

Encroachment Agreement Procedures List For the Applicant

1. A Letter of Request or *Encroachment Agreement Initiation* form to the Planning and Development (address below) must accompany your submittal. This letter specifies the type of encroachment being proposed and its purpose. Please provide your preferred contact information and a mailing address.

2. The applicant can either download the Encroachment Agreement from the Planning and Development Department's website or contact City staff to request a copy of the agreement. The applicant must furnish three copies of an Encroachment Agreement signed by the property owner. All copies must have original signatures properly notarized.
 - If the property owner is a **corporation**, the agreement must be signed by the President or a Vice-President of the company. If a **partnership**, the agreement must be signed by the managing partner. If the applicant is a **sole proprietor**, he/she signs the agreement (as the grantee) and returns them to the Planning and Development Department

 - All signatures must be original and the document must be typed.

 - Each copy must have 8 ½ X 11 plans attached clearly showing the encroachment. These plans should include an elevation, profile and site plan. The plans must clearly detail the requested encroachment showing its relation to the property lines and the right-of-way.

 - Each copy must have a Certificate of Insurance attached. The General Liability requirements are a minimum of \$300,000 for residential properties and \$1,000,000 for commercial properties. This certificate must list the City of Fort Worth as the certificate holder.

 - If the property is owned under a company name, then a copy of the *Articles of Incorporation* for the company, showing signature authority for whoever signs the agreement, must also be submitted.

 - A copy of the deed for the noted property should be submitted with each Encroachment agreement submittals (including both Easement and ROW Encroachment agreements).

 - The application can only be accepted if accompanied with a full payment (fees below):
 - Encroachment agreement
 - **Application fee \$325.00** (Administratively approved or approved by Council)
 - **Annual fee** (calculation outlined below):

Effective November 5, 2012: All right-of-way and easement encroachment agreements processed will be subject to an annual charge equivalent to \$0.56 per square/linear footage of the encroaching item. The fee initially will be collected at the point of application and then annually for the duration of the terms of the agreement (30 years unless otherwise agreed upon). Contact Planning and Development staff for assistance or additional details.

Checks should be payable to *The City of Fort Worth*

THIS PROCEDURE MAY REQUIRE UP TO 60 DAYS if City Council approval is required.

If you have any questions, please call Cassandra Foreman at 817.392.8188