FOR OFFICE USE ONLY
CASE NO.:_____ FILING FEE RECEIPT NO.:_____
SUBMITTAL DATE:_____ INITIAL:_____
JD Edwards Account #: 1720.31790

L&HH AGREEMENT APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS:

☐ Applicable Fee.
- See Planning Department Fee Schedule

☐ Application provided by City of Amarillo completed in full. This application must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
☐ Metes and bounds description and/or Legal description.
☐ One folded copy and/or one digital copy of site plan detailing the proposed encumbrance with a section profile plan depicting the method or details of the encumbrance installation.
☐ Real Estate Appraisal Letter for encumbered area.

Property Address:_____ Tax I.D. No.:_____

Legal Description: _____

_____

Type of Encumbrance Requested: ☐ Surface ☐ Subsurface ☐ Air Space

Purpose or Reason for Encumbrance: _____

_____

Proposed Duration of Encumbrance: _____

Additional Information to Support Application: _____

_____

Applicant Name:_____

Firm Name (if applicable): _____

Address: _____

Telephone: (_____)_____ Email: _____

Applicant's Agent (if applicable)

Firm Name (if applicable): _____

Address: _____

Primary Contact Name: _____

Telephone: (_____)_____ Email:_____

Secondary Contact Name: _____

Telephone: (_____)_____ Email:_____

CERTIFICATION

I hereby certify that the above information and any attached documents are true and correct to the best of my knowledge.

Applicant's Printed Name: _____

Applicant's Signature: _____ Date: _____

If applicable:

Surveyor's Printed Name: _____

Surveyor's Signature: _____ Date: _____

APPLICATION IS NOT VALID WITHOUT COMPLETION OF ALL PAGES AND SIGNATURES

MAIN CONTACT PERSON RESPONSIBLE FOR APPLICATION

(PLEASE CHECK ONE)

☐ **Applicant/Owner** *(Check this box if as the Owner you wish to be the main contact person responsible for the application)*

As the Owner of the subject property, I shall be the principle contact person with the City in processing and responding to requirements, information, and/or issues relative to this case.

_____	_____	_____
Owner(s) Name(s) Printed	Signature of Owner(s)	Date

THE BELOW SIGNATURES ARE REQUIRED IF THE OWNER IS DESIGNATING AN AGENT OR CONTACT

☐ **Owner's Agent** *(Check this box if as the Owner you are authorizing a main contact person or agent, other than yourself, to be responsible for your application)*

In lieu of representing this request myself as an owner of the subject property, I herby authorize the person designated as agent to act in the capacity as my agent for the application, processing, representation, and/or presentation of this request. The designated agent shall be the principle contact person with the City (and vice versa) in processing and responding to requirements, information, and/or issues relative to this case.

_____	_____	_____
Owner(s) Name(s) Printed	Signature of Owner(s)	Date
_____	_____	_____
Agent's Name Printed	Signature of Agent	Date

Before me, the undersigned authority, on this day personally appeared_____ (Owner(s) Name) and _____ (Agent Name) known to me to be the persons whose names are subscribed to the above and forgoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity stated.

Given under my hand and seal of office on this _____ day of _____, 20_____.

Typical License and hold Harmless Agreement Process:

The attached form is your application for the City of Amarillo's consideration to allow the encumbrance of public rights-of-way or easements. If this request is approved, a License and Hold Harmless Agreement is prepared which shall comply with Section 4-6-189 of the Amarillo Code of Ordinances. This Section controls the consideration of request for encumbrances on, over, under, or through public rights-of-way. The requirements are as follows:

- The right to encumber the Public Right-of-way may be granted only by license and every Grantee of a license shall agree to indemnify and hold the City of Amarillo harmless from any and all damages to persons or property, or both, arising in any ways out of the use of the licensed premises. Each person applying for a license shall pay an application fee of TWO HUNDRED AND FIFFTY DOLLAREDS ($250.00) to cover the expenses of the processing costs associated therewith.
- No individual, person, firm, or corporation shall be granted a license for an encumbrance of the Public Right-of-way that would adversely affect the public health, safety, or welfare of the citizens of the City of Amarillo.
- A licensee shall pay a licensee fee depending upon the amount of right-of-way encumbered as set out below. In no event shall a license fee be less than TWO HUNDRED AND FITY DOLLARS ($520.00) for a period of one year.
    - For a private license authorizing a surface encroachment at the sidewalk level, the annual license fee shall be 7% of the fair market value times the square footage of encumbrance.
    - For a private license authorizing an air space encroachment above the sidewalks level, the annual license fee shall be 7% of the fair market value times the square footage of encumbrance.
    - For a private license to encumber subsurface area, the annual license fee shall be 2% of the fair market value times the square footage of encumbrance.
- Any individual, person, firm, or cooperation wishing to encumber the Public Right-of-way in any manner shall submit a license application to Development Services. Upon receipt (and normal City department and utility company review) of such application, the Director of Planning shall forward the request to the City Manager for approval.
- Any license granted hereunder shall be drafted or approved by the City Attorney.
- In the event any individual, firm, person, or corporation is denied a license, he shall have the right to appeal such denial to he City Council by filing a written notice of appeal with the City Secretary no later than five (5) days from his receipt of notice of the denial of his request.
- The City Council shall hear the applicants' request and shall determine whether or not to uphold the denial or to grant the request as presented or to modify it.