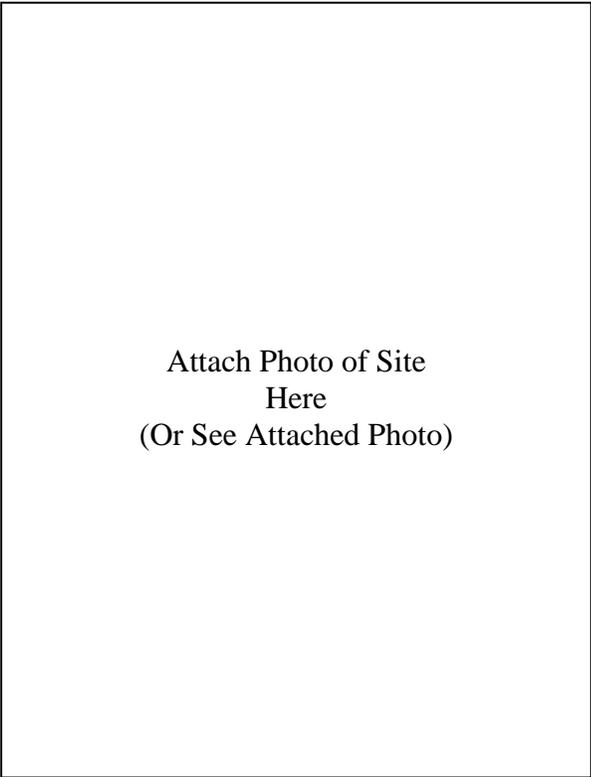
Signature _____

Print Name: _____

Encroachment Description: _____

CL Road to R/W Line	Size of Encroachment
_____	_____

Distance of R/W	Amount in R/W
_____	_____



The above information is to the best of my knowledge accurate and correct with regard to the encroachment in the City's right-of-way.

Placed By: _____

This Encroachment should not be relocated because _____

It has been determined that this encroachment in no way impairs the highway or with the free and safe flow of traffic thereon, and it is recommended that the encroachment be permitted to remain.

BOARD OF PUBLIC WORKS APPROVAL

Gary A. Gilot, President	David P. Relos, Member	Kathryn E. Roos, Member
Michael C. Mecham, Member	Mark W. Neal, Member	Date

RETURN FORM TO:
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